

## Cabinet

Tuesday 21 January 2020

4.00 pm

Ground floor meeting rooms, 160 Tooley Street, London SE1 2QH

### Membership

Councillor Peter John OBE (Chair)  
Councillor Rebecca Lury

Councillor Evelyn Akoto  
Councillor Jasmine Ali  
Councillor Stephanie Cryan  
Councillor Richard Livingstone

Councillor Victoria Mills  
Councillor Leo Pollak

Councillor Johnson Situ  
Councillor Kieron Williams

### Portfolio

Leader of the Council  
Deputy Leader and Cabinet Member for  
Culture, Leisure, Equalities and Communities  
Community Safety and Public Health  
Children, Schools and Adult Care  
Jobs, Business and Innovation  
Environment, Transport and the Climate  
Emergency  
Finance, Performance and Brexit  
Social Regeneration, Great Estates and New  
Council Homes  
Growth, Development and Planning  
Housing Management and Modernisation

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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Members of the committee are summoned to attend this meeting

#### Councillor Peter John

Leader of the Council

Date: 13 January 2020



# Cabinet

Tuesday 21 January 2020  
4.00 pm

Ground floor meeting rooms, 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
	<b>MOBILE PHONES</b>	
	Mobile phones should be turned off or put on silent during the course of the meeting.	
<b>1.</b>	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
<b>2.</b>	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.	
<b>3.</b>	<b>NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED</b>	1
	To note the items specified which will be considered in a closed meeting.	
<b>4.</b>	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.	

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>5.</b>	<b>PUBLIC QUESTION TIME (15 MINUTES)</b>	
	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 a public question is midnight Wednesday 15 January 2020.	
<b>6.</b>	<b>MINUTES</b>	2 - 16
	To approve as a correct record the minutes of the open section of the meeting held on 17 December 2019.	
<b>7.</b>	<b>DEPUTATION REQUESTS</b>	
	To consider any deputation requests. The deadline for the receipt of a deputation request is midnight Wednesday 15 January 2020.	
<b>8.</b>	<b>FAITH STRATEGY ACTION PLAN</b>	17 - 47
	To adopt the faith strategy action plan.	
<b>9.</b>	<b>HOUSING REVENUE ACCOUNT BUDGET - FINAL RENT-SETTING AND BUDGET REPORT 2020-21</b>	48 - 61
	To agree recommendations associated with the housing revenue account rent setting and budget for 2020 - 2021.	
<b>10.</b>	<b>WALWORTH COMMUNITY DEVELOPMENT SUPPORT</b>	62 - 71
	To note the success of Creation Trust and to approve the annual funding of £100,000 to the Creation Southwark Community Interest Company for housing advice.	
<b>11.</b>	<b>ELEPHANT AND CASTLE BAKERLOO LINE EXTENSION</b>	72 - 81
	To approve an additional capital budget of £7,500,000 to the council's capital programme to safeguard the construction of the station box.	
<b>12.</b>	<b>OLD KENT ROAD SOCIAL REGENERATION CHARTER</b>	82 - 100
	To agree the Old Kent Road Social Regeneration charter.	

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>13.</b>	<b>NEIGHBOURHOOD PLANNING - PLAN TO BE MADE A MATERIAL CONSIDERATION IN PLANNING DECISIONS RELATING TO THE DESIGNATED NEIGHBOURHOOD AREA</b>	101 - 107
	To agree that the Southbank and Waterloo Neighbourhood Plan becomes part of the council's development plan and is a significant consideration in all planning decisions relating to the neighbourhood area.	
<b>14.</b>	<b>PUBLIC SPACE PROTECTION ORDER REVIEW - TO TACKLE DOG RELATED ANTI-SOCIAL BEHAVIOUR</b>	108 - 118
	To approve the recommendation that the Public Space Protection Orders should continue without variation until March 2021.	
<b>15.</b>	<b>GATEWAY 2 - CONTRACT AWARD APPROVAL FOR SOUTHWARK HIGHWAYS WORKS CONTRACTS</b>	119 - 139
	To approve the award of the Southwark Highways Works Contracts in two lots commencing 1 July 2020.	
<b>16.</b>	<b>GATEWAY 2 - CONTRACT AWARD APPROVAL - PARKING AND TRAFFIC ENFORCEMENT AND ASSOCIATED SERVICES CONTRACT</b>	140 - 154
	To approve the award of a new parking and traffic enforcement services contract to APCOA Parking UK Ltd which will commence on 1 April 2020.	
	<b>DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING</b>	
	<b>OTHER ITEMS</b>	
	The following items are also listed for consideration at this meeting.	
<b>17.</b>	<b>POLICY AND RESOURCES STRATEGY 2020-21</b>	
<b>18.</b>	<b>IMPACT OF BREXIT ON SOUTHWARK - PROGRESS REPORT</b>	

**EXCLUSION OF PRESS AND PUBLIC**

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****19. MINUTES**

To approve as a correct record the closed minutes of the meeting held on 17 December 2019.

**20. GATEWAY 2 - CONTRACT AWARD APPROVAL FOR SOUTHWARK HIGHWAYS WORKS CONTRACTS****21. GATEWAY 2 - CONTRACT AWARD APPROVAL - PARKING AND TRAFFIC ENFORCEMENT AND ASSOCIATED SERVICES CONTRACT**

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

Date: 13 January 2020



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

### **Cabinet 21 January 2020**

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

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

This notice issued in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 is to confirm that the cabinet meeting to be held on 21 January 2020 at 4.00pm, Council offices, 160 Tooley Street, London SE1 2QH will be held partly in closed session for consideration of the following items listed on the agenda:

**Item 20: Gateway 2 - Contract Award Approval for Southwark Highways Works Contracts**

**Item 21 : Gateway 2 - Contract Award Approval - Parking and Traffic Enforcement and associated services contract**

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

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

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

Paula Thornton  
For Proper Constitutional Officer

**Dated:** 13 January 2020



## Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 17 December 2019 at 4.00 pm at Ground Floor Meeting Rooms, 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Peter John OBE (Chair)  
Councillor Rebecca Lury  
Councillor Evelyn Akoto  
Councillor Jasmine Ali  
Councillor Stephanie Cryan  
Councillor Richard Livingstone  
Councillor Victoria Mills  
Councillor Leo Pollak  
Councillor Johnson Situ  
Councillor Kieron Williams

### 1. APOLOGIES

Apologies for lateness were received from Councillor Peter John and Councillor Rebecca Lury.

### 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
- Item 22: Indicative Housing Revenue Account (HRA) Budget and Rent Setting 2020-21
- Item 23: Policy and Resources Strategy 2020-21 to 2022-23
- Item 24: Ledbury Towers Arup Structural Survey 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

There were none.

#### 5. PUBLIC QUESTION TIME (15 MINUTES)

##### 1. Public Question from Tom Lloyd

What is the strategy for dealing with the illegal parking every Sunday afternoon, and the noisy aftermath parties where the footballers consume alcohol, and disturb the peace and quiet for the residents in Bateman & Walters Houses? Please provide some new strategy with action points and timescales.

##### **Response by Councillor Evelyn Akoto, Cabinet Member for Community Safety and Public Health**

The council is continuing to monitor this location to deal with any parking infringements or anti-social behaviour that result from congregations that take place after football games on Sundays. Operations have taken place on the estate each Sunday since the 17 November and will continue to do so.

No penalty charge notices (PCNs) have been issued to Sunday footballers to date. The council's enforcement policy involves a five minute observation period for vehicles which are parked in a permitted parking space. This approach is consistent across Southwark and is common policy across many London boroughs. Very few boroughs issue parking tickets instantly in all circumstances. In instances where the parking contravention is seriously detrimental to other users, such as parking in a disabled bay, a PCN will be issued immediately. The council's parking enforcement protocols are on the council's website:

<http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=1857>

Given the issues raised, parking enforcement is not the only tool for dealing with this situation. For example on Sunday 17 November 2019 when the council sent enforcement officers to the Brandon estate, the footballers parking in the estate car park moved their vehicles to Otto Street but continued to congregate within the estate itself.

Regards to noise and anti-social behaviour being observed and reported, the council will work to tackle this issue and the noise service will carry out additional monitoring of the area in line with the Anti Social Behaviour Crime and Policing Act 2014. This will commence in the first week of January.

Neither the police nor the council have legal powers to ban the footballers from the area. The police do have powers of dispersal which they can implement in an area where there is likely to be anti-social behaviour, crime or disorder in a public place. This power has to be used proportionately and reasonably backed with appropriate evidence to support the use of such powers. Also, the council has been working with colleagues in Lambeth Council and individuals in the football club themselves. A meeting with one of the key community members who is involved in the organisation of the football games is scheduled for today (17 December 2019).

Officers from parking enforcement, the noise and nuisance team in conjunction with the anti social behaviour unit would welcome working more closely with the community to reassure and resolve the issue.

## 6. MINUTES

### RESOLVED:

That the minutes of the open section of the meeting held on 29 October 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.

### RESOLVED:

1. That the deputation requests from:

- Ledbury Resident Project Group (RPG)
- Kingswood Estate Tenants and Residents Association (TRA)
- Brandon Estate Tenants and Residents Association.

be heard.

### **Ledbury Resident Project Group**

The Ledbury RPG raised their issues with the emerging information on the costs of refurbishment on Ledbury and the process of consultation of residents and decision making on options.

Councillor Kieron Williams, cabinet member for housing management and modernisation, responded to the issues raised by the deputation and confirmed that he would be happy to meet with the deputation, along with relevant officers.

Councillor Peter John arrived at 4.20pm.

### **Kingswood Estate Tenants and Residents Association**

The Kingswood Estate TRA:

- raised issues with the proposed external wall insulation (EWI) cladding work on their blocks
- asked that cabinet examine the report submitted by the contractor in respect of what the deputation feel were exaggerated levels of damp
- requested that a due diligence be carried out on the material of the EWI with specific concerns about the health implications of this material on all residents
- requested for an estate wide open ballot concerning EWI cladding and for

- residents to be given some say in the matter
- requested that an alternative solution to the claimed damp issues should be considered and that consultation is carried out with residents.

Councillor Kieron Williams, cabinet member for housing management and modernisation, responded to advise that the ongoing consultation and conversation would continue with local residents following the survey by the independent expert agreed by the TRA.

Councillor Peter John, leader of the council, recommended that the deputation bring back any outstanding concerns they have in March 2020.

Councillor Rebecca Lury arrived at 4.30pm.

### **Brandon Estate Tenants and Residents Association**

The Brandon Estate TRA raised queries on:

- New Homes on Brandon Estate, which sites, dates, when 2020-2025 who are they for, council tenants on waiting list, social housing market rents.
- Hidden homes, report on the walkabout done December 2019, done on the Brandon Estate Services Charges for Major works for Phase 2 and 3.
- Confirmation of works, when will leaseholders be served Section 20 notices, costs.
- Services Charges for the year, why was there an increase, no explanation?

Councillor Kieron Williams, cabinet member for housing management and modernisation, and Councillor Leo Pollak, cabinet member for social regeneration, great estates and new council homes, responded to the deputation's questions. Councillor Evelyn Akoto, cabinet member for community safety and public health, confirmed that a meeting to discuss service charges and leases is planned in the new year for all leaseholders.

## **8. SCHOOL STANDARDS YEARLY REPORT**

Councillor Jasmine Ali presented the report to cabinet. Karen Fowler, headteacher of Michael Faraday Primary School and Sister Ann Marie Niblock, headteacher of Notre Dame Girls' Secondary School, were also in attendance to provide their input.

### **RESOLVED:**

- That the 'Best start in life - Southwark school standards report 2018-19' attached at Appendix 1 of the report be noted.

## **9. KINGSWOOD QHIP 2018-2019 EXTERNAL WALL INSULATION PROPOSALS - REPORT FROM OVERVIEW AND SCRUTINY COMMITTEE**

Councillor Jane Salmon, vice-chair of overview and scrutiny committee, formally introduced the report.

**RESOLVED:**

1. That officers be instructed to commission a detailed technical report carried out by an external, industry recognised, expert into the impact that external wall insulation will have on issues of damp and heat loss in properties on the Kingswood Estate, as well as the safety of the external wall insulation.
2. That the recommendations be considered and that the relevant cabinet member be requested to report back within eight weeks.

**10. RECOMMENDATIONS ON BRANDON ESTATE - REPORT FROM OVERVIEW AND SCRUTINY COMMITTEE**

Councillor Jane Salmon, vice-chair of overview and scrutiny committee, formally introduced the report.

**RESOLVED:**

1. That it be agreed that a core group of councillors, officers and residents meets regularly to review progress against the issues. This group should undertake a holistic review to ensure that all the strands of work in hand meet residents' needs. The group should work transparently by publishing documents such as action plans with RAG rating and minutes of its meetings.
2. That a clear timetable is set out and delivered for full access to the Jack Hobbs Club by April 2020.
3. That the housing scrutiny commission's review of district heating networks should include Brandon as one of its case studies. This should include the question of how compensation for heating outages is paid – i.e. whether it can be credited to bank accounts instead of rent/service charge accounts.
4. That an investigation be undertaken into the amount of time it took to implement the new CCTV, and that a report arising from the investigation be provided to the overview and scrutiny committee.
5. That the relevant cabinet member be requested to report back within eight weeks.

**11. LEATHERMARKET GRANT AGREEMENT**

Councillor Leo Pollak presented the report to cabinet.

**RESOLVED:**

1. That the overarching grant agreement with Leathermarket CBS to deliver 161 council homes be approved.
2. That the project grant agreement for the delivery of individual projects outlined in the overarching grant agreement be approved.
3. That the approval of the grant following this report be delegated to the strategic director

of housing and modernisation in consultation with the strategic director of finance and governance.

4. That it be noted that the council will own these properties and residents will be signed up on council tenancy agreements.
5. That it be noted that Leathermarket JMB will be ring-fencing the net rental income from the additional homes provided at Marklake Court and further schemes proposed for the first 10 years, which will bring additional benefits to the council and wider community, estimated at nearly £14m.
6. That it be noted that a separate agreement will be drawn up to agree the ring-fencing of this income, its use and including claw back mechanism by the council.
7. That it be noted that approximately £2m of this will be used to reduce the costs to the development programme.
8. That it be noted that the remaining £12m will be used to deliver an estimated additional 30-35 council homes. With the income accumulated from the new homes being used to start 10 of these homes by 2026/7.
9. That it be noted that the grant of £12,897,245 construction costs plus £2,904,245 professional fees and contingency will be given under the delegated approval to complete the work started on the Joseph Lancaster estate to deliver 40 council homes.
10. That it be noted that the council will receive £4,000,000 of Council Homes for Londoners Grant for the successful delivery of these homes at Joseph Lancaster.
11. That it be noted that an additional grant will be required to remediate the ground condition of the Joseph Lancaster site, following recent asbestos discovery. To date, no archaeological finds have been discovered that may adversely influence programme and/or costs.

## **12. GATEWAY 3 MAJOR WORKS FRAMEWORK EXTENSION**

Councillor Kieron Williams presented the report to cabinet.

### **RESOLVED:**

1. That the variation of Lot 1 Major Works Framework to the six providers (as detailed in paragraph 4 of the report) to extend the term of the framework agreements for a period of 12 months from 16 February 2020, at an estimated cost of £50m, with no overall change to a total maximum contract value of £200m, be approved.
2. That the variation of Lot 2 Major Works Framework to the five providers (as detailed in paragraphs 4 and 5) to extend the term of the framework agreements for a period of 12 months from 16 February 2020, at an estimated cost of £75m, with no overall change to a total maximum contract value of £280m, be approved.
3. That the variation of Lot 3 Major Works Framework to the five providers (as detailed

in paragraph 4) to extend the term of the framework agreements for a period of 12 months from 16 February 2020, at an estimated cost of £10m, with no overall change to a total maximum contract value of £40m be approved.

### 13. ANNUAL WORKFORCE REPORT 2018-19

Councillor Kieron Williams presented the report to cabinet.

#### RESOLVED:

1. That the workforce report attached as appendix one of the report be noted, and that this report:
  - a) Demonstrates that the council continues to reflect the diversity of the borough in the overall makeup of its workforce;
  - b) Suggests a picture of a productive and well motivated staff with low levels of sickness, low levels of staff complaints and good rates of staff retention.
  - c) Suggests that the council is an attractive employer given the high numbers of applications that the council receives;
  - d) Highlights how we will continue to shape our workforce equality plan and continue to implement Workforce Strategy with areas requiring further consideration, for example career development and in-work progression with a particular focus on under-represented groups.

### 14. COUNCIL TAX BASE 2020-21

Councillor Vikki Mills presented the report to cabinet.

#### RESOLVED:

1. That the schedule of discounts and exemptions in paragraph 12 of the report, which remains unchanged, with an exception for long-term empty dwellings effective from 1 April 2020 onwards, be agreed.
2. That it be agreed that the council tax base for 2020-21 is set at 106,284 (103,662 in 2019-20) band D equivalent dwellings.
3. That it be agreed that the assumed council tax collection level should remain at 97.20% for 2020-21 (97.20% in 2019-20), noting the risks outlined in paragraphs 23, 24 and 25.
4. That it be noted that the council tax base for 2020-21 for St. Mary Newington parish is set at 11,994 (12,129 in 2019-20) band D equivalent dwellings.
5. That it be noted that the council tax base for 2020-21 for St. Saviour's parish is set at 1,346 (1,259 in 2019-20) band D equivalent dwellings.
6. That it be noted that that:

- a minor change be made to the council tax reduction scheme for 2020-21, as set out in paragraphs 18 to 22 of the report.
  - any minor and consequential amendments to the CTRS written policy are to remain delegated to the Strategic Director of Finance and Governance, in consultation with the monitoring officer.
7. That it be noted that the NNDR1 return for 2020-21 showing the national non-domestic rates base will be approved by the Strategic Director of Finance and Governance in January 2020.
  8. That the proposed extension of the current council tax section 13a policy<sup>1</sup> covering discretionary relief be noted (refer to paragraph 17 of the report):
    - to continue the council tax discretionary relief (0% to 100%) for young people leaving Southwark council's care aged 18 to 24 years, for the period 1 April 2020 to 31 March 2021 (a third year for this scheme).
    - to continue foster carers discretionary relief (0% to 100%), for the period 1 April 2020 to 31 March 2021.

#### **15. TREE MANAGEMENT POLICY (2020-2025)**

Councillor Rebecca Lury presented the report to cabinet.

##### **RESOLVED:**

1. That the Southwark Tree Management Policy, following consultation held between 6 August 2019 and 27 September 2019, be approved.
2. That the responsibility for the monitoring of progress of delivering the Tree Management Policy be delegated to the deputy leader and cabinet member for culture, leisure, equalities and communities.

#### **16. THE SOUTHWARK NATURE ACTION PLAN**

Councillor Rebecca Lury presented the report to cabinet.

##### **RESOLVED:**

1. That the Southwark Nature Action Plan (SNAP) for the planning and management of biodiversity in the borough be approved.
2. That the monitoring of the progress of the SNAP be delegated to the deputy leader and cabinet member for culture, leisure, equalities and communities.

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<sup>1</sup> Southwark Council Tax Section 13a (1)(c) policy for 2020-21

**17. GARAGE COMPOUND HENSLOWE ROAD, EAST DULWICH LONDON SE22 OAS****RESOLVED:**

1. That it be confirmed that the land shown edged red on the plan at Appendix A of the report that is currently held for housing purposes is no longer required for those purposes and that 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 edged red on the plan at Appendix A of the report will no longer be required for planning purposes and that 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.

**18. LAND AT BALFOUR STREET AND CHATHAM STREET, WALWORTH****RESOLVED:**

1. That it be confirmed that the land shown edged red on the plan at Appendix A of the report that is currently held for housing purposes is no longer required for those purposes and that 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 edged red on the plan at Appendix A of the report will no longer be required for planning purposes and that 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.

**19. 2 SEDGMOOR PLACE, CAMBERWELL****RESOLVED:**

1. That it be confirmed that the land shown edged red on the plan at Appendix A of the report that is currently held for housing purposes is no longer required for those purposes and that 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 edged red on the plan at Appendix A of the report will no longer be required for planning purposes and that 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.

**20. GARAGE COMPOUND BASSANO STREET, EAST DULWICH LONDON SE22 8RU****RESOLVED:**

1. That it be confirmed that the land shown edged red on the plan at Appendix A of the report that is currently held for housing purposes is no longer required for those purposes and that 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 edged red on the plan at Appendix A of the report will no longer be required for planning purposes and that 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.

**21. STRATEGIC ACQUISITION OF LAND OLD KENT ROAD SE15****RESOLVED:**

1. That it be authorised pursuant to s120 of the Local Government Act 1972 and s9 of the Housing Act 1985, that the Council acquires the freehold interest in the property shown edged red on the plan at Appendix A of the report.
2. That the principal purchase terms set out in full in paragraph 4 of the closed version of this report and substantially in paragraph 19 of this report be authorised.
3. That authority be delegated to the Director of Regeneration to agree the detailed terms of the acquisition.

In accordance with the provisions of section 17 of the access to information procedure rules (decisions for urgent implementation), the chair of overview and scrutiny committee has agreed that this item may be treated as a matter of urgency and is therefore not subject to call-in.

**22. INDICATIVE HOUSING REVENUE ACCOUNT (HRA) BUDGET AND RENT SETTING 2020-21**

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept the report as urgent as there is a statutory duty to notify residents 28 days in advance of proposed changes in rents and charges, which means cabinet need to take decisions by the end of January to enable the timely production and receipt of notifications by residents in the first week of March for implementation on 6 April 2020. Part of the established rent setting process involves consultation with residents on the HRA Indicative Rent-setting and Budget report through Tenants Council which is scheduled to meet on 6 January 2020, with a subsequent report to cabinet on 21 January 2020 setting out the results of resident consultation.

**RESOLVED:**

1. That, on a provisional basis, a rent increase of 2.7% for all directly and tenant managed (TMO) housing stock within the HRA (including estate voids, sheltered and hostels), with effect from 6 April 2020, be noted. This is the maximum permitted under the Rent Standard 2020.
2. With regard to other HRA-wide charges, that on a provisional basis the changes to tenant service charges, comprising estate cleaning, grounds maintenance, communal lighting and door entry system maintenance as set out in paragraphs 23 – 24 of the report with effect from 6 April 2020 be noted.
3. That on a provisional basis the proposed changes to sheltered housing service charges contained as set out in paragraphs 25 – 29 of the report with effect from 6 April 2020 be noted.
4. That on a provisional basis the changes to charges for garages and other non-residential facilities as set out in paragraphs 30 – 32 of the report with effect from 6 April 2020 be noted.
5. That on a provisional basis no increase to district heating and hot water charges as set out in paragraphs 33 – 36 of the report with effect from 6 April 2020 be noted.
6. That the commitment to ensure that savings proposals are primarily based on efficiencies be reaffirmed, and where staffing reductions form part of any savings proposal, that due consultation and process is followed with trade unions.
7. That officers be instructed to provide a final report on Rent Setting and the HRA Budget for 2020-21 after due consultation processes with residents have been followed for consideration at their meeting on 21 January 2020.

**23. POLICY AND RESOURCES STRATEGY 2020-21**

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 council is committed to publishing budget proposals at the earliest possible opportunity to ensure they are available to the public for comments and questions. Presenting this report to cabinet on 17 December 2019 gives the opportunity for debate prior to presentation of budget figures to cabinet on 21 January 2020. Under the council's constitution, there is a requirement for the overview and scrutiny committee to review and challenge budget proposals and this is due to take place on 27/29 January 2020.

**RESOLVED:**

1. That it be noted that the provisional local government finance settlement, due to be published by 5 December 2019, has been delayed (paragraphs 26-27 of the report).
2. That it be noted, and recognising the continued uncertainty for local government funding, that the intention is to prepare a balanced one year 2020-21 budget for approval by cabinet in advance of council assembly in February 2020 (paragraphs 32-33 of the report).

3. That it be noted that the budget proposals for 2020-21 contained within this report include:
  - Estimated general grant resources of £152.317m, an increase of £2.442m from 2019-20
  - Additional grant income of £13.571m, including increased social care grant of £7.332m
  - Estimated retained business rates growth of £26.0m (paragraph 59), an increase of £1.0m over 2019-20
  - Estimated council tax revenue of £113.327m, including growth in the tax base of £2.795m
  - A net brought forward deficit on the Collection Fund chargeable to the 2020-21 budget of £6.729m
  - Pay award and contractual inflation of £3.830m (excluding Children's and Adult Services)
  - Retention of the contingency budget of £4m to mitigate underlying budget risks (paragraph 85 of the report).
4. That the current budget options proposed to help achieve a balanced 2020-21 budget (Appendices B to E of the report) be noted, including:
  - Efficiency savings of £5.672m;
  - Income generation of £2.376m;
  - Savings impacting on services of £0.420m;
  - Commitments and growth of £19.505m.
5. That it be noted that in order to ensure that the base budget is on a secure financial footing a number of commitments are proposed for 2020-21, including £7.332m for Children's and Adult's Services (paragraph 77 of the report).
6. That the updated budget gap for 2020-21 of £6.805m be noted, and that this budget gap would reduce by £2.267m if the council determined to increase council tax by 2% for the social care precept in line with government expectation.
7. That it be noted that the budget gap would reduce by a further £2.255m should the council decide to increase council tax by 1.99%, in line with the government threshold.
8. That the performance of the London Business Rates Pool arrangement in 2019-20 (paragraphs 61-66 of the report) be noted, and the unallocated London devolution Pool resources of £1.686m from 2018-19 and an estimated £4.8m for 2019-20.
9. That the allocation of £0.150m from the unallocated London Business Rates Devolution reserve to fund a pilot extension of gym and fitness facilities into parks (paragraph 63 of the report) be approved.
10. That it be noted that officers will complete further work in light of the provisional settlement, when published, to present a fully balanced budget position for Cabinet on 21 January 2020.

11. That the Departmental Narratives and the equality analyses provided for the budget proposals be noted (Appendix A of the report).
12. That officers be instructed to undertake further consultation for new budget options where necessary or appropriate (paragraphs 86-88 of the report).
13. That the fees and charges as set out in Appendix F of the report be agreed (paragraphs 79-81 of the report).
14. That it be noted that the report to cabinet on 21 January 2020 will be considered by overview and scrutiny committee on 27 and 29 January 2020 and that any recommendations arising will be incorporated into the final report to cabinet on 4 February 2020 for recommendation to council assembly on 26 February 2020 (paragraph 89 of the report).

#### **24. 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 Ledbury estate is an ongoing programme which requires a decision to be made in a timely fashion to enable further consultation with residents in good time to start any proposed works.

##### **RESOLVED:**

1. That the latest position with the Ledbury tower blocks be noted, and that although this report refers to the option of replacing them with new council homes, the position of the council remains to refurbish the four towers unless residents vote otherwise.
2. That it be noted that the report on the revised costs of the refurbishment option has been received.
3. That dispensation be sought from the GLA to allow all residents who took part in the vote on the options for the future of the Ledbury estate in 2018 to vote in any future ballot that may follow from the reappraisal of options that is currently underway.
4. That the concerns of the Resident Project Group on rent levels for returning tenants in a new build option be noted. That it therefore be agreed that before future rents, service charges and any other council charges are agreed these will be considered by Cabinet in order to respond to these concerns.
5. That the existing right to return is extended until all the refurbished or new council homes on the site of the Ledbury tower blocks are let.
6. That it be noted that as agreed at the cabinet meeting on 29 October 2019, a response to the issues raised by the Ledbury Resident Project Group in their deputation has been circulated to all residents and former residents with a right to return through the Ledbury weekly newsletter.

**25. ST. THOMAS STREET SOCIAL REGENERATION CHARTER****RESOLVED:**

1. That it be agreed to commence formal consultation on the St Thomas Street Social Regeneration Charter attached as Appendix 1 to the report.

**26. WALWORTH COMMUNITY DEVELOPMENT SUPPORT**

This item was deferred.

**27. ELEPHANT AND CASTLE UNDERGROUND STATION AND BAKERLOO LINE EXTENSION**

This item was deferred.

**EXCLUSION OF PRESS AND PUBLIC**

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

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

**28. MINUTES**

The minutes of the closed section of the meeting held on 29 October 2019 were approved as a correct record and signed by the chair.

**29. STRATEGIC ACQUISITION OF LAND OLD KENT ROAD SE15**

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

Meeting ended at 6.30 pm

**CHAIR:**

**DATED:**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, THURSDAY 2 JANUARY 2020.**

**THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE (WITH THE EXCEPTION OF ITEMS 21 AND 29 WHICH ARE SUBJECT TO URGENT IMPLEMENTATION AGREEMENT). SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.**

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Faith Strategy Action Plan	
<b>Ward(s) or groups affected:</b>		All wards	
<b>Cabinet Member:</b>		Councillor Rebecca Lury, Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities	

### **FOREWORD - COUNCILLOR REBECCA LURY, DEPUTY LEADER AND CABINET MEMBER FOR CULTURE, LEISURE, EQUALITIES AND COMMUNITIES**

Last year, we developed the Faith Strategy in which we re-set the relationship with our faith communities. Through engaging with faith leaders representing over 90 faith communities, we have developed a collaborative approach to help find solutions to some of the problems we face as a borough.

The Faith Strategy Action Plan will put into practice the new ways of working developed in the strategy. Increasing our collaboration with faith communities will facilitate greater partnership working and the sharing of skills, connections and assets between faith communities. We are proud of our diverse faith community and want to empower faith leaders to realise their potential and work closely with the council and the voluntary and community sector.

Greater collaboration and co-production on projects will increase trust and transparency and facilitate dialogue between faith communities. The Faith Strategy Steering Group with representation from faith organisations, the council and the voluntary and community sector exemplifies how we can work together for the benefit of the community.

This report outlines how we as a council will further build on our work with faith leaders, supporting their collaboration with other faith organisations and the Voluntary and Community Sector.

### **RECOMMENDATIONS**

1. That cabinet adopts the faith strategy action plan.
2. That cabinet notes the Southwark Way of Working shared values around *'treating every resident as if they are a member of your own family'* are vital in building trust and removing barriers between faith communities and the council. Closer and more collaborative working will ensure that we are on a journey towards more open and deeper conversations.
3. That cabinet notes that the New Approach to Engagement will be embedded in the delivery of the action plan through *'putting people at the heart of the engagement processes'*. This means that we will seek to understand the lived experience of faith communities and be open to their views and comments about the strengths and weaknesses of approaches and interventions contained within the action plan.

4. That cabinet notes that the action plan will work through the relationships above to achieve its aspirations of building trust, releasing potential and greater collaboration through an asset based community development approach. In the first instance this will mean raising awareness of this approach and continuing to map the skills and resources of faith communities.
5. In celebrating our diversity and providing a space for the expression of faith leaders and their communities there is greater opportunity for them to realise their potential. This growth and confidence provides a strong foundation for the birth of 'champions' and 'ambassadors' that can work with the council and the Voluntary and Community Sector.
6. That cabinet notes the faith strategy action plan will deliver the recommendations of the faith strategy as follows:
  - (i) **Celebrate faith and diversity of faith organisations in the borough** through connecting faith communities both with each other and the council and the voluntary and community sector. We will help to promote the expression of faith through using existing opportunities within faith communities who are working together on cross cultural and faith celebrations including the boroughs participation in Inter-faith week and Peace Week.
  - (ii) **Support faith organisations and their approaches to supporting individuals who are a part of their congregations** by finding out how we can better support faith communities' activities and projects. This could include the development of tailored learning programmes and raising awareness of council policies and procedures. The council can also work through an enabling role and increasing access to information, training and shared learning around safeguarding, equalities and funding avenues.
  - (iii) **Improve the lives of Southwark residents** through embedding a culture and practice of 'faith navigators' to improve the signposting and referral to services. In increasing the knowledge and awareness of faith communities residents can be helped and supported more quickly and effectively without being directed to the wrong departments. The sharing of information and intelligence at a neighborhood level through joint working can also help to improve outcomes for residents and support for families especially those from migrant communities that faith communities are instrumental in providing support for.
  - (iv) **Support the council in delivery of key pieces of work** through identified areas of collaboration and co-production such as the outcomes from the Faith and Health Challenge and safeguarding concerns. This can be achieved through the activation of health and wellbeing champions around areas such as mental health, and sexual exploitation as well as improving the knowledge and awareness of good safeguarding practices. This also delivers an opportunity for faith communities to become more widely connected with wider groups such as the Clinical Commissioning Group (CCG), SLaM and colleagues working on serious youth violence, child criminal exploitation and child sexual exploitation.
  - (v) **Improve the way in which the council is able to reach significant**

**numbers of its residents** through faith leaders and their congregations. The strategy highlighted that some migrant community congregations had between 50 – 200 members and some Pentecostal congregations up to 100 and 200 or more members. The nature and function of many faith communities is often ‘mission focused’ where their values and aspirations include reaching anyone in their areas and particularly the most vulnerable and isolated. Faith communities are heavily involved in work around social action supporting families, BAME, migrant communities and those that are the poorest financially. Working with faith communities enables to the council to extend its engagement reach through these channels.

(vi) **Ensure that the council is aware of the challenges that their worshippers face** such as housing, debt, children/young people, food poverty, anti-social behaviour, educational achievement and homelessness. The strategy also highlights 3 key areas of challenge when working with the council around the areas of planning, parking and premises. Faith communities also said that they need support around increasing their levels of understanding around funding, project management, governance and how to better support families particularly asylum seekers and migrants. We will work with faith communities to develop a better understanding of council policies and procedure and work to develop more innovative solutions around sharing available space and exploring other community assets.

