

## Cabinet

Tuesday 19 October 2021

11.00 am

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

### Membership

Councillor Kieron Williams (Chair)  
Councillor Jasmine Ali

Councillor Evelyn Akoto  
Councillor Stephanie Cryan  
Councillor Helen Dennis

Councillor Rebecca Lury  
Councillor Darren Merrill  
Councillor Alice Macdonald  
Councillor Jason Ochere  
Councillor Catherine Rose

### Portfolio

Leader of the Council  
Deputy Leader and Cabinet Member for  
Children, Young People and Education  
Health and Wellbeing  
Council Homes and Homelessness  
Climate Emergency and Sustainable  
Development  
Finance, Performance and Democracy  
A Safer, Cleaner Borough  
Equalities, Neighbourhoods and Leisure  
Jobs, Business and Town Centres  
Transport, Parks and Sport

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#### Contact

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Members of the committee are summoned to attend this meeting

#### Councillor Kieron Williams

Leader of the Council

Date: 11 October 2021



# Cabinet

Tuesday 19 October 2021

11.00 am

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>	
	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 dispensation in respect of any item of business to be considered at this meeting.	

Item No.	Title	Page No.
5.	<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 public questions is midnight Wednesday 13 October 2021.	
6.	<b>MINUTES</b>	1 - 10
	To approve as a correct record the minutes of the open section of the meeting held on 14 September 2021.	
7.	<b>DEPUTATION REQUESTS</b>	
	To consider any deputation requests. The deadline for the receipt of deputation requests is midnight Wednesday 13 October 2021	
8.	<b>SUPPORTING ACTIVE COMMUNITIES - A VOLUNTEER STRATEGY FOR SOUTHWARK 2021 - 24</b>	11 - 52
	To adopt the vision for volunteering in the borough and related recommendations.	
9.	<b>DRIVING UP STANDARDS FOR THE PRIVATE RENTED SECTOR</b>	53 - 83
	To approve the changes to the existing mandatory licensing scheme and the new initial fee structure for mandatory licensing.	
	To approve the implementation of a borough wide additional licensing designation for 5 years and the implementation of the selective licensing designations and related recommendations.	
10.	<b>SOUTHWARK EMPTY HOMES ACTION PLAN</b>	84 - 111
	To approve the new detailed Southwark Empty Homes Action Plan 2021.	
11.	<b>GREEN BUILDINGS FUND</b>	112 - 127
	To agree that all secured carbon offset funding is held and consolidated in a carbon offset fund called the Green Buildings Fund to maximise carbon offsetting opportunities.	

Item No.	Title	Page No.
12.	<b>HERITAGE SUPPLEMENTARY PLANNING DOCUMENT (SPD)</b>	128 - 134
	To agree that the Heritage Supplementary Planning Document (SPD) be adopted.	
13.	<b>ANNUAL WORKFORCE EQUALITIES REPORT</b>	135 - 145
	To note the annual workforce report.	
14.	<b>APPROPRIATION OF 86, 88 AND 114 VESTRY ROAD SE5 8PQ</b>	146 - 158
	To approve the appropriation of the land to facilitate the carrying out of the development proposals for the area.	
15.	<b>PUPIL PLACE PLANNING REPORT 2021</b>	159 - 224
	To note the updated forecasts of primary and secondary school places from 2021-2022 onwards and related recommendations.	
16.	<b>GATEWAY 1 SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) TAXI FRAMEWORK</b>	225 - 242
	To approve the procurement strategy for Special Educational Needs and Disability (SEND) taxis for children, young people and vulnerable adults, which is to undertake a competitive tender process for a four-year framework agreement commencing on 1 September 2022 until 31 August 2026.	
17.	<b>RESPONSE TO CABINET REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: EDUCATION: CHILDREN'S EXPERIENCE AND EDUCATION DURING THE COVID-19 PANDEMIC</b>	243 - 256
	To consider the responses to the recommendations in respect of the scrutiny commission report.	
	<b>DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING</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**

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

Date: 11 October 2021



## Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 14 September 2021 at 11.00 am at 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Kieron Williams (Chair)  
Councillor Jasmine Ali  
Councillor Stephanie Cryan  
Councillor Rebecca Lury  
Councillor Alice Macdonald  
Councillor Darren Merrill  
Councillor Jason Ochere  
Councillor Catherine Rose

### 1. APOLOGIES

Apologies for absence were received from Councillors Evelyn Akoto and Helen Dennis.

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

No closed items were considered at this meeting.

### 3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice of the following late item:

Item 7: Deputation requests

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

The chair also confirmed that the following items were deferred:

Item 15: Gateway 1 – Procurement Strategy for the Borough's Tree Works Programme

Item 18: Response to the Education and Local Economy Scrutiny Commission: Education: Children's Experience and Education During The Covid-19 Pandemic.

#### **ANNOUNCEMENT**

The cabinet made a statement in respect of the distressing situation in Afghanistan and the council's continuing commitment to welcome refugees to Southwark.

The cabinet expressed their thanks to those supporting and helping those wishing to leave Afghanistan including the public, community and voluntary sector and Southwark's Members of Parliament.

#### **4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

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

##### **SE16 residents Barry Duckett, Ilona Marsh, Kathy Heather and Sharon Noonan-Gunning**

Given COVID-19 crisis and the constant squeeze on peoples income with the withdrawal £20 per week UC uplift; along with increases in food and fuel costs, i) how has LBS investigated additional needs across the borough and ii) put in place means to alleviate increased hardship this winter.

##### **Response by Councillor Kieron Williams, Leader of the Council**

I am appalled by the Government's plans to cut incomes for the poorest in our community. Their plans to cut Universal Credit by £20 a week will be the biggest overnight cut in benefits since the formation of the welfare state and come at a time when thousands are struggling to put food on the table. No government can claim to be levelling up when they are slashing the incomes of the poorest.

In contrast in Southwark we are determined to do all we can to protect our residents during the COVID-19 crisis. Over the last two years we have increased funding for our Southwark Emergency Support Scheme by £1.6m, or 160% increase for what was already among the most generous schemes in London. We have invested over £1.5 million in funding for our Southwark Community Support Alliance to provide support and food for people who are struggling to get by. We continue to provide free health school meals for all primary school children, and over the last two years allocated £2.3m to ensure children do not go hungry in the holidays too. As well as maintaining a council tax reduction scheme, that supports those on the lowest incomes.

However, all of our efforts to tackle poverty locally are being undermined by the Government's successive cuts to the incomes of the poorest in our borough. As one of the richest countries in the world, we should have a national social security system that ensure no one has to live in poverty or turn to a foodbank. Cutting Universal Credit will have the opposite effect.

As a council, we will continue to work with our partners across civil society to make the case for fair benefits that lift people out of poverty and for the Government to abandon this £20 cut to Universal Credit that will be so harmful to people in Southwark and across our country. As part of those efforts, the Council is supporting an inquiry by a Resident Working Party into how residents have been affected by the economic impacts of COVID-19 and the kinds of support they might need in the future. A survey of residents is taking place now and will close on 22 September 2021.

### **Supplemental question**

SE16 residents asked what contingency plans were in place to meet current estimated needs.

## **6. MINUTES**

### **RESOLVED:**

That the minutes of the open section of the meeting held on 13 July 2021 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 (the requests had been received in line with the council's constitutional deadline for the receipt of deputation requests).

### **RESOLVED:**

1. That the deputation request from Marie Curie Residents Project Group (RPG) be heard. The deputation addressed cabinet for five minutes (also circulating a written statement of their deputation submission) and questions were asked of the deputation for a period of five minutes.
2. It was noted that the deputation requests from UNISON and Friends of Nunhead Cemetery had been deferred.



**8. POLICY AND RESOURCES STRATEGY: REVENUE MONITORING REPORT, INCLUDING TREASURY MANAGEMENT 2020-21 (MONTH 4)**

**RESOLVED:**

1. That the general fund forecast outturn position for 2021-22 (Table 1 of the report) be noted.
2. That the COVID-19 emergency funding support received to date (paragraphs 18 – 22 of the report) be noted.
3. That the government's COVID-19 sales, fees and charges compensation scheme (paragraph 19 of the report), and that the scheme only part funds the actual losses incurred be noted.
4. That the other key adverse variations and budget pressures underlying the forecast outturn position be noted, notably:
  - Temporary accommodation pressure of £6.9m after use of reserves.
5. That the housing revenue account (HRA) forecast outturn position for 2021-22 (Table 2, paragraphs 58 – 65 of the report) be noted.
6. That it be noted that there is currently no compensation for the HRA for additional costs or lost income arising from the pandemic.
7. That the treasury management activity to date in 2021-22 (paragraphs 71 – 78 of the report) be noted.
8. That the interdepartmental general fund budget movements as shown in Appendix 1 of the report be approved.