(vii) **Support social integration and community cohesion in our neighbourhoods** through wider engagement at an early stage between faith communities and the council to mitigate any adverse community impacts. The Planning department has been working more closely with faith communities around regeneration proposals on the Old Kent Road and providing opportunities to both shape and connect plans. The New Approach to engagement commits the council to a reflective approach and to continue to identify lessons learned from previous regeneration projects.

Faith communities have also played an active role in delivering reassurance messages in the aftermath of tragedy. Sometimes this involves actively being the ‘voice’ of an entire neighbourhood or the whole borough but more usually it is the steady quiet work of support at a micro level for families, the lonely, homeless and migrant communities.

(viii) **Organising with Southwark Faith Leaders two conferences a year for faith communities** that will allow participants to showcase their work and take advantage of networking opportunities. The first conference - had a focus on ‘*youth violence working together for solutions*’ was held on 25 September was attended by 120 people including 71 faith group leaders and 14 social action and migrant community groups, with links with Southwark faith groups.

(ix) **Working with council departments using the feedback from the conference sessions to address the challenges faith organisations identified.** The notes from the two workshops of the first conference have been shared with all participants and have been used to populate the faith action plan around the timescales and the responsibility of the

delivery of key outcomes.

Two members of the Steering Group attend a Task and Finish Group on serious youth violence led by the Cabinet Member for Community Safety and Public Health and the council will be commissioning the delivery of information workshops in faith settings for faith leaders their congregations and young people.

One of the questions that the panel was asked was about the council's response to homelessness. After the conference all participants received a summary of the 2018-2022 strategy and the progress on the updated Action Plan. A link to information on referrals, advice and support for housing needs with an offer for the councils team working on this area to attend the Faith Strategy Steering Group to support training and information needs.

- (x) **Continuation of work with the Steering Group to deliver the strategy recommendations and monitor progress.** We will continue to support the steering group through chairing meetings and working with them to develop conference themes and discussions around progress of the work plan. Currently we are working on the diversification of the members of the steering group to include smaller and newer faith community leaders. While we received some interest at the faith conference we are adopting a much more intentional approach through targeting specific faith leaders.
- (xi) **Continue to talk and to grow the breadth and depth of our relationships with communities of faith so we continue to involve a wider network of faith organisations and diversity of faith groups.** The faith strategy action plan will seek to implement key principles around asset based community development. This involves first promoting the knowledge and understanding of this approach and secondly mapping both needs and assets in order to co-ordinate resources more effectively. This approach will build and strengthen relationships around meeting common outcomes through goodwill and sharing.

We will continue to extend our reach to those faith communities that have not previously engaged and work with those that have cited specific barriers around engagement. It is envisaged that through a more diverse steering group and progress against the delivery of the action plan will open the way to a wider network of relationships.

## **BACKGROUND INFORMATION**

7. The New Approach to Community Engagement which was developed around the same time as the organisation and delivery of the first faith conference seeks to ensure wider and more diverse engagement from people that live, work, worship, study and volunteer in the borough. Its focus on connection and relationships, understanding lived experience and the contribution of good engagement on decision making has been a strong focus of both the Southwark Faith Strategy and the Action Plan.

8. The New Approach also highlights *the community empowerment programme* whose focus is to build stronger and resilient local groups that are deeply connected with our communities. This enables faith communities to have greater opportunities to be involved and have their say across a wide range of issues and meet like minded people seeking to address community challenges. This connectivity is key in supporting community cohesion and our approach to asset based community development.
9. The councils work with faith communities has also been used as a case study which is featured in the New Approach to Community Engagement as exemplifying the principles of inclusivity and collaboration. It cites the fact that the strategy provides a voice for the faith communities who desire to see 'real change' from working together around community problems.
10. The faith strategy also demonstrates the faith communities need for both new connection and stronger relationships with the community and voluntary sector. In order to develop better outcomes for the community the Community and Voluntary Sector Strategy focuses on improved partnership working, better use of community assets and better connected communities. This focus also strongly supports the action plans approach to identifying and sharing community assets, resources and skills. In addition to the provision of key training by the community and voluntary sector there is also significant overlap of projects and activities with the faith communities.
11. This Action Plan has been developed and shaped by the findings of the Faith Strategy that was produced in 2019 through the participation and engagement of 97 different faith leaders representing 90 faith communities.
12. The first draft of the Action Plan was developed using a range of information and data from:
  - Workshops at the Faith Conference September 2019
  - Faith and health summit feedback February 2019
  - Faith and serious youth crime event feedback February 2019
  - 3 workshops with faith communities between December 2018 and January 2019
  - Findings from the borough-wide conversation with faith groups between April – June 2018
  - Southwark Conversation workshops with faith communities November 2017
  - Faith and Social Action Conference October 2016
  - Being Built Together report recommendations published June 2013.
13. The council continues to chair the Faith Strategy Steering Group at the request of the Steering Group which meets on a monthly basis. The Steering Group is predominantly comprised of faith leaders with representatives from Community Southwark and functions to deliver and monitor progress against the recommendations of the faith strategy. The Steering Group has a regular group of 'core' members but has agreed to function with a 'fluid' membership that allows for other faith leaders to attend where necessary and on response to particular themes or challenges.
14. The Council and Community and Voluntary Sector representatives regularly attend to discuss new or emerging themes and joint interventions to address challenges. It was within this environment of working with faith leaders within the

Steering Group and a presentation on serious youth violence by a council officer that the theme of the first conference ‘*youth violence working together for solutions*’ was developed.

15. As a result of all of the work highlighted above, four key objectives were developed:
  - 1) *Improve communication and involvement*
  - 2) *Increase information and learning*
  - 3) *Work with faith communities on activities and projects*
  - 4) *Work to shape neighbourhoods and build community cohesion.*
16. The action plan was shared at the first faith leader’s conference in September in a simplified and more accessible version and presented in a way that visually portrayed the different objectives. Participants were asked to consider these and how their faith communities could become more involved. Participants embraced the action plan and their comments mirrored the contents of the four objectives.
17. It is vital to the success of the action plan that it is both delivered jointly and jointly owned. The action plan was endorsed by faith communities present at the conference and they recognise their role in the successful delivery and leadership of the plan.
18. The environment of mutual trust and momentum gained through the faith strategy and the first faith leader’s conference is being continued through the development and delivery of the action plan. The council received overwhelming positive feedback from many people that attended with a deep desire to continue the work. This is exemplified through a comment by one of the participants from the Rastafari Movement UK

*“Sensible contributors to...” “Happy [as] we go wiser and reflective, to put things together, to make things work”. “Springboard start to solutions”. “We have like-minded people [to] keep safe and nurture people positive[ly]”. “We want to be committed and realistic with honest and sincere conversations”.*

## **KEY ISSUES FOR CONSIDERATION**

19. The Strategy was published in March 2019 and while the Faith Strategy Steering group continued to meet on a regular basis particularly towards the organisation of the first faith conference, council colleagues and departments started discussions internally on what the strategy meant for them. This included how they could contribute to the implementation of key recommendations so some of the more short term actions could be completed before the first conference.
20. For example the Steering Group had provided helpful feedback in the action plan and strategy and on the basis of this the council re-wrote the plan in a more simplified and accessible version which was presented to faith leaders at the conference. A one page summary of the strategy was produced in plain English to improve both the accessibility of the document and for people that may not have engaged previously.
21. The strategy also highlighted the fact that faith communities did not know where or how to refer vulnerable people and were asking for information and training around safeguarding issues. After conversations with colleagues from the

Safeguarding Boards a leaflet was designed specifically for the faith conference on Safeguarding Children and Adults at Risk. The leaflet explained where safeguarding training could be accessed for free and what to do if they were concerned about a range of safeguarding issues including key telephone numbers and email addresses for referral.

22. As a result of the councils reflections on the strategy a conference pack was produced for participants at the first conference which included a parenting programme and detailed information on Southwark Young Advisers as faith communities wanted more information on how they could support families and young people. As the focus of the first conference was '*youth violence working together for solutions*' community safety colleagues produced key information on knife crime and serious youth violence with telephone numbers and email addresses of where further support could be accessed.
23. Faith communities clearly expressed their concerns in the strategy about accessing funding as many funders do not accept applications from religious or political groups. This was an area of concern particularly around social action projects which were open to the wider community. Funding information was included in the conference pack from Community Southwark which focused on funders that would accept applications from faith communities including support on completing the applications, volunteering and participation in provider led groups where the faith leaders can work together on common causes with the community and voluntary sector.
24. Faith communities on the Old Kent Road have been connected with colleagues in planning policy to increase levels of participation and engagement. Faith communities involved on the strategy and conference were invited to participate and have their say on planning and regeneration plans in this area.
25. The faith strategy and action plan are ambitious in that they are aspiring to implement the new approach to engagement as well as delivering on four objectives contained within the plan. The work requires a significant amount of time both identifying and co-ordinating resources. It is envisaged that once more work has been completed in objective one – *Improving Communication and Involvement* much of the co-ordination and communication can be led by faith communities and the community and voluntary sector.
26. The work around improving multi-channel communication and connectivity has two areas of focus; between the council, voluntary and community sector and faith communities and among faith communities themselves. The council has a role in facilitating better communication and engagement and can share the existing online and offline tools to aid better communication. Faith communities and places of worship do communicate using what's app, Instagram, email and social media within their own groups and networks and therefore can become instrumental in pushing out key messages.
27. This information needs to be better co-ordinated and sent out in a more timely way for multi-channel connectivity to be fruitful. This is key given the environment of long hours, evening and weekend work that faith communities engage in with some of the most vulnerable and poorest people in the borough.
28. Better communication and connectivity will enable the partnership with faith communities to develop a library of Good Practice. There are many projects and

activities that have been initiated by faith communities and have had a significant positive impact on the lives of people in the borough. The Copplestone Church and Peckham Mosque are known for responding in times need and the Peckham interfaith walk and Peckham pantry has brought together faith communities from many diverse backgrounds. St Peters Church and the Old Kent Road Mosque get together informally to better understand each other and undertake events together.

29. Not only has this existing work created a strong sense of identity and pride within faith communities but it has had a significant impact in offering reassurance and contributing to community cohesion during difficult times and tragedy. In June 2017 after the London Bridge attack two people wearing traditional clothing were afraid to step out in public but they received support from the inter-faith community at a grand iftar event. In addition after the attacks in March this year on places of worship in New Zealand between 600 and 700 local residents in Southwark of a faith and no faith attended a Tea and Tour event (which is usually not well attended) to show solidarity and support.
30. The equality analysis highlights that faith communities have a significant focus on age (both younger and older people) with projects for young people and youth as well as tackling areas such as loneliness among older people. Included in this is significant work with families around safeguarding and healthcare.
31. The analysis also focuses on race as faith communities are ethnically diverse and working with them extends our engagement reach beyond religion and into wider communities. As a consequence the action plan supports faith communities work with migrant communities around referral, policies and procedures and the identification of appropriate training needs. This work is featured in Objective 4 – *Work to shape neighbourhoods and build community cohesion*.
32. The Sikh and Bahá'í responses were omitted from the survey analysis in the strategy because of sample size; however there is also a focus on increasing the engagement and participation of both newer and smaller faith groups. The Hindu and Greek Orthodox community did not participate and the Jewish faith community informed the council that they were not aware of the strategy.
33. Interestingly the strategy also highlighted that for some faith communities like the Sikhs religion was integral to their ethnicity and although they do not express a 'mission focused' approach to faith based social action they were open to sharing assets and resources.
34. In response to the above analysis we have also extended our reach into these communities using a simple 'meet and greet' model. This means that an officer will attend what could be an evening or weekend faith event or meeting to simply introduce themselves and the work of the strategy. This approach bore fruit at the first faith leaders conference in September this year where representatives from the Rastafarian, Sikh, Bahá'í, Muslim, Christian and Jewish communities were present.
35. The first conference and workshops around the action plan and sharing resources also highlighted areas where the council could improve its engagement and build trust in the delivery of the action plan. Firstly faith

communities have asked for 'kinder' policies and procedures that support their work, this will be part of Objective 2 - *Increase information and learning* and Objective 3 - *Work with faith communities on activities and projects*.

36. Secondly faith communities have suggested holding some smaller events particularly for both migrant and newer/smaller faith communities so that that it's not such 'big step' to attend a conference. This approach will work well within the confines of the delivery of the action plan which will be broken down by further smaller engagement around themes or areas. One of the conference participants from the Sikh communities' Gurdwara Baba Budha Shaib Ji said

*"This is our first time" [coming to a meeting of this kind with the council].  
 "... I wish there was more time". [I would make a suggestion for] "A smaller group [meeting] within the local area"*

### **Policy implications**

37. This work should strengthen our ability to deliver a number of policy objectives such as our work with the community and voluntary sector through Common purpose Common Cause framework, our mental health strategy, safeguarding, addressing child sexual exploitation, emerging loneliness strategy and improving health outcomes, through closer working with faith organisations. This will support increasing our reach, finding partners to support delivery and finding better ways to communicate our objectives. Faith organisations following the conference in September are keen to contribute to the development of a broader community response to make young people feel safer particularly when travelling home after the school day or provision of extra-curricular activities.
38. There has been a reported increase in the reported level of hate crime strands (race, faith, anti-Semitic, Islamophobia, sexual, disability and transgender) in London in the twelve months to October 2019, when compared to the previous year.
39. Statistics for the borough indicate a steady but problematic issue with hate crime in the borough. Clearly there is a need for community cohesion, supporting and facilitating ways for people of different faiths or and none, to get on well together.
40. The Southwark Multi Faith Forum (SMFF) a network of different faith groups and individuals of no faith, has circulated public messages, condemning extremism, and in support of the victims of extremism in London Bridge, Westminster and Manchester. Following the Finsbury Park attacks and Grenfell Tower tragedy, the Muslim Association of Nigeria (MAN UK) have issued statements and pleas for people, regardless of faith or none, to stand in solidarity with one another.
41. This supports our volunteering strategy, our VCS strategy Common Purpose, Common Cause and suggested outcomes in the Early Action Commission.

### **Community impact statement**

42. This work has been co-produced with faith organisations and overseen by a steering group that included faith leaders, Community Southwark and the council.
43. The work has developed using collaborative approaches, working with the steering group, both building on existing links and relationships and using outreach to

address gaps in faith community participation. This has resulted in a wider range of faith communities getting involved in our conference.

44. The faith strategy equality analysis completed in the period January to February 2019 is still relevant and will be reviewed next in February 2021. It is envisaged that we will then be able to see the impact of the strategy and whether it has succeeded in drawing a wider range of faith communities in improving the lives of local residents.

#### **Resource implications**

45. There are no resource implications. The proposal in terms of the way of working seeks to integrate other parts of the council in working more closely with faith organisations facilitated by the Voluntary Sector and Community Engagement Division.

#### **Legal implications**

46. Please see the supplementary advice from the director of law and democracy which clarifies the relevant legal issues to consider.

#### **Financial implications**

47. There are no financial implications.

#### **Consultation**

48. As discussed above the action plan has been developed from the recommendations of the faith strategy and has been overseen by the faith strategy steering group comprising of council officers, faith leaders and Community Southwark. The action plan was shared at the first faith conference in September 2019 for the purpose of providing an opportunity for faith leaders and social action based project to participate in the delivery of the four objectives contained within the plan.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Law and Democracy**

49. In establishing an action plan, this report builds on the Faith Strategy agreed by the Cabinet at its meeting in March 2019. Whilst there is no specific duty or power relating to local authorities establishing a faith strategy, the contents of this report indicate how helpful such a strategy and the actions that flow from it are to the council in carrying out its full range of statutory functions. To that end section 111 of the Local Government 1972 is relevant and enables this to be done. This gives a local authority powers to do “any thing ...which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”.
50. Under section 149 of the Equality Act 2010, in making this decision the cabinet must comply with its public equality duty which requires it to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant

protected characteristic and persons who do not share it.

51. The community impact statement set out in the report and the equality impact analysis previously produced identifies relevant matters to be taken into account in discharging that duty. This strategy is focused on engaging with faith congregations already established in Southwark. It is acknowledged that this will not encompass all individuals with religious beliefs nor those without religious beliefs but indicates other ways in which their views and input can be provided. It is noted that this analysis will be reviewed once there has been more working out of the strategy.
52. Closer working between the council and religious groups will ensure that matters of faith are more easily considered in the development of policies and service delivery. Bringing people of different faith backgrounds together also supports the council in fostering good relations between diverse groups, and to build social cohesion and social integration.
53. Establishing this action plan in relation to the faith strategy is an executive function of the council which can be exercised by the cabinet.

#### **Strategic Director of Finance and Governance (FC19/026)**

54. This report is seeking cabinet approval for the recommendations detailed in paragraphs 1 to 5 above and the Faith Strategy Action Plan.
55. The strategic director of finance and governance notes that there are currently no financial implications arising from this report at this stage.
56. All staffing and other related costs are to be contained within existing departmental revenue budgets.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Faith Strategy	160 Tooley Street London SE1 2QH	<a href="mailto:Jessica.leech@southwark.gov.uk">Jessica.leech@southwark.gov.uk</a>
<b>Link (please copy and paste into your browser):</b>		
<a href="http://moderngov.southwark.gov.uk/documents/g6088/Public%20reports%20pack%20Tuesday%2012-Mar-2019%2016.00%20Cabinet.pdf?T=10">http://moderngov.southwark.gov.uk/documents/g6088/Public%20reports%20pack%20Tuesday%2012-Mar-2019%2016.00%20Cabinet.pdf?T=10</a>		
Review of the Council's Approach to Community Engagement September 2019	160 Tooley Street London SE1 2QH	<a href="mailto:Jessica.leech@southwark.gov.uk">Jessica.leech@southwark.gov.uk</a>
<b>Link (please copy and paste into your browser):</b>		
<a href="http://moderngov.southwark.gov.uk/documents/g6415/Public%20reports%20pack%20Tuesday%2017-Sep-2019%2016.00%20Cabinet.pdf?T=10">http://moderngov.southwark.gov.uk/documents/g6415/Public%20reports%20pack%20Tuesday%2017-Sep-2019%2016.00%20Cabinet.pdf?T=10</a>		

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Draft Faith Strategy Action Plan

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Rebecca Lury, Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities	
<b>Lead Officer</b>	Kevin Fenton, Strategic Director Place and Wellbeing	
<b>Report Author</b>	Jasbinder Baddhan, Consultation and Involvement Coordinator	
<b>Version</b>	Final	
<b>Dated</b>	9 January 2020	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
	<b>Officer Title</b>	<b>Comments Sought</b>
	Director of Law and Democracy	Yes
	Strategic Director of Finance and Governance	Yes
	Equalities and Inclusion Officer	Yes
	<b>Cabinet Member</b>	Yes
	<b>Date final report sent to Constitutional Team</b>	9 January 2020

# Faith Strategy

## Draft Action Plan



# The Faith Strategy Recommendations

**Celebrate faith and diversity of faith organisations in the borough ....through connecting faith communities both with each other and the council and the voluntary and community sector. We will help to promote the expression of faith through using existing opportunities within faith communities who are working together on cross cultural and faith celebrations including the boroughs participation in Inter-faith week and Peace Week**

**Improve the lives of Southwark residents ....through embedding a culture and practice of 'faith navigators' to improve the signposting and referral to services. In increasing the knowledge and awareness of faith communities residents can be helped and supported more quickly and effectively without being directed to the wrong departments. The sharing of information and intelligence at a neighborhood level through joint working can also help to improve outcomes for residents and support for families especially those from migrant communities that faith communities are instrumental in providing support for**

**Support faith organisations and their approaches to supporting individuals who are a part of their congregations ...by finding out how we can better support faith communities' activities and projects. This could include the development of tailored learning programmes and raising awareness of council policies and procedures. The council can also work through an enabling role and increasing access to information, training and shared learning around safeguarding, equalities and funding avenues**

**Support the council in delivery of key pieces of work through identified areas of collaboration and co-production such as the outcomes from the Faith and Health Challenge and safeguarding concerns. This can be achieved through the activation of health and wellbeing champions around areas such as mental health, and sexual exploitation as well as improving the knowledge and awareness of good safeguarding practices. This also delivers an opportunity for faith communities to become more widely connected with wider groups such as the Clinical Commissioning Group (CCG), SLaM and colleagues working on serious youth violence, child criminal exploitation and child sexual exploitation**

**Improve the way in which the council is able to reach significant numbers of its residents.... through faith leaders and their congregations. The strategy highlighted that some migrant community congregations had between 50 – 200 members and some Pentecostal congregations up to 100 and 200 or more members. The nature and function of many faith communities is often ‘mission focused’ where their values and aspirations include reaching anyone in their areas and particularly the most vulnerable and isolated. Faith communities are heavily involved in work around social action supporting families, BAME, migrant communities and those that are the poorest financially. Working with faith communities enables to the council to extend its engagement reach through these channels**

**Support social integration and community cohesion in our neighbourhoods.... through wider engagement at an early stage between faith communities and the council to mitigate any adverse community impacts. The Planning department has been working more closely with faith communities around regeneration proposals on the Old Kent Road and providing opportunities to both shape and connect plans. The New Approach to engagement commits the council to a reflective approach and to continue to identify lessons learned from previous regeneration projects. Faith communities have also played an active role in delivering reassurance messages in the aftermath of tragedy. Sometimes this involves actively being the ‘voice’ of an entire neighbourhood or the whole borough but more usually it is the steady quiet work of support at a micro level for families, the lonely, homeless and migrant communities.**

**Ensure that the council is aware of the challenges that their worshippers face... such as housing, debt, children/young people, food poverty, anti-social behaviour, educational achievement and homelessness. The strategy also highlights 3 key areas of challenge when working with the council around the areas of planning, parking and premises. Faith communities also said that they need support around increasing their levels of understanding around funding, project management, governance and how to better support families particularly asylum seekers and migrants. We will work with faith communities to develop a better understanding of council policies and procedure and work to develop more innovative solutions around sharing available space and exploring other community assets.**

**Organising with Southwark Faith Leaders two conferences a year for faith communities....that will allow participants to showcase their work and take advantage of networking opportunities. The first conference - had a focus on ‘youth violence working together for solutions’ was held on 25th September was attended by 120 people including 71 faith group leaders and 14 social action and migrant community groups, with links with Southwark faith groups.**

**Working with council departments using the feedback from the conference sessions to address the challenges faith organisations identified... The notes from the two workshops of the first conference have been shared with all participants and have been used to populate the faith action plan around the timescales and the responsibility of the delivery of key outcomes. Two members of the Steering Group attend a Task and Finish Group on serious youth violence led by the Cabinet Member for Community Safety and Public Health and the council will be commissioning the delivery of information workshops in faith settings for faith leaders their congregations and young people.**

**One of the questions that the panel was asked was about the council's response to homelessness. After the conference all participants received a summary of the 2018-2022 strategy and the progress on the updated Action Plan. A link to information on referrals, advice and support for housing needs with an offer for the councils team working on this area to attend the Faith Strategy Steering Group to support training and information needs.**

**Continue to talk and to grow the breadth and depth of our relationships with communities of faith so we continue to involve a wider network of faith organisations and diversity of faith groups....The faith strategy action plan will seek to implement key principles around asset based community development. This involves first promoting the knowledge and understanding of this approach and secondly mapping both needs and assets in order to co-ordinate resources more effectively. This approach will build and strengthen relationships around meeting common outcomes through goodwill and sharing. We will continue to extend our reach to those faith communities that have not previously engaged and work with those that have cited specific barriers around engagement. It is envisaged that through a more diverse steering group and progress against the delivery of the action plan will open the way to a wider network of relationships**

**Continuation of work with the Steering Group to deliver the strategy recommendations and monitor progress... We will continue to support the steering group through charring meetings and working with them to develop conference themes and discussions around progress of the work plan. Currently we are working on the diversification of the members of the steering group to include smaller and newer faith community leaders. While we received some interest at the faith conference we are adopting a much more intentional approach through targeting specific faith leaders**

# The objectives -

Our objectives have been developed from the faith strategy recommendations and will involve delivery through increased collaboration, shared values and asset based community development

- 1 Improve communication and involvement** through multi-channel communication and connectivity, building strong relationships and increased collaboration and co-production
- 2 Increase information and learning** through increased access to information and learning, sharing ideas, skills and expertise and exploring opportunities for Asset Based Community Development (ABCD)
- 3 Work with faith communities on activities and projects** through increased support in working together on key community challenges
- 4 Work to shape neighbourhoods and build community cohesion** through improving health & wellbeing, safeguarding, Community Harm and Exploitation and increasing engagement with regeneration proposals on the Old Kent Road



	Promote and celebrate faith communities expression	<p>Understanding and acknowledging different community perspectives and myth busting</p> <p>Opportunities to work together and celebrate the local projects and activities of the faith communities</p> <p>Cross cultural and cross faith celebrations</p> <p>Participation in Inter-faith week and Peace Week</p>	Ongoing activities	<p>Faith Strategy Steering Group</p> <p>Southwark Multi-Faith Forum</p>
Building strong relationships through increased trust and confidence	<p>Identify new faith communities and social action projects</p> <p>Identifying barriers and building bridges</p>	<p>Joint working and networking with newer faith groups and social action projects</p> <p>Identify opportunities for projects between the older and younger generations</p> <p><u>Internally within faith communities</u></p> <p>Faith communities to explore areas understanding and awareness in relation to LBS policy and procedures</p>	<p>Ongoing activities</p> <p>Ongoing activities</p>	<p>Faith Strategy Steering Group</p> <p>Faith Strategy Steering Group</p>

	<p>Building new confidence and trust</p>	<p>Faith communities to identify and agree on common vision and priorities</p> <p><u>Externally Addressing external barriers</u></p> <p>Improve understanding and awareness around equalities</p> <p>Improve co-ordination with LBS when working with faith communities</p> <p>Explore ways of linking and integrating the work of faith communities with the VCS</p> <p>Celebrate and raise awareness around the diversity of faith communities</p> <p>Facilitate workshops for engagement and conversation around:</p> <ul style="list-style-type: none"> <li>• Navigating LBS planning and procedures</li> <li>• 'Living in Peace' community projects and cross-cultural mission</li> <li>• Arranging a host / guest premises.</li> </ul>	<p>September 2019 Conference</p> <p>Ongoing sharing of the strategy and recommendations with colleagues across the council</p> <p>April 2019</p> <p>Develop a programme of sessions by March 2020</p>	<p>Faith Strategy Steering Group</p> <p>Consultation and Involvement Team</p> <p>Community Southwark membership/Faith Strategy Steering Group</p> <p>Faith Strategy Steering Group</p>
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		<p>Visioning exercise for Southwark Multi-Faith Forum</p> <p>Conferences to raise awareness and address key challenges around planning and premises</p> <p>Identify and improve faith communities role in community cohesion and reassurance messages</p>	<p>February 2020</p> <p>September 2019 June 2020</p> <p>June 2020</p>	<p>Consultation and Involvement Team/Community Southwark</p> <p>Consultation and Involvement Team</p> <p>Consultation and Involvement Team/Faith Strategy Steering Group</p>
Increased collaboration and co-production	<p>Working together to identify areas of joint working</p> <p>Working together to identify areas of collaboration to address key challenges in the community</p>	<p>Inter-faith Steering Group to identify and lead on conference themes</p> <p>Faith community to shape a new vision of working together with areas of interest and priorities</p> <p>Agree common vision, ways of working, action plan and progress on work streams</p> <p>Identify support and interventions around housing, debt, children/young people, food poverty, ASB, educational achievement and homelessness</p>	<p>September 2019 June 2020</p> <p>Summer/Autumn 2019</p> <p>Summer 2019</p> <p>September 2019 June 2020</p>	<p>Faith Strategy Steering Group</p>

## 2. Increase information and learning

Outcome	Activities	Outputs	Measures / Timeline	Responsibility
Increased access to information, sharing ideas, identifying learning and training needed	Provide information and training and signposting opportunities to share learning and best practice	<p>Two conferences a year</p> <p>Provide information about training and signposting</p> <p>Identifying two way learning opportunities</p> <p>Identify new areas of interest for learning and projects</p>	September 2020	<p>Faith Strategy Steering Group</p> <p>Working Group to be established</p>
	Improved training opportunities	<p>Increasing understanding and awareness through workshops around:</p> <ul style="list-style-type: none"> <li>• funding arrangements through workshops and bid writing</li> <li>• project management</li> <li>• management and governance</li> <li>• asylum seeker and migrant communities</li> </ul> <p>Identify models of Good Practice and engagement</p> <p>Train Volunteer</p>	September 2020	<p>Community Southwark</p>



	<p>Meet to discuss share and learn with faith community providing local insight into the issues</p>	<p>Faith groups theology course delivers health and social development programme</p> <p>Explore the role and impact of faith groups and interaction with secular life</p> <p>Disseminate learning from health and faith work and work jointly on conference outcomes</p>	<p>September 2020</p> <p>A mutual learning session to be delivered every 2 months</p>	<p>Working Group established</p>
<p>Understanding and exploring opportunities for Asset Based Community Development (ABCD)</p>	<p>Promote knowledge and understanding of ABCD</p> <p>Identify and map community assets</p>	<p>Increase awareness and understanding around ABCD</p> <p>Develop Good Practice examples</p> <p>Identify and map community assets around abilities, skills and strengths</p> <ul style="list-style-type: none"> <li>• Individuals</li> </ul>	<p>Part of sharing the New Approach to Community Engagement by June 2020</p> <p>March 2021</p> <p>Internally as a council and potentially working with Community Southwark incorporating faith communities into this existing work.</p>	<p>Consultation and Involvement Team</p>

	<p>Promote volunteering</p>	<ul style="list-style-type: none"> <li>• Associations</li> <li>• Organisations</li> <li>• Physical assets</li> <li>• Connections</li> <li>• Physical assets</li> </ul> <p>Identify need and resourcing of community-based projects</p> <p>Train volunteer Champions/Ambassadors</p> <p>Embed a culture and practice of faith navigators towards council/VCS services</p> <p>Access volunteers for faith communities projects/activities</p> <p>Increase residents opportunities for social action in faith communities projects and activities</p>	<p>Ongoing</p>	<p>Community Southwark</p>
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### 3. Work with faith communities on activities and projects

Outcome	Activities	Outputs	Measures / Timeline	Responsibility
Increased support for faith communities activities and community projects	Identify and support key projects and activities in the community:	<p>Use the information and learning network to discuss and prioritise projects</p> <p>Council and partners to promote charity shops and faith based social action projects</p> <p>Increase support for families – working at a micro level to reach those that are isolated and migrant communities</p>	September 2020	Working Group to be established
Working together on key community challenges	Identify support requirements for project/activities	<p>Agree priority interventions around housing and debt (additional areas children/young people, food poverty, ASB, educational achievement and homelessness)</p> <p>Access to information and support for new migrants</p>	June 2020 conference	Consultation and Involvement Team



## 4. Work to shape neighbourhoods and build community cohesion

Outcome	Activities	Outputs	Measures / Timeline	Responsibility
<p>Improved Health &amp; wellbeing and safeguarding</p> <p>Three priority health and wellbeing outcomes were identified through the Faith and Health Challenge (2019/20):</p> <ul style="list-style-type: none"> <li>• Activating local residents and communities on health</li> <li>• Making healthier choices easier and the default</li> <li>• Helping people to engage and seek help early from a range of services</li> </ul>	<p>Increased levels of engagement on health across diverse faith communities through:</p> <ul style="list-style-type: none"> <li>• A Health and Wellbeing Champions training programme</li> <li>• Supporting a programme of community health events</li> <li>• Reviewing health and wellbeing information resources for faith communities</li> </ul> <p>Promoting increased knowledge and training of good safeguarding practices</p>	<p>Activating health and wellbeing champions:</p> <ul style="list-style-type: none"> <li>• Use faith groups theology course to deliver health and social development programme</li> <li>• Support a culture of cohesion</li> <li>• Train health and wellbeing champions on key health issues for the community including mental health, child safeguarding, sexual exploitation/ FGM issues.</li> </ul> <p>Making healthy choices easier:</p> <ul style="list-style-type: none"> <li>• Promoting key messages around health and wellbeing</li> <li>• Supporting healthier environments inc faith settings</li> </ul>	<p>Champions programme delivered to faith leaders Jan-Apr 2019</p> <p>Review annually and develop model / scale up with support from partners such as GST Charity</p> <p>Health events programme planned with faith leaders and delivered for Spring/Summer 2020 (including Faith Conference on Health in June)</p>	<p>CCG</p> <p>CCG/LBS/Faith communities</p> <p>LBS/Faith communities/CCG</p>

		<p>Help people to seek help early</p> <ul style="list-style-type: none"> <li>• Identify and document signposting and referral/reporting procedures including to health and wellbeing services inc mental health services, family therapy and safeguarding contacts</li> <li>• Health Information Fair at faith community premises</li> </ul> <p>Ensure programmes link with :</p> <ul style="list-style-type: none"> <li>• CCG social prescribing network</li> <li>• Local mental health strategies (CCG/Council /SLaM)</li> <li>• Local safeguarding procedures</li> </ul> <p>Counselling, therapy and other health-related services</p>	<p>Health and wellbeing information resources collated and disseminated through faith network Spring – Summer 2020 and reviewed annually</p>	<p>LBS/CCG</p>
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<p>Working together on Community Harm and Exploitation (SYV, CCE and CSE)</p>	<p>Support for children parents and families</p>	<p>Explore and discuss the barriers and challenges for the faith community for identifying and referring</p>	<p>Deliver information/workshops in faith settings for congregations and leaders - Feb 20 – March 21</p>	<p>CHEH Manager/CSPS ( CHEH is Community Harm and Exploitation Hub)</p>
		<p>Work directly with young people and identify areas of support</p>	<p>Above includes Young People</p>	<p>CHEH Manager/CSPS</p>
		<p>Identify and document signposting and referral/reporting procedures</p>	<p>See above</p>	<p>CHEH Manager/CSPS</p>
		<p>Mail contact with the faith groups; with follow up meetings as requested.</p>	<p>March 2020</p>	<p>LBS</p>
		<p>Jointly designed workshops, presentations, stalls, conferences, research projects and training sessions; for congregations and wider communities.</p>	<p>March 2021</p>	<p>LBS</p>
		<p>Working relationships have been built; the offer from the council will be one of permanent partnership, to ensure awareness levels do not drop down over time.</p>	<p>Ongoing</p>	<p>LBS</p>

<p>Engaging with regeneration proposals on the Old Kent Road</p>	<p>How can faith groups be involved in shaping the social regeneration charter</p>	<p>Faith communities to be invited and actively involved in discussions about new development</p> <p>LBS to work closely with local traders - important for a sense of community</p> <p>Faith communities to work with planning department around mitigation of negative community impacts</p> <p>LBS to ensure affordable housing commitments and make stronger commitments regarding public spaces and small developments</p> <p>Connecting shape, places and wellbeing/connecting Build trust and identify lessons from previous regeneration projects</p>	<p>Use of 231 Old Kent Road as a community space - ongoing</p> <p>Organised events, training programmes and workshops at local community space, 231 Old Kent Road - ongoing</p> <p>Old Kent Road Social Regeneration Charter to be adopted in Jan 2020</p> <p>Outputs would be reflected on at GLA Social Integration Design Lab(SIDL) Report and exhibition in January 2020</p> <p>Old Kent Road Area Action Plan Summer 2020</p>	<p>LBS</p> <p>Southwark Young Advisors</p>
<p>Engaging with key issues on housing</p>	<p>How can faith groups be involved in exploring key issues related to housing</p>	<p>Housing and faith seminar</p>	<p>February 2020</p>	<p>LBS</p>

<b>Item No.</b> 9.	<b>Classification</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Housing Revenue Account – Final Rent-Setting and Budget Report 2020-21	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Members:</b>		Councillor Kieron Williams, Housing Management and Modernisation and Councillor Victoria Mills, Finance, Performance and Brexit	

**FOREWORD – COUNCILLOR KIERON WILLIAMS, CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION AND COUNCILLOR VICTORIA MILLS, CABINET MEMBER FOR FINANCE, PERFORMANCE AND BREXIT**

We are committed to ensuring the council’s 53,000 rented, leasehold and freehold homes are well maintained and managed. The money we use to do this sits within our Housing Revenue Account (HRA). Tenants and homeowners pay their rents and service charges into the HRA and this money is then used to fund all the activity need to ensure our homes and estates are well run and in good condition. As this money comes from our tenants and homeowners we are committed to consulting them on how it is spent so it always used in ways that best meet their needs and improve their homes.

This report sets out a final budget for next year’s HRA (2020-21) and also considers what the appropriate charges should be for a variety of housing services. Also included is an appendix setting out the result of our consultation on the proposals with tenants and homeowners which took place during January.

This year sees an end to the four years of National Rent Reduction of 1% a year which formed part of the Welfare Reform and Work Act 2016. We estimate that the cumulative impact has been a £62.5m reduction in the annual HRA budget, which has created a significant hole in our financial planning. Under this substantial pressure we have worked hard to protect frontline housing services for our tenants and residents whilst also ensuring long-term investment in making our housing warm, dry and safe continues at pace. However, with the ending of this cap the Council is proposing a rent rise of inflation plus 1% (in this case 2.7%) to begin to mitigate the impact of the last four years. After the proposed rise, Southwark’s rents will remain 8% – 9% lower than the government’s assumed target and the 8<sup>th</sup> lowest of the 29 London Boroughs with retained housing stock.

As well as managing our existing homes, the council also uses the HRA to build new council homes, at council rents as part of our commitment to build 11,000 new council homes. The Government’s recent announcement to increase interest rates on borrowing from the Public Works Loan Board will have a significant adverse impact on the Council’s ability to make use of the lifting of the HRA borrowing cap which we were welcoming this time last year. There is a huge and pressing need for new housing to be built across the country and Southwark will of course continue to play its part with our ambitious council housing programme. However at a time when the Government is able to access borrowing at historically low rates we urge them to re-think this decision which will have real impact on our ability to build the number of new truly affordable council homes that are needed in our borough.

## **RECOMMENDATIONS**

1. Cabinet agrees a rent increase of 2.7% for all directly and tenant managed (TMO) housing stock within the HRA (including estate voids, sheltered and hostels) with effect from 6 April 2020. This is in accordance with the provisions of the Rent Standard 2020.
2. With regard to other HRA-wide charges, cabinet agrees that tenant service charges, comprising estate cleaning, grounds maintenance, communal lighting and door entry maintenance be increased as set out in paragraph 17 with effect from 6 April 2020.
3. Cabinet agrees that an increase of 2.7% be made to sheltered housing service charges as set out in paragraph 18 with effect from 6 April 2020.
4. Cabinet agrees that charges for garages and other non-residential facilities be increased as set out in paragraph 19 with effect from 6 April 2020.
5. Cabinet agrees that there be no increase to district heating and hot water charges as set out in paragraph 20 with effect from 6 April 2020.
6. Cabinet agrees the HRA budget proposals set out in this report and notes these changes ensure a balanced budget is set as required by statute.
7. Cabinet reaffirms the commitments made last month to ensure that savings made are primarily based on efficiencies, and where staffing reductions form part of any said savings, that due consultation and process is followed with trade unions.

## **BACKGROUND INFORMATION**

### **Indicative HRA budget (17 December report)**

8. Cabinet on 17 December 2019 considered the indicative HRA rent-setting and budget position for 2020-21. This report contained all of the background information necessary to consider the reasons behind the proposals for rents and other charges. It is not proposed to repeat this detail here, but where further and updated information has been received that is germane to this process it is outlined below. However for ease of reference the appendices to the indicative report are repeated as they set out the detail behind the various categories of year-on-year budget movement. Any resolutions or comments arising from the consultation process will be reported to cabinet on the night.
9. The purpose of this final report is to seek formal approval of the recommendations in respect of rents and other charges outlined at paragraphs 1 to 7 above.

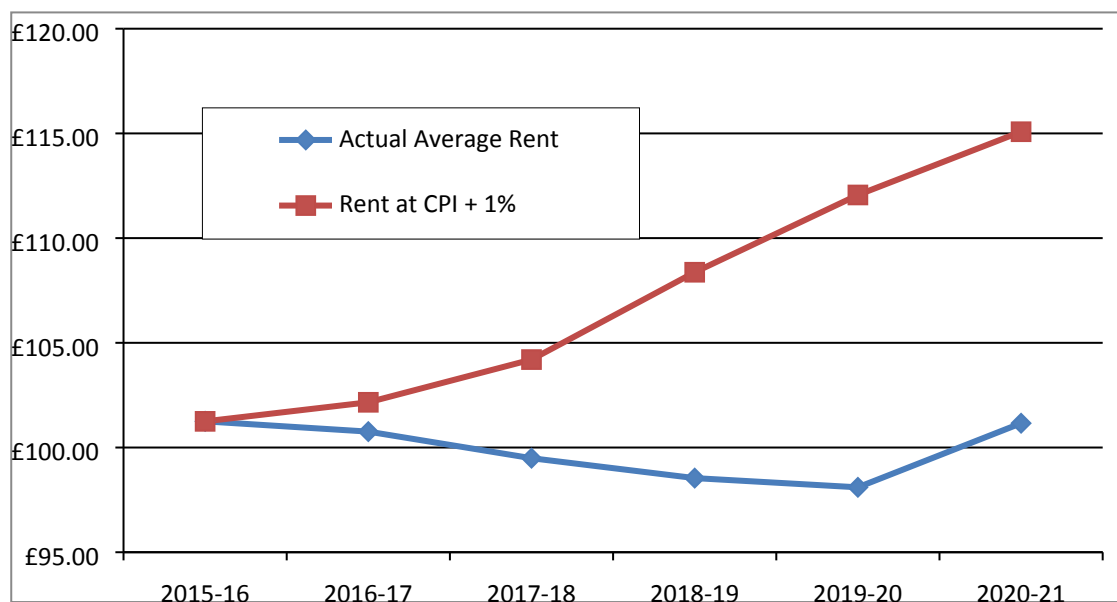
### **Statutory framework**

10. The HRA reflects the statutory requirement under Section 74 of the Local Government and Housing Act 1989 to account separately for local authority housing provision. It is a ring-fenced account, containing solely the costs arising from the provision and management of the council's housing stock, offset by tenant rents and service charges, homeowner service charges and other income. The HRA forms a specific part of the council's accounts, and a report regarding the general fund budget including those aspects provided via the housing and modernisation department is being considered separately.

11. Whilst there is no statutory requirement to consult, the council is committed to engaging with stakeholders, particularly under the terms of the Tenancy Agreement, and so the December report formed the basis of consultation with Tenant Council, area housing forums, Homeowner Council and Southwark TMO Liaison Committee.
12. The council is obliged by statute to agree a balanced HRA budget, whereby income and expenditure levels for the forthcoming year match. Appendix A summarises budget movements between 2019-20 and 2020-21, predicated on the basis of a rent increase of 2.7% and other proposed changes to charges and budget movements.

### Impact of the National Rent Reduction Policy

13. Southwark has a history of low or inflation-linked rent rises, and has always adhered to the government's rent formula when setting rents, with the single exception to agree a lower rent increase in 2014-15, equivalent to CPI for that year, as the implied national increase was considered to be too high. Southwark's rents remain between 8% – 9% lower than the government's assumed target and rank 8<sup>th</sup> lowest of the 29 London Boroughs with retained housing stock.
14. Given the significant adverse financial impact of the statutory rent reduction policy, the restoration of increases at CPI+1% is to be welcomed. Had this policy been in effect for 2019-20 the resultant rent increase would have been 3.4% raising around £6.7m, as opposed to a real-terms cash loss. Over the four years, average rents this year would have been some 14% higher (£112.06 per week) than the estimated mid-year average of £98.10 per week used for 2019-20 budget-setting purposes. CPI-related inflation alone over the four years was just under 11%, as illustrated in the table below. The cumulative impact over the four years equates to around £62.5m in resources foregone and extrapolated over the thirty-year life of the HRA business plan is estimated to exceed £800m.



### Average Rent Levels

15. In terms of rent levels for 2020-21, the table below sets out the current average rent by bed-size and the indicative average rent after the proposed increase (calculated on the same stock base for consistency). For comparison, the equivalent figures for 2011-12

(the year prior to the implementation of HRA self-financing) and 2015-16 (the year prior to the statutory rent reductions commenced) are also included.

Bed size for ave. rent	Dwelling numbers	2019-20 Average weekly rent £	2020-21 Average weekly rent £	Increase £	2011-12 Average weekly rent £	2015-16 Average weekly rent £
0	1,663	78.22	80.33	2.11	69.25	81.00
1	10,279	89.64	92.06	2.42	77.94	92.20
2	13,006	98.97	101.64	2.67	85.26	101.77
3	8,487	108.23	111.16	2.93	92.97	111.23
4	2,055	116.87	120.03	3.16	100.46	120.20
5	264	128.07	131.53	3.46	109.65	132.17
6+	111	140.99	144.80	3.81	121.63	145.88
<b>Total</b>	<b>35,865</b>	<b>98.90</b>	<b>101.57</b>	<b>2.67</b>	<b>85.13</b>	<b>101.50</b>

*Notes: the borough-wide average of £98.90 is derived from the stock dataset as at 30 September 2019. 2011-12 and 2015-16 data above based on actual rents as reported to MHCLG, rather than the headline budget report averages due to in-year stock movements (and in the latter case) the implementation of the straight-to-target policy.*

## KEY ISSUES FOR CONSIDERATION

16. As set out in the indicative budget report, the Ministry for Housing, Communities and Local Government (MHCLG) indicated that rent increase levels would revert to September CPI+1% increases for five years post-2020. To that end they extended the remit of the Regulator for Social Housing to cover the local authority sector, and directed the Regulator to issue a new Rent Standard, setting the maximum rent increase at 2.7% (being September 2019 CPI +1%). The 17 December report indicated that this is the level of rent increase to be adopted by the council.
17. The existing and proposed rates for tenant service charges are set out below.

	2019-20 per week	2020-21 per week	Change pence per week
Estate Cleaning	£5.78	£5.99	21p
Grounds Maintenance	£1.26	£1.26	nil
Communal Lighting	£1.30	£1.34	4p
Door Entry System Maintenance	£0.63	£0.66	3p
<b>Total</b>	<b>£8.97</b>	<b>£9.25</b>	<b>28p</b>

18. Service charges for sheltered residents were first introduced in 2013-14 to meet the cost of enhanced housing management provision not covered by the base rent. As reported to cabinet in 2018-19 it had previously been the government's intention to review the funding of this area of service provision on a national basis; however this did not take place, and the cumulative effect of a number of years of frozen charges has been to uncouple the amount raised from the cost base. The council intends to address this by increasing these charges by the same rate as dwelling rents (2.7%) and will review this area during the forthcoming year in order to assess charging levels for 2021-22 onward.
19. The existing and proposed garage charge rates are set out below.

	<b>2019-20</b> <b>£ per week</b>	<b>2020-21</b> <b>£ per week</b>	<b>Change</b> <b>£ per week</b>
<b>Standard charge</b>	<b>20.70</b>	<b>21.30</b>	<b>0.60</b>
Concessionary rate (£5 reduction)	15.70	16.30	0.60
Small sites rate	11.00	11.30	0.30
Private sector rate	34.50	35.50	1.00
Additional charges:			
Larger than average garage	5.30	5.30	nil
Additional parking	5.30	5.30	nil
Water supply	0.50	0.50	nil
Additional security	1.00	1.00	nil

20. The 17 December 2019 report set out how council-wide utility contracts have and continue to deliver savings for gas and electricity and charges remain lower on average than retail market prices. Periodic review of the budget is necessary to align the anticipated cost and income during the forthcoming year arising from fluctuating prices, spikes in demand due to poor weather and changes in the recoverable stock base. Ongoing investment in the infrastructure to increase energy efficiency/reduce consumption also contributes to the financial sustainability of the heating account which has enabled charges to remain static over an extended period and can be held at existing levels once again for 2020-21.
21. Further detail on the composition of the HRA budget movements by category: budget pressures and commitments, income generation, and efficiency savings is contained in the appendices to this report, and also in the main body of the 17 December report.

### **Community impact statement**

22. In line with our Public Sector Equality Duty contained within section 149 of the Equality Act 2010, the department undertakes equality analysis/screening on its budget proposals, which helps to understand the potential effects that the proposals may have on different groups and whether there may be unintended consequences and in the event, how such issues can be mitigated. Analysis is also undertaken to consider any cross-cutting and council-wide impacts. To date no cumulative impacts have been identified.
23. Information on the equality analysis is shared with cabinet so as to enable it to be considered when decisions are taken. Changes to services will be implemented in such a way so as to not impact disproportionately on any specific section or group in our community or staff cohort, and where necessary, consultation will be undertaken alongside mitigating action.
24. The purpose of this report is specifically to set tenant rents and associated charges (which can also impact homeowners), and set a balanced budget as required by statute. The analysis has established there is no differential effect for any community or protected group. It should be noted that rent policy from 2016-17 to 2019-20 was determined nationally and required authorities to reduce rents by 1% per annum. However, from 2020-21 rents are proposed to increase by CPI+1% and it is recognised that any increase in rents and charges may present particular difficulties for people on low incomes. However, rents and tenant service charges remain eligible for housing benefit/universal credit.

25. The wider impact of welfare reform changes have been considered and measures to mitigate the effects on the community have been implemented together with the provision of additional resources to support tenancy sustainment and financial assistance through the provision of Discretionary Housing Payments (DHP). The provision of further DHP support is subject to annual confirmation from central government.

### **Consultation and notification**

26. The purpose of presenting rent setting and budget information to cabinet in two stages is to facilitate the early commencement of consultation with representative groups (i.e. before the Christmas break). To that end, the 17 December report was labelled 'indicative' and figures therein were subject to change. However since then there have been no changes in the figures or the recommendations.
27. Tenant Council met on 6 January 2020 to consider the December report, and to refer it on to area housing forums. They reconvened on 20 January 2020 to consider any recommendations arising from the area forum consultation and make consolidated recommendations to cabinet, which due to time constraints are reported under separate cover to this report. Homeowner Council are unable to make recommendations in the matter of tenant rents and service charges, but may do so in terms of any proposals regarding non-dwellings charges and in terms of the rest of the HRA budget and considered the report at their meeting of 8 January 2020. Any such comments are reported to cabinet alongside those of Tenant Council. Similarly, the December report was also the subject of formal consultation with Southwark TMO Liaison Committee at their meeting on 16 January 2020.

### **Statutory and Contractual Notifications**

28. Subsequent to the approval of this final report on 21 January, either as set out or as amended by cabinet, and the passing of the necessary date for its implementation, the council will issue a statutory and contractual notification of variation in rents and other charges to all tenants, not less than 28 days prior to the commencement of the new rents and charges referred to above.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

29. The report sets out an Indicative Budget for the Housing Revenue Account (HRA) for 2020-21. Members are invited to approve:
- A rent increase for existing directly managed and TMO managed tenancies;
  - An increase made in tenant service charges;
  - An increase made in charges for garages and other non residential facilities;
  - An increase made to charges for sheltered housing service charges;
  - No increase in district heating and hot water charges; and
  - The HRA budget proposals in the report.
30. The financial and budgetary considerations underpinning officer recommendations are explained in the body of the report and its annexes.

### Policy and Legislative Context

31. The **Local Government and Housing Act 1989** (“the 1989 Act”) sets out legal requirements the council must comply with in relation to housing finance. In particular, Section 74 of the 1989 Act places a duty on the council to maintain a Housing Revenue Account (“HRA”) and, under Section 76 of the Act duties to budget to prevent a debit balance on the HRA, to implement and to review the budget.
32. The **Housing Act 1985** (“the 1985 Act”) Section 24 makes provision for the council to “*make such reasonable charges as [it] may determine for the tenancy or occupation of [its] houses*” with the requirement from time to time, to review rents and make such changes as circumstances may require.
33. This provision conferring discretion as to rents and charges made to occupiers within the scope of the above HRA provision, has also been subject to further restrictions arising from the provisions of the **Welfare Reform and Work Act 2016** (“the 2016 Act”).
34. The 2016 Act, and regulations made pursuant to it require the council to ensure (with limited exceptions) that for each relevant year the rents payable by its social tenants is reduced by at least 1% year on year from a frozen 2015-16 baseline, for a period of four years. Provision is also made for a period of four years commencing 2016, for the maximum levels of rent for social tenancies commencing after 8 July 2015; these provisions apply to tenancies of new homes and re-lets to a new tenant, but not the grant of a new tenancy to an existing tenant.
35. For social rent properties, the rent reduction requirement applies to the rent element of the charge under the tenancy agreement and not to charges made for services.
36. The Government’s policy statement on rents lifts the rent restrictions under the 2016 Act from 30 March 2020. The council will have the opportunity to increase rent as recommended in the report provided it has met its rent reduction obligations over the course of the previous 4 years.
37. From 1 April 2020 the council must rents in accordance with the **Rent Standard 2020** (“the 2020 Standard”) issued by the Regulator of Social Housing on the direction of the Secretary of State for Housing, Communities and Local Government using powers granted by the Housing and Regeneration Act 2008 Section 197. The direction on Rent Standards 2014 will cease to have effect in relation to rents from 1 April 2020.
38. The 2020 Standard allows the council to apply annual rent increases, over a 5 year period, of up to 1% above the general index of consumer prices; CPI. The 2020 Standard sets out the formula to be applied to social and affordable rents for existing tenants, to fair rents and for tenants moving between different types of rent.
39. The council must comply with the rules contained in the 2020 Standard; Housing and Regeneration Act 2008 section 194(2A). There is additionally a requirement to provide information to the Regulator of Social Housing when required and a duty to report non compliance or potential non-compliance.

### Consultation

40. Rent and other charges are excluded from the statutory definition of matters of housing management in respect of which local authorities are required to consult their tenants pursuant to Section 105 of the Housing Act 1985 and Sections 137 and 143A of the Housing Act 1996 in relation to secure, introductory and demoted tenants respectively.

41. As a term of the tenancy agreement with its tenants however, Southwark Council has undertaken to consult with the Tenant Council before seeking to change rent and other charges. The report indicates that representative groups have been consulted in order to comply with this term.
42. The council is required, by Section 103 of the Housing Act 1985 in relation to its secure tenancies; Section 111A of the Housing Act 1985 in respect of its introductory tenancies and the council's agreement with its tenants, to notify tenants of variations of rent and other charges, by service of a notice of variation, at least 28 days before the variation takes effect.

### **Equalities Impact**

43. In making a decision the cabinet must have due regard to the council's equalities duties set out in the Equalities Act 2010 and specifically the need to:
- Eliminate discrimination, harassment, victimisation or other prohibited conduct.
  - Advance quality of opportunity between persons who share a relevant protected characteristic and those who do not. The protected characteristics covered by the equality duty are age, disability, gender reassignment, pregnancy and maternity, race, religion, sex and sexual orientation. The duty also includes marriage and civil partnerships in respect of eliminating unlawful discrimination.
  - Foster good relationships between those who share relevant characteristics and those who do not.
44. The report includes a community impact statement which sets out consideration given to the equality duties in the Equality Act.

### **Strategic Director of Finance and Governance**

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

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
HRA Indicative Budget and Rent-Setting 2020-21	160 Tooley Street London SE1 2QH	Paula Thornton 020 7525 4395
<b>Link (please copy and paste into your browser):</b>		
<a href="http://modern.gov.southwark.gov.uk/documents/s86244/Report%20Indicative%20Housing%20Revenue%20Account%20Budget%20and%20Rent%20Setting%20Report%202020-21.pdf">http://modern.gov.southwark.gov.uk/documents/s86244/Report%20Indicative%20Housing%20Revenue%20Account%20Budget%20and%20Rent%20Setting%20Report%202020-21.pdf</a>		

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix A	Summary of HRA Budget Movements 2020-21
Appendix B	HRA Budget Pressures and Commitments 2020-21
Appendix C	HRA Income Generation 2020-21
Appendix D	HRA Efficiencies and Improved Use of Resources 2020-21
Appendix E	Objective Analysis of HRA Expenditure 2020-21 by Division
Appendix F	Results of consultation – to follow

**AUDIT TRAIL**

<b>Cabinet Members</b>	Councillor Kieron Williams, Housing Management and Modernisation and Councillor Victoria Mills, Finance, Performance and Brexit	
<b>Lead Officers</b>	Duncan Whitfield, Strategic Director of Finance and Governance Michael Scorer, Strategic Director of Housing and Modernisation	
<b>Report Author</b>	Ian Young, Acting Director of Finance and Departmental Finance Manager, Housing and Modernisation	
<b>Version</b>	Final	
<b>Dated</b>	9 January 2020	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS/DIRECTORATES/CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	N/a	N/a
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		9 January 2020

## APPENDIX A – SUMMARY OF HRA BUDGET MOVEMENTS 2020-21

	<b>HRA Budget movement</b>
	<b>£000</b>
Inflation	2,570
Service commitments	9,595
<b>Budget pressures and commitments</b>	<b>12,165</b>
Increase in rental income	(4,857)
Tenant service charges	(317)
Commercial property portfolio	(700)
Fees and charges	(74)
Garage and non-residential charges	(170)
Homeowner service charges	(1,000)
Interest on balances	(149)
<b>Income generation</b>	<b>(7,267)</b>
Efficiency savings and budget rebasing	(4,898)
<b>Efficiency savings and improved use of resources</b>	<b>(4,898)</b>
<b>HRA budget gap</b>	<b>0</b>

## APPENDIX B – HRA BUDGET PRESSURES AND COMMITMENTS 2020-21

Department	Division	Reference	Cabinet Member	Description	2020-21	Equalities Analysis Information
					£000	
Housing and Modernisation	All	101	Clr Kieron Williams	Inflation - employee and contract-specific inflation allowance	2,570	Maintain/enhance service provision
Housing and Modernisation	Resident Services	102	Clr Leo Pollack	Great Estates establish base budget (previously funded from reserves)	970	Maintain/enhance service provision
Housing and Modernisation	Central Services	103	Clr Kieron Williams	Additional revenue contribution to support the Housing Investment Programme (predominantly QHIP)	925	Maintain/enhance service provision
Finance and Governance	Exchequer Services	104	Clr Kieron Williams	Homeowner buildings insurance premium - contractual uplift fully rechargeable to Homeowners through their revenue service charges	350	Impact on Homeowner variable service charges
Housing and Modernisation	Resident Services	105	Clr Kieron Williams	Aylesbury community wardens - establish base budget (previously funded from reserves)	120	Maintain/enhance service provision
Housing and Modernisation	Resident Services	106	Clr Kieron Williams	Mobile Working systems/software upgrades	55	Maintain/enhance service provision
Housing and Modernisation	Resident Services	107	Clr Kieron Williams	Special Investigations - fraud prevention/case management software enhancement	25	Maintain/enhance service provision
Housing and Modernisation	Asset Management	108	Clr Kieron Williams	Asset Management - additional resources to meet existing/anticipated cost pressure for their repair and maintenance of the housing stock	7,150	Maintain/enhance service provision
<b>Total</b>					<b>12,165</b>	

## APPENDIX C – HRA INCOME GENERATION 2020-21

Department	Division	Reference	Cabinet Member	Description	2020-21	Equalities Analysis Information
					£000	
Housing and Modernisation	All	201	Cllr Kieron Williams	Discretionary fees and charges - average 3% uplift across range of housing-related charges	(45)	No differential impact on any community or protected group, but price increases for services may disproportionately impact people on low incomes
Housing and Modernisation	Central Services	202	Cllr Kieron Williams	Commercial property portfolio - income growth from increased lettings, lease renewals and strategic property acquisitions	(700)	Increase in rents payable by commercial occupiers
Housing and Modernisation	Central Services	203	Cllr Kieron Williams	Interest earned on HRA and HIP cash-flow balances	(149)	No impact on service users
Finance and Governance	Exchequer Services	204	Cllr Kieron Williams	Homeowner service charges - sustainable growth in capital programme resulting in greater cost recovery under the terms of the lease	(1,000)	No differential impact on any community or protected group, but rechargeable works commitment may disproportionately impact people on low incomes
Housing and Modernisation	Resident Services	206	Cllr Kieron Williams	Sheltered housing service charges - rebasing of charges to ensure full cost recovery (phased implementation over two years to mitigate impact)	(29)	No differential impact on any community or protected group, but price increases for services may disproportionately impact people on low incomes
Finance and Governance	Exchequer Services	208	Cllr Kieron Williams	Tenant rents - guideline rent increase @ CPI+1% (2.7%)	(4,857)	No differential impact on any community or protected group, but rent increase may disproportionately impact people on low incomes
Finance and Governance	Exchequer Services	209	Cllr Kieron Williams	Tenant service charges - annual rebasing of charges to ensure full cost recovery	(317)	No differential impact on any community or protected group, but price increases for services may disproportionately impact people on low incomes
Finance and Governance	Exchequer Services	210	Cllr Kieron Williams	Garage and non-residential charges - average 3% uplift (higher uplift for private renters)	(170)	No differential impact on any community or protected group, but price increases for services may disproportionately impact people on low incomes
<b>Total</b>					<b>(7,267)</b>	

## APPENDIX D – HRA EFFICIENCIES AND IMPROVED USE OF RESOURCES 2020-21

Department	Division	Reference	Cabinet Member	Description	2020-21	Equalities Analysis Information
					£000	
Housing and Modernisation	Customer Experience	301	Clr Kieron Williams	My Southwark Homeowners - rebasing of legal services budget to reflect current and anticipated activity/volumes	(83)	No impact on service users
Housing and Modernisation	Customer Experience	302	Clr Kieron Williams	Provision for bad debts (arrears write-off) - rebasing budget to reflect sustained improvement in income collection performance	(400)	No impact on service users
Finance and Governance	Central Services	303	Clr Kieron Williams	Rebasing of legal services budget to reflect current and anticipated activity/volumes	(150)	No impact on service users
Finance and Governance	Exchequer Services	304	Clr Kieron Williams	Estate Management - rebasing of operational budgets to reflect current and anticipated activity/volumes	(145)	No impact on service users
Housing and Modernisation	Resident Services	304	Clr Kieron Williams	Supported Housing Services - restructuring and streamlining of supported hostels provision and associated move-on services	(120)	No impact on service users, but reduction of five posts to be undertaken in accordance with the council's reorganisation, redundancy and redeployment procedure
Housing and Modernisation	Resident Services	306	Clr Kieron Williams	Major works - regularisation of funding treatment in relation to works undertaken through the term contracts which are of a capital nature funded from the Housing Investment Programme (HIP)	(4,000)	No impact on service users
<b>Total</b>					<b>(4,898)</b>	

## APPENDIX E – OBJECTIVE ANALYSIS OF HRA EXPENDITURE BY DIVISION

	2019-20 Revised budget £m	2020-21 Indicative budget £m
My Southwark Homeowners	2.1	2.0
Customer Experience	5.5	5.7
Customer Resolution	1.7	1.7
Housing Solutions	2.1	2.1
<b>Customer Experience</b>	<b>11.4</b>	<b>11.5</b>
Commerical Properties	1.3	1.3
Major Projects	7.4	8.4
Depreciation	53.0	53.0
Financing Costs	33.5	33.5
Corporate Support Costs and Departmental Overheads	16.9	17.0
Heating Account	8.3	8.3
Contribution to Investment Programme	18.7	19.7
Home Ownership Unit	8.1	8.5
Garage Repairs	1.8	1.8
Income Management	3.6	3.6
<b>Central and Exchequer Functions</b>	<b>152.6</b>	<b>155.1</b>
Tenant Management Organisations (TMOs)	7.2	7.2
Tenants Fund	0.6	0.6
Homeowners Fund	0.2	0.2
Resident Involvement	1.1	1.1
<b>Communities</b>	<b>9.1</b>	<b>9.1</b>
Supported Housing	4.4	4.4
Environmental Services	17.9	18.6
Housing Strategy and Business Support	1.5	1.5
Estate Parking	0.7	0.7
Tenancy Management	14.5	14.7
<b>Resident Services</b>	<b>39.0</b>	<b>39.9</b>
Investment and Regeneration	1.0	1.0
Engineering and Heating	20.7	24.3
Repairs and Maintenance	26.7	27.3
<b>Asset Management</b>	<b>48.4</b>	<b>52.6</b>
New Homes	0.5	0.5
<b>New Homes</b>	<b>0.5</b>	<b>0.5</b>
<b>Total HRA Expenditure</b>	<b>261.0</b>	<b>268.7</b>

<b>Item No.</b> 10.	<b>Classification:</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Walworth Community Development Support	
<b>Ward(s) or groups affected:</b>		Faraday	
<b>Cabinet Member:</b>		Councillor Johnson Situ, Growth, Development and Planning	

**FOREWORD – COUNCILLOR JOHNSON SITU, CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING**

The transformation of the Aylesbury estate will create new quality homes in the area, improving living conditions with new community facilities and increasing the amount of homes for social rent in the area.

In recent years Creation Trust has played a vital role working with residents of the Aylesbury since 2007. To date over 500 residents have benefited from dedicated case work, a further 500 residents have been involved in outreach sessions, over 300 residents have had CAB advice, over 30 weeks of after school youth provision has taken place, an average of 400 residents have been supported through employment programs each year and 100 job outcomes have been created per annum. In line with the 2016 Cabinet decision which identified funding for Creation Trust from 2016-17 – 2020-21, that funding will come to an end in March 2020.

This report delivers on a council plan commitment to secure the funding to ensure the vital work of supporting residents through the regeneration continues. Along with the appointment of a contractor for Plot 18 this is an important step in ensuring the council delivers on its promise to place the local community at the heart of plans for the Aylesbury.

**RECOMMENDATIONS**

1. That the successes of Creation Trust and the valued input of current and previous Board members are noted.
2. That approval is given to annual funding of £100,000 to the Creation Southwark Community Interest Company for housing advice of the council tenants and those in temporary accommodation on the Aylesbury Estate from 2020-21 and throughout the remaining life of the rehousing programme.
3. That approval is given to the revised cash flow of council funding for Creation as set out in paragraph 5.

**BACKGROUND INFORMATION**

4. Creation Trust (a company limited by guarantee and whose formal name is New Aylesbury Trust Limited) was established in 2007 as the successor body to Aylesbury New Deal for Communities. The Trust is led by a board of trustees that includes nominated resident representatives including leaseholders of the estate

and local ward councillors. Creation Trust is a representative body which provides a key mechanism for consultation and communications with the community as part of the regeneration of the Aylesbury Estate as well as helping to bring the wider social and economic benefits of the regeneration to local residents. The main focus of the organisation is on supporting residents to engage with the regeneration programme, provision of services for young people and delivering worklessness programmes for local residents. Senior officers from the council and Notting Hill Genesis attend Board meetings to update on the regeneration programme. Creation Trust has a staff team of 10.