**9. POLICY AND RESOURCES STRATEGY: CAPITAL MONITORING REPORT, INCLUDING CAPITAL PROGRAMME UPDATE 2021-22 (MONTH 4)**

**RESOLVED:**

1. That the forecast outturn and resources for 2021-22 and future years for both the general fund and housing investment programmes as detailed in Appendices A, B and D of the report be noted.
2. That the virements and variations to the general fund and housing investment capital programme as detailed in Appendix C of the report be approved.
3. That the significant funding requirement of £311m which needs to be identified for the general fund programme to be fully delivered over the remaining term of the programme, as detailed in Appendix A of the report be

noted.

4. That the borrowing requirement of at least £876m for future years for the housing investment programme to be fully delivered over the remaining term of the programme, as detailed in Appendix B of the report be noted.

## **10. MARIE CURIE - SAFETY WORKS AND RESIDENT REHOUSING OFFERS**

### **RESOLVED:**

#### **Decisions of the Cabinet**

1. That the detailed ongoing resident engagement to date be noted and the Marie Curie Resident Project Group (comprising resident volunteers that meets monthly) be thanked for their continued work to date.
2. That the offer made to tenants and leaseholders set out in the 'information to tenants' and 'information to leaseholders' documents appended to the report be endorsed.
3. That the start of individual negotiations to acquire leasehold interests (lease buy-backs) for those leaseholders who have opted to move permanently from Marie Curie be approved.
4. That the commissioning of an independent review of fire safety at Marie Curie be endorsed with a requirement that the outcome of that review to be reported to a meeting of the cabinet in due course.
5. That a further report setting out progress on the works and the rehousing of the tenants within Southwark be received.

#### **Decision of the Leader of the Council**

6. That approval of compensation packages for the acquisition of individual leasehold interests be delegated to the director of planning and growth in consultation with the strategic director of housing and modernisation.

## **11. PUTTING RESIDENTS FIRST STANDARDS REVIEW**

### **RESOLVED:**

That the reviewed operational process: Putting Residents First Standards as set out in Appendix 1 of the report be approved.

**12. A HOME TO BE PROUD OF: THE COUNCIL'S APPROACH TO ENSURING RESIDENTS ARE SAFE, SECURE AND COMFORTABLE IN THEIR COUNCIL HOME**

**RESOLVED:**

1. That the broad framework for a future asset management strategy ('The Plan') that is driven by the council's commitment to tackling inequality and to keeping people safe in homes that are well maintained and cared for be agreed.
2. That a full strategy be developed adhering to the principles and priorities set out in the report to be presented to the council's cabinet in summer 2022.
3. That the proposal and approach set out in the report to undertake further work to achieve a balanced approach to Climate Emergency commitments be approved.
4. That a more detailed analysis of inequality in Southwark is required to be undertaken in relation to investment and asset management of our homes.
5. That the commitment in the report to deliver services that provide safer and secure homes following the legislative changes introduced and upcoming since the last asset management strategy in 2016 be noted.

**13. HEAT NETWORKS STRATEGY**

**RESOLVED:**

1. That the work done in preparing a strategy for decarbonising the council's heat networks be noted, but that challenges remain both in terms of residual carbon and financial impact (paragraphs 73-82 of the report).
2. That appropriate opportunities to lobby government to bring forward grants for low carbon heating that will help to overcome the challenges described in the Climate Change Implications section be used.
3. That the principles and activities laid out within the strategic direction, service improvement and investment plan sections (paragraphs 17 - 38 and Appendix 3 of the report) be agreed.
4. That the 'district heating disconnection policy for leaseholders and freeholders' included in Appendix 1 and summarised in paragraphs 43 - 54 of the report be adopted.
5. That the update provided relating to the heat metering regulations and the council's related legal obligations be noted and that an update be received within 12 months on progress in delivery against its heat metering obligations and on any changes to the status of the upcoming heat networks market

regulation.

**14. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL - INSOURCING THE LEISURE SERVICE**

**RESOLVED:**

1. That the plan to bring the leisure service back in house following the recommendation of the GW0 report in March 2021 be approved.
2. That the immediate resource required to bring the service in house from June 2023 and the detailed delivery plan set out at Appendix 1 of the report be approved.
3. That the one off mobilisation costs covering the whole mobilisation period necessary to insource the leisure service, estimated to be £2.4m be approved and that the strategic director for finance and governance be asked to make the financial provision from earmarked reserves.
4. That the work that has been completed so far on the preferred option to insource the leisure service when the current contract with Sport and Leisure Management Limited (operating as Everyone Active) ends in June 2023 be noted.
5. That the associated benefits and risks of insourcing the leisure service as detailed in paragraphs 68-77 of the report and the mitigation measures be noted.
6. That it be noted that a progress report will be brought back to cabinet in spring 2022 updating on progress with the delivery of the project plan and management of the risks identified in the report.
7. That authority be delegated to the strategic director of environment and leisure, in consultation with the strategic director of finance and governance, the cabinet member for equalities, neighbourhood and leisure, the cabinet member for finance, performance and democracy and cabinet member for transport, parks and sport to approve operational and resourcing decisions in the lead up to insourcing the leisure service provided that they are consistent with the principles set out in the report.

**15. GATEWAY 1 - PROCUREMENT STRATEGY FOR THE BOROUGH'S TREE WORKS PROGRAMME**

This report was deferred.

**16. REFRESH OF THE REGULATORY SERVICES ENFORCEMENT POLICY AND THE PRIVATE SECTOR HOUSING ENFORCEMENT POLICY**

**RESOLVED:**

1. That the regulatory services enforcement policy as set out in Appendix 1 of the report be approved.
2. That the private sector housing enforcement policy as set out in Appendix 2 of the report be approved.

**17. RESPONSE TO THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: REVIEW OF APPROACH TO EQUALITY AND ADOPTION OF THE EQUALITY FRAMEWORK**

**RESOLVED:**

1. That the recommendations made by the education and local economy scrutiny commission be noted and the response set out in the report be agreed.
2. That officers act upon the response agreed by cabinet as part of the implementation of the Southwark Equality Framework.

**18. RESPONSE TO THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: EDUCATION: CHILDREN'S EXPERIENCE AND EDUCATION DURING THE COVID-19 PANDEMIC**

This report was deferred.

**19. RESPONSE TO THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: LOCAL ECONOMY, REVITALISING SOUTHWARK'S HIGH STREETS AND TOWN CENTRES**

**RESOLVED:**

That the responses to recommendations set out in the report of the education and local economy scrutiny commission (June 2021) be noted.

**20. REPORT OF THE ENVIRONMENT SCRUTINY COMMISSION - AIR QUALITY (PART 2)**

**RESOLVED:**

That the recommendations (Appendix A of the report), as set out on page 4 of the report be noted and that the relevant cabinet member reports back within eight weeks.

**21. REPORT OF THE ENVIRONMENT AND SCRUTINY COMMISSION - ENVIRONMENT AND PLANNING**

**RESOLVED:**

That the recommendations (Appendix A of report), as set out on page 3 of the report be noted and that the relevant cabinet member reports back within eight weeks.

**22. REPORT OF THE HEALTH AND SOCIAL CARE SCRUTINY COMMISSION - MENTAL HEALTH INEQUALITIES OF BLACK, ASIAN AND MINORITY ETHNIC CHILDREN AND YOUNG PEOPLE**

**RESOLVED:**

That the recommendations (Appendix A of the report), as set out on page 6 of the report be noted and that the relevant cabinet member reports back within eight weeks.

**23. REPORT OF THE HOUSING AND COMMUNITY ENGAGEMENT SCRUTINY COMMISSION: REVIEW OF COMMUNAL AREAS AND RESIDENT EXPERIENCE ON SOUTHWARK ESTATES**

**RESOLVED:**

1. That the recommendations from the housing and community engagement scrutiny commission arising from the scrutiny review of communal areas and resident experience on Southwark Estates in respect of estate cleaning and anti-social behaviour, paragraphs 6 to 11 of the report be noted.
2. That the relevant cabinet member reports back to cabinet on the recommendations within eight weeks.

**24. REPORT OF THE HOUSING AND COMMUNITY ENGAGEMENT SCRUTINY COMMISSION: REVIEW OF COMMUNITY HUBS**

1. That the recommendations from the housing and community engagement scrutiny commission arising from the scrutiny review of community hubs (paragraphs 6 and 7) be noted.
2. That the relevant cabinet member reports back to cabinet on the recommendations within eight weeks.

**25. APPOINTMENT TO OUTSIDE BODY - LONDON BRIDGE BID****RESOLVED:**

That Councillor Jason Ochere be agreed as the cabinet member appointment to the outside body London Bridge Business Improvement District (BID) for 2021-22.

**MOTION TO EXCLUDE THE PRESS AND PUBLIC**

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

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

**26. MINUTES****RESOLVED:**

That the minutes of the closed section of the meeting of cabinet held on 13 July 2021 be approved as a correct record and signed by the chair.

The meeting ended at 12.55pm.