5. From 2007 to 2015-16 Creation was funded by the council. Since 2015 under the Development Partnership Agreement, Notting Hill Genesis has made £1,250,000 funding available to the council for this purpose. Creation Trust has been successful in raising external match funding from organisations such as L&Q, The Lottery and the Department of Work and Pensions averaging an annual income of over £550,000. In 2015/16 Council funding of £250,000 was provided to Creation. On 9 February 2016 Cabinet approved grant funding of £1,000,000 over the period 2016/17 to 2020/21 cash flowed as follows:

Year	2016/17	2017/18	2018/19	2019/20	2020/21	Total
<b>Funding</b>	£220,000	£220,000	£220,000	£220,000	£120,000	£1,000,000

In 2018 following discussions about their exit strategy, Creation Board proposed that the cash flow of Council funding be revised as follows:

Year	2016/17	2017/18	2018/19	2019/20	2020/21	Total
<b>Funding</b>	£220,000	£220,000	£280,000	£280,000	0	£1,000,000
<b>Variation</b>	£0	£0	£60,000	£60,000	(£120,000)	0

6. To date over 500 residents have benefited from dedicated case work, a further 500 residents have been involved in outreach sessions, over 300 residents have had CAB advice, over 30 weeks of after school youth provision has taken place, an average of 400 residents have been supported through employment programmes per annum and 100 job outcomes have been created per annum.

## KEY ISSUES FOR CONSIDERATION

7. As a consequence of the funding from the council ending in March 2020, discussions have taken place with the council and Creation over the services provided and funding availability. Creation has reserves and some restricted income including a grant from L&Q for 2020-21 which will enable them to continue their current level of services including a full employment and training programme. In January 2019 prior to this funding being secured, Creation Trust decided to end its' operations in March 2021. It is currently anticipated that in April 2021 reserves of approximately £130,000 and an additional restricted income of £100,000 due.
8. A council-led review into the services provided by Creation has been carried out in partnership with Creation and Notting Hill Genesis.
9. It is considered that Creation have provided a critical role in providing independent support to council tenants and those in temporary accommodation on the Aylesbury Estate through the rehousing process. This rehousing activity is expected to continue for another 10 years. Although the council directly funds independent housing advice services, it is considered that without the services

currently provided by Creation there would be a gap in support for council tenants and those in temporary accommodation on the Aylesbury Estate. Creation has established a Community Interest Company (CIC) to provide this service. It is proposed that the grant of funding to provide this service should be awarded to the Creation Southwark CIC due to their existing local presence and connections to residents and agencies. A Grant Agreement and Service Level Agreement will be drafted for this purpose. Review clauses will be incorporated into these agreements to ensure that the service meets local needs at the time and continues to represent value for money.

10. The review of economic and training programmes (attached as Appendix 1) has concluded that although the approach that Creation has taken to this area has been successful (as shown in paragraph 6 above) it is considered that the programmes run by Southwark Works (from their new base on Walworth Road) and Notting Hill Genesis are capable of meeting the local need. There are therefore no elements of Creation's economic and training programmes that need to be funded by the council.
11. The review of youth programmes has concluded that there are a range of new facilities being provided as part of the Aylesbury regeneration programme and investment in Burgess Park and Burgess Sports. The council wide review of youth facilities will complete in March 2020. There is a need for a co-ordination meeting where service deliverers can be updated on current proposals and work together to bid for external funding. This co-ordination need is being considered as part of the discussions outlined in paragraph 13. The first new facility on the First Development Site will complete in 2021.
12. The review of premises currently occupied by Creation has concluded the following
  - **Giraffe House** will continue to be occupied by Creation on existing rent level until April 2021. A service level agreement focused on youth activities is being developed with Creation. For 2021/22 Giraffe House will be managed by another third sector organisation on a similar basis. The building will be demolished in 2022 as part of the Southwark Spine cycle way.
  - **Blue huts on Inville Road.** These properties will be a base for the Creation Southwark CIC until the new library being constructed on Plot 18 is completed in early 2022. The new library has office space for community organisations.
  - **Former Caretakers House** adjacent to University Academy of Engineering South Bank. This building is being vacated and will be returned to the Council shortly.
13. As part of the discussions over the future of community development activity on Aylesbury Estate, the council formed a group of the following organisations – Community Southwark, Cambridge House, Pembroke House, Notting Hill Genesis, L&Q, Inspire, Burgess Sports, First Place and Walworth Society. This group has met several times over the last 18 months. A key benefit has been the networking and sharing of updates between the organisations. This group has discussed the geographical area to be targeted by community development and has concluded that the wider Walworth area is more relevant than the red line of

the former Aylesbury Estate. This view is informed by the geographical spread of new housing developments, the current location of key agencies and their property assets. This group has also explored a range of community ownership and development vehicles that could be developed to run services, co-ordinate provision or manage assets.

14. A Social Regeneration Charter for Walworth is being drafted in consultation with the group referred to in paragraph 13 above. A baseline and update has already been carried out for Notting Hill Genesis by Social Life of residents on Aylesbury Estate. Further baseline work will take place in the wider Walworth area. The draft Social Regeneration Charter will be presented to Cabinet in March 2020.
15. A key focus for the activities of Creation Trust has been the engagement of key residents in the regeneration programme for the Estate. In addition to Board level engagement a Regeneration Sub-Group has been in operation and has played an active role in key stages such as the appointment of the development partner. Notting Hill Genesis has an evolving programme of community engagement and it is anticipated that the RSG functions can be absorbed in these programmes. As the group of community organisations develops, there will be a mechanism for resident engagement in this group. In addition discussions are taking place with the Tenants and Residents Associations locally about developing a clear way for all residents of social housing to be engaged in the Aylesbury Estate regeneration programme.

### **Policy implications**

16. The contents of this report are being incorporated into the drafting of the Social Regeneration Charter for Walworth.

### **Community impact statement**

17. The review of the activities carried out by Creation has assessed the impact of stopping these services on the community. As set out above the key service which needs to be continued is the provision of independent housing advice to tenants and those in temporary accommodation on the Aylesbury Estate.

### **Resource implications**

18. It is anticipated that the cost of providing the independent housing advice to Aylesbury Council tenants and those in temporary accommodation on the estate is £100,000 pa. It is proposed to fund this service from the HRA allocations for Aylesbury regeneration. This level of grant funding would continue during the rehousing programme (anticipated to be up to 10 years).
19. The redundancy costs of the current Creation Trust staff have been factored into their Business Plan.
20. The decision on the use of the reserves held by the New Aylesbury Trust will be made by the Creation Board. The Council will be informed of that decision before 31 March 2021 when Creation disbands. It is currently anticipated that this funding will be made available for community development activities in Walworth.

### **Legal implications**

21. The Creation Trust has performed an important role in supporting residents during

the period of the regeneration of the Aylesbury estate. The Trust has decided to end its operations in March 2021 but it has determined to establish a Community Interest Company to protect the interests of residents.

22. This report proposes providing funding to the newly formed Creation Southwark CIC which has been set up by the Creation Trust. It is understood that the two directors are the Chief Executive from the Creation Trust together with one of the Trustees and that the company assets and part funding is provided by the Creation Trust.
23. The report refers to a Service Level Agreement and it is assumed that this will include the regular provision of accounts so that it can be confirmed that the service is giving value for money and that it is meeting local rehousing needs.
24. Section 1 of the Localism Act 2011 provides the council with the power to do anything that individuals generally may do. The council may exercise this power for the benefit of the authority, its area, or persons resident or present in its area. This general power is limited by any restrictions in any existing or future legislation
25. Section 111 of the Local Government Act 1972 provides powers for a local authority to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

### **Financial implications**

26. The report is recommending Cabinet approve funding of £100,000 per annum to Creation Southwark to provide housing advice for the remaining life of the rehousing programme. The duration of funding and, therefore, the total amount payable is not certain at this stage but is likely to be for approximately 10 years and be around £1m in total.
27. The funding proposal has missed this year's budget cycle and will therefore need to be met from HRA reserves in 2020-21. A base budget will be established for future years.
28. A funding agreement will need to be in place with Creation Southwark, which should set out clearly the conditions of grant funding and officers will need to establish effective monitoring arrangements to ensure those conditions are met.
29. Creation Southwark is a newly formed Community Interest Company, having been incorporated in September 2019. Given it has only been operating for a very short while, the risk of failure is higher than would otherwise be the case. Officers should be aware of this risk when agreeing both the frequency and timing of funding payments and should not overly commit council funds unnecessarily.

### **Consultation**

30. The proposals contained within this report have been discussed with Faraday ward members.
31. The proposals contained within this report were presented to the Creation Board on October 16 2019.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Strategic Director of Finance and Governance

32. This report is seeking Cabinet approval for the council to provide to the Creation Southwark Community Interest Company annual funding of £100,000 from 2020-21 for the remaining life of the rehousing programme on the Aylesbury estate. As noted in the financial implications section of the report, the funding will be provided by the HRA, and will be met from reserves in 2020-21 and a base budget adjustment for subsequent years. Funding for 2020-21 is an addition to that provided by Notting Hill Genesis, which will be fully defrayed in 2020-21.

## APPENDICES

No.	Title
Appendix 1	Employment and Training Review

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Johnson Situ, Cabinet Member for Growth, Development and Planning	
<b>Lead Officer</b>	Kevin Fenton, Strategic Director of Place and Wellbeing	
<b>Report Author</b>	Neil Kirby, Head of Regeneration South	
<b>Version</b>	Final	
<b>Dated</b>	9 January 2020	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		10 January 2020

October 2019

## **Review of employment support services for residents of the Aylesbury estate and surrounding area**

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### **1. Introduction**

This report provides an overview of the employment support services available to residents in the SE17 area, which incorporates the Aylesbury estate and the immediate surroundings. This report has been created in the context of a review of the role of Creation Trust, the successor organisation to the New Deal for Communities programme for the Aylesbury estate, in order to identify potential options for the delivery of employment support in this area should Creation trust's employment support programme come to an end.

The employment support offer available to SE17 residents includes services delivered by a range voluntary and community sector organisations, services delivered by a regeneration partner, as part of the Section 106 obligations for the Aylesbury estate redevelopment, and services commissioned directly by the council. This report focuses on the services delivered by Creation Trust, Southwark Works and Notting Hill Genesis as three of the larger employment support services delivered in the area.

### **2. Overview of key employment support services**

#### Creation Trust

SE17 Working is Creation Trust's employment support programme available to residents of the Aylesbury estate and the immediate surroundings. The programme was initially funded by L&Q 2013-14 and 2017-18 and performance was monitored by the council. This service offered tailored and intensive employment support to Aylesbury residents utilising the organisation's location on the estate and its and strong local connections. Overall, SE17 Working performed well, achieving a high number of employment outcomes.

The SE17 Working service is now part of Creation Trust's core services and has not been directly commissioned by the council. SE17 Working was awarded a further contract by L&Q in 2019 to deliver employment support to residents over an eighteen month period, securing funding for Creation Trust's employment programmes until 2021. The programme has a target of 330 job outcomes.

The service offers assistance to residents to help find work including confidence and motivation training, support with health needs, assistance with family issues, training provision and brokerage with employers.

## Southwark Works

Southwark Works is the council's longstanding directly commissioned employment support service which is delivered through a network of specialist employment support providers. The network offers tailored employment support based on underlying needs such as mental health, disabilities or housing needs, as set out in Table 1 below, as well as brokerage with employers. The service has a borough wide remit and operates a hub office on the Walworth Road and its previous location in the Elephant & Castle shopping centre. This allows proximity to the Aylesbury and SE17 areas and targeted outreach to the Aylesbury estate has taken place from time to time. The hub office is managed through a network coordination contract which includes responsibility for operating the office and referring clients to the relevant specialist provider within the network.

The Southwark Works framework was re-commissioned in 2018 to be delivered over a four year period to 2023. The service will maintain the focus on supporting residents into work and there is an additional emphasis on supporting apprenticeships and in-work progression. The service has a large capacity and the framework model allows flexibility in delivery of employment support services.

**Table 1: Southwark Works Framework Lots**

<b>Lot 1a</b>	Vulnerable young people – learning difficulties
<b>Lot 1b</b>	Vulnerable young people – criminal justice
<b>Lot 1c</b>	Vulnerable young people – at risk of long term unemployment
<b>Lot 2</b>	Long term unemployed
<b>Lot 3</b>	Mental health
<b>Lot 4</b>	Learning disabilities and learning difficulties, including autism
<b>Lot 5</b>	Families & lone parents
<b>Lot 6</b>	Ex-offenders
<b>Lot 7</b>	Substance use
<b>Lot 8</b>	Homelessness
<b>Lot 10</b>	Sector specific support

## Notting Hill Genesis

In line with the Development Partnership Agreement for the Aylesbury regeneration project with Southwark Council, Notting Hill Genesis (NHG) delivers the following employment support provision for Southwark residents as part of Section 106 employment and training obligations:

- One to one employment support to Southwark residents
- One to one youth support for under 25s
- Training provision, both group training based on identified needs, as well as support for an individual's training needs
- Working Communities Bursaries available to support residents to gain employment, training and educational outcomes, as well as to sustain or progress in their careers
- Identifying and securing jobs and apprenticeships through the NHG supply chain, partners and employers in line with client need

NHG's employment programme includes a focus on supporting younger residents through its youth support offer. The programme includes a focus on construction jobs as part of the Section 106 obligations but also supports residents into other key local sectors, especially

while there have been delays to starts on site. NHG is currently on track to meet its Section 106 employment and training targets.

### 3. Employment outcomes

The tables below show the employment outcomes achieved amongst SE17 residents receiving employment support services from SE17 Working, Notting Hill Genesis and Southwark Works between 2016 and 2019.

**Table 2: SE17 Employment Outcomes**

	2016/17		
Organisation	Creation Trust	Southwark Works	Notting Hill Genesis
<b>Residents supported</b>	458	272	82
<b>Job outcomes</b>	92	118	40
<b>Jobs sustained for 26 weeks</b>	44	45	27
<b>Apprenticeships</b>	3	7	10

	2017/18		
Organisation	Creation Trust	Southwark Works	Notting Hill Genesis
<b>Residents supported</b>	370	287	92
<b>Job outcomes</b>	101	105	26
<b>Jobs sustained for 26 weeks</b>	53	69	36
<b>Apprenticeships</b>	2	1	10

	2018/19		
Organisation	Creation Trust	Southwark Works	Notting Hill Genesis
<b>Residents supported</b>	155	201	83
<b>Job outcomes</b>	65	79	29
<b>Jobs sustained for 26 weeks</b>	42	76	40
<b>Apprenticeships</b>	3	0	13

The above figures demonstrates that overall SE17 residents have continued to access employment support over the past three years, with over 650 job outcomes being achieved across the three services.

### 4. Support Needs

Consultation with SE17 Working, Notting Hill Genesis and Southwark Works identified a number of support needs and barriers to entering and maintaining work which are experienced by residents seeking employment support in the area. The most significant barriers to entering and maintaining work seen across the three services include:

*Low literacy and/or numeracy skills*  
*Relevant training/qualifications/licences*

*Employability skills (interviews, communicating with employers etc)*  
*Not having up to date/suitable CV*  
*Work experience*  
*Labour market knowledge*  
*Evidence of right to work/identity documents*  
*Childcare costs*  
*Travel costs*  
*Mental health*  
*Health conditions including long term*  
*Drug & alcohol use*  
*Poor housing conditions*  
*Criminal record*

All three services offer tailored and individualised support, as well training provision and employer brokerage, to help residents address these needs to access and maintain work.

## **5. Ensuring an employment support offer in the SE17 area**

SE17 Working has obtained funding to continue to deliver employment support services until 2021, working closely with residents as the redevelopment of the estate continues.

Should SE17 Working cease operation after this time, the council is able to ensure an accessible employment support offer is available to SE17 residents through the continued delivery of the Southwark Works service. Southwark Works has a network of providers in place to address a range of support needs experienced by SE17 residents accessing employment support. It also has the capacity and flexibility to provide employment support to residents previously supported by SE17 Working. Additional coverage from Southwark Works in the SE17 area could be ensured by dedicated outreach and the creation of referral pathways from any housing support services delivered by a successor organisation to Creation Trust.

In addition to ensuring that employment support continues to be available to SE17 residents through Southwark Works, the Council will explore with Southwark Works and NHG wider resourcing for employment support in the area to meet local needs.

## **6. Recommendations**

It is recommended that Southwark Work's outreach in the Aylesbury area is reviewed to ensure continued accessibility to residents, particularly after the end of SE17 working's current contract in 2021, and that an appropriate outreach plan and referral mechanism is developed.

Officers will also continue to work with Creation Trust and Notting Hill Genesis to explore options to combine these services.

<b>Item No.</b> 11.	<b>Classification:</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Elephant and Castle Bakerloo Line Extension	
<b>Ward:</b>		North Walworth	
<b>Cabinet Member:</b>		Councillor Johnson Situ, Growth, Development and Planning	

## **FOREWORD - COUNCILLOR JOHNSON SITU CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING**

Southwark Council has been campaigning for the Bakerloo line extension for a number of years, both to improve transport in our borough and to help build much-needed new homes. The Bakerloo line extension is fundamental to plans for growth and development in Southwark as well as bringing wider benefits to London. The Back The Bakerloo Line Campaign has been supported by over 20,000 people who have signed up.

We have welcomed the support of Transport for London (TfL) and the Mayor of London who have set out plans to extend the tube line from Elephant and Castle to Lewisham via Old Kent Road and New Cross Gate. TfL has carried out a number of consultations on the Bakerloo line extension and thousands of people have responded, overwhelmingly in support of the extension.

This report seeks Cabinet’s approval for funding to start the first bit of work to deliver the transport infrastructure needed for the Bakerloo Line Extension and TfL have committed to jointly fund this project. The report also highlights the transport improvements to the Elephant and Castle Station, making it easier for commuters to change between the Northern and Bakerloo line.

## **RECOMMENDATIONS**

1. That Cabinet approve an additional capital budget of £7,500,000 to the council’s capital programme to safeguard the future provision for the Bakerloo Line Extension to the proposed new Northern line ticket hall and station box to provide an integrated interchange as detailed in this report.
2. That Cabinet notes that Transport for London Investment Group has confirmed a matching funding contribution of £7,500,000 towards the scheme.

## **BACKGROUND INFORMATION**

### *Elephant and Castle Transport Interchange*

3. The delivery of an integrated public transport interchange has been at the heart of the council’s vision for the regeneration of the Elephant since the adoption of the 2004 Supplementary Planning Document [SPG]. The SPG envisaged a mixed use, mixed tenure town centre based around a network of convenient surface level pedestrian routes and open spaces supported by enhanced public transport. The council has been supporting a phased programme of investment

to secure this outcome over the intervening period. As part of this long term programme of change, the 1960's highway layout which was focused on the needs of vehicles at the expense of residents has been substantially reworked; a new public space [the "peninsula"] has been formed; signalised pedestrian surface crossings have replaced the network of subways; improved safety features have been introduced for cyclists.

4. The provision of a new Northern Line Ticket Hall [NLTH] is central to this long term programme. The existing station is congested with limited vertical capacity from street to platform level as it comprises only two lifts and an emergency staircase. TfL projections indicate that the existing Ticket Hall will reach full capacity this year and with the increased frequency of Northern Line services also being pursued, congestion at the station is anticipated to increase in the future. TfL estimate that around 30% of passengers in the morning peak use the emergency spiral staircase to access platforms rather than wait for a lift. Crowd control measures, including temporarily restricting access to the station are already required sporadically and forecast increases in demand will lead this to happen for greater duration and more regularly.
5. The planning application to redevelop the shopping centre was approved by the council's planning committee in July 2018 and permission was formally issued in January of this year following stage 2 approval by the Mayor and completion of an s106 agreement. The consented scheme includes for a new Northern Line Ticket Hall with increased capacity to replace the existing ticket hall. The station design includes escalators and will provide step free access from street level to the Northern Line platforms. This is to be located on the northern apex of the site fronting onto the peninsula. The station entrance is part of the 12 storey building which will be the new home of the London College of Communication.
6. The shopping centre developer will construct the new NLTH station box, TFL will then complete the fit out of the facility. The council in 2014 entered into a funding agreement with the GLA which has secured the resources for this project. The council's contribution totals £63m in phased payments until 2029/30 and is built into the capital programme. Community Infrastructure Levy [CIL] receipts are being used to offset this commitment.
7. The NLTH scheme will increase the operational capacity, efficiency and accessibility of the station and greatly improve the transition from street to platform level. The shopping centre redevelopment will therefore help deliver the council's long term vision for an integrated transport interchange at the Elephant supporting and unlocking further growth in the area.
8. The Bakerloo Line Extension [BLE] is planned to run from the Elephant to the Old Kent Road and Lewisham. The existing Bakerloo Line station at Elephant is also sub- standard and will suffer similar issues as the Northern line as summarised in paragraph 4 above, with measures required to mitigate the station capacity issues. Vertical capacity is limited and it does not provide step free access as it comprises 3 lifts and an emergency staircase. While customers can interchange between Northern and Bakerloo Lines at sub surface level the route is not convenient as it uses narrow platforms, stairways and tunnels resulting in sub-standard customer experience.
9. In line with the council's long standing vision for the area the BLE offers an opportunity to further consolidate Elephant as a significant public transport

interchange in the central London activity zone and to fully integrate the two existing tube lines in a new single step free station.

#### *Bakerloo Line Extension*

10. The extension of the Bakerloo line is a key corporate objective which will encourage and manage growth and development in south east London, and support regeneration. The proposal is a cornerstone of the draft Old Kent Road Area Action Plan and New Southwark Plan. The project will support at least 20,000 homes and 10,000 jobs in the Old Kent Road Opportunity Area.
11. Key project benefits are:
  - A new direct link into central London for people living or working in south east London, specifically along Old Kent Road, to serve the Old Kent Road Opportunity Area and at New Cross Gate and Lewisham to serve the Catford-Lewisham-New Cross Opportunity Area
  - A train at least every 2 to 3 minutes into south east London.
  - Journeys between central London and the Old Kent Road reduced by up to 20 minutes
  - Support development and regeneration in south east London, and in particular the provision of vital new homes
  - Provide capacity for 65,000 extra journeys in the morning and evening peak, to help relieve congestion on local bus services and National Rail services and
  - Relieve congestion on roads; reducing CO2 emissions and air pollution.

#### *Bakerloo Line Elephant Station consultation*

12. The provision of a new Bakerloo line station at Elephant and Castle is a key component of the infrastructure planning necessary to unlock the BLE and reduce uncertainty and risk around its likely delivery. In 2017 TfL consulted on options for specific sites for new stations. In the case of Elephant and Castle residents were asked to suggest locations within an identified zone which was considered suitable for a new Bakerloo line station.
13. The majority of responses received stated that a Bakerloo line station should be located where the Northern line entrance and Elephant and Castle shopping centre currently are. The most frequently occurring comments received to this question included:
  - Prioritise the interchange between the Bakerloo and National Rail lines
  - Prioritise the interchange between the Bakerloo and Northern lines
  - Avoid impacts on residential areas close to the town centre.
  - Integrate the proposed Bakerloo line station into existing/redeveloped Elephant and Castle market and shopping centre
14. The purpose of this report is to update Cabinet on new proposals for the provision of a BLE station at Elephant and Castle following the 2017 TfL public consultation and to seek approval to release funding from the council's capital programme to secure the construction of the single integrated facility for the BLE in addition to the new NLTH station.

**KEY ISSUES FOR CONSIDERATION**

15. The option of extending or adapting the existing Bakerloo line station has been discounted by TfL on the grounds of limited platform and vertical capacity to meet demand. In addition, any solution will require the acquisition of third party land to accommodate a new station ticket hall of sufficient capacity to meet demand. TfL's focus has therefore been on identifying a design solution capable of meeting the consultation responses on the shopping centre site.
16. The solution identified by TfL takes the form of providing for a deeper new NLTH station box that the shopping centre developer is already required by the s106 to build during its development works. The additional structure is located at sub-basement level in the area to the north of the proposed new campus building for the London College of Communication and will provide for future access to the new Bakerloo line platforms proposed for the BLE. This provision for the BLE does not form part of the consented scheme and therefore a further planning consent would be required for these works.
17. The new NLTH station box will then safeguard and provide passive provision for the future BLE station and will enable TfL to subsequently fit out escalators from the planned new Northern Line Ticket Hall down to the future Bakerloo line platforms. New Bakerloo line platforms at Elephant and Castle will be provided as part of the main BLE works. A new interchange between the Bakerloo and Northern lines will be enabled as part of the solution. This approach will significantly reduce the impact on the existing Bakerloo and Northern lines as well as on the new Elephant and Castle consented scheme during the BLE construction thereby avoiding significant impacts to the travelling public, surrounding businesses and residents during that time.
18. The proposed provision will therefore address the majority of comments received during the 2017 consultation. In particular, the identified solution integrates the proposed Bakerloo line station into the redeveloped Elephant and Castle shopping centre site as part of a single integrated station. The single integrated ticket hall within the new NLTH station will make wayfinding easier for passengers. It will eliminate unnecessary existing movements which cause inconvenience and congestion between the current stations e.g. passenger trips that use the Bakerloo line entrance and platforms to reach the Northern line. Ultimately the scheme achieves the direct interchange between the Northern and Bakerloo lines which the council has been seeking for many years.
19. The consented scheme for the shopping centre site includes a surface pedestrian route between the overground rail station and the location of the new NLTH station with the passive provision for the BLE. This will replace the current arrangement which involves a route from the overground station through the existing shopping centre via a number of flights of stairs or alternatively along Elephant Road/New Kent Road. The completed development will therefore provide a more convenient and direct connection between these important parts of the public transport interchange.
20. The provision within the new NLTH box which is necessary to safeguard the BLE station will need to be integrated into the overall design of the project. The developer will be required to safeguard and construct the provision for the BLE as part of the new NLTH box. Both interventions require public sector funding. The funding for the latter will continue to be consistent with the 2014 Funding Agreement [as amended] between the council and the GLA.

21. Unless this commitment is made now, the opportunity to include the provision for a future BLE in the scheme design and subsequent construction will be lost and an alternative site for the station will have to be identified. TfL advise any alternative will result in separate stations for the BLE and NL and therefore this option will fail to deliver an integrated solution.
22. Any alternative site will need to be located close to the centre of the Elephant which is a heavily developed urban environment and is likely to have a greater impact on residential locations. Alternative sites are likely to involve third party developed land with significant costs and risks including potentially the need for compulsory purchase. This outcome may adversely affect the overall business case for the BLE and its likely delivery.

#### *Costs/ Funding*

23. The cost of provision within the new NLTH to safeguard the BLE station has been assessed by TfL at £15m. This budget is costed at assumed 2023 prices which is the date at which the works are currently estimated to take place. The figure includes for a contingency.
24. It should be noted that these works were not envisaged when the shopping centre planning application was originally submitted in 2016 or when the Planning Committee resolved to approve the scheme in July 2018. These costs represent new public sector funding requirements which it is not reasonable to expect the developer to meet to integrate the BLE future provision.
25. TfL, for its part, has stated that it is not in a position to meet the full costs of the provisions to the NLTH box necessary to safeguard the BLE integration with the new NLTH station box. The funding it has available is for project development (as opposed to works) and is in any case committed to design and other technical work necessary to obtain project funding and apply for planning powers to construct and operate the Bakerloo line extension.
26. Given the importance of safeguarding a station at Elephant for the BLE business case, TfL has however agreed to fund the additional costs on a 50/50 basis with the council. TfL's Investment Group has formally approved funding of £7.5m towards the project subject to the council agreeing to match fund this total. Approval has also been given to progress the design to take forward the provisions for a future BLE to the new NLTH station box.

#### *Conclusion*

27. The proposed design solution will consolidate the Elephant as a key public transport interchange in line with the council's long standing vision for the area. The investment will safeguard an area for a new BLE station which TfL can fit out at a later date. The cost of the intervention is relatively low when compared with any other option which would almost certainly involve acquisition of third party land. The proposed solution also provides convenient interchange between the Bakerloo and Northern lines which is a key project outcome supported through the consultation. TfL is of the view that there is no other alternative that can achieve this outcome.
28. It is therefore recommended that the council provides £7.5m (50% of the cost) towards the scheme costs to provide this early infrastructure which will help de-

risk the overall BLE project and strengthen the TfL business case for capital funding. This investment will help strengthen the Elephant and Old Kent Road areas as office and workspace locations generating further growth in business rates and CIL receipts.

### **Policy implications**

29. The 2010 Core Strategy states as part of the vision for the Elephant that the *“regeneration of the Opportunity Area will create a highly integrated and efficient public transport hub. This will comprise an improved Northern line station with a new ticket hall and escalators under the shopping centre, enhanced conditions for bus and rail users and an improved interchange between the various modes”*. This objective was consolidated into the Elephant and Castle SPD (adopted 2011) which requires development in the area to make significant improvements to the interchange between buses, tube rail and to increase the capacity of the Northern Line station.
30. The extension of the Bakerloo line is a key corporate objective which will encourage and manage growth and development in southeast London, and support regeneration. The proposal is a cornerstone of the draft Old Kent Road Area Action Plan and New Southwark Plan. The project will support at least 20,000 homes and 10,000 jobs in the Old Kent Road Opportunity Area.
31. On 28 November 2018 Council Assembly approved the current Council Plan. This sets eight commitments to our community all of which will be progressed by the BLE and an integrated Elephant and Castle Underground Station.

### **Community impact statement**

32. The Council Plan was the subject of extensive community consultation and as mentioned above the recommendations in this report further the commitments therein.
33. The Equality Act 2010 requires the Council in the exercise of its functions to have due regard to the need to:
  - a) eliminate discrimination;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
34. Relevant protected characteristics for the purposes of the Equality Act are:
  - Age
  - Civil partnership
  - Disability
  - Gender reassignment
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex and sexual orientation.

35. In considering the recommendations herein the Cabinet must have due regard to the possible effects them on any groups sharing a protected characteristic in order to discharge its public sector equality duty. This is an ongoing obligation.
36. The recommendations in this report do not impact upon any protected characteristics at this time but before TfL proceeds with the BLE it will carry out a full equality impact assessment to guide it in discharging its PSED.
37. The extension of the BLE will support significant growth in new homes and jobs in the Elephant and Castle and Old Kent Road areas.
38. The new NLTH station box and provision for an integrated BLE station will be designed to be fully step free ensuring it meets the needs of all residents.

### **Resource implications**

39. The council and GLA have completed a funding agreement for the NLTH under the terms of which the council is scheduled to make phased payments totalling £63m over the period until 2029/30. These payments are included in the council's capital programme. To date (including 2019/20) the council will have made payments of £33m leaving a further £30m to be paid in phases over the remaining period of the agreement. The £7.5m to safeguard the BLE station at Elephant is in addition to the commitments which have previously been made as part of this arrangement.
40. The intention has been that these payments from the capital programme will be offset by developer CIL and s106 receipts. To date, however, receipts are lagging behind payments. As a consequence, in 2018 the council agreed a revised schedule of payments with the GLA. This was done with a view to smoothing out the annual payments and bringing them more in line with predicted receipts. Funding will continue to be made through CIL receipts as they become available. In the event of a shortfall in CIL (or project specific s106 resources) the Council will borrow as part of the Treasury Management Strategy.
41. Under the revised schedule, payments of £4.8m are now programmed to be paid towards the NLTH in the years 2022/3 and 2023/4 when the works to safeguard the BLE station are currently assumed to take place. The payment of £7.5m will therefore be in addition to these payments that are already built into the capital programme for those years.
42. As noted elsewhere in this report, the BLE will support significant new homes and jobs in the Old Kent Road. Safeguarding the BLE station at Elephant will strengthen the project business case thereby increasing the likelihood that development in this growth area will come forward generating CIL receipts and business rates.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Law and Democracy**

43. The provision of finance by the Council in order to facilitate improvements to the transport network in the vicinity of the Elephant and Castle shopping centre has been a long-standing commitment of Southwark. The report refers to the Supplementary Planning Document which was adopted in 2004 and the funding agreement entered into by the Council in 2014 which agreed to fund £63 million

over a 15 year period. It is now proposed to provide further funding of £7.5 million which amount will be matched by TfL.

44. Matters have now progressed with the grant of planning permission in January 2019 for the redevelopment of the shopping centre. Included in the planning obligations agreement under section 106, Town and Country Planning Act, the developer is required to construct the Northern Line Underground Station Box and station access from the public highway. This report is concerned only with funding improvements to allow for the construction of provision for the Bakerloo Line extension within the Northern Line Underground Station Box. These provisions will require planning consent in the future and as such there is no requirement in the current s.106 Agreement for the developer to undertake any works to any interchange for the Bakerloo Line. The report refers to the consultation undertaken and comments received from residents suggesting that the interchanges for the two tube lines were integrated if possible. As reported at paragraph 16, TfL has been able to advance a workable solution to this proposal out with the new NLTH.
45. Paragraph 37 of the report assesses that there are no equalities impacts arising at this stage of the funding. It is noted that TfL will be undertaking a full impact assessment before proceeding with the improvements to the Bakerloo Line.
46. As far as the Council's power to grant the loan is concerned, section 1 of the Localism Act 2011 grants a general power of competence which is very broad and allows a local authority to do anything that an individual can do. There are exceptions to this general rule contained within sections 2 and 4 of the Act. Section 2 is not relevant to the circumstances here as it relates to the action not infringing any restrictions contained in other statutory powers whilst section 4 introduces a limitation where the proposal (here the grant) is done for a "commercial purpose" in which case the loan would need to be made through a company. However, "commercial purpose" is interpreted as the authority's principal motive or dominant purpose being profit –making. This is clearly not the case in this instance.

#### **Strategic Director of Finance and Governance [FC19/013]**

47. This report is requesting cabinet to approve an additional capital budget of £7.5m to the council's capital programme to safeguard the construction of the BLE station box as detailed in this report and to note that Transport for London Investment Group has confirmed a match funding contribution of £7.5m towards the scheme.
48. The strategic director of finance and governance notes that this proposed contribution of £7.5m for the safeguarding and provision for the BLE is in addition to the phased payments being made by the council over the period until 2029/30 totaling £63m under the funding agreement between the council and GLA for the Northern Line Ticket Hall.
49. The proposed contribution of £7.5m will be added to the council's capital programme once approved by cabinet.
50. The strategic director of finance and governance notes that funding for these contributions is expected to be made through CIL receipts and any funding shortfall will be met by borrowing as part of the Treasury Management Strategy.

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

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Core Strategy	160 Tooley Street, London SE1 2QH	Jon Abbott 02075 254902
<b>Link (please copy and paste into your browser):</b> <a href="https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan">https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan</a>		
Council Plan 2018-19 – 2021-22	160 Tooley Street, London SE1 2QH	Paula Thornton 02075 254395
<a href="http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf">http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf</a>		
Shopping Centre Site, Elephant and Castle, 26, 28, 30 and 32 New Kent Road, Arches 6 and 7 Elephant Road, and London College of Communications Site Planning Report	160 Tooley Street, London SE1 2QH	Michael Glasgow 02075 251249
<b>Link (please copy and paste into your browser):</b> <a href="http://moderngov.southwark.gov.uk/documents/s76025/ITEM%201%20-%20REPORT%2016AP4458.pdf">http://moderngov.southwark.gov.uk/documents/s76025/ITEM%201%20-%20REPORT%2016AP4458.pdf</a>		
Transport for London BLE consultation	See link below	
<b>Link (please copy and paste into your browser):</b> <a href="https://consultations.tfl.gov.uk/tube/bakerloo-extension/user_uploads/ble-consultation-report-final-1.pdf">https://consultations.tfl.gov.uk/tube/bakerloo-extension/user_uploads/ble-consultation-report-final-1.pdf</a>		
Elephant and Castle SPD	160 Tooley Street, London SE1 2QH	Jon Abbott 02075 254902
<b>Link (please copy and paste into your browser):</b> <a href="https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/supplementary-planning-documents-spd/spd-by-area?chapter=4">https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/supplementary-planning-documents-spd/spd-by-area?chapter=4</a>		
TfL letter dated 6 September 2019 re E&C ticket hall enhancements to support BLE	160 Tooley Street London SE1 2QH	Jon Abbott 02075254902
<a href="http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=6418&amp;Ver=4">http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=6418&amp;Ver=4</a> (Item 11)		

**APPENDICES**

<b>No.</b>	<b>Title</b>
None	

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Johnson Situ Growth, Development and Planning	
<b>Lead Officer</b>	Kevin Fenton, Strategic Director Place and Wellbeing	
<b>Report Author</b>	Jon Abbott, Head of Regeneration North	
<b>Version</b>	Final	
<b>Dated</b>	10 January 2020	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
	<b>Officer Title</b>	<b>Comments Sought</b>
	Director of Law and Democracy	Yes
	Strategic Director of Finance and Governance	Yes
	<b>Cabinet Member</b>	Yes
	<b>Date final report sent to Constitutional Team</b>	10 January 2020

<b>Item No.</b> 12.	<b>Classification:</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Old Kent Road Social Regeneration Charter	
<b>Ward(s) or groups affected:</b>		Old Kent Road, and areas of Faraday, North Walworth, Chaucer, London Bridge and West Bermondsey, and South Bermondsey	
<b>Cabinet Member:</b>		Councillor Leo Pollak, Social Regeneration, Great Estates and New Council Homes	

**FOREWORDRD - COUNCILLOR LEO POLLAK, CABINET MEMBER FOR SOCIAL REGENERATION, GREAT ESTATES AND NEW COUNCIL HOMES**

The purpose of the ‘social regeneration’ approach is to not only ensure that regeneration in our borough is properly working for all, reducing health, housing and economic inequalities in our borough, but that the top-down strategies and plans of the council, CCG, developers and other large institutions are properly aligned with the bottom-need needs and initiatives of the community, captured in one common vision. As the defining regeneration in our borough, the Old Kent Road social regeneration charter takes on an additional significance, as a statement of how development along with the Old Kent Road will result in a radically improved living environment for its residents, drawing out tangible benefits that will improve residents’ health and wellbeing.

This report presents the council’s social regeneration charter for the Old Kent Road, itself the product of thousands of conversations across numerous business and community forum meetings, as well as a number of surveys and socio-economic studies of the area. The sum of this multi-faceted listening exercise is presented in the form of ten high level demands we make of ourselves and other organisations, setting the means of measuring and tracking progress against them.

These include ambitious commitments to meet the entire registered housing need in the area, while driving significant investment into our estates. It also requires drastic improvements in the air quality of the Old Kent Road, a doubling of the acreage of open space in the area, and an expansion of and improvement of the schools and healthcare available in the area. We also introduce a new approach for building on the existing economic strengths of the area, including a ‘first refusal’ for existing businesses on all new employment space created from new development, as well as the measures for building what would be the largest living wage neighbourhood in the country. As part of the ‘first refusal’ approach we are also mapping in detail all new non-residential uses and their sector suitability, as part of an exercise to better understand the options for key existing employment clusters on the Old Kent Road to not only survive but thrive as the area changes.

First and foremost though is a commitment to shape new high density neighbourhoods along the Old Kent Road as ideal places to grow up and enjoy the best start of life, with the challenge to ensure a suitable quality and expansion in sports leisure and youth facilities.

The emerging plans for the Old Kent Road point towards 20,000 new homes, 10,000 new jobs and the extension of the Bakerloo line into the area, with great potential for improvements in individuals and community wellbeing. The social regeneration charter provides the council and residents with a means of gauging and adapting to ensure our residents are the primary beneficiaries of change along the Old Kent Road.

## **RECOMMENDATIONS**

### **Recommendations for the Cabinet**

1. That the cabinet agrees the Old Kent Road Social Regeneration Charter (OKRSRC) attached as Appendix 1 to this report which includes the following three goals and subsequent ten promises as emerging priorities:
  - A healthy, connected and sustainable future for all
  - High Quality Homes and Amenities for all
  - A Vibrant Local business and cultural economy that works for everyone.

### **Recommendation for the Leader of the Council**

2. That cabinet agrees that the future reviews and update will be delegated to the cabinet member for social regeneration, great estates and new council homes.

## **BACKGROUND INFORMATION**

3. The council's ambition, as expressed through the Council Plan, is of "a fairer future for all" where everyone can achieve their potential, and be more than the sum of our parts in a borough that they are proud of. This ambition provides the basis for *The Regeneration That Works For All* Framework which outlines our vision that "the places where people live, now and in the future, create new life opportunities, promote wellbeing and reduce inequalities so that people have better lives in stronger communities." The framework is shaping the development of social regeneration charters to embed our regeneration for all principles throughout the council and facilitate implementation of the framework's commitments at a local level.
4. The New Southwark Plan Proposed Submission Version is being taken to examination in public in Spring 2020 and this sets out a strategic policy SP2 on Social Regeneration and a vision, policies and site allocations for the Old Kent Road which are applicable to development in the Old Kent Road.
5. On 12 December 2017, Cabinet agreed to the Old Kent Road Area Action Plan (OKRAAP): Further Preferred Option following policy amendments to the consultation on the 20 June 2017. The area action plan sets out an ambitious growth strategy for Old Kent Road and the surrounding area which is designated as an opportunity area by the London Plan. Over the next 20 years the opportunity area will be transformed, including the provision of new underground stations as part of the Bakerloo Line Extension, 20,000 new homes, including affordable homes and 10,000 additional jobs. Extensive consultation on the plan has taken place on two formal drafts of the AAP. The AAP identified methods by which the regeneration can benefit existing communities. These include the need for growth in housing, transport, quality of the environment, health and equal opportunities, cultural and leisure space. While the OKRAAP focuses on the planning aspect of growth in the borough, the OKRSRC ensures the alignment

between these plans with the social aspects involved in regeneration, which includes providing a vision and monitoring of health, education and training and community cohesion.

6. A report was taken to cabinet on 18 June 2019 that followed the 11 December 2018 cabinet report titled "Allocation of Local Community Infrastructure Levy funding" on how we could improve the allocation of local Community Infrastructure Levy. Cabinet approved the introduction of Community Investment Plans (CIPs), which create a programme for how local CIL is spent. CIPs will be strategically developed to ensure local CIL supports growth and tackles inequalities. CIPs will contain four strategic priorities, three of these will come from the social regeneration charters and each ward area will develop an additional theme to guide key areas of need within the ward(s). The plan would be refreshed every three years and applications will be submitted and matched against the following suggested criteria:
  - Meets one of the proposed themes of the community investment plan
  - Is a one-off scheme that does not require additional revenue funding from the council in its delivery or subsequent operation
  - Relates to a council plan commitment
  - Identifies how any revenue funding will be generated– offering value for money
  - They should address the impact of new development
  - Should explain who will benefit the local community and how it tackles inequalities.
  
7. In 2017 the council undertook the biggest community engagement exercise of recent times, the Southwark Conversation, the outcomes of which are shaping plans for place-making and improving overall well-being. This has been followed by the *Southwark Approach to Community Engagement* which set out the council's vision and principles for engagement and was adopted by cabinet in April 2019, with further developments to be made over the summer. As the borough grows and changes, the council's aim is to make sure that our communities have the opportunity to take part in the decisions which affect their lives and communities.
  
8. The Development Consultation Charter was developed and approved by cabinet in April 2019. It is currently in the process of being implemented on all new planning applications submitted within the Old Kent Road Opportunity Area. This Charter forms part of the Statement of Community Involvement (SCI) which sets out how we consult on planning and is an agreed way of working with developers and the community. The Charter requires the submission of an Engagement Plan, describing what the developer will do to involve those affected by their proposals as part of the validation stage of submitting their planning application at pre-application stage. The summary of the activity and the outcomes of local engagement will be a validation requirement for any planning application, and is expected to set out how the community has shaped the proposed development and where it was not possible to provide evidence, a justification for this reasoning.
  
9. The scale and duration of the programme of physical regeneration at Old Kent Road is unique in the context of Southwark. Total investment by the private sector is likely to exceed £3.5 billion and the public sector will invest significant additional funding to provide the necessary infrastructure to support the

anticipated growth. There is a once in a generation opportunity to deliver positive social, economic and health benefits for our residents. The OKRSRC is intended to provide a strategic framework to inform future interventions, ensuring that the masterplan delivers positive outcomes for the local community and Southwark.

## **DEVELOPING THE CHARTER**

10. The OKR SRC has been shaped using information from consultations undertaken since 2015 with local residents and businesses on the future of the Old Kent Road, as well as demographic data and evidence-based research which included quantitative surveys with individuals and qualitative focus groups and workshops. There have been two major rounds of consultation in the area since 2015 and together these have included over 80 formal events and over 1700 respondents.
11. The findings for the resident consultation include the need for additional schools to accommodate the growing population; including heritage elements within the new community plans and integrating old and new concepts of the Old Kent Road; providing parks and green spaces; supporting existing industrial land, creative communities and local businesses and improved town centres.
12. The Old Kent Road Business Consultation highlighted the need for affordable working spaces; the need for industrial areas to be maintained and integrated with new employment sectors; more sustainable modes of travel to make it easier for people to have mobility around the area; security of tenure for business units; improved digital infrastructure and ensuring businesses encourage local employment.
13. The OKR SRC has also been informed by the findings from 2016 Ipsos Mori research funded by the Guy's and St. Thomas's Charity undertaken to investigate how to enhance the impact of planning policy on health outcomes and health inequalities in the OKR. This research found that there were concerns about integration between old and new communities and how change will impact on community structures and social isolation – the lack of places to go is an issue in the area. It also indicated that sustainable lifestyles should be promoted by improved health facilities and more walking opportunities.
14. The OKR SRC was first approved by cabinet in draft format on the 17 September 2019 following a six week consultation period with three drop-in sessions held in August 2019. The decisions from this round of consultation was a document presented as the following:
15. A Social Regeneration Charter (SRC) is a high-level, area-specific document informed by the Southwark Regeneration Framework. The intention is that there will be an SRC for every area in Southwark developed with a methodology that is contextually appropriate. The Old Kent Road Social Regeneration Charter (OKRSRC) attached as Appendix 1 to this report sets out:
  - A summary of the values, vision, priorities and goals of the area
  - Methodology for tracking our progress
  - Map of the area
  - Three strategic goals and their ten underlying promises
  - Indicators to implement and monitor each of these ten promises

16. The summary sets out:
- LB Southwark's Values;
  - The vision statement which builds on the OKR AAP vision for a place which has *Regeneration that works For All*
  - Priorities developed from the AAP and community consultations and
  - The goals for the OKR.
17. The methodology for tracking our progress includes:
- Tracking through the use of indicators and
  - Tracking investments in line with Local Place Plans and Community Investment Plans.
18. The map of the area:
- Outlines the geographical area as the same area as the Old Kent Road Area Action Plan and links through to the websites with more information
  - Sets out the demographics and how changes to the demographics will need to be highlighted in plans to ensure that they are taken into account and that *Regeneration That Works for All* and
  - Briefly outlines the regeneration planned and links through to the Old Kent Road website which has detailed and updated information.
19. The Three Strategic Goals and their underlying Ten Priorities for OKRSRC are based on *Regeneration that Works for All* commitments. They work together to ensure that the regeneration will invest in communities, reduce inequalities and improve life opportunities, good health and wellbeing for all and pride of place. The Three Strategic Goals are:
- a. *A healthy, connected and sustainable future for all;*
  - b. *High quality homes and amenities for all and;*
  - c. *A vibrant local business and cultural economy that works for everyone.*
20. The four achievable and actionable underlying promises that fall under Goal One: *A healthy, connected and sustainable future for all*, include:
- a. Promise 1. The Old Kent Road is the best place to grow up with a radically improved and expanded, free-to access educational, sports, culture and youth offer.
  - b. Promise 2. Double the acreage of open space so everyone has easily accessible, free-to-access open space and are within 400m proximity of open space linked by green routes for walking and cycling.
  - c. Promise 3. Improve air quality in the OKR by significantly reducing emissions to safe levels.
  - d. Promise 4. Everyone can be happy and successful as Old Kent Road is a healthy place to live, work and grow old with connected and cohesive communities.
21. The three promises that fall under Goal Two, *High quality homes and amenities for all*, include:
- a. Promise 5. Meet the entire registered housing need in the Old Kent Road area, creating a place where people get on well and can live safely.

- b. Promise 6. Eliminate rogue landlords, and ensure all PRS homes are secure, have predictable rents and are fit for human habitation.
  - c. Promise 7. Drive huge investments into OKR estates turning them into some of the most prized spaces in the City.
22. The three promises that fall under Goal Three, *A vibrant local business and cultural economy* that works for everyone, include:
- a. Promise 8. Create the largest Living Wage Neighbourhood in the UK with living wage and gender pay audits and plans to transition all businesses.
  - b. Promise 9. Expand the floor space of affordable workspace on the Old Kent Road and offer first refusal on new employment space to existing businesses.
  - c. Promise 10. Create a full employment OKR with a fully occupied high street, creating 10,000 new jobs in the OKR area and contributing to 2500 new apprenticeships borough-wide.
23. Each promise has indicators which will help measure how successfully we are implementing the ambitions of the OKR SRC. These will be tracked on annual intervals and published on our website. In addition, we are working with local academics to scope studies to capture the lived experiences, attitudes and beliefs on regeneration in residents in some of the most affected parts of the regeneration area.
24. Formal consultation on the draft OKRSRC took place from 24 September to 2 December 2019. Two consultation events were held at the 231 Old Kent Road engaging with the goals and promises of the charter through a workshop facilitated by council officers and councilors. These events took place on the 17 October and 24 October 2019.
25. As set out in the consultation report, the formal consultation period received fourteen responses via the online hub, twelve attendees to the consultation events and four responses directly emailed to the council. This included a mix of support and criticism which has been engaged with in greater detail in the consultation report. The responses to these consultations and how they are reflected through changes in the charter are set out in the following section.

## **KEY ISSUES FOR CONSIDERATION**

26. The Old Kent Road Social Regeneration Charter aims to identify priorities set by the community and monitor how successfully the goals and promises in the charter are delivered through the regeneration process. These will be reported on an annual basis onto the Council's website. The formal consultation on the OKRSRC raised a number of key considerations that will be incorporated and taken forward as the SRC develops. These include:

### **Investment in Youth Facilities and Programmes**

27. Young people who live in the Old Kent Road area will experience regeneration as part of their lives as they grow up. Promise 1 of the charter outlines our ambition to make the OKR the best place to grow up. As part of delivering this promise, the Place and Wellbeing Department is in early stages of discussions with Citizen's UK and Kings College London about developing a Children's Zone in the OKR. The unique partnership between the local council, local university

partners and VCS organizations will focus on children and families in the OKR and seek to understand and tackle the diverse issues they face. The aspiration is to work with children over time to create a pipeline of support across the life course, from cradle to career, in the wider context of the families and communities in which they live. It is envisioned that the children's zone will incorporate asset based community development, health, social and community programming designed specifically for the needs of families in OKR and urban design for child friendly places.

28. Since the publication of the draft Old Kent Road SRC the council has been working on delivering Promise 1 of the charter, which outlines our ambition to make the OKR the best place to grow up. An issue raised during consultation was that the charter did not ensure youth projects are sufficiently invested in, with better efforts made to engage young people. In response, the charter has been amended through the addition of Indicator 1.5, which monitors *investment in youth facilities and programmes, with local youth clubs*. The level of investment into youth clubs and an audit of existing facilities will take place to ensure that sufficient support is being provided to the youth in response to this additional indicator.
29. A second comment at consultation was that satisfaction rates of youth and assurance that they are effectively being supported throughout their entire lifetime, was not clearly laid out in the charter. Three additional indicators (1.6, 1.7 and 1.8) were added to respond to this concern. Satisfaction rates will be measured with the addition of Indicator 1.6 monitoring satisfaction with facilities for children and young people. This will be developed in conjunction with the Children's Zone project as outlined in further detail in the following section. Indicator 1.7 and 1.8 have been added, subsequently measuring whether young people feel safe in their area and there is a significant decrease in youth violence, as well as a cradle-to-career reporting of youth issues.
30. These additional indicators will ensure that sufficient monitoring of young people who live in the OKR, experience positive impact from the regeneration processes through increased opportunities for sports, leisure and improved play and open spaces for all ages. Schools will be expanded and improved to make sure that young people can gain the qualifications they need to go onto higher and further education. Apprenticeships for local young people will support this process as we provide more training and links to local businesses. Young people will be supported to stay healthy and active through an improved network of cycle routes and walking routes that link up the different activities and jobs, places and spaces. Strong youth focused investment will support the development of sense of belonging and pride of place.

### **Public realm and open space**

31. Promise 2 of the OKR SRC commits to doubling the acreage of open space to ensure improvements for public accessibility to the green network. New parks and open spaces are valued for their contribution to environmental well-being and supportive of a growing population. Respondents have consistently asked for more and better access to green spaces and parklands, recognizing its value for improving both physical and mental health. As part of the Old Kent Road development, we have increased the park space from 5 hectares to 8 hectares, equivalent of 8 rugby pitches, through the creation of a linear park along the old Surry Canal. We are also improving local parks.

32. Consultation responses indicated that greater clarity over how the quantity of Open Space per 1,000 population in the Old Kent Road compared to national standards, as well as an update as to how much public space has most recently been approved through grants of planning permission. In response, an indicator arising from recent planning approvals data in the Old Kent Road has been added titled Indicator 2.5 showing *new public space approved as part of regeneration (sqm)*. This shows that since from 2015 to July 2019, 30,294 sqm of additional public space has been approved, which will improve provision in regards to future population projections and moving clearly towards targets set out in the charter.
33. Promise 2 also includes ambitions for green infrastructure which support sustainable surface transport. Consultation responses received indicated that the effectiveness of cycle and walkways incorporated into the masterplan for the Old Kent Road needs to be more effectively addressed and monitored. Indicator 2.1 has therefore been amended to clarify how it complements the Old Kent Road's emerging Area Action Plan and the Old Kent Road Movement Plan as part of the council's recently adopted Movement Plan for the borough (2019). It has been reworded to specify *access to park/greenspace in a 5-minute walk from all properties* which will be monitored through the implementation of strategic cycle infrastructure in the Old Kent Road as explained in the AAP, and through the pedestrian level of comfort and compliance with the London Cycle Design Standards that is required to be monitored under TA guidance. The addition to this indicator will ensure that cycle and walkways supported by open spaces are sufficiently monitored and support the benefits of improving open space and public realm for health, wellbeing, amenity and active travel amongst other things.

### **Air Quality**

34. Improving air quality is a priority for the entire borough, however particularly in the Old Kent Road where the A2 corridor is heavily congested and the capacity of the existing traffic lanes is barely adequate. The air quality is poor and traffic levels intimidating so that walking and cycling are both unpleasant and in certain locations dangerous. It will be vital as part of the regeneration to improve road safety, air quality and mode share of the Old Kent Road. TFL are preparing a draft design incorporating segregated cycle lanes, continuous bus lanes, and wider pavements, better and safer crossings. Planning applications are also helping to facilitate this.
35. Consultation responses positively viewed the council's ambitions towards climate neutrality and setting bold and ambitious targets to achieve strong protection of the environment in the Old Kent Road.
36. It was suggested that greater context was provided to Indicator 3.1 describing the current level of air pollutants in the Old Kent Road and how this relates to nation-wide targets for safe, legal limits of air pollution. In response, the title of Promise 3 has been amended to target reducing emissions to 'safe levels'. Indicator 3.1 describes the type of air pollutants being monitored as having impact on cardiovascular and respiratory health in the short and long-term.

## Housing

37. Promise 5 commits providing the entire registered housing need in the OKR and creating a place where people get on well and live safely. A key part of delivering this will be through tenure integration to improve the social benefits of mixed communities. We will have a successful approach to co-locating and distributing social housing in mixed-tenure developments to create places with attractive neighbourhoods with developments and buildings knitted into the existing fabric of the area. The range of home sizes and tenures will encourage long term value in terms of social relationships across income groups and tenures, neighbourhood stability and economic success. The management and maintenance strategies will encourage people to use the play spaces, facilities and entire areas to improve social interactions and social cohesion.
38. Consultation comments indicate that there is a need to improve and develop a culture of respect for tenants in both the private and social housing sectors. Indicator 5.5 has been added to monitor the percentage of residents who feel satisfied with social interaction in their area. This is monitored by Ipsos Mori research and will indicate whether sufficient integration across tenures is occurring.

## Engagement

39. An overarching comment from consultation was that the charter should more clearly set out how the local communities have contributed to developing each of the goals and promises. To monitor the effectiveness of engagement between the local community and the development of the charter is an ongoing challenge as the charter will develop and change to meet local desires of the community throughout the regeneration process.
40. The council are exploring how new methods of engagement can be developed to allow consistent dialogue, collaborative governance and co-production enabling communities, local businesses and residents to remain a central part to the regeneration process, this includes a Social Integration Design Lab led by the GLA.
41. Secondly, the reporting of the charter is to be reflected upon on an annual basis, with live progress updates made on the council website. The council will be doing regular reviews of the charter and opening up consultation to local residents to ensure that monitoring and indicators has not changed. We will explore how local community groups can be involved in contribute to the monitoring of indicators held within the charter, thereby providing teaching and development opportunities to learn about the changes occurring in the Old Kent Road. The council hub at 231 Old Kent Road is a facility that will be available for engagement activities in regards to the monitoring of the charter.

## IMPACTS OF OKR REGENERATION

### Tenure integration and estate improvements

42. As outlined in Promise 7, we will drive huge investments in OKR estates through the regeneration. All developers will be expected to follow the councils Development Consultation Charter. Developers will be expected to look beyond the boundary of their own site and to engage with local TRAs and communities

and identify how they could contribute to the social regeneration of particular estates/communities. This should be done from an early point in a schemes development. The Great Estates programme is also setting out a new framework for resident-centered Estate Improvement Plans, with the initial call for ideas attracting significant feedback from residents on OKR estates. This will form the starting point for the kinds of improvements to estate shared spaces that can be brought forward through regeneration activity on the OKR.

### **Business**

43. There are over 800 businesses in the Old Kent Road area in a vast range of sectors from retail, industrial, manufacturing and storage of distribution to a diverse range of creative enterprises and artists. These businesses provide over 9,500 jobs and many employees live locally. It is a fundamental part of plans for the OKR to include all types of business space in the redevelopments. This will include a range of industrial units which will be built underneath and next to new homes. It will be important to achieve high design standards and specifications to ensure ground floor workspaces continue to operate effectively and in harmony with residential uses
44. Having engaged with all of the different types of businesses we have found their concerns are around loss of industrial land and they want stronger protections for existing businesses through flexible industrial and retail workspace. We have addressed this by protecting more industrial land and strengthening our policies for employment and industrial uses. We are continuously mapping out new employment space and assessing sector suitability. As outlined in promise 9 of the OKR SRC we are committed to expanding affordable workspace and offering current businesses first refusal on new, affordable employment space. We are also working with workspace providers who are supporting start-ups and small businesses to thrive by offering flexible workspace and lease arrangements.

### **High street**

45. Promise 10 commits to creating a fully occupied high street on the OKR. Parts of the historic high street have survived and provide space for local entrepreneurs to develop small retail business uses. There are diverse ethnic groups represented within these frontages and the council wants to ensure that development does not lead to driving out small business users. The redevelopment of existing out-of-town retail parks provides the opportunity to create a new high street frontage. It is important that the detailed design of shopfronts is done well on these new high streets, maintaining the valued characteristics of the older Victorian frontages with their high floor-to-ceilings. It is equally important that the new build allows for flexibility of occupation, and is able to accommodate relatively large units that may want to relocate from the existing retail parks.

### **NEXT STEPS**

46. Further work is needed to determine how best to implement the objectives agreed in the OKRSRC and how to determine specific plans for projects and planned investment, monitoring, incorporation of final indicators and engaging with local delivery partners (stakeholder groups). Further decision-making is also required to ascertain timescales, resources and the appropriate delivery

mechanisms for individual projects including holding accountable bodies for funding and delivery.

47. Governance - the general governance aspirations of the OKRSRC require further debate and consultation. Aspirations should be built around transparency and accountability for activities, outcomes and funds, and ongoing dialogue with affected communities/local stakeholders. They should emphasize the importance of periodic review and evaluation to meet changing circumstances and allow programmes to be adjusted to ensure projects continue to deliver outcomes.
48. Following the agreement of an adopted OKR SRC, the next steps will be seeking to improve the content and relevance of its indicators. Continued research into the effectiveness of the charter includes a Social Research study of the Old Kent Road to inform the development of social regeneration charters, a university-led student event researching the effectiveness of social regeneration charters, and integration between the Charter with other projects and programmes at the Council, such as the Children's Zone.

### **Community impact statement/Equalities considerations**

49. 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 people who do not share it.
50. For the purposes of the PSED the following are “protected characteristic” considerations:
  - Age
  - Marriage and civil partnership
  - Disability
  - Gender reassignment
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex
  - Sexual orientation.
51. The purpose of OKRSRC is to set out how the communities in Old Kent Road will be able to have positive experiences of living through the regeneration and the benefits that they will receive due to the developments that are going to take place. An Equalities Assessment is attached at Appendix Three. The OKRSRC will be an evolving document. The PSED duty and implications for groups with protected characteristics will be considered further as the emerging priorities are developed in more detail as the regeneration progresses and at review points.

## **Resource implications**

52. There are no immediate resource implications arising from this report.
53. The resources required for the 10 promises (under the three goals) mentioned in the OKRSRC are being reviewed. The council investment programme which is part of the charter attached as Appendix Three shows the projects which are already incorporated into the council's capital programme and are not growth items. The projects and figures mentioned in this appendix are currently being cross checked by finance.
54. Any new projects/initiatives that arise through the OKRSRC which will require additional funding or reallocation of council funding would need to be considered through the normal budget, monitoring and governance processes.
55. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

56. The Old Kent Road Social Regeneration Charter ("OKRSRC") develops further upon the principles of the Development Consultation Charter which was approved by Cabinet in April 2019, by containing the vision, goals, objectives and deliverables for the Old Kent Road Regeneration Area. This Social Regeneration Charter has been informed by consultation with local people and stakeholders and sets out three strategic goals for the Council in relation to the Old Kent Road which underlie the Ten Priorities identified within the Charter.
57. This report identifies a number of impacts of the OKR Regeneration and the OKRSRC attempts to address those impacts but also notes that further work is needed to determine how best to implement the objectives agreed in the OKRSRC. A further report will therefore be brought back to Cabinet to make decisions in respect of timescales, resources and delivery mechanisms for individual projects as well as identifying funding and delivery.
58. The recommendations in this report are supported by a detailed Equalities Impact Assessment ("EqIA") which can be found at Appendix 6. The EqIA satisfies the Council's PSED as contained in the Equality Act 2010 by having due regard to the aims of the equality duty at the time of decision making and the setting of policy. The EqIA identifies amongst other things, a number of positive and negative impacts upon those groups with protected characteristics.
59. The Cabinet is authorised under Part 3B of the Council's Constitution "Cabinet" under paragraph 6 of the section titled "Policy" to "exercise the council's functions in relation to community engagement and the local strategic partnership, including the formulation of council strategies for communication, consultation, capacity building and active citizenship, and their coordination and implementation with particular reference to the provision of the relevant legislation". Cabinet therefore clearly has the authority to agree and review the OKRSRC as recommended under paragraphs 1 and 2 of this report.

### Strategic Director of Finance and Governance

60. The report is requesting the cabinet to the Old Kent Road Social Regeneration Charter [OKRSRC] attached as Appendix 1 to this report for consultation and that the Cabinet will agree the final OKRSRC following consultation to agree.
1. The strategic director of finance and governance notes that there are no immediate financial implications arising from this report and notes the other comments under the Resource Implications.
  2. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Old Kent Road Area Action Plan	<a href="https://oldkentroad.org.uk/documents/">https://oldkentroad.org.uk/documents/</a>	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>

### APPENDICES

No.	Title
Appendix 1	Old Kent Road Social Regeneration Charter
Appendices 2 - 5 below available online via the following web link (item 12): <a href="http://moderngov.southwark.gov.uk/ielistdocuments.aspx?CId=302&amp;MId=6418&amp;Ver=4">http://moderngov.southwark.gov.uk/ielistdocuments.aspx?CId=302&amp;MId=6418&amp;Ver=4</a>	
Appendix 2	Map of Old Kent Road Area Action Plan
Appendix 3	Map of Old Kent Road Council Investment
Appendix 4	Consultation Plan
Appendix 5	Equalities Impact Assessment

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Leo Pollak, Cabinet Member for Social Regeneration, Great Estates and New Council Homes	
<b>Lead Officer</b>	Kevin Fenton, Strategic Director of Place and Wellbeing	
<b>Report Author</b>	Juliet Seymour, Planning Policy Manager	
<b>Version</b>	Final	
<b>Dated</b>	8 January 2020	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	10 January 2020	

# Old Kent Road Social Regeneration Charter

## Summary and Illustrative Indicators

Southwark Council

17 December 2019

# Old Kent Road

## Social Regeneration Charter | Summary

**A summary of our vision, goals, objectives and deliverables for the Old Kent Road Regeneration area and how we will work together to make them a reality.**

### Our Values

We want Southwark to be a healthy, clean, green and safe borough, where everyone has a great place to live, with excellent schools, parks and community facilities; where everyone has the opportunity to play a full part in the economy, to thrive and meet their potential; and where a person's background does not determine their life chances.

### Our Vision

An Old Kent Road community is the best that London has to offer – an inclusive, diverse, sustainable, safe, healthy, engaged, economically productive and connected community – for today's and future generations.

### Our Priorities

We have completed substantial background research, needs assessments and community engagement activities to better understand local people's hopes and ambitions for the changes proposed in the OKR area. These priorities were set out in the Old Kent Road Area Action Plan and include: Health and Wellbeing; Walking and Cycling; Green Spaces and Nature; Clean Air; Healthy Affordable Homes; Places to Connect; Jobs Training and Education; and Healthy Affordable Food.

In February 2019 the OKR community forum explored how developer contributions (Section 106) and the Community Infrastructure Levy (CIL) can help address local needs. We asked everyone to vote for their top priorities for spend in the Old Kent Road area. The top 3 were: (1) Parks, trees and green spaces (2) Safety and security (3) Youth facilities.

Arising from this work the top 3 priorities for spending local CIL included:

1. Encourage new businesses and support businesses to stay local and grow, in part to provide a wider range of opportunities for young people in the area
2. Invest in and around estates to improve people's safety and security and quality of the open spaces on our estates
3. The best place possible to grow up so we will invest in projects to improve outcomes for young people such as schools, children centres and youth activity

### Our Goals

In line with our ambition to ensure regeneration works for all in order to reduce health, housing, social and economic inequalities, we have three overarching goals for the Old Kent Road area which are to ensure:

1. A healthy, connected and sustainable future for all
2. High quality homes and amenities for all
3. A vibrant local business and cultural economy that works for everyone

We have identified 10 promises to the Old Kent Road community in order to achieve these goals. For each promise, we have identified key deliverables and indicators to monitor our progress.