**CHAIR:**

**DATED:**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 22 SEPTEMBER 2021.**

**THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.**

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 19 October 21	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Supporting active communities – A volunteer strategy for Southwark 2021 - 24	
<b>Ward(s) or groups affected:</b>		All Wards	
<b>Cabinet Member:</b>		Councillor Alice Macdonald, Equalities, Neighbourhoods and Leisure	

### **FOREWORD – COUNCILLOR ALICE MACDONALD, CABINET MEMBER FOR EQUALITIES, NEIGHBOURHOODS AND LEISURE**

Southwark is a borough built on community spirit and action and we have seen that more than ever during the Covid pandemic.

People from across our borough came together to volunteer - supporting their neighbours, delivering thousands of food parcels, tackling loneliness. We saw an increase of 250% in volunteering in just one year. As well as social value, volunteering also brings huge economic value to our borough – contributing over £65 million to our economy.

I want to say a huge thank you to all of the volunteers, community groups, faith organisations, TRAs, mutual aid groups and everyone who pulled together to get us through this incredibly difficult time.

We are committed to continuing to support volunteering and this strategy sets out how we will do this. Our priorities are to increase diversity amongst our volunteers, improve pathways to work and to focus on volunteering amongst young people. We will work to increase awareness about volunteering, increase support to organisations who host volunteer and work to make volunteering, inclusive, accessible meaningful and valued

Thank you to everyone who helped us develop this strategy especially Community Southwark who co-produced it with us.

We want Southwark to be a borough where everyone contributes and I hope this strategy will enable us to support everyone to get involved.



## RECOMMENDATIONS

1. That Cabinet adopts the following vision for volunteering in the borough.

*We want Southwark to be a place where everyone feels confident to help and support their neighbours and local groups by getting involved in their communities. We want to build a Southwark where everyone has access to volunteering, so individuals and the places where we live, work, worship and visit can thrive.*

2. The cabinet agrees that the priority for change we wish to affect through this work over the next three years are increasing diversity among volunteers, improving pathways to work through volunteering and continuing to focus on young adults volunteering. In particular we have set out the following outcomes for the strategy to deliver:

- More people from our Black Asian and ethnic minority communities engage in volunteering
- The diversity of Trustees on VCS boards increases
- More people accessing employment through the experience gained by volunteering
- More organisations offer opportunities to volunteers
- Improved experience of volunteering through support of host organisations
- Residents feel supported in their neighbourhoods by active communities
- Young adults are active volunteers.

3. That cabinet approves the following key objectives for the strategy for the next three years 2021 to 2024 that will enable us together with our key partners to deliver our vision and these outcomes.

- a) **Increase awareness and knowledge of volunteering:** We want to raise the profile of and celebrate volunteering. We know that people cannot take up opportunities if they do not know about them. We want everyone to have access to volunteering, and feel that this is an activity they can take part in, a normal part of life, and gain the benefits from this way of taking part. We want people to feel valued for their contributions to supporting their communities thrive.

- b) **Provide appropriate support to organisations that host volunteers:** Volunteers are often the backbone to organisations; they provide the much-needed support in so many different areas. Many grass roots organisations and community groups are volunteer led and are only able to function because of volunteers. We want to make sure all groups and organisations who have volunteers are fully supported through best practice and reward and recognition
  - c) **Make volunteering, inclusive, accessible meaningful and valued:** We want to ensure volunteering is open to all. We know that currently the profile of who volunteers does not reflect the profile of the borough and that therefore many people do not access the benefits being a volunteer can bring. We want to change this. People who want to give their time should be able to easily find an opportunity and access volunteering no matter where they are from, live or their protected characteristics. Many look to volunteering to enhance their work skills and we want to support organisations to ensure their volunteering programme can create appropriate pathways into work.
4. That Cabinet approves the action plan that sets out how we will deliver this strategy attached as Appendix 2.
  5. That the Cabinet notes that this strategy development has been led by Community Southwark in partnership with the council and other key Voluntary Sector organisations and passes on its thanks for this collaboration.

## BACKGROUND INFORMATION

6. We are using the definition of volunteering set out by London Stakeholders Volunteering Forum which states volunteering is:
 

***‘any activity that involves spending time, unpaid, doing something that aims to benefit the environment or someone (individuals or groups) other than, or in addition to, close relatives.’***
7. Since 2012 the Council has worked with firstly the Volunteering Centre and then Community Southwark to produce a volunteer strategy for the borough. Each strategy has been developed at key points in time when the landscape for volunteering has undergone significant shift and the current time is not an exception. The last strategy ended in 2020.
8. The purpose of the strategy is to reflect the needs and aspiration for volunteering and community based social action across the borough. The new strategy for 2021 to 2024 shifts the focus to ensure that needs of volunteers as well as host organisations are both equally reflected in the

way forward and the action plan that will be developed following the adoption of the vision and aims. In addition there is recognition that not all communities access formal volunteering opportunities equally and the focus of the work over the next three years will be how we change this, as well as supporting in particular Black, Asian, and minority ethnic community led groups and their volunteers that deliver benefit for their communities.

9. The Voluntary and Community sector in Southwark is diverse. In 2019 there were over 1,324 registered charities in the borough and a further estimated 3000 – 4500 unregistered community groups. In 2021 there were over 45,086 filled volunteer positions in the borough, 4,626 of these are trustees and 1,066 corporate volunteers. Over 6 million volunteering hours were completed which at the rate of London living wage brings an economic contribution to the life of the borough worth over £65 Million.
10. During COVID19 we saw a huge increase in the uptake of volunteers; pre Covid19 at Community Southwark there were about **200** volunteers a year attending the volunteer advice appointments and around 40% of these went onto actively volunteer. From March 2020 to April 2021, following the first lockdown, there have been over **700** volunteers, an increase of **250%**.
11. During the pandemic, there was a huge increase of small grass roots organisations coming together to support their communities. The majority of these were mutual aid groups. 65 mutual aid groups formed in Southwark all working together to support their neighbours and communities. In addition, nationally hundreds of thousands of volunteers stood up to support the NHS through Good Sam programme.
12. The pandemic brought many challenges to organisations, changes to income being the top issue, but also needing to navigate new ways of working, online provision, covid19 risk assessments, addressing the needs of digitally excluded clients and residents, and keeping volunteers engaged. This too affected the nature of volunteering, impacting who and how people could take part.
13. During the pandemic the VCS and faith sectors showed extraordinary flexibility and agility and commitment to the communities they serve. They enabled communities to be fed, cared for peoples wellbeing, ensured that their communities were not left isolated and lonely and this increased level of volunteering and social action contributed to these outcomes.
14. Again, the community in Southwark is showing how it cares through its emerging response to the Afghan refugee crisis. It is important that we value and recognize all these contributions to make Southwark a better kinder place.
15. The pandemic amplified how important volunteering is to individuals and communities. It brings people together. Volunteers benefit through being active, meeting new people, gaining new skills and feeling part of a

community. Volunteers support their communities by reducing isolation, bringing hope, support with tasks and administration.

16. Without volunteers many organisations would not function and many people would suffer and so it is imperative and vital that we encourage and create an open for all strategy that makes Southwark an even better place to belong. Volunteering is a lifeline for many in our communities.

## KEY ISSUES FOR CONSIDERATION

17. This vision and the aims have been developed co productively with Community Southwark, the volunteer steering group and series of workshops involving volunteers and organizations that work with, support and engage volunteers reflecting the principles of the Approach to Community Engagement set out in 2019 in particular putting people at the heart of our decision making through collaborative working.
18. This paper sets out the first steps to deliver one of the sixteen recommendations in the Community Support Alliance Cabinet report October 2020. This states as follows:

***‘Recommendation 7 – Encouraging and Supporting Volunteering - The partners will work with Community Southwark on a joint piece of work on encouraging and supporting volunteering. This will include how we can develop volunteers that reflect the demography of local communities, and what we can offer volunteers (e.g. functional skills training, career pathways for younger volunteers)’.***

19. The priorities and outcomes of the strategy reflect this recommendation.
20. The governance of the strategy will remain two fold. In the first instance through our contract with Community Southwark involving delivery of the action plan and co-ordination of the strategy, which will be monitored quarterly by the commissioning team.
21. This strategy will be overseen by a volunteering strategy group, but its membership will be refreshed to better support the delivery of our new vision. This means ensuring that there is representation on the group from organisations representing people with different protected characteristics to ensure that we do not lose focus on being inclusive or supporting organisations being accessible and meaningful. We want to ensure that there are a range of organisations taking part such as those seeking volunteer opportunities such as Southwark Works, groups that deliver services through volunteers such as Link age and community based volunteer led organisations. In addition we will seek representation from a volunteer.
22. Our approach to the membership will also focus on partners and membership being able to take leadership of particular outcomes supporting everyone address the change we wish to see.

23. In this way we believe the steering group will be better able to contribute to the delivery of the action plan and steer and grow the work through their respective experience and the lens they bring to bear on the discussions.
24. We have really benefited in our discussions to develop the strategy and action plan from participation from the volunteer co-ordinator at SLAM, and an organisation that supports young people with autism gain work experience and wish to further grow this way of working.