**Tracking our progress**

The regeneration of Old Kent Road will take place over almost two decades. In order to ensure that this major change works for everyone and that we improve the livelihood of existing and future generations, we will work differently and better with developers, local communities to ensure all activities are aligned to the ambitions and objectives of this charter and to achieve the shared outcomes.

We will measure our progress using standardised and agreed indicators, engaging local residents, communities and those across the borough to understand, measure and maximise the positive impact of regeneration and mitigate where there are challenges.

We will also track the investments into the local area, both directly from the new developments, as well as investments from Community Infrastructure Levy and Section 106. We set out how this money will be spent in Local Place Plans and Community Investment Plans.

<https://oldkentroad.org.uk/oksrc/>

**Map of OKR**



## Our Promises

### Goal 1.

**A healthy, connected and sustainable future for all**

**Promise 1.** The Old Kent Road is the best place to grow up with a radically improved and expanded free-to-access educational, sports, culture and youth offer.

**Promise 2.** Double the acreage of open space so everyone has easily accessible, free-to-access open space and are within 400m proximity of open space linked by green routes for walking and cycling.

**Promise 3.** Improve air quality in the OKR by significantly reducing emissions to safe levels.

**Promise 4.** Everyone can be happy and successful as Old Kent Road is a healthy place to live, work and grow old with connected and cohesive communities.

#### Key deliverables:

A new health hub to promote healthy and active lifestyles

Extending the Bakerloo line by delivering three new stations along the Old Kent Road

Reduce air pollution with better public transport, low emission fleet and zero car parking

Create three new parks and new neighbourhood green links between the parks

Creation of a new town centre with new activities for leisure, culture and play

### Goal 2.

**High quality homes and amenities for all**

**Promise 5.** ~~Provide 5,000 Social Rented homes in the~~ Meet the entire registered housing need of the Old Kent Road area, creating a place where people get on well and can live safely.

**Promise 6.** Eliminate rogue landlords, and ensure all PRS homes are secure, have predictable rents and are fit for human habitation.

**Promise 7.** Drive huge investments into OKR estates turning them into some of the most prized spaces in the City.

#### Key deliverables:

Building 20,000 new homes, including 5,000 Social Rented homes, 2,000 intermediate affordable homes and meet the entire registered housing need with a mix of sizes and densities

Integrate the Old Kent Road's historic and valued character into the new development

### Goal 3.

**A vibrant local business and cultural economy that works for everyone**

**Promise 8.** Create a the ~~largest~~ Living Wage Neighbourhood ~~in the UK~~ with living wage and gender pay audits and plans to transition all businesses.

**Promise 9.** Expand the floor space of affordable work-space on the Old Kent Rd and offer first refusal on new ~~affordable~~ employment space to existing businesses.

**Promise 10.** Create a full employment OKR with a fully occupied high street, creating 10,000 new jobs in the OKR area and contributing to 2500 new apprenticeships borough-wide.

#### Key deliverables:

Expand existing primary schools and provide up to one new secondary and two new primary schools

Provide new employment space mixed with homes to improve on existing employment networks, which make Old Kent Road successful and create more jobs

Create a network of arts and cultural venues and creative workspaces for continuous learning and growth of the creative economy

# Old Kent Road

## Social Regeneration Charter | Indicators

### Goal 1: A healthy, connected and sustainable future for all

Promise	Measure/Indicator	Where are we now?	Where do we want to be?	Frequency of monitoring
<b>Promise 1.</b> The Old Kent Road is the best place to grow up with a radically improved and expanded <u>free-to-access</u> educational, sports, culture and youth offer.	1.1 School readiness - % of pupils achieving a good level of development at age 5	OKR ward: 63.7% (London average is 62.2%)	School readiness at or above the London average	Annually
	1.2 All Schools are OFSTED Good or Outstanding by-2030 <u>2022</u> .	14 schools in OKR opportunity area:  5 schools are outstanding  6 schools are good  2 requires improvement  1 hasn't been inspected yet	Expanded schools to meet demand and up to 2 new primary and 1 new secondary schools (depending on demographic need)  All existing and new schools good or outstanding	<del>Every 3 years</del> <u>Annually</u>
	1.3 Percentage of children who are obese in Reception and Year 6.	Childhood obesity in the OKR ward is 15.7% in Reception and 30% in Year 6. These are both higher than the Southwark averages of 12.3% and 26.1% respectively.	Child obesity levels at or below Southwark average	Annually
	1.4 Number of sport, leisure culture and community facilities	<u>Number of new developments to include cultural/arts venues and/or creative workspaces – 43 arts, culture, leisure and sports businesses currently (We Made That Survey 2019)</u>	Net increase in facilities to be tracked	<del>Ongoing</del> <u>Annually</u>
	1.5 <u>Investment in youth facilities and programmes, with local youth clubs</u>	<u>Level of investment</u>	<u>Net increase in facilities to be tracked</u>	<u>Annually</u>

<b>Item No.</b> 13.	<b>Classification:</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Neighbourhood Planning – Plan to be made a material consideration in planning decisions relating to the designated Neighbourhood Area	
<b>Ward(s) or groups affected:</b>		Borough and Bankside; St. George's	
<b>Cabinet Member:</b>		Councillor Johnson Situ, Growth, Development and Planning	

### **FOREWORD – COUNCILLOR JOHNSON SITU, CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING**

The council is committed to ensuring that regeneration works for all by placing our communities at the heart of plan making. In addition to our work with communities developing planning policy we recognise the commitment and energy of local people brought into the plan making process by the development of Neighbourhood plans, particularly the South Bank and Waterloo Neighbourhood plan.

Following a 6 years of work and 91% positive vote in the recent referendum, in accordance with legislation this cabinet report seeks approval to give the South Bank and Waterloo Neighbourhood Plan significant consideration in all planning decisions within the neighbourhood area.

### **RECOMMENDATION**

That Cabinet:

1. Makes the Southbank and Waterloo Neighbourhood Plan so that it becomes part of the Council's development plan and is a significant consideration in all planning decisions relating to the designated Neighbourhood Area.

### **BACKGROUND INFORMATION**

2. The Localism Act 2011 (by amending the Town and Country Planning Act 1990 ('the 1990 Act')) introduced new provisions which empower parish councils and designated Neighbourhood Forums ('NFs') to initiate the process for making Neighbourhood Development Orders and Neighbourhood Development Plans in relation to designated Neighbourhood Areas. The powers came into force on 6 April 2012 when the Neighbourhood Planning (General) Regulations 2012 ("the 2012 Regulations") came into force.
3. A Neighbourhood Plan is a plan which sets out policies in relation to the development and use of land in the whole, or part of, a Neighbourhood Area. It may contain a range of policies or proposals for land use development that will carry weight in the determination of planning applications. Neighbourhood Development Orders grant planning permission in relation to a particular Neighbourhood Area for development specified in the Order or for a class of development specified in the Order. Both Neighbourhood Plans and

Neighbourhood Development Orders must be in general conformity with the strategic policies in the development plan for the relevant area.

4. South Bank and Waterloo Neighbours (“SoWN”) was first designated as a Neighbourhood Forum for the South Bank and Waterloo Neighbourhood Area in March 2014, it renewed its forum status in February 2019. The neighbourhood area, straddles the borough boundary with Lambeth, the greater part falls within Lambeth.
5. The draft neighbourhood development plan (NDP) was submitted to Lambeth and Southwark in August 2018. On 18 October 2018 Southwark made the decision that the draft NDP could be formally published and submitted to examination under Regulations 16 and 17 of the 2012 Regulations. The draft NDP was formally published between 8 November and 20 December 2018 and a total of 27 representations were made and submitted to the Examiner.
6. In agreement with SoWN, Christopher Lockhart-Mummery QC was appointed by Lambeth and Southwark to undertake the examination of the draft NDP. Following the re-designation of the neighbourhood forum on 19 February 2019, the examination formally commenced on 26 February 2019.
7. The Examiner’s report was received on 28 May 2019.
8. The Council considered each of the Examiner’s recommendations, and the reasons for those recommendations, and decided what action to take in response. The relevant changes were then made to the NDP.
9. The draft NDP proceeded to referendum on 24 October 2019. As the neighbourhood area is a designated business area, two referendums were required: one for residents and one for businesses.
10. The referendum resulted in 91% voting in favour of the NDP. 826 of those entitled to vote turned out in the resident’s referendum with 758 voting in favour of the NDP. 35 of those entitled to vote turned out in the businesses referendum with 32 voting in favour of the NDP<sup>1</sup>.

### **Neighbourhood Plan preparation stages**

11. Under regulation (8) of the 2012 Regulations, where an organisation or body submits a neighbourhood forum application, it must include a series of supporting documents. It also needs to demonstrate that the application complies with requirements set out in section 61F(5) of the 1990 Act.
12. If a body or organisation is designated as a Neighbourhood Forum for a particular Neighbourhood Area, it is authorised to act in relation to that Area for the purposes of promoting a Neighbourhood Plan/Order.
13. Once a Neighbourhood Forum has been designated, it may submit a proposal to the local planning authority for the making of a Neighbourhood Plan or Neighbourhood Development Order, which will be submitted to independent examination. If, following that examination, the Council is satisfied that the draft

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<sup>1</sup> <https://www.southwark.gov.uk/council-and-democracy/voting-and-elections/south-bank-and-waterloo-neighbourhood-referendum>

Plan/Order meets the requisite conditions, the Council must hold (and pay for) a referendum on the making of the Plan/Order.

14. The area, in which the referendum takes place must, as a minimum, be the Neighbourhood Area to which the proposed Plan/Order relates. The independent examiner considering the proposal may also consider whether the area for any referendum should extend beyond the Neighbourhood Area to which the draft Plan/Order relates.
15. If more than 50% of people voting in the referendum support the Plan or Order, then the local planning authority must bring it into force.

## **KEY ISSUES FOR CONSIDERATION**

### **Proposal and Reasons**

#### *Statutory framework for making a neighbourhood development plan*

16. As the SoWN neighbourhood area is a designated business area two referendums on the draft NDP were required in accordance with paragraphs 12(4), 14 and 15 of Schedule 4B to the 1990 Act: one for residents in the referendum area and one for businesses in the referendum area. Regulation 2A of the Neighbourhood Planning (Referendums) Regulations 2012 (“the 2012 Referendums Regulations”) requires the referendums to be held on or before 84 days from the date the decision that the referendum must be held is first published or such other date as may be agreed with SoWN.
17. The area in which the referendums are to take place must, as a minimum, be the neighbourhood area to which the proposed NDP relates. If the local planning authority considers it appropriate to do so, they may extend the referendum area to include other areas (whether or not those areas fall wholly or partly outside the authority’s area). If the local planning authority decides to extend the referendum area, they must publish a map of the referendum area.
18. As the referendum area is spread across Lambeth and Southwark, both councils had to ensure any notices or documents which are required to be published, are done so on the same day and in the same manner.

#### *Should the referendum area be extended beyond the neighbourhood area?*

19. The Council agreed with the Examiner’s recommendation that the area for the referendums should not extend beyond the neighbourhood area. Taking account of the content of the draft NDP, nothing has emerged during the examination process or in the neighbourhood planning process in Southwark more generally that points towards there being any justification for the referendums to be conducted over a wider area. As a result of this the referendum did not extend beyond the neighbourhood area.

#### *Arrangements for the conduct on the referendums*

20. There are separate regulations that govern the timing and conduct of neighbourhood planning referendums: the 2012 Referendums Regulations.
21. In cross-border cases, or where a business referendum is required in addition to a residential referendum, the basic timescale for the holding of the referendums

is 84 days excluding weekend days and public holidays once the decision to hold the referendums is published. This timescale can be dis-applied by agreement with the neighbourhood forum.

22. On 7 August 2019 the council published the Information Statement giving notice of the referendum.

*The referendum*

23. The referendums were held on 24 October 2019 on the NDP and the modifications to the NDP.
24. The council followed the process set out in Schedule 4B of the 1990 Act and the 2012 Referendums Regulations.
25. A person was entitled to vote in the residential referendum if he or she is entitled to vote in a local government election in the referendum area and his or her qualifying address for the election is in the referendum area.
26. A business was entitled to vote in the business referendum if the business is a non-domestic ratepayer in the referendum area and the business has a registered named voter as their business vote holder on the business voting register.
27. The polling station for the Southwark part of the NDP was located at St George's Cathedral Hall, Lambeth Road, SE1 6HR.
28. The referendum resulted in 91% voting in favour of the NDP. 826 of those entitled to vote turned out in the resident's referendum with 758 voting in favour of the NDP. 35 of those entitled to vote turned out in the businesses referendum with 32 voting in favour of the NDP.
29. As set out in paragraphs 11-15 of this report, if more than 50% of people who voted in the referendum support the Plan, the local authority must bring it into force.

**Financial implications**

30. There is no financial implication for the Council at this stage, if the recommendation is accepted.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

**Director of Law and Democracy**

31. Section 38A(4)(a) of the 2004 Act requires the Council to make a NDP to which the proposal relates if in each applicable referendum more than half of those voting have voted in favour of the plan. Officers have set out at paragraph 28 of the report that both the residential referendum and business referendum resulted in more than half the votes being in favour of the NDP.
32. Section 38A(4)(b) of the 2004 Act expects the Council to make the NDP as soon as reasonably practicable after the referendum is held and Regulation 18A of the 2012 Regulations further stipulates that in any event, the plan must be

made no later than the last day of the period of 8 weeks beginning with the day immediately following that on which the last applicable referendum is held.

33. If Council Assembly should make the NDP, officers will need to, follow the requirements as set out in Regulations 19 and 20 of the 2012 Regulations and, publish the decision to make the NDP on the Council website and anywhere else that may bring the decision to the attention of those who live, work or carry on business in the neighbourhood area. The following will also need to be published:
1. A statement setting out the decision and the Council's reasons for making that decision;
  2. Details of where and when the decision notice may be inspected;
  3. The NDP; and
  4. Details of where and when the NDP may be inspected.

A copy of the decision statement will need to be sent to SoWN and any person who asked to be notified of the decision. Officers will also need to notify any person who asked to be notified of the making of the NDP that it has been made and where and when it may be inspected.

34. Section 38(2)(c) of the 2004 Act states that once the NDP has been made by the Council it will become part of the Council's development plan (for the relevant designated neighbourhood area) and section 6 of the same Act further states that where regard is to be had to the development plan in determining planning proposals, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.
35. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics, namely: age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary those subject to the equality duty, which includes the Council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and (ii) foster good relations between people who share a protected characteristic and those who do not.
36. In addition, the Human Rights Act 1998 imposed a duty on the Council as a public authority to apply the European Convention on Human Rights; as a result the Council must not act in a way which is incompatible with these rights. The most important rights for planning purposes are Article 8 (respect for homes); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property).
37. The decision in this report is not considered to undermine the objectives of the Equalities Act or to disproportionately interfere with human rights.
38. Part 3C, paragraph 3, of the Council's Constitution states that the approval for recommendation to Council Assembly of those proposals and plans contained in the Council's budget and policy framework can be taken by Cabinet decision.
39. Part 3A, paragraph 10, of the Council'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 (FC19/027)

40. This report is seeking the Cabinet to recommend to the Council Assembly to make the Southbank and Waterloo Neighbourhood Plan so that it becomes part of the Council's development plan and is a significant consideration in all planning decisions relating to the designated Neighbourhood Area.
41. The strategic director of finance and governance notes that there are no additional financial implications arising from this report.
42. Staff and any other costs connected with this recommendation to be contained within existing departmental revenue budgets

### Equalities Impact Assessment

43. The council consider an Equalities Impact Assessment will not be needed for this occasion as SoWN has complied with subsection (7) of section 61F in the 1990 Act.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Localism Act		<a href="mailto:planpolall@southwark.gov.uk">planpolall@southwark.gov.uk</a>
		<a href="http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted">http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted</a>
The Neighbourhood Planning Regulations		<a href="mailto:planpolall@southwark.gov.uk">planpolall@southwark.gov.uk</a>
		<a href="http://www.legislation.gov.uk/uksi/2012/637/contents/made">http://www.legislation.gov.uk/uksi/2012/637/contents/made</a>

### APPENDICES

No.	Title
Appendix A	South Bank and Waterloo Neighbourhood Plan (circulated separately)

**AUDIT TRAIL**

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Juliet Seymour, Planning Policy Manager	
<b>Version</b>	Final	
<b>Dated</b>	10 December 2019	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	No
<b>Date final report sent to Constitutional Team</b>		10 January 2020

<b>Item No.</b> 14.	<b>Classification:</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Public Space Protection Order Review - to tackle dog related anti-social behaviour	
<b>Ward(s) or groups affected:</b>		All wards	
<b>Cabinet Member:</b>		Councillor Richard Livingstone, Environment, Transport Management and the Climate Emergency	

**FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR ENVIRONMENT, TRANSPORT AND THE CLIMATE EMERGENCY**

Previously, Southwark Council consulted local residents on whether we should introduce new Public Space Protection Orders (PSPOs) to better manage dog-related anti-social behaviour. After careful consideration to strike the right balance between the needs of dog-owners and other residents, the council approved the recommended orders in October 2017. In agreeing the orders, Cabinet also agreed that these should be reviewed to ensure that they were operating as intended.

This report therefore considers the impact of the PSPOs and demonstrates that both dog-fouling and other dog-related anti-social behaviour incidents have reduced since their introduction. Feedback has generally been positive to the initiative.

Southwark is committed to providing services that create a cleaner, greener, safer borough for all. It is now clear that PSPOs are playing an important role in securing that vision.

I am therefore recommending that, after due consideration, cabinet continue the current PSPO regime for dog related anti-social behaviour until March 2021.

**RECOMMENDATIONS**

That cabinet:

1. Approve the recommendation that the Public Space Protection Orders (PSPOs) should continue without variation until March 2021.
2. Note the findings of the review of the Public Space Protection Orders (PSPOs) to tackle dog related anti-social behavior (ASB).
3. Notes that a further review of the PSPO to tackle dog related anti-social behaviour will be conducted in September 2020, with a view to extending or varying the PSPO by 31 March 2021.

**BACKGROUND INFORMATION**

4. In March 2017 cabinet agreed to carry out a public consultation in order to gain the public view on the introduction of PSPOs to tackle dog related ASB, as prescribed under The Anti- Social Behaviour Crime and Policing Act 2014.

5. The consultation ran from 24 April 2017 to 5 June 2017. The consultation resulted in 2081 responses. This was the largest response to any online consultation undertaken by Southwark at the time, with over 47% of respondents identifying themselves as dog owners.
6. The PSPO requirements agreed by cabinet on the 31 October 2017 are detailed in Table 1 below. A Fixed Penalty Notice (FPN) for not complying with the PSPO requirements and restrictions is an offence under the legislation and can result in a fine of £100 or up to £1000 if it goes to court.
7. Table 1 - PSPO requirements and restrictions

PSPO requirements and restrictions	Area
Dog faeces must be cleaned up by those responsible for their dog(s)	Borough Wide
<p>Dogs must be put on lead when instructed to do so by an authorised officer*</p> <p>* Authorised Officer is an officer of the council with delegated authority to enforce the PSPO regulations, Civil Enforcement Officer, Police Officer or Police Community Support Officer.</p>	Borough Wide
<p>Dogs must be kept on a lead.</p> <p>Maximum of six dogs with one handler.</p>	Camberwell New Cemetery and Honor Oak Crematorium – Whole site as highlighted on Map
<p>Dogs must be kept on a Lead</p> <p>Maximum of six dogs with one handler.</p>	Camberwell Old Cemetery – Areas highlighted on Map
<p>Dogs must be kept on a Lead</p> <p>Maximum of six dogs with one handler.</p>	Nunhead Cemetery – Areas highlighted on Map
<p>Dog exclusion areas</p>	<p>Children’s Play areas** within Parks and Open Spaces</p> <p>Children’s play areas** within housing estates.</p> <p>**Defined as gated children’s play areas containing play equipment.</p>
<p>Maximum of 6 dogs with one handler with 3 dogs allowed off a lead at any</p>	Borough Wide (excluding One Tree Hill***)

PSPO requirements and restrictions	Area
one time.	*** The DCO regulations as set out for One Tree Hill have automatically become a separate PSPO provision from the 20th October 2017, as prescribed under section 76 of the ASB Crime and Policing Act.

8. Enforcement of PSPO requirements and restrictions can be undertaken by a person with delegated authority. These are currently parks liaison officers (PLOs), community wardens, police officers and police community support officers.
9. It was agreed at cabinet on the 31 October 2017 that a report must be received 12 months after the implementation to review the introduction of PSPOs.
10. The education for all PSPO requirements and restrictions except for dog fouling was extended by six months from the date of implementation. This period was necessary to ensure that the public were fully aware of the new PSPO requirements and restrictions and enabled further feedback on siting of appropriate signage. PLOs began enforcing with FPNs for all PSPO requirements and restrictions from September 2018.
11. As noted in the Anti-Social Behaviour Crime and Policing Act 2014 a PSPO may not have effect for a period of more than 3 years, unless it is extended or varied. As such, a cabinet paper will be presented prior to March 2021 where recommendations will be made to either: extend the current period for which the PSPO has effect, or to vary or discharge the PSPO.

### **The Preparation Phase**

12. The preparation phase ran from November 2017 to 26th March 2018. During this period a project delivery group was set up with key representatives from Parks, Housing, Legal Services, Regulatory Services, Traded Services and Service and Business Development. The project group met monthly to plan the implementation of the PSPO.
13. Key activities during the preparation phase included:
  - An audit of existing signage in parks and open spaces
  - The design and creation of PSPO signage
  - Development of the signage installation schedule
  - Consultation and site surveys for bespoke signage for Nunhead Cemetery.
  - The production of a PSPO delivery plan
  - The production of a PSPO education plan (see point 12 for further information).
  - The identification of authorised officers who would engage in enforcement activities.
  - The reprinting of FPN books with relevant legislation.
14. A PSPO education plan was created to ensure the public were informed of the new requirements and restrictions as set out under the PSPO. The following

actions were completed:

- A specific council webpage was created which provided information on the PSPO requirements and restrictions.
  - A leaflet was created which detailed the PSPO requirements and restrictions; this included maps of the three cemeteries.
  - A residents e-bulletin was sent out which highlighted the PSPO requirements and restrictions.
  - An email sent to every TRA chair and secretary detailing the PSPO requirements and restrictions.
  - An email was sent to all 'Friends of Parks' groups detailing the PSPO requirements and restrictions.
  - The Safer Neighbourhood Boards and Local Policing Teams were informed of the PSPO requirements and restrictions.
  - Officers and councillors were informed about the PSPO requirements and restrictions.
  - Face to face education by the PLOs and community wardens across cemeteries and the 28 Green Flag Parks.
15. 15 wooden posts sympathetic to the area were fitted in Nunhead Cemetery to make the dog on/off lead areas clearer.
  16. During the installation period approximately 1,500 – 2,000 PSPO leaflets were handed out by community wardens and PLOs to inform the public about the new requirements and restrictions under the PSPO.
  17. On 23 March 2018 the PSPO Order was signed and sealed by our legal team and published on Southwark's PSPO webpage on 26 March 2018.

### **The Implementation Phase**

18. The PSPO became effective from 26 March 2018. As previously noted the period of education was extended by a further six months for all requirements and restrictions of the PSPO apart from the requirement to pick up after your dog.
19. During the extended education period community wardens and PLOs spoke to dog owners, professional dog walkers and the wider community to ensure that they were aware of the new requirements and restrictions under the PSPO.
20. During the extended education period it was identified that further signage across parks and open spaces would ensure communities were aware of the PSPO requirements and restrictions. 148 additional signs were installed in July 2018.

### **Review of the PSPO**

21. A review has been undertaken, based on quantitative and qualitative data.

### **Quantitative data**

22. There has been a reduction of 1155 kg of dog fouling collected across the borough in the year since the PSPO was introduced, in comparison to the previous 12 months.
23. Staff record the amount of dog fouling removed by council staff. This number has

reduced by 1206 in the year since the PSPO was introduced.

### **Fixed Penalty Notices and additional education**

24. Since April 2018 authorised officers enforced the PSPO and provided further education on the PSPO in 234 instances. A key element of this is to encourage behavioural change of dog walkers, rather than enforcement, to ensure parks and open spaces can be enjoyed by all.
25. The PSPO requirement that needed the most additional education was for: 'Dogs must be kept on a lead. Maximum of six dogs with one handler', this resulted in authorised officers using the PSPO requirement 'Dogs must be put on a lead when instructed to do so by an authorised officer'. PLOs have confirmed that in these instances the majority of individuals complied fully with their requests, therefore, FPNs were not issued.
26. A total of 26 FPNs have been issued since April 2018 to date.
27. The majority of people adhered to the request to follow PSPO requirements and restrictions. Those who did not were issued FPNs. As previously noted, the principal objective of the PSPO is to instigate long term behavioural change and to make parks and open spaces enjoyable for all.
28. From April 2018 to date there have been 43 incidents of abusive and threatening behaviour directed at officers enforcing the PSPO. It is intended that body worn cameras will be utilised by PLOs in order to mitigate abusive or threatening behaviour.

### **Qualitative data**

29. Feedback from 'Friends of' groups

The following 'Friends of' groups provided feedback on the introduction of the PSPO:

- Friends of Nunhead Cemetery (FONC)
- Dulwich Park Friends
- Friends of Nelson Square
- Friends of Belair Park
- Camberwell Cemeteries Working Group.

The 'Friends of' groups were generally very positive about the introduction of the PSPO. FONC, in particular, stated that the application of the dog control PSPO has had a very beneficial effect on the cemetery and its visitors. FONC also put forward ideas for continuing to support the PSPO requirements at Nunhead Cemetery such as a new education leaflet (specific to Nunhead) be produced. Some groups said they would like to see greater presence and enforcement of the PSPO requirements and restrictions. The Camberwell Cemeteries Working Group raised concerns of incorrect and confusing signage within Cemeteries (Camberwell Old and New). A review of signage within these Cemeteries was undertaken in August 2019. Dulwich Park Friends said that

six dogs is too many for one handler and they would like to see a reduction in this number.

### **Survey**

30. A short survey was undertaken during a one week period in June 2019. This was carried out in the following locations: Nunhead Cemetery, Camberwell New Cemetery, Camberwell Old Cemetery, Burgess Park, Dulwich Park, Belair Park, Peckham Rye Park and Geraldine Mary Harmsworth Park. 106 people completed the survey.
31. Out of the 60 people that visit park(s) and cemeteries regularly 58% were aware of the dog related PSPO in Southwark, 35% were not aware and 7% were 'not sure'.
32. Out of the 46 people that do not visit park(s) and cemeteries regularly 35% were aware of the dog related PSPO, 52% were not aware of the dog related PSPO and 13% were 'not sure'.
33. 51% of people surveyed stated they had not noticed any difference since the PSPO was introduced, with a further 5% saying they were 'not sure'. 38% had noticed a difference.

### **Feedback provided to the parks liaison officers**

34. The PLOs have provided feedback on the public's reaction to the implementation of the PSPO. Key findings are noted below:
  - The feedback received by the PLOs was generally positive with the majority of the public in favour of the PSPO across all sites visited.
  - The majority of the public were receptive to the information and education provided by the PLOs.
  - Over 200 people were spoken to in Nunhead Cemetery over a period of 10 days in February and March 2018 by the PLOs. They estimated that about 90% of those spoken to in the cemetery were happy with the PSPO.
  - There were reports that some of the public felt that signage in Nunhead Cemetery could be clearer.
  - Some commercial dog walkers would prefer to have four dogs off a lead at one time rather than the PSPO requirement of a 'Maximum of 6 dogs with one handler with 3 dogs allowed off a lead at any one time'. They said it is difficult picking up after dogs that have fouled whilst some dogs are on the lead, and it can also be difficult when all of the dogs want to socialise together.

### **KEY FINDINGS FROM THE REVIEW**

35. The recommendation is that the Public Space Protection Orders to tackle dog related anti-social behaviour should continue without variation until March 2021. This is based on the below key findings from the review:
  - There has been a reduction of dog fouling in the borough since the PSPO was introduced.

- The majority of feedback from the 'Friends of' groups has been positive. In particular, FONC have stated that the PSPO has had a very beneficial effect on the cemetery and its visitors.
- PLOs have confirmed that the majority of individuals complied fully with their requests to adhere to the PSPO requirements and restrictions.
- The feedback received by the PLOs was generally positive with the majority of the public in favour of the PSPO across all sites visited.
- 58% of those who regularly visit parks and/or cemeteries were aware of the PSPO. However awareness drops to 35% for individuals who visit the parks and/or cemeteries less regularly.

36. From the findings of the review it is proposed that further education and enforcement in key areas of concern should be undertaken i.e. in areas where there are high levels of dog fouling.
37. A signage review should be undertaken in the Camberwell Cemeteries. A signage audit was undertaken within the Camberwell Cemeteries in August 2019, resulting in signage being removed and relocated as appropriate. A further audit is planned for February 2020.

#### **Future PSPO review**

38. The local authority must carry out the necessary consultation prior to extending, varying or discharging a PSPO. On account of this, a further review of the PSPO will be undertaken in summer 2020.
39. The concerns raised by commercial dog walkers and 'Dulwich Park Friends' regarding the PSPO requirement 'Maximum of 6 dogs with one handler with 3 dogs allowed off a lead at any one time' will be considered in the review.

#### **KEY ISSUES FOR CONSIDERATION**

40. PSPOs were introduced under the Anti-Social Behaviour Crime and Policing Act 2014, giving provisions to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life by imposing conditions on the use of that area that apply to everyone.
41. The PSPO requirements and restrictions continue to meet the two legal conditions as detailed below:
42. The first condition is that:
- activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
  - it is likely that activities will be carried out in a public place within that area and that they will have such an effect.
43. The second condition is that the effect, or likely effect, of the activities:
- is, or is likely to be, of a persistent or continuing nature,
  - is, or is likely to be, such as to make the activities unreasonable, and
  - justifies the restrictions imposed by the notice.
44. Introduction of PSPO requirements and restrictions for dog related ASB (detailed

in Table 1) still meet the conditions as set by the 2014 act in that:

- a) Dog related ASB has a detrimental effect on the quality of life on those who experience it within the borough. Any dog related ASB is considered unreasonable and justifies the restrictions proposed.
- b) Dog fouling, although reduced, is still a concern across the borough.

45. Southwark continues to support responsible dog ownership in parks and open spaces. The following events took place last year:

- On 19 May 2018 Dogs Trust participated in a community event at Nursery Row Park. They offered the following free of charge -
  - Microchipping and nail clipping
  - Basic health and weight checks
  - Health and training advice
- The council's Dulwich Park Fair on May 20<sup>th</sup> 2018 included a dog show run by a local vet practice. <sup>1</sup>
- The 'Friends of Peckham Rye' Park Fete includes a dog show each year. The last fete took place on 1st September 2018.<sup>2</sup>
- The Pasley Park fete and the Bermondsey street festival, both held on 15th September 2018, includes an annual dog show.
- Dogs Trust and 'Friends of Peckham Rye Common' ran a responsible dog ownership event on 18th December 2018 at Peckham Rye Common.

### **Policy implications**

46. In 2016 Southwark Council adopted the Animal Welfare Charter which outlines its commitment to promoting animal wellbeing and providing information and guidance on animal care and legal responsibilities. The PSPO requirements and restrictions, as illustrated in Table 1, will enable and encourage responsible dog ownership which is highlighted as a requirement under the charter for dog owners who are council tenants.

### **Community impact statement**

47. The PSPO has been assessed in terms of its equalities impact in line with the Protected Groups set out in the Equalities Act 2010 and the Public Sector Equality Duty. The PSPO seeks to enforce responsible dog ownership in terms of control and cleanliness within defined publicly accessible spaces. It is recognised that the majority of dog owners are responsible, and that these measures have been introduced to tackle those that are not, and also enhance the enjoyment and opportunity provided by public spaces.

48. An extensive consultation was carried out prior to the implementation of the PSPO. There are clear positive impacts in terms of health, especially for young children and expectant mothers who are most at risk from exposure to dog fouling. There are also wider indirect health benefits for all residents who may access spaces they previously avoided due to dog related ASB. No groups are being prevented from accessing the spaces set out in the PSPOs. There are positive impacts for the visually impaired. The PSPO has not resulted in a

<sup>1</sup> <https://dulwichparkfair.wordpress.com/2018-highlights/>

<sup>2</sup> <http://www.peckhamryepark.org/news/2016/7/30/the-great-fete-3rd-september-12-5pm>

negative equalities impact on any protected group or characteristic.

49. Person(s) are exempt from PSPOs requiring dog walkers to pick up after their dogs if;
- a) They are registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
  - b) They have a disability which affects his/her mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which they rely for assistance.
50. Person(s) are exempt from any PSPOs that exclude dogs from areas if;
- a) They are registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
  - b) They are deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
  - c) They have a disability which affects their mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which they rely for assistance.
51. Prescribed charities as detailed below are members of Assistance Dogs UK and are accredited by Assistance Dogs International or the International Guide Dog Federation.
- Canine Partners (Registered charity no: 803680)
  - Dog A.I.D. (Registered charity no: 1098619)
  - Dogs for Good (Registered charity no: 1092960)
  - Guide Dogs (Registered charity no: 209617)
  - Hearing Dogs for Deaf People (Registered charity no: 293358)
  - Medical Detection Dogs (Registered charity no: 1124533)
  - Support Dogs (Registered charity no: 1088281)
  - The Seeing Dogs Alliance (Registered charity no: 1156790).

### **Resource implications**

52. Resource implications for the delivery of the review will be met within the current staffing resources across environment and leisure.

### **Financial implications**

53. There are no additional revenue budget requirements arising from the review of the PSPO.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

54. Legal comments are substantially embodied within the report as noted at

paragraphs 39 to 43 in that a PSPO is intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area.

55. The Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 relating to PSPOs came into force on 20 October 2014 and repealed the law under which DCOs could be ordered with the proviso that existing DCOs would continue for three years and will then automatically lapse on 20 October 2017.
56. A PSPO, if made, will last for up to three years before requiring a review under section 60(1) of the Act; however there is no limit on the number of times an order can be reviewed and renewed. The review requirements will be different depending on the prohibitions or requirements being applied. Under section 61(1) of the Act an order can be varied or discharged at any time by the authority that made it.
57. In deciding whether to make a PSPO the local authority must have regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights. These articles are not engaged and the proposed PSPO on dogs does not restrict these freedoms. The Council took these into consideration together with its equality duties under s149 of the Equality Act 2010 at the March 2017 Cabinet meeting. These have been reviewed once again and are detailed in paragraphs 46 - 50 of this report.

#### **Strategic Director of Finance and Governance**

58. The strategic director of finance and governance notes the recommendation to cabinet to approve the continuation of the Public Space Protection Orders (PSPOs) without variation until March 2021.
59. The strategic director of finance and governance notes that there are no additional financial implications arising from this report. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Introduction of Public Space Protection Orders (PSPOs) to tackle dog related anti-social behaviour (ASB) (cabinet report October 2017)	Environment & Leisure Southwark Council 160 Tooley Street London SE1 2QH	Tracy Umney 020 7525 7697
<b>Web link:</b> <a href="#">PSPO Cabinet Report</a>		

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
None	

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Richard Livingstone, Environment, Transport Management and the Climate Emergency	
<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Catherine Snell, Research & Development Officer & Tracy Umney, Unit Manager for Environment and Community Protection	
<b>Version</b>	Final	
<b>Dated</b>	9 January 2020	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		9 January 2020

<b>Item No.</b> 15.	<b>Classification:</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 2 – Contract Award Approval for Southwark Highways Works Contracts	
<b>Ward(s) or groups affected:</b>		Borough wide	
<b>Cabinet Member:</b>		Councillor Richard Livingstone, Environment, Transport and the Climate Emergency	

### **FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR ENVIRONMENT, TRANSPORT AND THE CLIMATE EMERGENCY**

In December 2018, cabinet agreed a new procurement strategy for its highways works contracts. That strategy agreed to bring highway safety inspections and carriageway gully cleaning services in-house, whilst continuing to let out contracts where there were significant barriers to the council providing the services itself.

The work to be contracted out has been separated into two areas of work. Lot A is for maintenance and small scale reactive repair works and Lot B is for planned improvement or renewal works to our highways. Companies were invited to tender for this work in July and submitted bids for these two lots of work in October.

Two companies made submissions for both Lot A and B. This report sets out the scoring for those bids and recommends that Contractor A are awarded both contracts, on the basis of both quality and price.

### **RECOMMENDATIONS**

Note: In line with the Public Contract Regulations all tenderers need to be informed of the award decision at the same time. A formal offer of contract can not be made until the Scrutiny Call-in period and Alcatel standstill period following the Cabinet decision has expired. Therefore, to prevent the possibility of a challenge, the names of all tenderers, the preferred tenderer and prices must remain confidential.

1. That the cabinet approves the award of the Southwark Highways Works Contracts in two lots commencing 1 July 2020 for an initial duration of five years and nine months, with an option for the council to extend for up to two further years.
  - Lot A – Maintenance (for small scale reactive repairs) to Contractor A.
  - Lot B – Projects (for planned renewal / improvement projects) to Contractor A.

## **BACKGROUND INFORMATION**

2. This Gateway 2 Contract Award Approval Report relates to the Gateway 1 Procurement Strategy Approval for Southwark Highways Works Contracts that was approved at cabinet on 11 December 2018.
3. That Gateway 1 and the corresponding Gateway 0 approved the insourcing of:
  - Highway safety inspections, and
  - Carriageway gully cleaning.

It is likely this will involve the transfer of currently out-sourced resources into the council.

4. These works and services are currently being provided by Conway Aecom Ltd, which is a joint venture between FM Conway Ltd and Aecom Ltd, under the Highways and Professional Services (HAPS) Contract. The provision of the services was divided into Lots as detailed below:
  - Lot A – Highways Maintenance
  - Lot B – Project Delivery (Works)
  - Lot C – Professional Services.

As detailed in the Gateway 1 report the Professional Services element of the current contract will be procured under separate cover with an anticipated contract start of 01 January 2021.

5. The HAPS contract commenced on 1 April 2013 for a duration of 6 years taking the contract through to an original expiry date of 31 March 2019. The contract allowed for an option for Southwark Council to extend the contract for any duration of up to two years by informing Conway Aecom in writing with a minimum of three months notice. Following careful consideration, reviews of market conditions and due process Contract Lots A and B were extended until 30 June 2020 with Lot C extended until 31 December 2020.

### **Summary of the business case/justification for the procurement**

6. Under the Highways Act 1980 Southwark Council, as Highway Authority for most of the public roads and pavements within the borough of Southwark, have a responsibility to ensure those public highways are maintained to a safe standard. This will cover everything from a standard “pothole” repair to gritting the roads and pavements deemed necessary during freezing conditions and snowfall. In addition to these statutory duties the council also has a responsibility to endeavour to improve the highway network where feasible. This is carried out by capital funding which can be from Southwark’s own budgets or from external partners such as Transport for London (TfL) or through developers Section 106 / Community Infrastructure Levy (CIL) funds. The contract arrangements will require flexibility to accommodate uncertainty over future budget levels, particularly where these funds are from external sources.
7. Improvements to the highways network will help the council achieve a number of their Fairer Future Commitments. Improvements to the footways and cycleways will encourage residents and visitors to adopt a more sustainable mode of transport than a motor vehicle, to help provide a greener borough and encourage

more active and a healthier life. In particular, this service aims to support theme 3 – a greener borough, theme 5 – a healthier life and theme 8 – a vibrant Southwark. A number of highway improvement schemes are implemented alongside other initiatives to help create a vibrant Southwark.

8. The services in scope can be summarised as follows:
- Emergency or urgent reactive repairs
  - Planned maintenance and repairs
  - Carriageway gritting / winter service
  - Carriageway resurfacing
  - Footway renewal
  - Project delivery.
9. Although there are many challenges and pressures placed upon it, Southwark Council has a highway network to be proud of. In the 2017 National Highways and Transport Surveys Southwark achieved “Best in Country” in nine categories and “Best Improved” in seven categories. In 2018 Southwark Council went one better and were awarded the National Transport Local Authority of the Year. In 2019 Southwark were ranked second, out of the 111 Highway Authorities who took part, in Highway Maintenance and Condition of Highway. This doesn’t mean Southwark Council are complacent – Southwark Council know they have to continue to improve to provide the best possible highway network for the residents, businesses and visitors to Southwark.

## **OPTIONS AND CONSIDERATION**

10. In early 2018 a project board was developed to consider the most appropriate method of delivering the highways services once the current HAPS contract expires. A number of meetings and discussions were held with Southwark officers, suppliers and other Highway Authorities, which have allowed Southwark to review the success and issues of the current contract and consider different options including possible joint working with neighbouring boroughs.
11. All three lots of the current contract were awarded to the Joint Venture Conway Aecom Ltd as the tender assessment concluded this was the most beneficial option. However, the perceived benefits of having an integrated contract including the maintenance functions, project delivery and professional services delivered under one contract has not materialised. Following appraisal, a decision was taken to recommend separate contracts for works and professional services.
12. A workshop was held with the project board and other strategic heads of service within the Environment Department to consider the various tasks required of the highway service and review the most effective methods to deliver them. This review considered in-house delivery and external provision for the full range of tasks and functions.
13. For the tasks where it was considered that outsourcing was the most appropriate delivery option these were split into the separate works and professional services packages. These were then further split into the most appropriate lots for each contract.

14. For the works contract these were split into two lots. It was considered to be most appropriate to split these lots into task size and required speed of action. The first lot is for Lot A Maintenance for small scale reactive repairs and the second lot is for Lot B Projects for planned renewal / improvement projects. It was felt that some smaller contracting firms may be encouraged to bid for the smaller scale Lot A contract but might not have the management or financial resource for larger scale planned projects. There would be no restrictions on firms bidding for one or the other lot or both lots together.
15. To provide continuity of service it was agreed to extend the current professional services element of the contract for a period of six months longer than the current Highway Maintenance and Project Delivery (Works) elements of the contract. Each of these projects and schemes will have a planning and programming mobilisation period of around three months to request Streetworks permits, issue statutory notifications and request Temporary Traffic Management Orders etc. This would ensure that the new contractor would have a number of projects and schemes that they can commence as soon as the Lot B Projects contract starts.

### **Benchmarking**

16. The council is the highway authority for the majority of public roads within Southwark. This places an obligation on the council to ensure these roads are maintained to a safe standard to allow movement of people and vehicles. Highway improvements are essential to allow regeneration for the ever growing population and improve safety. All authorities in London rely on outsourced provision for at least some of these services. A small number deliver some of these elements in-house. The highways maintenance, highways improvements and highways professional services market is very competitive throughout the UK. This is even more so in London due to the close proximity of 34 different highway authorities (32 London Boroughs, City of London and TfL) and a number of major development sites that require roads, pavements, cycleways, open spaces etc. There are currently at least eight contractors and eight consultants who provide similar services within the London Boroughs. The works provision across the London Boroughs can be summarised as:
  - a. 5 x Mixture of in house and out source delivery
  - b. 1 x Private Finance Initiative (PFI)
  - c. 5 x TfL London Highways Alliance Contract (LoHAC) framework (all services)
  - d. 23 x Completely out sourced the services.
17. The current HAPS contract was tendered at a time when, according to the Office for National Statistics, the UK was slowly recovering from an economic recession and construction output figures were in steady decline. However, the recent construction output figures from the Office for National Statistics indicate little recovery and some sectors, including public, are still in decline.
18. There are a number of contractors capable of delivering highways maintenance and improvements projects for Southwark Council ranging from relatively small family run businesses to multi-national and multi-disciplined conglomerates.

## Options for procurement route including procurement approach

### Do Nothing

19. This is not an option as the council has a responsibility to ensure the highway network is maintained in a safe condition under the Highways Act 1980. Improvements to the network, and in particular the cycle routes and footways, will also help the council to meet some of their Fairer Future Commitments. The current HAPS contract can only be extended for a maximum of two years and must terminate by 31 March 2021. If no action is taken, Southwark Council will be left with no ability to carry out their statutory duty to ensure the highway is maintained in a safe condition. This would leave the highway slowly degrading, resulting in a potentially hazardous network for the public and possible disruption to those travelling on the highway network. This would leave the council in a vulnerable position in relation to insurance claims and possible litigation.

### In-Source

20. The Gateway 0 approval was to in-source the highway safety inspections and carriageway gully cleaning operations. This report highlighted the reasons for outsourcing the remaining works such as the fluctuation of workflows and the required capital investment in plant, machinery and materials.

### External Procurement

21. The nature and value of these works meant that the full tendering requirements of the Public Contract Regulations 2015 and the Public Sector Directive 2014/24/EU/ applied.
22. External procurement was required for the remaining works and services that need to be delivered to maintain a highway network that is safe, in good condition and functional for the residents, businesses and visitors of Southwark. Various delivery methods were considered and these are detailed below:

#### PFI

- a. Normally this type of contract is for those authorities whose networks are in a very poor condition at the start of the contract and needed a dramatic initial investment. Compared to current national road conditions the highways within Southwark are in a relatively good condition. This option would provide an initial boost in improvements into the Southwark highway network. However, the council would be committed to long term investment (normally 25 years) with little return after the first few years. In the October 2018 budget the Chancellor of the Exchequer announced the Government would not enter into any further Private Finance Initiative contracts.

#### Existing Frameworks

- b. LoHAC was created by TfL to cover the highways maintenance and project delivery service throughout the TfL Road Network. The LoHAC contract expires in March 2021. Discussions have been ongoing between TfL and Southwark Council, particularly through the London Technical Advisers Group, regarding the format of the TfL delivery mechanism to replace these contracts. It appears that the replacement contracts would not be as efficient

as bespoke contracts for Southwark's delivery method, but could be used as a back up if required.

### **Tender**

- c. A competitive tender to select a suitable supplier or suppliers to take over the relevant works on expiry of the current HAPS contract would ensure value for money is being achieved and the latest industry standards and guidance is being followed.
- d. Following a well established decision tool, providing a series of questions to help determine the most appropriate procurement route, considering elements such as the requirements of the market and needs, resulted in a choice of the restricted procedure. This has enabled the council to ensure all bidders have suitable experience and knowledge and have the financial standing for such a contract prior to invitations to tender being issued.
- e. Using the proposed procurement route of a restricted process ensured the works are being undertaken by an experienced and capable contractor. **(preferred option).**

### **Shared Service Delivery**

- f. Discussions were held with a number of neighbouring Boroughs. A number of these (City of London, Tower Hamlets, Bromley, Lewisham and Croydon) have recently extended their current contracts or awarded new contracts under long term arrangements. Lambeth Council currently use the TfL LoHAC contract and this is due to expire in March 2021. Further discussions were held with both Lewisham and Lambeth regarding the possibility of a service shared between the three boroughs however, the timings of the contract start dates and delivery methods made this option implausible. The possibility of aligning the contract and tender documents across the boroughs was considered in some depth. It was considered by Southwark officers that the benefits of any reduced costs would not outweigh any dis-benefits of additional contractual complexities and contract management.

### **Voluntary sector/not for profit**

- g. There are no known voluntary sector or not for profit organisations that provide the required service.

### **Contract Packaging**

- 23. The works contract will be known as the Southwark Highways Works Contract (SHWC) and be split into two Lots.
  - a. Lot A – Maintenance
  - b. Lot B – Projects
- 24. SHWC Lot A Maintenance will include the routine maintenance, winter service and reactive repairs to the highway. The tasks will include, but not be limited to:
  - a. Urgent reactive maintenance of footways (2 / 24 hour call outs)
  - b. Urgent reactive maintenance of carriageways (2 / 24 hour call outs)
  - c. Urgent reactive maintenance of structures (2 / 24 hour call outs)

- d. Planned maintenance of footways (7 / 28 days)
  - e. Planned maintenance of carriageways (7 / 28 days)
  - f. Planned maintenance of structures (7 / 28 days)
  - g. Planned maintenance of drainage (7 / 28 days)
  - h. Winter stand-by provision (Oct to Apr only)
  - i. Gritting of carriageways (Oct to Apr only)
  - j. Site investigations as instructed (trial holes, topographical surveys etc).
25. The intention was to group all routine maintenance and minor repairs into one lot. The repairs would mainly be reactive following safety inspections by the Southwark Highways Safety Inspectors or through investigations by members of the highways team following notification from third parties such as members of the public. This would produce one lot with a fairly high volume of small repairs and maintenance tasks. There would be a fluctuation of workflow from the reactive repairs. The contractor would not need to carry out too much planning or programming / works co-ordination functions. Generally these repairs could be carried out with standard highways maintenance plant and equipment such as flat bed vans, breakers, hot boxes, whacker plates and hand tools. Large or specialist items of plant and equipment would only be rarely needed and these can easily be hired in by the contractor as needed. These tasks have been grouped together in one lot, which will be known as Lot A Maintenance.
26. SHWC Lot B Projects will include the works delivery of footway replacement, carriageway resurfacing, improvements and safety schemes. The tasks will include, but not be limited to:
- a. Non Principal Road footway replacement
  - b. Non Principal Road carriageway resurfacing
  - c. Principal Road footway replacement
  - d. Principal Road carriageway resurfacing
  - e. Structures works
  - f. Safety Improvement schemes
  - g. Quietways and Cycleways
  - h. Drainage and Sustainable Drainage Systems.
27. The larger scale capital investment works generally require a greater management input into planning, programming, notifying, co-ordinating and supervision. These projects will normally form part of a longer term programme of renewal or improvements. The contractor will be required to have an input into the projects before they arrive on site to carry out the works. This will include liaison with the designers, designing traffic / pedestrian management, co-ordinating works with the network management team, programming the works, pre-works notification and a higher level of site supervision. These works will often require large items of plant and machinery such as road planers, resurfacing machines and excavators. Quite often specialist equipment would be needed, especially for the structures and SUDS / drainage works. Therefore, these tasks have been grouped together in one lot, which will be known as Lot B Projects.

### **Approved procurement route**

#### **Southwark Highways Works Contract**

28. As per the Gateway 1 report the Southwark Highways Contract was procured under the EU restricted procedure in two Lots:

- a. Lot A – Maintenance
  - b. Lot B – Projects
29. This works contract has been procured so that the start date immediately follows the expiry of the current HAPS Contract Lots A and B. This is to ensure continuous provision of these essential services. The contract will have an initial duration of five years and nine months with an option for the council to extend for up to two further years.
30. The estimated total value of Lot A over the full five years and nine months initial duration plus two year extension is £15.9m. The estimated total value of Lot B over the full five years and nine months initial duration plus two year extension is £55.4m. The details of the budgets are shown in the table below:

Table 1 – Estimated values of Southwark Highways Works Contracts

Year	£000's					
	Lot A		Lot B			
	Revenue	Structures Capital	LBS Highway Capital	TfL LIP (m'ance) 3 <sup>rd</sup> party	TfL LIP (schemes) 3 <sup>rd</sup> party	Dev't 3 <sup>rd</sup> party
2020/21 *	1,500	75	2,250	560	750	560
2021/22	2,000	100	2,000	750	1,000	750
2022/23	2,000	100	3,400	750	2,000	750
2023/24	2,000	100	3,400	750	2,000	750
2024/25	2,000	-	4,000	750	2,500	750
2025/26	2,000	-	4,000	750	2,500	750
2026/27	2,000	-	4,000	750	3,000	750
2027/28	2,000	-	4,000	750	3,000	750
Total	15,500	375	27,050	5,810	16,750	5,810
	<b>£15,875</b>		<b>£55,420</b>			

\* 9 months only

### Key / Non Key decisions

31. This is a key decision.

### Procurement project plan (Key Decision)

32. Table 2 Timescales

Activity	Completed by/Complete by:
Forward Plan (If Strategic Procurement) Gateway 2	02/10/2019
Briefed relevant cabinet member (over £100k)	25/10/2018
Approval of Gateway 1: Procurement Strategy Report	11/12/2018
Invitation to Tender	30/07/2019

Activity	Completed by/Complete by:
Closing date for return of tenders	18/10/2019
Completion of evaluation of tenders	04/11/2019
CM Review Gateway 2	28/11/2019
DCRB Review Gateway 2	04/12/2019
CCRB Review Gateway 2	12/12/2019
Notification of forthcoming decision – despatch of Cabinet agenda papers	09/01/2020
Cabinet Approval of Gateway 2: Contract Award Report	21/01/2020
End of Scrutiny Call-in period and notification of implementation of Gateway 2 decision	05/02/2020
Alcatel Standstill Period	01/02/2020
Contract award	01/04/2020
Add to Contract Register	06/04/2020
TUPE Consultation period (if applicable)	01/04/2020
Contract start	01/07/2020
Publication of award notice in Official Journal of European (OJEU)	06/04/2020
Publication of award notice on Contracts Finder	06/04/2020
Contract completion date	31/03/2026
Contract completion date – if extension(s) exercised	31/03/2028

## KEY ISSUES FOR CONSIDERATION

### Description of procurement outcomes

33. The key objectives identified in the procurement strategy will be delivered by the successful contractor from 1 July 2020 for a period of between 5 years and 9 months and 7 years and 9 months (if extended) through the contract including the following:
- Carry out urgent reactive repairs
  - Carry out planned maintenance repairs
  - Winter service standby and gritting
  - Footway and carriageway replacement
  - Highway improvements
  - Structures schemes
  - Drainage and SuDS projects.
34. The contract is a NEC4 Term Service Contract with minor amendments to suit Southwark Highway requirements with a Price List.

### **Policy implications**

35. Having an effective highways service is an important component of delivering the councils plan and fairer future commitments. In particular theme 3 – a greener borough, theme 5 – a healthier life and theme 8 – a vibrant Southwark will benefit from this service.
36. The highways service provides key support to the council's movement plan.

### **Tender process**

37. A comprehensive suite of Selection Questionnaire (SQ), Invitation To Tender (ITT), contract, scope and pricing documents were compiled.
38. Where necessary specialist companies were procured in line with Southwark Contract Standing Orders to provide guidance and assist with some of the more complex documents including:
  - Sharpe Pritchard for the legal and contract documents
  - Project Centre Limited for the technical specification (in conjunction with Lewisham Council and Lambeth Council)
  - WSP for the pricing documents.
39. Prior to the issue of the SQ informal market engagement was carried out with a number of highway contractors who had a track record of successfully delivering similar type contracts in London or the South East of England. This number of contractors is relatively small compared to other markets and it is becoming increasingly difficult to attract new organisations in to highway maintenance contracts.
40. The restricted process is a two stage process.
41. For both lots, the first stage was a SQ where potential bidders applied to be shortlisted for an ITT. All potential bidders needed to supply company or organisation details along with their experience of providing similar services elsewhere.
42. The contracts were advertised on 13 May 2019 through the OJEU and contracts finder website. The SQ documents, including the full suite of tender, contract, scope and pricing documents, were made available on 14 May 2019 to potential bidders through the Pro-Contract 3 procurement portal.
43. For Lot A five SQ responses were received and for Lot B five SQ responses were received. Of the five received for each Lot, four organisations applied for both Lot A and Lot B. The market response to the SQ was slightly less than anticipated and this may be down to a number of factors, including the current market conditions, strategic selection of contracts by suppliers and the ongoing uncertainty regarding the United Kingdom's membership of the European Union. However, sufficient responses were received from suitably experienced suppliers to continue the process.
44. All the responses were evaluated in line with SQ evaluation guidance to ensure those organisations wishing to be included in the ITT stage met the required

criteria. From this evaluation, five organisations were Invited To Tender for Lot A and four organisations were Invited To Tender for Lot B.

45. Tender documents were issued to all those selected for ITT for each Lot on 30 July 2019.
46. On 14 August a bidders workshop was held at the Council's offices in Tooley Street. This workshop included presentations relating to the tender process and timelines, social value portal, the expected works and the Southwark Streetscape Design Manual. Bidders were invited to ask questions at the workshop.
47. During the ITT process, three organisations withdrew from the Lot A tendering process and two organisations withdrew from the Lot B tendering process. This left two organisations competitively tendering for each Lot. The reasons given by the tenderers for their withdrawal from the tender process included:
  - Amendments made by the council to the standard NEC4 contract terms
  - Requirements of the Performance Bond
  - Concern over any burden relating to the UK withdrawal from the EU
  - The number of resources eligible to transfer under TUPE
  - The volume of tender stage return information.
48. These tenders were received on time before the tender submission deadline of Fri 18 October at 12:00.

### **Tender evaluation**

49. The tender evaluation for each lot contains commercially sensitive information and is summarised in the Closed Report Appendices as detailed below:
  - Appendix 1 SHWC Lot A summary evaluation scores
  - Appendix 2 SHWC Lot B summary evaluation scores
50. The price, quality and social value for each tender was evaluated using the weightings listed below:
 

Lot A Maintenance

  - Price 65%
  - Quality 25%
  - Social value 10%

Lot B Projects

  - Price 55%
  - Quality 35%
  - Social Value 10%
51. Each tender submission for each Lot was checked for compliance in accordance with the ITT Evaluation Criteria document. Although only two tenders were received for each Lot, officers were satisfied that having passed the required compliance checks, and considering both tenderers were highly experienced highway maintenance contractors operating in London and the South east of England, both tenderers were capable of offering a good value quality service.

52. The quality submissions were issued to each of the four quality assessors. These submissions were checked independently by the assessors and their scores sent to the Project Assurance Officer.
53. The price evaluation for each Lot was completed by the Project Manager and Project Assurance Officer in accordance with the published price evaluation model. This evaluation was audited by WSP Limited who are the Council's independent highway cost consultants.

For Lot A this consisted of:

- Item price summary
- Composite rate summary
- Anticipated Annual Spend

For Lot B this consisted of:

- a. Item price summary
- b. Sample scheme cost

54. These contracts are included within the trial of incorporating social value into the works and services provided by the successful tenderer. The aim is to measure the additional benefits that suppliers can provide to the local community and residents, businesses and visitors to Southwark. Each tenderer had to submit a commitment against a number of pre-determined themes which gave a monetary value of the social value benefits of that commitment. They also had to provide a method statement of how they intended to carry out this commitment. The evaluation of the social value qualitative and quantitative scores was carried out by Social Value Portal Team under their agreement with Southwark Council.
55. A consensus meeting was held in November 2019 where the consensus quality scores were made and recorded. The appropriate weighting for each response was applied to provide an overall quality score for each tenderer for each Lot. These were added to the price scores and social value scores with the appropriate weightings included to provide an overall assessment for each Lot.
56. The summary scores for Lot A shown below:

## Lot A Tender Submission Evaluation Summary

	Price	Quality	Social Value	Total Tender Score	Rank
<b>Contractor A</b>	65.00	17.05	8.79	90.84	1
<b>Contractor B</b>	43.26	15.00	9.00	67.26	2

57. The summary scores for Lot B are shown below:

### Lot B Tender Submission Evaluation Summary

	Price	Quality	Social Value	Total Tender Score	Rank
<b>Contractor A</b>	55.00	23.14	6.89	85.03	1
<b>Contractor B</b>	44.67	20.23	9.00	73.90	2

58. Contractor A scored the overall highest score for each Lot. Therefore, the recommendation is to award both Lots to Contractor A.

#### **Plans for the transition from the old to the new contract**

59. The highways teams plans for the transition from the existing contract to the new contract contains commercially sensitive information and is detailed in the Closed report.

#### **Plans for monitoring and management of the contract**

60. The works contracts will be managed by officers from the Highways Division.

61. A series of Key Performance Indicators (KPIs) have been included for each Lot and they will be used to measure the contractor's performance.

62. In addition to the KPIs the contractor will report their social value performance with the required evidence to Social Value Portal each quarter. For each theme that the contractor has made a commitment against the contractor will report their performance and provide evidence against the projected commitment to Social Value Ltd. Social Value Portal will then verify this and report this to the council. Where commitments have not been met, this may be offset against other themes with the agreement of the council with an action plan put in place to meet the requirements in future.

63. The contract includes performance payments which will only be paid on acceptable performance by the contractor. There are defined escalation steps to be taken in the event of the contractor failing to provide the works as specified.

64. Officers will also produce Annual Performance Reviews in line with the council's Contract Standing Orders.

### Identified risks for the new contract

65. Please refer to table 3 below

Table 3 Risk Table

No	Risk	Risk rating	Mitigation
1	Successful challenge to award decision	L	Measures were taken to ensure the procurement was carried out in line with EU / UK regulations and guidance. The evaluation methods were clearly identified within the procurement documents and the evaluation was carried out as stated and verified.
2	TUPE transfer insourcing	L	If personnel do not transfer key duties will need to be carried out by existing staff until appointments can be made.
3	Slightly different service is being implemented	L	Some risks have transferred between contractor and council. For example highway safety inspections will be carried out by the council under the new contract rather than the contractor.
4	Different relationship with designer	L	There will be a transition period where there is a relationship between the new contractor and Aecom as part of the current Conway Aecom JV. There will then be a new relationship with a potentially different designer(s) when the Professional Services contracts start.
5	New contract is NEC4	L	On-line training in the new contract has been provided for staff.
6	Possible impact on the exchange rate of sterling and free movement of labour when the UK leaves the EU	M	Precise arrangements regarding the possible UK withdrawal from the EU is still unknown. This may need to be reviewed and managed when the situation is a bit clearer.

66. Due to the value and nature of the Southwark Highways Works Contract a Performance Bond is required. The Southwark standard Bond was included within the tender documents and the proposed contractor has signed an undertaking to comply with the requirements of this Bond.

### Community impact statement

67. People in all areas of the borough are affected by the quality of the public highway and its assets.

68. The very young, the disabled and the elderly would benefit the most by having a footway network which is well maintained and safe to use.
69. By providing a comprehensive and safe cycling network, the council will encourage the growth in cycling within the borough which in turn will help improve air quality.
70. The award of new contracts or delivering some of the services directly is not considered to have any detrimental impact on local people and communities.
71. All service elements contained in the contracts are a borough-wide service. The updated technical specification addresses planning and delivery of planned and responsive works and seeks to improve quality of the service and product and customer satisfaction.
72. The impact of the service will affect all communities / groups, residents, businesses, visitors and those that pass through the borough and will in turn improve the quality of life to all. Direct benefits are a well maintained infrastructure which makes an important contribution to the safety of all. Continued emphasis on maintenance will especially benefit the most vulnerable members of the community i.e. the elderly, the disabled and young children.

#### **Social Value considerations**

73. The contract has been written, and the procurement has been carried out, in line with the Fairer Future Procurement Framework.
74. The contract will include the social value commitments made by the successful contractor in their social value submission. For Lot A the Social Value commitments amount to 28% of the contract value, and for Lot B the Social Value commitments amount to 10% of the contract value. The commitments include, amongst other things:
  - Local employment
  - Support for young people including rehabilitating offenders
  - Support for people with disabilities
  - Apprenticeships
  - Formal training
  - Support to Voluntary, Community and Social Enterprise
  - Using the local supply chain
  - Staff wellbeing
  - Support / contributions to local community projects.
75. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the well being of the local area can be secured. The social value considerations included in the tender (as outlined in the Gateway 1 report) are set out in the following paragraphs in relation to the tender responses, evaluation and commitments to be delivered under the proposed contract.

### **Economic considerations**

76. As the council explores ways it can continue to deliver value for money, it is essential that it make even better use of its resources to meet the needs of residents and businesses in the borough.
77. Under theme 4 – a full employment borough of the Fairer Future Commitments, Southwark pledge to help create 2,500 new apprenticeships. The successful contractor has made a commitment through their social value submission to provide some of these opportunities on each Lot.

### **Social considerations**

78. Under the SQ process the council ensured all companies offered an ITT provided assurances regarding blacklisting. The opportunity to tender can exclude companies who break the law by blacklisting if they are either still blacklisting or have not put into place genuine actions concerning past blacklisting activities. The council can require "self cleaning" which enables a potential contractor to show that it has or will take measures to put right its earlier wrongdoing and to prevent them from re-occurring and to provide evidence that the measures taken by the economic operator are sufficient to demonstrate it has:
- “Owned Up”: clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities
  - “Cleaned Up”: taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct, and
  - “Paid Up”: paid or undertaken to pay compensation in respect of any damage caused.
79. The council is an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, development partners engaged by the council to provide works or services within Southwark pay their staff at a minimum rate equivalent to the LLW rate. The successful contractor has confirmed they, and their suppliers where required, comply with these requirements.
80. Under the SQ the successful contractor demonstrated that they acknowledge and meet the legal requirements around an individual’s rights to be members of trade unions.
81. Through one of the Quality Questions the successful contractor advised of their commitment to attract and support more women and BME residents who are underrepresented in the professional technical services industry into these opportunities.

### **Environmental/Sustainability considerations**

82. The new contract will adhere to industry best practice on sustainability and arisings from highways maintenance will be recycled and re-used in the borough whenever possible.

- 83. The contract specifications will set out the need for the completion of specific project / works related environmental assessments including impact on fauna, flora, soil and water and installation of required control measures where necessary.
- 84. The contract specifications will demand the latest Euro standard engines on new fleet in this contract, and encourage more sustainable forms of transport where this is feasible.
- 85. The use of dust suppression techniques for all construction activities will be a contractual requirement. Road planers will be fitted with systems using computer controls to manage suppression whilst minimising water consumption.

#### **Market considerations**

- 86. This section contains commercially sensitive information and is detailed in the closed report.

#### **Staffing implications**

- 87. Due to the separation of the works contract and professional services contract there may be some increased administrative and contract management responsibilities. With the proposed enhancement of the design team this workload will be manageable within the existing Highways structure

#### **Financial implications**

- 88. The proposed contract does not commit the council to any minimum contract value as the estimated contract values reflected in the report are indicative and will be subject to funding available from revenue and capital budgets.
- 89. The Highways budgets indicated in the table below for future years are indicative only and will require approval through the council's annual budget setting process for both revenue and capital budgets. Similarly TfL / Local Implementation Plan (LIP) / Development (Dev't) funding will also require confirmation from respective authority.
- 90. Staffing and any other costs connected with this report will need to be contained within existing departmental revenue budgets.
- 91. The current and proposed highways revenue and capital budgets are detailed in the table below.

92.