### **Policy framework implications**

25. The volunteer strategy acts as a supporting policy to a number of key strategies for the council, and a number that have arisen as a response to the COVID pandemic, our work to support recovery and response to the death of George Floyd.
26. The work to support and evolve further a culture of volunteering and embed best practice for volunteers is one of the pillars of the VCS strategy. The report 'Common Purpose Common Cause' outlines a tripartite approach to increase collaboration and co-production to improve commissioning, working with communities. Common Purpose Common Cause and the grant making that underpins it seeks to mobilise community action and make the best use of community resources, universal services, community capability and volunteering, local knowledge and spaces. It acknowledges the value of developing the skills of volunteers and highlights that 'Volunteering is what makes the VCS unique'. The report makes a resolution to:
 

*'enable individuals and groups to be agents of change, ready to shape the course of their own lives. We will achieve this by supporting volunteering and other forms of social action. We will facilitate different ways of supporting more people volunteer.'*
27. This mirrors the recommendation on volunteering set out by Community Support Alliance.
28. The report 'Tackling Loneliness and Social Isolation in Southwark' recommends volunteering as a good way to counteract feelings of loneliness.
29. The aims of this strategy are linked to developing stronger pathways to work and focusing on fairness and equal access, with a particular emphasis on the needs of young people and people from our Black, Asian, and minority ethnic communities. This can play a part in the delivery of outcomes set out in the economic renewal action plan and Youth New Deal and the commitments for a jobs first economic renewal and focus on young people.

30. In October 2020 the cabinet agreed *'that the following principles should be incorporated into the council's values that inform all the work we do across the council, with their final wording to be set out in the refreshed Council Plan; that we will:*
- a) *Always work to make Southwark more equal and just*
  - b) *Stand against all forms of discrimination and racism.'*

The new aims focus on addressing the underrepresentation of our Black and Asian and minority ethnic communities in our cohort of volunteers and supporting small grass roots community organisations which are often led by Black, Asian and minority ethnic community members better.

31. Southwark Stands Together is a long-term programme of positive action, education and initiatives for the council to work in solidarity with Southwark's communities and the council's staff to tackle racism, injustice and inequality. It has a number of work streams including on employment and a focus on the experiences of young people. Within the SST programme our volunteering strategy can support the following outcomes:
- a) *Support residents from diverse backgrounds to access quality employment opportunities including apprenticeships, internships and careers information, advice and guidance.*
  - b) *Implement a structured work experience programme for young residents. Improve the experience of young people with respect to meaningful work experience;*
  - c) *Develop networks within and beyond school that provide advice and guidance and exposure to opportunities that helps them develop their aspirations and confidence and understanding linked to the world of work.*
32. In addition the culture team has commissioned Olmec to deliver a black on board programme to increase the diversity of culture and arts sector governance boards in the borough, funded through SST work programme. This activity compliments the delivery of one of the volunteer strategy outcomes and the volunteer strategy steering group will work closely with the culture team aiming to reflect some of the learning in other sectors.
33. This review of the volunteer strategy refocuses the work on volunteering to reflect changing council priorities, and significant life course events over the last two years such as the COVID pandemic, closure of the economy, and the spotlight on racism, systemic inequality and injustice.

### **Community, equalities (including socio-economic) and health impacts**

34. This strategy supports the growth and nurturing of community power and recognises that communities have a wealth of knowledge and assets within themselves, which acts as a foundation stone for this work. Volunteering is a key pillar of thriving communities and this strategy is written to contribute to how we can practically support our communities

and neighbourhoods thrive, be more resilient to the shocks that they could face be great places to live and work and be places where everyone can have pride and feel that they belong.

35. Our analysis suggests we should continue the policy as equality and health analysis demonstrates that the policy shows no potential for discrimination and we have taken all appropriate opportunities to advance equality of opportunity and foster good relations between people with different protected characteristics.
36. Our initial analysis of the impact on communities suggests that:
  - We want to encourage young people to volunteer to develop a culture of active citizenship.
  - A refocus of our strategy to develop improved pathways to employment within the volunteer offer should benefit in particular young adults and over 50s who are more vulnerable to claiming benefits.
  - The Age friendly agenda and results from our work so far have indicated that older people need more opportunities to get involved in volunteering tackling isolation and supporting opportunities to meet people and have fun.
  - Tackling Loneliness and Social Isolation in Southwark recommends volunteering as a good way to counteract feelings of loneliness and will have a positive impact on communities identified as being vulnerable to loneliness such as the LBGTQ+ community, young people, older people and people with disabilities.
37. Actively working to increase the participation of our Black Asian and minority ethnic communities in volunteering should have a positive impact on the life chances and health and wellbeing of our Black Asian and minority ethnic communities.
38. Improving the diversity of people engaged in volunteering should support the fostering of good relations between people with different characteristics.
39. The aims of the policy and the vision set out the clear aspirations to deliver more inclusive and accessible volunteering.
40. Equality and Health analysis suggests that this policy will have a positive impact on communities with protected characteristics of age, disability, race, religion, sexuality as well as people facing socio economic disadvantage.
41. The continued support and investment in volunteering protects and enhances the capacity of the Voluntary, Community and Faith Sector deliver a range of positive outcomes for people who live in Southwark.
42. The equality and health analysis demonstrates that the policy shows no potential for discrimination and we have taken all appropriate

opportunities to advance equality of opportunity and foster good relations between people with different protected characteristics.

43. Attached as an appendix is the health and equalities impact analysis.

### **Climate change implications**

44. The work on this strategy has been carried out largely before the implementation of this new requirement to consider the impact of policy on climate change as part of our decision making process and therefore did not form a core part of our considerations when engaging with communities and organisations.
45. However the survey results showed that for the organisations that took part the third most frequent activity was linked to environmental activity. Volunteer activity that supports improvement in our environment is a significant form of volunteering, and the range of activity is wide. Much of the volunteer engagement is around enhancing the environment and green spaces. In this sense the policy supports our work to deliver our climate change ambitions through promoting environmental social action, increasing awareness of environment, and encouraging greater knowledge, respect and engagement with nature.
46. As we deliver the strategy the following are also considerations that would have a positive impact on our climate change strategy.
- Working from home when role enables
  - Travelling by bus or train (fares reimbursed)
  - Making cycling an option for travel and providing space to keep bicycle locked up
  - Promote local volunteering so that walking is an option.
47. One of the key ways of promoting inclusion and opportunities is through taking key themes such as climate change as focus to promote and encourage social action and volunteering, encouraging people to get involved in activities such as improving green spaces, sustainable travel, our parks and encouraging biodiversity; throughout the lifetime of this strategy we will take advantage of hot topics such as climate change as it aligns with news cycles and council priorities.
48. This reflects our learning from the community volunteering response to the pandemic and more recently the Afghan refugee crisis. This approach will inform the ways in which we will deliver the work streams, integrate the various work streams where we can.

### **Resource implications**

49. There are no financial, budgetary or staffing issues. The delivery of the strategy is already part of existing work streams as is the contract for Community Southwark who will act as lead partner for the work on the



action plan.

## **Consultation**

50. We have worked closely with the Voluntary and Community Sector to develop the work so far. This began in the summer 2020 with the Community Support Alliance review that identified volunteering as one of the key considerations to continue to support communities going forward. In December 2020 we began a series of discussions with the volunteering strategy steering group on developing the engagement plan for drafting the new strategy and reviewing the outcomes of the engagement as it has taken place.
51. Community Southwark conducted two surveys one targeted at organisations using volunteers, and one focused on public who could be or were volunteers themselves. With 24 and 49 responses respectively. The organisations that took part some had less than 10 volunteers others more than 50 and covered the full range of service areas from health to homelessness, environmental projects, and children and young people. Interestingly they noted that the majority of their volunteers were in the 31 to 40 age range but more likely to be white and female.
52. Organisations identified their needs as training, resources, funding and networks.
53. We hosted two workshops one with 22 attendees and one with 20. The Community Southwark Annual Survey with 116 responses also included a section about the volunteering services they provide which will be used to inform the action plan.
54. Volunteer survey participants were mainly white and female. They identified the barriers to volunteering were mainly not knowing about the opportunities to volunteering and their own work commitments. The value it provided were new experiences, keeping busy, meeting people and gaining confidence.
55. For the first session of the workshop we worked on developing a deeper understanding and divided the audience into three groups, those who have never volunteered to explore the barriers to volunteering, volunteers to look find out more about their experiences of volunteering and organisations so we could understand better the support they need.
56. The second session explored what some of the solutions could be and set the priorities for action.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

57. There is no specific duty requiring local authorities to establish a volunteer strategy, but local government legislation over the years has included a number of measures aimed at promoting the involvement and empowerment of communities served by Councils, including the Local Government Act 1999 and the Localism Act 2011. The report identifies the benefits such a strategy bring to the council in carrying out its full range of statutory functions. In that regard section 111 of the Local Government 1972 gives a local authority powers to do “anything ...which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”. Section 1 of the Localism Act 2011 is also relevant in that it enables a local authority to do anything that individuals can generally do which would include the introduction of such a strategy.
56. 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.
57. The community impact statement set out in the report and the Equality Impact Analysis prepared and attached identifies relevant matters to be taken into account in discharging that duty.
58. Whilst there is no duty on the council to consult residents in relation to formulating this strategy, the report demonstrates how the council has taken account of the views of relevant groups and individuals in the community and Cabinet is advised to consider the outcome of this consultation in making this decision.
59. The establishment of this strategy is an executive function reserved to Cabinet, which includes the “approval of policy and procedures governing the Council’s relationship with the voluntary sector”.

### **Strategic Director of Finance and Governance (FC21/035)**

58. The strategic director of finance and governance notes the recommendations of the report concerning the volunteer strategy and vision for Southwark 2021 to 2024 and the associated action plan.
59. It is also noted that the delivery of the strategy is already part of existing work streams and the report creates no new commitments for services. Delivery will be contained within existing resources.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Volunteer strategy 2017-2020	Communities Division Environment and Leisure Department PO Box 64529 London, SE1 5LX	Jessica Leech 07985 113 786
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=302&amp;MIId=7016&amp;Ver=4">https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=302&amp;MIId=7016&amp;Ver=4</a>		

## APPENDICES

No.	Title
Appendix 1	Equality and Health analysis
Appendix 2	Strategy and Action plan 2021 to 2024

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Alice Macdonald, Equalities, Neighbourhoods and Leisure	
<b>Lead Officer</b>	Stephen Douglas Director of Communities	
<b>Report Author</b>	Jessica Leech Community Engagement Manager	
<b>Version</b>	Final	
<b>Dated</b>	8 October 2021	
<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 Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Climate Change	Yes	Yes
List other officers here		
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	8 October 2021	

## APPENDIX 1

# Equality and health analysis guidance and template

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## Guidance notes

### Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports.

Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and [www.southwarkadvice.org.uk](http://www.southwarkadvice.org.uk)).

Whilst the equality analysis is being considered, Southwark Council recommends considering health and wellbeing implications, as health and health inequalities are strongly influenced by the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce health inequalities and this is reflected in its values and aims. For this reason, the council recommends considering health & wellbeing impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

## Section 1: Equality analysis details

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<b>Proposed policy/decision/business plan to which this equality analysis relates</b>		- Volunteer Policy			
<b>Equality analysis author</b>		Lynne Ottaway-Reid			
<b>Strategic Director:</b>		Caroline Bruce			
<b>Department</b>		Environment and Leisure	<b>Division</b>	Communities	
<b>Period analysis undertaken</b>		2020			
<b>Date of review (if applicable)</b>		January 2022			
<b>Sign-off</b>		<b>Position</b>		<b>Date</b>	

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## Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan	
<p>This equalities analysis relates to the Southwark Volunteering Strategy and offers opportunity for interested Southwark residents to participate in volunteering in the borough.</p> <p>The policy sets out the following vision:</p> <p><i>We want Southwark to be a place where everyone feels confident to help and support their neighbours and local groups by getting involved in their communities. We want to build a Southwark where everyone has access to volunteering, so individuals and the places where we live, work, worship and visit can thrive.</i></p> <p>The policy sets out the following aims to achieve this vision:</p> <ul style="list-style-type: none"> <li>• <b>Increase awareness and knowledge of volunteering</b></li> <li>• <b>Provide appropriate support to organisations that host volunteers</b></li> <li>• <b>Make volunteering, inclusive, accessible and meaningful</b></li> </ul> <p>The drivers for this policy preparation was the ending of existing strategy in 2020, and has been co produced with the sector with Community Southwark playing a lead role in the engagement on and drafting of the strategy.</p> <p>Further work to develop the action plan should address any mitigation actions and identified areas to ensure there is a means for improving experiences.</p> <p>The decision maker is the Cabinet.</p>	

## Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
<p><b>Key users of the department or service</b></p>	<p>Volunteers will be primarily residents of Southwark, who are looking to volunteer for any one of the following reasons;</p> <ul style="list-style-type: none"> <li>• Looking to update skills and experience</li> <li>• To add to their CV as relevant recent experience</li> <li>• To feel that they are contributing to society</li> <li>• Health and Wellbeing benefits</li> <li>• To do something that they feel passionate about</li> <li>• To help in carrying out a project</li> <li>• To participate in something that brings benefit to the community</li> </ul>



	<ul style="list-style-type: none"> <li>• To meet new people</li> <li>• To get a new experience</li> <li>• To feel useful</li> </ul> <p><b>Other stakeholders:</b> Organisations that use volunteers as part of their delivery model e.g. Citizens Advice</p> <p>Organisations that support individuals into work and may need opportunities to refer clients to e.g. Southwark Works</p> <p>Community organisations that rely on volunteers to run, manage and deliver services</p> <p>Residents who benefit from the efforts of volunteers</p>
<p><b>Key stakeholders were/are involved in this policy/decision/business plan</b></p>	<p>The community hub review group in summer 2020</p> <ul style="list-style-type: none"> <li>• Cllr Kieron Williams (Chair)</li> <li>• Cllr Evelyn Akoto, Cabinet Member for Community Safety and Public Health</li> <li>• Cathy Deplessis, Director, Southwark Pensioners Centre</li> <li>• Chris Mikata-Pralat, Chief Executive Officer, Community Southwark</li> <li>• Hayley Ormandy, Programme Director Partnership Southwark</li> <li>• Mike Wilson, Executive Director, Pembroke House</li> </ul> <p>The volunteering strategy group:</p> <ul style="list-style-type: none"> <li>• Lynn Ottaway-Reid, <i>Southwark Council, Consultation and Involvement officer.</i></li> <li>• Katy Woolley, <i>Community Southwark, Head of Volunteering and Social Action</i></li> <li>• Joseph Kigawali – Volunteer Coordinator Slam</li> <li>• Karis Morris-Brown, <i>Black Cultural Archives</i></li> <li>• xxxxx, <i>Shakespeare's Globe, Welsh Volunteer Manager</i></li> <li>• Jayne Couchman, Southwark Works, <i>CEO</i></li> <li>• Jennie Linnet, <i>Link Age Southwark, Senior Volunteer Coordinator</i></li> <li>• Lucy Welsh– Pembroke House - Volunteer Coordinator</li> </ul> <p>Over 40 people who took part in the workshops and 73 who responded to a survey.</p>

## Section 4: Pre-implementation equality analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

The first column on the left is for societal and economic issues (discrimination, higher poverty levels) and the second column on the right for health issues, physical and mental. As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that health is given special consideration, as it is the council's declared intention to reduce health inequalities in the borough. The Public Health Team can assist with research and data.

<b>Age</b> - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
<p>Both young people and older people are a key cohort for volunteering. The Age friendly agenda and results from our work so far have indicated that older people need more opportunities to get involved in volunteering and tackling isolation and supporting opportunities to meet people and have fun especially through community based activity and the voluntary sector. Tackling Loneliness and Social Isolation in Southwark recommends volunteering as a good way to counteract feelings of loneliness.</p> <p>It is clear that the Pandemic has had a considerable impact on the jobs market and there has been a rapid rise in the number of people claiming universal credit and seeking employment especially in younger people. The average age of the borough is 33.1.</p> <p>This policy will support these ambitions by improving the ways we raise awareness of opportunities and the ways we can support organisations to develop positive volunteering experiences.</p> <p>The focus on improving pathways to employment for volunteers should in particular benefit younger people.</p>	<p>Access to volunteering and good quality experiences will improve mental well being by supporting personal growth and tackling loneliness.</p> <p>Increasing awareness of opportunities for our GP led network of social prescribers should also support improvements in health and well being</p>
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>

<p>We have a young population, a result of the large number of young adults in their 20s and 30s the largest single population cohort being 25 – 29-year-olds and the average age is 33.1 years. Southwark is the third most densely populated borough in London with an estimated population of 314,000.</p> <p>The claimant count for under 25s and over 50s is greater than 10% which is greater than the count for other age groups.</p> <p>Covid 19 has made it even more difficult for several of the protected characteristics to participate in volunteering due to their enhanced vulnerability and susceptibility to being severely affected by the virus., etc.</p>	Loneliness strategy
<b>Mitigating actions to be taken</b>	
<b>None required</b>	

<b>Disability</b> - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	Potential health impacts (positive and negative)
<p>The policy will have a positive impact on all residents. In addition, the aims for the next three years will be a focus on being more inclusive and improving accessibility. As part of the workshop sessions we engaged groups that support people with disabilities into volunteering and employment. These connections will be vital to develop as part of our action plan to ensure that this group of potential volunteers can benefit from the outcomes of this strategy.</p>	<p>People who are disabled are disproportionality affected by loneliness and find it harder to access employment any work that improves access to volunteering opportunities should have a positive impact on peoples' health and well being.</p> <p>Increasing awareness of opportunities for our GP led network of social prescribers should also support improvements in health and well being</p>
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
<b>Mitigating actions to be taken</b>	