Table 4 – Estimated highways budgets

Year	£000's						
	Revenue	London Borough of Southwark Capital	Structure capital	TfL LiP (m'ance)	TfL LIP (schemes)	Dev't	Total
2018/19	2,000	4,000	1,400		500	750	7,970
2019/20	2,000	3,000	250		500	750	6,500
2020/21	2,000	3,000	100	750	1,000	750	7,600
2021/22	2,000	2,000	100	750	1,000	750	7,600
2022/23	2,000	3,400	100	750	2,000	750	9,000
2023/24	2,000	3,400	100	750	2,000	750	9,000
2024/25	2,000	4,000	0	750	2,500	750	10,000
2025/26	2,000	4,000	0	750	2,500	750	10,000
2026/27	2,000	4,000	0	750	3,000	750	11,000
2027/28	2,000	4,000	0	750	3,000	750	11,000
2028/29	2,000	4,000	0	750	3,000	750	11,000
<b>Total</b>	<b>22,000</b>	<b>38,800</b>	<b>2,050</b>	<b>6,750</b>	<b>21,000</b>	<b>8,250</b>	<b>100,670</b>

**Investment implications**

93. There are no investment implications in this report.

**Legal implications**

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

**Consultation**

95. Individual projects and initiatives will require public consultation.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS****Strategic Director of Finance and Governance (EL19/060)**

96. This report requests that the Cabinet approves the award to Contractor A of the Highways Lot A – Maintenance and Lot B – Project contracts, for the period from 1 July 2020 to 31 March 2026, with the option of a 2 years extension to 31 March 2028.

97. The strategic director of finance and governance notes that financial components of the procurement have been appraised in collaboration with the Finance Team.

98. Additionally the strategic director of finance and governance notes the financial implications detailed in paragraphs 88 to 92 and that funding for these proposals

will be met from departmental revenue and capital budgets, TfL local implementation funds and section 106 developer contributions. It is noted that the funding and their mix are only indicative at this stage and subject to the annual budget setting process.

99. The strategic director of finance and governance also notes that staffing and any other running costs connected with these recommendations are to be contained within existing departmental budgets.

#### **Head of Procurement**

100. This report seeks approval from Cabinet for the award of Highways Lot A – Maintenance and Lot B – Project to Contractor A, for a period of 5 years 9 months and the provision to extending by a period/s of 2 years commencing on 1 July 2020.
101. The report details that this procurement was conducted through an EU 2 stage restricted procedure, which was advertised on OJEU, in compliance with the requirements of the EU Procurement Regulations 2015 and in accordance with the strategy proposed in the relevant Gateway 1 and the Council's CSOs.
102. The evaluation methodology is detailed in paragraphs 49 to 58 and in the Appendices of the Closed report.
103. The report confirms the monitoring and management arrangements that will be in place during the life of the contract as detailed in paragraphs 60 to 64.

#### **Director of Law and Democracy**

104. This report seeks approval of the award of the Southwark Highways Works Contracts (Lots A and B) to Contractor A, as detailed in paragraph 1.
105. The procurement of the works described in this report will assist the council to fulfil its statutory duties as local highway authority.
106. As noted in paragraph 21 the procurement of the works required by the council is subject to the application of the (EU) Public Contracts Regulations 2015. The process which has been followed (as described from paragraph 37) is consistent with the procurement strategy approved previously, and is compliant with the EU Regulations, domestic legislation, relevant corporate policy and the requirements of the council's Contract Standing Orders ("CSOs").
107. The proposed contract lot awards are in relation to a strategic procurement as defined in CSOs, which means that the decision to approve the report recommendation is one which is expressly reserved to the Cabinet, after consideration of the report by the corporate contract review board.
108. In making procurement decisions Cabinet should be mindful of the Public Sector Equality Duty under section 149 of the Equality Act 2010, and to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) advance equality of opportunity and (c) 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 or belief, sex and sexual orientation. The duty also applies to marriage and civil

partnership but only in relation to (a). Cabinet is specifically referred to the community impact statement set out from paragraph 67, which notes the consideration that has been given to equalities issues, and it is recommended that an equality analysis should be undertaken periodically in order to measure the likely and actual effect and impact of the works on individuals and groups within the community, in particular those having a protected characteristic under the Act.

109. Cabinet is also referred to paragraph 95 which acknowledges that appropriate consultation will be required, both with contractors and staff in relation to the transition to the new arrangements and with the public regarding future highway projects.

## BACKGROUND DOCUMENTS

Background documents	Held At	Contact
Gateway 0 – Strategic Options Assessment for 2019+ Highways Services Delivery Options	Highways Division, Environment & Leisure Dept, 160 Tooley St.	Jason White 020 7525 4032
<b>Link (please copy and paste into your browser):</b> <a href="http://moderngov.southwark.gov.uk/documents/s76582/Report%20Gateway%20-%20Strategic%20Options%20Assessment%20for%202019%20Highways%20Services%20Delivery%20Options%20and%20C.pdf">http://moderngov.southwark.gov.uk/documents/s76582/Report%20Gateway%20-%20Strategic%20Options%20Assessment%20for%202019%20Highways%20Services%20Delivery%20Options%20and%20C.pdf</a>		
Gateway 1 – Procurement Strategy Approval for Southwark Highways Works Contracts	Highways Division, Environment & Leisure Dept, 160 Tooley St.	Jason White 020 7525 4032
<b>Link (please copy and paste into your browser):</b> <a href="http://moderngov.southwark.gov.uk/documents/s79147/Report%20Gateway%201%20-%20Procurement%20Strategy%20Approval%20for%20Southwark%20Highways%20Works%20Contracts.pdf">http://moderngov.southwark.gov.uk/documents/s79147/Report%20Gateway%201%20-%20Procurement%20Strategy%20Approval%20for%20Southwark%20Highways%20Works%20Contracts.pdf</a>		

## APPENDICES

No	Title
Appendix 1	Contains commercially sensitive material – refer to Closed report
Appendix 2	Contains commercially sensitive material – refer to Closed report

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Richard Livingstone, Environment, Transport and the Climate Emergency	
<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Jason White, Highways, Environment and Leisure	
<b>Version</b>	Final	
<b>Dated</b>	9 January 2020	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Democracy	Yes	Yes
Director of Exchequer (for housing contracts only)	N/a	N/a
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		9 January 2020

<b>Item No.</b> 16.	<b>Classification:</b> Open	<b>Date:</b> 21 January 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 2 – Contract Award Approval Parking and Traffic Enforcement and Associated Services Contract	
<b>Ward(s) or groups affected:</b>		Borough wide	
<b>Cabinet Member:</b>		Councillor Richard Livingstone, Environment, Transport and the Climate Emergency	

## **FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR ENVIRONMENT, TRANSPORT AND THE CLIMATE EMERGENCY**

In April 2019, Cabinet agreed a new procurement strategy for its parking and traffic enforcement services. This strategy brought in-house some elements of the service that were previously contracted out: dealing with the early stages of appeals and related correspondence; issuing and administering parking permits; call centre operations relating to parking; and school crossing patrol officers.

Invitations to tender for the rest of the service were issued in July 2019, with bids submitted in September. These bids have now been evaluated and it is recommended that the contract is issued to Contractor A on the basis of both the quality and the price of the service offered. Contractor A would provide this service in partnership with a number of other companies to deliver elements of the service.

## **RECOMMENDATION**

1. That the cabinet approve the award of a new parking and traffic enforcement and associated services contract to Contractor A which will commence on 1 April 2020, for a period of 4 years until 31 March 2024 with two possible 3 year extensions until 31 March 2030.

## **BACKGROUND INFORMATION**

2. This Gateway 2 contract award approval report refers to the Gateway 1 procurement strategy for delivery of parking and traffic enforcement services approved by cabinet on 30 April 2019.
3. The Gateway 1 and the corresponding Gateway 0 approved the bringing in house of:
  - a) Early appeals and challenge correspondence.
  - b) Parking permits and administration.
  - c) Parking call centre function covering parking advice and parking permits.
  - d) School crossing patrol officers.

It is likely this will involve the transfer of currently out-sourced resources into the council.

4. These services are currently being provided by APCOA under the parking enforcement and associated services contract. APCOA's main sub-contractors are Paybyphone (permits and virtual pay and display), Conduent (parking and traffic enforcement IT), Siemens (CCTV cameras and maintenance) and ELV (vehicle removals and car pound).
5. The parking enforcement and associated services contract commenced on 1 April 2013 for a duration of four years taking the contract through to an expiry date of 31 March 2017. The contract allowed an option for Southwark Council to extend the contract for three years by informing APCOA in writing with a minimum of three months notice. Following due process at the Southwark Council Cabinet meeting on 13 December 2016 an extension of this contract for three years was approved.

### **Summary of the business case/justification for the procurement**

6. Parking enforcement was decriminalised in 1994 and the council was required by national government to take on powers for decriminalised parking enforcement from the Metropolitan Police Service (MPS). Initially the council used powers granted under the Road Traffic Act 1991 as amended and then the Traffic Management Act 2004 from April 2008.
7. The council also took on powers to enforce decriminalised moving traffic contraventions, initially in bus lanes from 2002 and then others such as banned turns, yellow boxes and no entry's from 2006. The legislation used for this type of enforcement is the Road Traffic Act 1991 as amended by the London Local Authority Acts 1996 and 2003.
8. Having an effective parking and traffic enforcement service is an important component of delivering fairer future commitments. In particular theme 3 - a greener borough, theme 4 - a full employment borough and theme 5 - a healthier life. The contract will reflect the Fairer Future Procurement Framework (FFPF).
9. The services in scope can be summarised as:
  - a) Parking enforcement through walking and mobile Civil Enforcement Officers (CEOs).
  - b) Traffic enforcement through unattended kerbside CCTV devices.
  - c) Specialist parking back office IT systems and issuing of statutory notices.
  - d) Parking permits for the council's public highway.
  - e) Virtual pay and display payments service.
10. Southwark Council's parking team has won multiple awards at the annual British Parking Awards, winning awards for staff (Parking person of the year and Young parking professional of the year twice), for Strategy and forward thinking (Kerbside Strategy) and for teams. The parking team are well aware however that they cannot stand still and therefore new systems and parking enforcement practices are included in the new contract.

### **Strategic service delivery options and assessments considered**

11. With expiry of the current contract due on 1 April 2020, during the summer of 2018 a project board was developed to consider the most appropriate method of delivering the parking and traffic enforcement services once the current contract

expires. A number of meetings and discussions have been held with Southwark officers and other boroughs' parking services, which have allowed Southwark to review the success of the current contract and consider different options including possible joint working with neighbouring boroughs.

12. The project board has considered the various tasks required of the parking and traffic service and has reviewed the most effective methods to deliver them. This review considered in-house delivery and external provision for the full range of tasks and functions.

### **Market considerations**

13. There are a number of contractors capable of delivering parking and traffic enforcement services for Southwark Council. These are mostly parking specialist companies but also include some of the larger administrative government service providers as well as multi national or multi disciplined conglomerates.
14. There are five external operators of parking enforcement currently working in London with a further two (Egis and Conduent) possibly interested in joining the market; it is a competitive market place.
15. As the table below indicates there are 34 organisations in London which enforce parking and traffic regulations on the public highway these include the City of London (CoL) Transport for London (TfL) as well as the 32 London boroughs.

TABLE 1: Current parking operations in London

<b>Civil Enforcement Operations As of July 2018</b>	<b>Number of boroughs</b>	<b>% of boroughs</b>
APCOA	7	21%
NSL	11	32%
Mouchel	1	3%
Serco	2	6%
Indigo	3	9%
In house	9	26%
Metropolitan Police (TfL)	1	3%
	34	100%

16. The two main contractors in London are parking and traffic enforcement specialists, they account for 53% of the contracts let in London. In central London most boroughs outsource parking and traffic enforcement.

### **Options that were considered for procurement route including procurement approach**

#### **Do nothing**

17. This is not an option, as parking and traffic enforcement is a statutory obligation. Enforcement of parking and traffic controls is essential with the ever increasing population to drive regeneration and improve safety. Consequently every highway authority ensures this function is delivered.

### **In-source**

18. The Gateway 0 approval was to in-source correspondence, parking permit administration, parking call centre and the school crossing patrol service. The council already operates similar services and the parking services team carry out administrative and correspondence tasks.
19. To deliver a comprehensive parking and traffic enforcement service of the type required by the council is a major undertaking which requires resources other than staff such as specialist types of vehicles equipped with ANPR (Automatic Number Plate Recognition) and mobile CCTV; stock of materials, such as signs, uniform, body worn video, etc; specialist IT software and systems for the provision of permit, virtual pay and display and back office IT services and training.
20. The main service providers have multiple contracts which enable them to transfer skilled staff to other contracts and strong purchasing power and agreements with specialist sub-contractors. There is also the need for specialist training and IT solutions. External contractors benefit from economies of scale in all of these areas and this is a benefit for the council, they also have the ability to be flexible and increase and decrease service provision. These services have been outsourced since the council took on these additional powers in 1994.

### **External Procurement**

21. Given that it has been concluded that a number of these service areas should continue to be outsourced, a number of external out-sourcing options were reviewed and considered. These are outlined below:

#### Frameworks

22. There are no known frameworks for the provision of parking enforcement services. Some related services such as IT, permit services and pay by phone services are available.

#### Tender

23. New competitive tender – On expiry of the current contract, a new supplier or suppliers would be ready to take over the relevant services having been selected after a competitive tender process. The different types of contract have been considered (there are models based around delivery of the frontline service and charged by hour, number of recorded visits to streets with defaults, etc.) and the existing BPA (British Parking Association) model service contract is considered most appropriate as it is based around key performance indicators which helps create a partnership rather than an adversarial relationship. This contract has also been procured in accordance with the FFPPF.

#### Shared Service Delivery

24. Joint Borough procurement – Joint operations do exist with the Bexley / Bromley parking partnership (about the same size as Southwark combined) who have a joint parking outsourced contract with APCOA. The set-up of that contract is similar to that which exists at Southwark currently.

25. Southwark's parking operation is of sufficient size and importance that a joint operation is unlikely to result in much/any saving. There is a possibility of a reduced management structure, but even that might not be delivered as the bigger operation may require additional management support.

Voluntary sector / not for profit

26. There are no known voluntary sector or not for profit organisations that provide the required service.

### Contract Packaging

27. The contract was packaged into a single lot with the expectation that bidders would use a number of sub-contractors to deliver parts of the specialist service.
28. The market is used to long contracts of this nature which suit typical equipment refresh periods of 3 to 4 years for the handheld equipment and the vehicles that are used to deliver parking services.

### Income and Expenditure

29. The council's parking and traffic enforcement service has generated a surplus as a consequence of income from permitted parking and parking/traffic fines. The statutory guidance to local authorities under the 2004 Traffic Management Act says "For good governance, enforcement authorities need to forecast revenue in advance, but raising revenue should not be an objective of Civil Parking Enforcement, nor should authorities set targets for revenue".

TABLE 2: Parking income and expenditure – last 5 years

Income	Financial year, in £000s				
	2014/15	2015/16	2016/17	2017/18	2018/19
Parking Meters/Pay and Display	3,257	3,352	3,762	3,795	4,090
Parking Permits	3,005	3,159	3,991	3,664	5,015
Off-Street Car Parks	86	130	70	68	38
Penalty Charge Notices	5,350	5,907	6,177	6,220	6,047
Bailiffs (PCN recovery)	408	643	766	763	1,150
Other income	203	171	134	482	374
<b>Total income</b>	<b>12,308</b>	<b>13,363</b>	<b>14,900</b>	<b>14,992</b>	<b>16,714</b>
Total expenditure	-7,156	-7,348	-8,104	-8,879	-9,689
<b>Surplus</b>	<b>5,152</b>	<b>6,015</b>	<b>6,796</b>	<b>6,113</b>	<b>7,025</b>

30. Any surplus is ring fenced to parking and related services and must only be used in accordance with section 55 of the Road Traffic Regulation Act 1984 (RTRA 84 as amended).

### Procurement project plan (Key Decision)

Activity	Completed by/ Complete by:
Forward Plan (If Strategic Procurement) Gateway 2	01/12/2018

Activity	Completed by/ Complete by:
Approval of Gateway 1: Procurement Strategy Report	30/04/2019
Invitation to tender	03/07/2019
Closing date for return of tenders	06/09/2019
Completion of evaluation of tenders	27/09/2019
DCRB Review Gateway 2:	04/12/2019
CCRB Review Gateway 2:	12/12/2019
Notification of forthcoming decision – despatch of Cabinet agenda papers	16/12/2019
Approval of Gateway 2: Contract Award Report	21/01/2020
End of Scrutiny Call-in period and notification of implementation of Gateway 2 decision	04/02/2020
Alcatel Standstill Period (if applicable)	04/02/2020
Contract award	04/02/2020
Add to Contract Register	04/02/2020
TUPE Consultation period (if applicable)	11/02/2020
Contract start	01/04/2020
Publication of award notice in Official Journal of European (OJEU)	04/02/2020
Publication of award notice on Contracts Finder	04/02/2020
Contract completion date	31/03/2024
Contract completion date – if extension(s) exercised	31/03/2030

## KEY ISSUES FOR CONSIDERATION

### Description of procurement outcomes

31. The tender process was in line with the council's Fairer Futures Procurement Framework (FFPF), a Gateway 0 presented at Cabinet on 06 February 2019 was used to discuss which parts of the existing service could be reasonably brought in house before a procurement proposal was agreed through a Gateway 1 report discussed at Cabinet on 30 April 2019.
32. In line with the FFPF the Social Value Portal tool was used to mark the submitted method statements (qualitative response) and target in £'s (quantitative response). The Social Value Portal (SVP) is currently being piloted by the council and parking enforcement is one of the pilot procurements.
33. The SVP service works in the Invitation to Tender (ITT) stage to provide a completely independent marking of those submissions. After the contract is awarded the SVP organisation then assists in the supervision of this part of the contract through measurement of the Social Value delivered.

34. The SVP is used to give a financial value, to the added social value the contractors propose to delivery during the life of the contract. Social value formed 10% of the scoring mechanism of the submission evaluations. The closed Appendix 1 shows more detail.
35. The social value proposals will help the council to achieve the fairer future promises and commitments such as local employment and apprenticeships. This procurement has piloted the use of the SVP tool and was part of the FFPF implementation.
36. The procurement has followed an open OJEU compliant procedure; the process has resulted in 37 different organisations expressing an interest in the tender, most of these were companies that do not offer the full service parking contract we specified. Of those suppliers 7 attended the bidders day (5 of these were companies that could have supplied all of the services and 2 could provide part of the service only). The council received 2 completed tenders. Both completed tenders bid with a number of subcontractors to carry out parts of the service.
37. Each subcontractor was identified in the Selection Questionnaire (SQ) and they were required to fill out a potential supplier form. The sub-contractors formed part of the Service Delivery Plans (SDP) in the primary contractor's quality submissions.
38. Technical changes and disruptive technologies particularly in regards to self driving vehicles are likely to become realities during the new contract period. It is therefore essential that specification flexibility is continued including the contract period which will be for 4 years with 2 possible extensions of 3 years each. This allows for even more flexibility in response to operational and technological changes.

### **Policy implications**

39. Having an effective parking and traffic enforcement service is an important component of delivering the council's plans (Movement Plan 2019, Transport Plan 2011 and Air Quality and Action Plan 2017).

### **Tender process**

40. A parking procurement project board was formed in January 2019 consisting of Director of Environment, Head of Regulatory Services, Business Unit Manager (Road Network, Parking and Markets), legal (Contracts) and procurement experts as well as a senior finance officer and the parking services management team. Advice was also sought from HR, pensions and legal (TUPE).
41. The legal, procurement and parking officers updated and revised the British Parking Associations (BPA) model contract for parking services. This reflected the changes in legislation and the scope of services that were to be tendered.
42. The parking and traffic enforcement and associated services contract has been offered to the market as a single lot using the EU open procedure providing;
  - a) A simpler streamlined contract letting process using the open OJEU procedures.
  - b) Lower procurement costs and officer time requirements.

- c) A straightforward contractor/council relationship focussed on delivery of a first class parking service to Southwark Council with no distractions.
- d) Lower overall contract costs as a result.

43. The BPA model contract (incorporating some specific local amendments requested by the council) is currently in use and will continue to be used, as the change control process. The ability to be flexible and increase and decrease resources has been successful through the life of this contract and will continue.

### **Tender evaluation**

44. The tenders were evaluated based on the most economically advantageous tender based on price (60%), quality/innovation (30%) and social value (10%).

45. The tenders were evaluated for quality in two stages. The SQs were evaluated by parking services and development manager, parking quality and complaints manager and parking debt manager. Both of the tenderers passed the SQ stage.

46. The specific ITT response was evaluated by three managers from the parking and traffic enforcement section, the parking services and development manager, parking contracts manager and the parking quality and complaints manager. Each marked the ITT independently and following the completion of individual scoring a consensus scoring meeting was held chaired by the Business Unit Manager (Road Network, Parking and Markets). (See closed Appendix 1)

47. Independently of the above process, a procurement business partner also undertook an evaluation process as described in the ITT. Their independent scoring was compared to the results of the parking teams. The scoring verified the fairness of the parking team's score.

48. The contract price will be subject to annual changes as a result of any increases to the London Living Wage (LLW) on the staff costs element and Consumer Price Index (CPI) inflation on all other costs. (See closed Appendix 2)

49. After completion of the scoring process the score of the winning bidder was:

TABLE 3: Tender scoring outcomes:

	Price	Quality	Social Value	Total
Contractor A	60%	23.8%	9.0%	92.8%

50. Contractor A provided the lowest price and narrowly came out on top in the quality assessment and had the best SVP assessment.

### **Plans for the transition from the old to the new contract**

51. The council will work with Contractor A to ensure that there is a smooth transition between delivering specifications and scope of old and new contracts.

52. A transition plan covering the TUPE elements has been put in place with the department's human resources business partner. The new contract will bring in house; correspondence, permit and school crossing patrol services.

53. There are a number of new projects that will be delivered as part of the new contract which have been included in the contract innovation and pricing submission. These include:
- a) Residents' visitors vouchers through the Paybyphone App.
  - b) Streamlined residents parking permit renewals.
  - c) New Civil Enforcement Officer reporting modules including damage to highway assets.
  - d) New parking reporting dashboards.
  - e) Expanded use of automated number plate recognition and compliance mapping.
54. A project implementation and mobilisation team will be formed in January 2020, all of the deliverables will be listed and a project plan will be agreed with regular meetings and updates. It is expected that the new deliverables will all be in place by the end of June 2020. The project implementation team will report to the Parking Management Board (PMB). The PMB will consist of the Director of Environment, Head of Regulatory Services, and the Business Unit Manager (Road Network, Parking and Markets).

#### **Plans for monitoring and management of the contract**

55. The parking and traffic enforcement services contract will be monitored through the use of pre-determined Key Performance Indicators (KPI) managed by the parking and traffic enforcement team.
56. The council's parking and traffic enforcement team will be in day to day contact with the parking contractor. Operational enforcement meetings will be held every two weeks, where enforcement patterns, problems and resolutions will be discussed and minuted.
57. Monthly KPI review meetings will take place with each KPI discussed and agreement reached on whether it was achieved or not. KPIs will be marked on a red amber and green (RAG) basis, with KPIs becoming amber when there is a first failure after a number of sustained months of green performance.
58. The KPIs will be reviewed annually and modified or changed dependent on experience during the year. Changes will be made so as to ensure that the KPI's remain relevant, a proper challenge for delivery by the contractor and encourage continuous improvement.
59. In addition to this the PMB will meet quarterly with Directors of the contractor to discuss at a higher level the progress of the contract and contractor. The KPI performance will be discussed at this meeting and any month to month KPI disputes will be discussed. The progress on delivery of social value as measured by the SVP will be discussed at this meeting. This will be an external challenge to the contractor.
60. Continuous improvement will be an additional theme of the PMB, with the council and contractors discussing parking related innovations and potential for service improvements. From the quarterly meetings there will be an annual KPI review from which the annual performance reports for the council's Corporate Contract Review Board and the Departmental Contract Review Board meetings will be

agreed and taken forward in compliance with the contract standing orders (CSOs).

### **Identified risks for the new contract**

61. The risk register is attached as Appendix 3.

### **Community impact statement**

62. People in all areas of the borough are affected by the quality of the parking and traffic enforcement services.
63. The award of this new contract and delivering some of the services directly will, through the contract specification, deliver aspects of social value and have a positive impact on local people and communities.
64. All service elements contained in the contract are a borough-wide service. The updated technical specification addresses the planning and delivery of a responsive parking and traffic enforcement service which seeks to improve the quality of the service and improve customer satisfaction.
65. The impact of the service will affect all communities/groups, residents, businesses, visitors and those that pass through the borough and will in turn improve the quality of life to all. The direct benefits are a parking service which makes an important contribution to the safety and health of all.

### **Social Value considerations**

66. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the well being of the local area can be secured.
67. Officers allocated 10% of the contract scoring to the proposals of the tenderers to deliver additional Social Value (the closed Appendix 2 shows more detail). The tenderers put their proposals through the SVP along with associated method statements detailing their delivery proposals.
68. The SVP, as an organisation, then marked and valued all of the tenderers proposals and their score was used in the determination of contract award.
69. The social value benefits of this contract include;
- a) Two apprentices at all times working on business support apprenticeships.
  - b) Recruitment of long term unemployed people through Southwark Works.
  - c) Providing hours dedicated to supporting unemployed people into work.
  - d) Providing visits to local school and colleges for employment advice (e.g. CV advice, mock interviews, careers guidance).
  - e) Providing support to voluntary community and social enterprises through voluntary hours donated (e.g. financial advice / legal advice / HR advice/HSE).
  - f) Contractor A will make donations to local community projects.
  - g) An all electric vehicle fleet.

### **Economic considerations**

70. FFPF and the economic and social benefits to Southwark have been considered and weighted as part of the procurement process and the criteria for award in line with this policy.

### **Social considerations**

71. The new contract will deliver benefits to Southwark and particularly to the fairer future promises and policy commitments. These will include:
- a) Payment of London Living Wage.
  - b) Job creation and local employment.
  - c) Signing up to the Southwark Diversity Standard.
  - d) Apprenticeships and work placement opportunities.
  - e) Recruitment of local people using Southwark Works.
  - f) Vehicles to comply with the council's Safer Lorries, Safer Cycling Pledge and the Fleet Operators Scheme at the Gold Standard (where appropriate).
  - g) The contractor during the duration of the contract will be expected to have a Trade Union agreement in place with a recognised organisation(s).

### **Environmental/Sustainability considerations**

72. The new contract and service provision will adhere to industry best practice on sustainability and waste arising from parking and traffic enforcement will be recycled and re-used in the borough whenever possible.
73. In the new contract the whole of the vehicle fleet will transition to being electrically powered (apart from vehicle removal lorries) and switching 220,896 miles per annum currently undertaken by petrol and diesel vehicles to electric vehicles.

### **Staffing implications**

74. As part of the GW1 process it was agreed that wherever possible services would be delivered in-house. The result of bringing services in house will result in a much larger in house parking service. Plans for TUPE and a new parking and traffic enforcement department structure are already in place. The number of staff in the parking service is expected to increase from 16 Full Time Equivalent (FTE) to 36.5 FTE with an additional 50 part time school crossing patrol officers.
75. The insourcing is designed to provide a robust service delivery option that builds flexibility and empowers the business unit to meet the current and anticipated future demands on the service as well as provide more accountable local services.
76. Bringing the service in-house will benefit our residents, there will be a more consistent response to early challenges, and this will add benefit in highlighting faults with on-street assets that may require replacement or repair earlier.

### **Financial implications**

77. The estimated net increase in internal costs arising from the insourcing of the permit administration, correspondence duties and early appeals decision making

and the School crossing patrol services will be offset by a reduction in current contract costs as a result of the services brought back in-house.

78. The contract will run over an initial 4 year term. The contract includes a provision for two three-year extensions dependent on contract performance.
79. The cost of the contract will be contained within the current budgets for the Parking Services revenue account. The current budget monitor forecast for the Parking service indicates a net surplus. The surplus is ring fenced to parking and related services and must only be used in accordance with section 55 of the Road Traffic Regulation Act 1984 (as amended).
80. Any additional costs will be contained within existing parking service revenue budgets.

### **Legal implications**

81. Legal officers have been part of the procurement delivery team and have provided advice through the course of this procurement project. Please see concurrent from the Director of Law and Democracy.

### **Consultation**

82. Formal consultation with the incumbent supplier and potential tenderers has been undertaken in accordance with the current contract and procurement regulations and guidance.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Finance and Governance (FC19/025)**

83. The strategic director of finance and governance notes the recommendations in this report for cabinet to approve the award of a new Parking and Traffic Enforcement Services Contract to Contractor A which will commence 01 April 2020, for a period of 4 years until 31 March 2024 with two possible 3 year extensions until 31 March 2030.
84. It is also noted that the funding for the contract is from the existing and within the Parking Service revenue budget. The strategic director of finance and governance notes that there are no other financial implications.
85. Staffing and any other costs connected with this report will be contained within existing departmental revenue budgets.

### **Head of Procurement**

86. This report seeks approval from Cabinet to award the Parking and Traffic Enforcement and associated services to Contractor A. The Parking and Traffic Enforcement and associated service was procured via an EU Open 2 stage tender procedure, which was advertised on OJEU, in compliance with the requirements of the EU Procurement Regulations 2015 and in accordance with the strategy proposed in the relevant Gateway 1 and the council's CSOs.
87. The evaluation process is detailed in paragraphs 44 to 50 and closed Appendix 2 of this report.

88. The report confirms the monitoring and management arrangements that will be in place during the life of the contract as detailed in paragraphs 55 to 60.

### **Director of Law and Democracy**

89. This report seeks approval of the award of a contract to Contractor A for parking and traffic enforcement services, from 1 April 2020.
90. The procurement of these services is subject to the full application of the (EU) Public Contracts Regulations 2015 (PCR). The report sets out the various procurement options which have been considered and describes the EU compliant process which has been followed for the purpose of procuring the outsourced parking and traffic enforcement services.
91. The proposed contract award is consistent with the council's statutory duties and powers and also with the requirements of the council's Contract Standing Orders. The decision to approve the report recommendations is one which is expressly reserved to the Cabinet, after consideration of the report by the corporate contract review board.
92. In making procurement decisions cabinet should be mindful of the Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010, and to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) advance equality of opportunity and (c) 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, relation, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to (a). Cabinet is specifically referred to the community impact statement set out from paragraph 64 which considers equalities issues and it is recommended that an equality analysis should be undertaken periodically in order to demonstrate compliance with the PSED and to measure the likely and actual effect and impact of the services on individuals and groups within the community, in particular those having a protected characteristic under the Act.
93. Cabinet is also referred to paragraph 82 which acknowledges that appropriate consultation has been carried out with all firms and companies that expressed an interest in this contract.

### **BACKGROUND DOCUMENTS**

<b>Background documents</b>	<b>Held At</b>	<b>Contact</b>
Gateway 0 – Parking and traffic enforcement and associated services	Regulatory Services / 160 Tooley Street	David Sole – 020 7525 2037
<a href="http://moderngov.southwark.gov.uk/ielistDocuments.aspx?CId=302&amp;MId=6087&amp;Ver=4">http://moderngov.southwark.gov.uk/ielistDocuments.aspx?CId=302&amp;MId=6087&amp;Ver=4</a>		
Gateway 1 – Parking and traffic enforcement and associated services	Regulatory Services / 160 Tooley Street	David Sole – 020 7525 2037
<a href="http://moderngov.southwark.gov.uk/ielistDocuments.aspx?CId=302&amp;MId=6089&amp;Ver=4">http://moderngov.southwark.gov.uk/ielistDocuments.aspx?CId=302&amp;MId=6089&amp;Ver=4</a>		

**APPENDICES**

No	Title
Appendix 1	Closed – Quality and social value
Appendix 2	Closed – Financial Evaluation
Appendix 3	Risk Register

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Richard Livingstone, Cabinet Member for Environment, Transport and the Climate Emergency	
<b>Lead Officer</b>	Caroline Bruce – Strategic Director of Environment and Leisure	
<b>Report Author</b>	Nicky Costin – Business Unit Manager – Road Network, Parking and Markets	
<b>Version</b>	Open - Final	
<b>Dated</b>	9 January 2020	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Democracy	Yes	Yes
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		10 January 2020

## APPENDIX 3

## Risk Register

No	Risk	Description and mitigation	Risk Rating
1	Challenges to award decision	<p>Ensure procurement is carried out in line with EU / UK regulations and guidance.</p> <p>Evaluation methods have been clearly identified within procurement documents and evaluation carried out as stated.</p>	L
2	That the parking surplus declines as a result of the restructuring where services are to be delivered.	<p>The RTRA 1984 S 55 allows for the council to fund it's parking service before using any surplus in the parking account for other pre-defined uses.</p> <p>The proposed restructure of parking services at Southwark will bring it in line with most other similar local authorities in London with a larger in house element than before.</p> <p>Existing parking services officers have experience of providing all parts so the service.</p>	M
3	Fall off in enforcement activity and therefore revenue during the period post contract award and the first few months of new contract	Financial implication of the drop in income. Through the existing performance management meetings any problems with performance will be dealt with by the parking management team as required.	M
4	Insufficient equipment available to run the operations on day 1	<p>Loss of revenue as workforce not properly equipped.</p> <p>The council owns existing hand held computers and printers which will remain with the contractor.</p>	L
5	As some services are being brought in-house TUPE regulations will apply to some currently out-sourced personnel	At this stage, liabilities are unknown. Early liaison with internal TUPE lawyer, HR and pensions representative has started. Project plan being developed with HR.	L

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