<p>Liaise with the Disability Forum that is held by Community Southwark and Southwark Disability Association to find out what disabled people feel the roles best suited to them are and work with the organisation to promote opportunities and support disabled applicants in situ.</p>	
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<p><b>Gender reassignment</b> - The process of transitioning from one gender to another.</p>	
<p><b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b></p>	<p><b>Potential health impacts (positive and negative)</b></p>
<p>We have very limited information about gender reassignment and are unable to identify any particular impacts on this protected characteristics.</p>	<p>Work completed through the loneliness strategy and the survey completed by the LBGTQ+ network identified this group of people are more likely to feel isolated and lonely. Supporting inclusive and accessible volunteering in safe places could have a positive impact on this cohort.</p>
<p><b>Equality information on which above analysis is based.</b></p>	<p><b>Health data on which above analysis is based</b></p>
<p>None identified</p>	
<p><b>Mitigating actions to be taken</b></p>	
<p><b>None identified</b></p>	

<p><b>Marriage and civil partnership</b> – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. <b>(Only to be considered in respect to the need to eliminate discrimination.)</b></p>	
<p><b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b></p>	<p><b>Potential health impacts (positive and negative)</b></p>
<p>The strategy will support and positively promote volunteering across all of the protected characteristics.</p>	

<p>As part of the development of the action plan work to support organisations meet their employment and related obligations will be a key pillar of the aim to support host organisations create the right and positive environment for their volunteers.</p>	
<p><b>Equality information on which above analysis is based</b></p>	<p><b>Health data on which above analysis is based</b></p>
<p>JSNA indicates that marriage and civil partnership rates in Southwark are low but this could be linked to the age profile.</p>	
<p><b>Mitigating actions to be taken</b></p>	
<p>As part of the development of the action plan work to support organisations meet their employment and related obligations will be a key pillar of the aim to support host organisations create the right and positive environment for their volunteers.</p>	

<p><b>Pregnancy and maternity</b> - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</p>	
<p><b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b></p>	<p><b>Potential health impacts (positive and negative)</b></p>
<p>The strategy will support and positively promote volunteering across all of the protected characteristics.</p> <p>As part of the development of the action plan work to support organisations meet their employment and related obligations will be a key pillar of the aim to support host organisations create the right and positive environment for their volunteers.</p>	
<p><b>Equality information on which above analysis is based</b></p>	<p><b>Health data on which above analysis is based</b></p>
<p>Fertility rate in Southwark is low compared to rest of London and the Country.</p>	
<p><b>Mitigating actions to be taken</b></p>	

<p>As part of the development of the action plan work to support organisations meet their employment and related obligations will be a key pillar of the aim to support host organisations create the right and positive environment for their volunteers.</p>	
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<p><b>Race</b> - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others</p>	
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Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
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<p>The strategy will support and positively promote the diversity of the borough by bringing people together from different races in a mutually beneficial encounter. If the volunteering is long term it can lead to the building of stronger relationships.</p>	
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<p>In developing their existing skills base and the promotion of their personal well-being volunteers have access to better job opportunities, become better equipped for the market place and will have a greater impact on the local economy in Southwark.</p>	
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<p>The policy promotes and supports accessing community resources and using the local knowledge and expertise of volunteers. In developing such skills and knowledge on the ground we are better to able to understand and know our communities.</p>	
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<p>During SST engagement one of the issues that emerged was how the Black Asian and minority ethnic communities.</p>	
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<p>community have lacked the networks they can call upon to support their individual development and career progression. Early volunteering opportunities can help to mitigate this.</p>	
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<p>In these respects the policy could have a positive impact on Black Asian and minority ethnic communities.</p>	
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<p>It is also clear that Black Asian and minority ethnic communities do not currently access formal volunteering in the ways that white community does. The focus on ensuring that our Black Asian and minority ethnic communities both are aware of opportunities and feel that they can take part in these should have a positive impact on this group.</p>	
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<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
<p>Just over half (54%) of Southwark's population is of white ethnicity, a quarter (25%) black and Asian (11%) or other (10%) ethnicities.</p> <p>Recent work with the COVID health ambassadors has suggested that when positively targeted Black Asian and minority ethnic communities play a strong and active role on behalf of their communities.</p>	
<b>Mitigating actions to be taken</b>	
<b>None required</b>	

<b>Religion and belief</b> - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
<p>It should be noted that a significant number of our people with faith are also from one of our Black Asian and minority ethnic communities. Faith communities often lead social action in their areas and provide a considerable amount of support in local communities. The shift in the policy to better integrate the community led sector of our volunteer community into the benefits of the support should have a positive impact for people of faith both as organisations and volunteers. The challenge is ensuring that we reach our faith communities, but this should be supported by our faith strategy work.</p>	
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>

<p>From that population number, 52.5 %, of people say they are Christian; 8.5 say they are Muslim. Other minority faiths in the borough include, Buddhist, 1.3%; Hindu, 1.3%; 0.3% Jewish; 0.2% Sikh and 0.5 are from other religions. Over 26.7% of people said they do not have a religion or did not state their religion.</p> <p>The borough has over 300 places of worship groups, which people of faith frequent.</p> <p>Data on the number of volunteers by religion/belief not collected by Southwark Council or Community Southwark.</p> <p>Recent work with the COVID health ambassadors has suggested that when positively targeted faith communities play a strong and active role on behalf of their communities.</p>	
<p><b>Mitigating actions to be taken</b></p>	
<p>None required</p>	

<p><b>Sex</b> - A man or a woman.</p>	
<p><b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b></p>	<p><b>Potential health impacts (positive and negative)</b></p>
<p>Generally speaking more women volunteer than men. The fairer and clearer processes identified for advertising and recruiting volunteers should have a positive impact on attracting men to volunteer posts.</p> <p>It should be noted that with an increase in unemployment generally more men may find themselves in a position where the benefits of volunteering are more apparent.</p>	
<p><b>Equality information on which above analysis is based</b></p>	<p><b>Health data on which above analysis is based</b></p>



<b>Mitigating actions to be taken</b>	
None required	

<b>Sexual orientation</b> - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
<p>The strategy will have a positive impact on all residents.</p> <p>The focus on inclusion and accessibility should have a positive impact especially when combined with the work of the team at Community Southwark to support organisations provide a positive environment.</p>	<p>The LGBT report from 2019 states;</p> <p>Further work on the potential of social prescribing to reduce social isolation and loneliness should be commissioned.</p> <p>Further exploration of the indicators of social isolation and loneliness within the LGBTQ+ community, and activities available in the borough, may help to identify opportunities to reduce their harmful effects.</p> <p>Volunteering is proven to alleviate feeling of isolation and loneliness and should be promoted to this community through the LGBTQ Network.</p>
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
<b>Mitigating actions to be taken</b>	
<p><b>Socio-economic disadvantage</b> – although the Equality Act 2010 does not include socio-economic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or family's economic and social position in relation to others, based on income, education, health, living conditions and occupation.</p>	

<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
<p>In developing their existing skills base and the promotion of their personal well-being volunteers have access to better job opportunities, become better equipped for the market place and will have a greater impact on the local economy in Southwark.</p> <p>The strategy promotes and supports accessing community resources and using the local knowledge and expertise of volunteers. In developing such skills and knowledge on the ground we are better to able to understand and know our communities.</p> <p>The importance of the role of volunteers within the current environment of significant cuts to both council services and voluntary and community sector funding.</p> <p>Many of these volunteers are working to meet key needs of residents that may have been affected by financial cuts and welfare reform and supporting and navigating residents through these processes.</p> <p>The re focus on ensuring that there are clear pathways for individuals who are wishing to use a volunteering experience to improve their job readiness, or gain valuable experience or retrain will also positively impact people facing socio economic disadvantage.</p> <p>The strategy will support improving and supporting community cohesion through support given in an environment of welfare reform.</p>	
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
<p>In 2012/2013 the ONS survey showed that 7.9% of 16- 64 have no qualifications compared to 7.8% in London.</p> <p>(66% of the volunteers were people that were unemployed - <i>people that approached Community Southwark for support in quarter 4 monitoring for January – March 17</i>).</p> <p>The borough has the 6<sup>th</sup> highest level of income deprivation amongst the over 60's in the UK. Volunteering opportunities are available for students (to support their studies), people returning to work, those that are semi-</p>	

retired/retired, unemployed and JSA claimants.	
<b>Mitigating actions to be taken</b>	

<p><b>Human Rights</b></p> <p>There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol</p>
<p><b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b></p> <p>Although the Act does not apply to private individuals or companies, except where they are performing public functions, sometimes a public authority has a duty to stop people or companies abusing human rights.</p> <p>Article 6 is very relevant to the council, as it covers procedural safeguards. If the council's processes for decision making, consultation and complaints are not followed, this could mean a breach of someone's human rights.</p>
<p><b>Information on which above analysis is based</b></p>
<p><b>Mitigating actions to be taken</b></p>

## Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	These will be develop during the action plan development phase.		
2			
3			
4			
5			
6			
7			

5. Equality objectives (for business plans)				
Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2

5. Health objectives (for business plans)				
Based on the initial analysis above, please detail any health objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2


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## APPENDIX 2

### Supporting active communities - volunteer strategy for Southwark 21 -24

#### Introduction

Since 2012 the Council has worked with firstly the Volunteering Centre and then Community Southwark to produce a volunteer strategy for the borough. Each strategy has been developed at key points in time when the landscape for volunteering has undergone significant shift and the current time is not an exception. The last strategy ended in 2020.

The purpose of the strategy is to reflect the needs and aspiration for volunteering and community based social action across the borough. The new strategy for 2021 to 2024 shifts the focus to ensure that needs of volunteers as well as host organisations are both equally reflected in the way forward

We recognise that not all communities access formal volunteering opportunities equally and the focus of the work over the next three years will be how we change this, as well as supporting in particular Black, Asian, and minority ethnic community led groups and their volunteers.

This strategy supports the growth and nurturing of community power and recognises that communities have a wealth of knowledge and assets within themselves, which acts as a foundation stone for this work. Volunteering is a key pillar of thriving communities and this strategy is written to contribute to how we can practically support our communities and neighbourhoods thrive, be more resilient to the shocks that they could face be great places to live and work and be places where everyone can have pride and feel that they belong.

#### Local volunteering and its value to Southwark

In 2019 there were over 1,324 registered charities in the borough and a further estimated 3000 – 4500 unregistered community groups. In 2021 there were over 45,086 filled volunteer positions in the borough, 4,626 of these are trustees and 1066 corporate volunteers. Over 6 million volunteering hours were completed which at the rate of London living wage brings an economic contribution to the life of the borough worth over £65 Million.

During COVID19 we saw a huge increase in the uptake of volunteers; pre Covid19 at Community Southwark there were about **200** volunteers a year attending the volunteer advice appointments and around 40% of these went onto actively volunteer. From March 2020 to April 2021, following the first lockdown, there have been over **700** volunteers, an increase of **250%**.

During the pandemic, there was a huge increase of small grass roots organisations coming together to support their communities. The majority of these were mutual aid groups. 65 mutual aid groups formed in Southwark all working together to support their neighbours and communities. In addition nationally hundreds of thousands of volunteers stood up to support the NHS through Good Sam programme.

## Vision

***We want Southwark to be a place where everyone feels confident to help and support their neighbours and local groups by getting involved in their communities. We want to build a Southwark where everyone has access to volunteering, so individuals and the places where we live, work, worship and visit can thrive.***

We think we will achieve this by focusing on the following three objectives:

**1) Increase awareness and knowledge of volunteering:** We want to raise the profile of and celebrate volunteering. We know that people cannot take up opportunities if they do not know about them. We want everyone to have access to volunteering and feel that this is an activity they can take part in, a normal part of life, and gain the benefits from this way of taking part. We want people to feel valued for their contributions to supporting communities thrive.

**2) Provide appropriate support to organisations that host volunteers:** Volunteers are often the backbone to organisations; they provide the much-needed support in so many different areas. Many grass roots organisations and community groups are volunteer led and are only able to function because of volunteers. We want to make sure all groups and organisations who have volunteers are fully supported through best practice and reward and recognition

**3) Make volunteering, inclusive, accessible meaningful and valued:** We want to ensure volunteering is open to all. We know that currently the profile of who volunteers does not reflect the profile of the borough and that therefore many people do not access the benefits being a volunteer can bring. We want to change this. People who want to give their time should be able to easily find an opportunity and access volunteering no matter where they are from, live or their protected characteristics. Many look to volunteering to enhance their work skills and we want to support organisations to ensure their volunteering programme can create appropriate pathways into work.

## Principles to protect

Volunteering is defined as: ***“any activity that involves spending time, unpaid, doing something that aims to benefit the environment or someone (individuals or groups) other than, or in addition to, close relatives. Central to this definition is the fact that volunteering must be a choice freely made by each individual.”*** (NCVO)

- **Volunteering is independently chosen and freely given** – Volunteering must be voluntary
- **Has a community or social benefit** – Volunteering should support local communities and the people within them
- **Volunteering is enabling and flexible wherever possible** – Volunteering must be inclusive for all
- **Volunteering is mutually beneficial** - Volunteering must be both a positive experience for the individual, beneficiaries, communities and also help further the aims of the non-profit organisation
- **Volunteering is not a substitute for paid work** – The contribution of volunteers must add value but not be a substitute for work that should be paid.

## Delivery of the strategy

We aim to achieve this strategy through the steering group. This will be co-ordinated by Community Southwark working closely with Southwark Council. The Steering group will be responsible for monitoring and evaluating the impact of the strategy, and leadership of the work programme. This will be done through use of statistics from Community Southwark’s monitoring, Time bank and surveys, information and feedback from the managers’ network and lived experience of volunteers and experience of volunteer organisations and brokers. The partnership approach should build wider confidence and integrate work through the borough. The group will be working collaboratively through their perspective skill set, knowledge, and experience to deliver the objectives.

Membership of the steering group will be composed of individuals and organisations that are able to provide leadership on each of the work themes so that the delivery programme is lead and guided by actors who have expertise and knowledge in the various work areas and able to share this in shaping and evaluating the programme.

In addition the delivery programme is aligned with council priorities through its focus on

- young people and strengthening the pathways into work that volunteering can facilitate.



- Increasing the diversity of people who take part in volunteering
- Inclusivity and better addressing community needs through increasing capacity of organisations to deliver services that address concerns such as loneliness as well as increasing the confidence and capacity of organisations to work with volunteers who have a range of needs such as autism

One of the key ways of promoting inclusion and opportunities is through taking key themes such as climate change or supporting refugees and using these themes as a means to promote and encourage social action and volunteering. This reflects our learning from the community volunteering response to the pandemic and more recently the Afghan refugee crisis. This approach will inform the ways in which we will deliver the work streams, integrate the various work streams where we can, and ensure that the volunteer strategy is able to continue to be aligned to council priorities and remains able to be flexible to emerging needs.

*Vision* →

*We want Southwark to be a place where everyone feels confident to help and support their neighbours and local groups by getting involved in their communities. We want to build a Southwark where everyone has access to volunteering, so individuals and the places where we live, work, worship and visit can thrive.*

*Outcomes* →

- More people from our Black Asian and ethnic minority communities engage in volunteering
- The diversity of Trustees on VCS boards increases
- More people accessing employment through the experience gained by volunteering
- More organisations offer opportunities to volunteers
- Improved experience of volunteering through support of host organisations
- Residents feel supported in their neighbourhoods by active communities
- Young adults are active volunteers

*Objectives* →

Increase awareness and knowledge of volunteering

Provide appropriate support to organisations that host volunteers

*Make volunteering, inclusive, accessible meaningful and valued*

*Activities* →

- Promoting volunteering
- Increase understanding and knowledge of reward and recognition and championing benefits of volunteering
- Provide support to organisations in best practice and volunteer management
- Providing support to grassroots organisations
- Creating better pathways
- Creating meaningful, accessible and inclusive volunteering

*Assumptions* →

Volunteering is beneficial for society. It is good for the wellbeing of individuals, increases community cohesion and increases the capacity of the voluntary and community sector to meet the needs of local people

# 1. Increased awareness and knowledge of volunteering

Objectives	Responsibility	Activities	Potential Impact
<p><b>1) Increased awareness and knowledge amongst Southwark residents of the scope of volunteering opportunities in the borough.</b></p>	<p><b>Steering Group</b></p>	<p>Promoting volunteering</p> <ul style="list-style-type: none"> <li><b>a)</b> Promote trustee roles to underrepresented groups via Trustee Week and throughout the year</li> <li><b>b)</b> Work with Culture team to support and learn from the Olmec black on board project</li> <li><b>c)</b> Use current hot topics to promote themed volunteering campaigns e.g. in November begin a campaign on climate change based volunteering for a few months</li> <li><b>d)</b> Promote the CS volunteering service to the digitally excluded</li> <li><b>e)</b> Online promotion of volunteering opportunities</li> <li><b>f)</b> Showcase case studies</li> <li><b>g)</b> Hold and attend volunteer fairs/events (in person or online)</li> <li><b>h)</b> Use social media in different ways to reach younger people.</li> <li><b>i)</b> Deliver outreach in communities</li> <li><b>j)</b> Clients to understand the volunteering journey, what volunteering is and how it can help with mental health</li> <li><b>k)</b> Deliver a round table with mental health charities and employment charities on volunteering</li> <li><b>l)</b> Create partnerships with schools, universities, and students and deliver outreach</li> <li><b>m)</b> Volunteers to become - Digital champions -network set up re covid,</li> </ul>	<p>We believe by delivering these specific activities we will be targeting specific groups and engaging, individuals and communities about volunteering opportunities, what volunteering is and how they can volunteer in the borough. This will lead into the benefits of volunteering appearing in our communities: more young people volunteering to help their CV and job prospects, more Southwark residents volunteering, which can lead to less isolation, mental health decreasing, confidence boosting, neighbours supporting each other and a happier and thriving borough with more social integration.</p> <p>We believe that over the next 3 years we will see</p> <ul style="list-style-type: none"> <li>• An increase in our Black Asian and ethnic minority communities engaging in volunteering</li> <li>• There will be an increase in the diversity of Trustees on VCS boards</li> <li>• More people accessing employment through the experience gained by volunteering</li> <li>• Young adults are active volunteers</li> </ul>

		<b>n) Sharing training opportunities with volunteers</b>	
<p><b>2) Increased awareness of the benefits of volunteering and impact of volunteering, both formal and informal, in the borough.</b></p>	<p><b>Steering Group</b></p>	<p>Reward and recognition and championing benefits of volunteering</p> <ul style="list-style-type: none"> <li>a) Hold Southwark Stars Awards</li> <li>b) Hold civic awards</li> <li>c) Recognise and reward volunteers during Volunteers' week</li> <li>d) Promote benefits of informal volunteering to underrepresented groups through cases studies digital and non-digital</li> <li>e) Articles on the benefits of volunteering</li> <li>f) Social media campaign on the benefits of volunteering</li> <li>g) Incorporate social action within communities and the positives of informal volunteering and formal volunteering through training at local level</li> <li>h) Create partnerships and deliver outreach with local communities, churches, schools, communities groups and TRA's etc</li> <li>i) Run a workshop on the benefits of volunteering to clients and staff</li> <li>j) Target young people on benefits of volunteering</li> <li>k) Celebrate informal volunteers through a resource or paper</li> <li>l) Volunteer fair in the community</li> </ul>	<p>By delivering these activities, we believe Southwark residents will have a better understanding of why volunteering is so important, useful, and helpful to their communities, themselves, and each other. What they can gain for spending time volunteering, how it will help in their daily life and their neighbours.</p> <p>We believe that over the next 3 years we will see</p> <ul style="list-style-type: none"> <li>• More people from our Black Asian and ethnic minority communities engage in volunteering</li> <li>• The diversity of Trustees on VCS boards increases</li> <li>• More people accessing employment through the experience gained by volunteering</li> <li>• Young adults are active volunteers</li> </ul>

## 2. Provide appropriate support to organisations that host volunteers

Objectives	Responsibility	Activities	Potential Impact
<p><b>1) Increased awareness of the principles of good practice in volunteer management</b></p>	<p><b>Steering Group</b></p>	<p>Providing support to organisations/employers in best practice and volunteer management</p> <ul style="list-style-type: none"> <li>a) Run and promote the Volunteer Manager’s network</li> <li>b) Create new resources to be to stake holders of best practice advice and management</li> <li>c) Deliver training on best practice</li> <li>d) Revive Southwark Good Practice Charter and encourage organisations to sign up</li> <li>e) Provide 1:1 support to organisations</li> <li>f) Create and promote good practice through e-bulletins</li> <li>g) Use CS to gain 1:1 support</li> <li>h) Deliver a round table for organisations in the borough to discuss lessons learnt</li> <li>i) Attend CS or any other organisations training on best practice</li> <li>j) Promoting awards such as investors in volunteers awards at both local and regional level</li> </ul>	<p>By delivering these activities, we believe organisations will be in the best position to support their volunteers, which includes them using best practice to ensure the volunteers journey is safe and rewarding. If a volunteer feels valued then they are likely to stay, spread the positive word to their family and friends, which has a positive impact on others volunteering in the borough.</p> <p>We believe that over the next 3 years we will see</p> <ul style="list-style-type: none"> <li>• Improved experience of volunteering through support of host organisations</li> <li>• More people from our Black Asian and ethnic minority communities engaging in volunteering</li> <li>• The diversity of Trustees on VCS boards increases</li> </ul>

			<ul style="list-style-type: none"> <li>• Young adults are active volunteers</li> </ul>
<p><b>2) Small and grassroots organisations have increased resources and support to better involve volunteers through best practice that is suitable for them</b></p>	<p><b>Steering Group</b></p>	<p>Providing support to grassroots organisations</p> <ol style="list-style-type: none"> <li>Volunteer Kite Mark - Make it more flexible for the smaller groups.</li> <li>Create a resource for the smaller groups around best practice</li> <li>Share Southwark CAN newsletters and website to the groups</li> <li>Deliver a round table of lessons learnt and ways forward</li> <li>Create pathways and links to community groups in the borough</li> <li>Signpost and share through social media - training, resources, and networks that would help and support</li> <li>Deliver outreach</li> <li>Invite smaller groups to volunteer manager's network</li> <li>Signpost any organisations to Community Southwark for support</li> <li>Signpost any clients looking to volunteer in their community through the smaller organisations and Community Southwark</li> <li>Ensuring in the work that we are also supporting grass roots organisations in other areas and sign posting to appropriate services in CS and elsewhere.</li> </ol>	<p>By delivering these activities, we believe that small and grassroots organisations will have more understanding and knowledge around best practice that is specific to them and that they are able to support their volunteers better through their journey.</p> <p>We believe that over the next 3 years we will see</p> <ul style="list-style-type: none"> <li>• More people from our Black Asian and ethnic minority communities engage in volunteering</li> <li>• More people accessing employment through the experience gained by volunteering</li> <li>• Improved experience of volunteering through support of host organisations</li> <li>• Residents feel supported in their neighbourhoods by active communities</li> <li>• Young adults are active volunteers</li> </ul>

### 3. Make volunteering, inclusive, accessible, meaningful and valued

Outcome	Responsibility	Activities	Potential Impact
<p>1) <b>Organisations have the support to give volunteers a pathway to help them with gaining experiences and new skills for future employment, growth in their</b></p>	<p><b>Steering Group</b></p>	<p>Creating better pathways</p> <ul style="list-style-type: none"> <li>a) Advise organisations/ employers on providing support to volunteers, through progression, development goals, reward and recognition for future employment and education.</li> <li>b) Linking with employment organisations and employers (offering work experience/ work trials etc)</li> <li>c) Create a resource for supporting volunteers with skills development and employability skills gained during volunteering</li> <li>d) Improve the matching of volunteers to opportunities</li> </ul>	<p>By delivering these activities, we believe that organisations have the right tools and understanding to help their volunteers on a journey to gain new skills and growth in their role. Linking the volunteers' journey and their future goals by supporting them through to allow for, improved CV's, upskilling, and future employment which helps a thriving borough.</p> <p>We believe that over the next 3 years we will see</p> <ul style="list-style-type: none"> <li>• More people accessing employment through the experience gained by volunteering</li> <li>• More organisations offer opportunities to</li> </ul>

<p><b>role or education</b></p>		<p>through the work of the advice and support officer.</p> <ul style="list-style-type: none"> <li>e) Invite guest speaker to Volunteer Manager’s Network to give talk</li> <li>f) Deliver outreach /talk to schools, community groups, youth clubs, churches etc about volunteering and the benefits</li> <li>g) Link involve corporates with organisations who have unemployed volunteers for career advice and support</li> <li>h) linking employers to support volunteers through unpaid work placements, work experience and shadowing</li> <li>i) Develop a charter for employers to sign up to when hosting volunteers for work experience</li> <li>j) Deliver a roundtable about how pathways can be done for volunteers</li> <li>k) Workshops on, practical skills, applications for jobs and utilising volunteer experience in interviews, CVs and application forms</li> <li>l) Linking and informing the DWP about the volunteering opportunities available for those on benefits.</li> <li>m) Seek DWP involvement in steering group</li> </ul>	<p>volunteers</p> <ul style="list-style-type: none"> <li>• Improved experience of volunteering through support of host organisations</li> <li>• Residents feel supported in their neighbourhoods by active communities</li> </ul>
<p>2) <b>People in the borough have access to meaningful, accessible, and inclusive volunteering</b></p>	<p><b>Steering Group</b></p>	<p>Creating meaningful, accessible and inclusive volunteering</p> <ul style="list-style-type: none"> <li>a) Deliver training “Building an inclusive space for volunteers and trustees” looking at all the different barriers</li> <li>b) Use themed approaches to support volunteering e.g. promotions volunteer to support refugees,</li> </ul>	<p>We believe by delivering these specific activities organisations are better equipped with the right knowledge, skills and understanding to create more accessible, meaningful, and inclusive volunteering roles. People in the borough will have better access to volunteering, understand what volunteering is, how they can volunteer and the benefits and that volunteering in Southwark is open to all.</p>



		<p>or address climate change</p> <ul style="list-style-type: none"> <li>c) Support organisations to create volunteer roles that are inclusive and accessible</li> <li>d) Ensure digitally excluded volunteers can access Community Southwark through leaflets and posters etc</li> <li>e) Promote benefits of volunteering to unrepresentative groups through case studies</li> <li>f) Deliver outreach in the community</li> <li>g) Create resource on creating an accessible, flexible, and inclusive volunteer programme</li> <li>h) Work with the R.E.A.CH alliance and it's members to gain insight and intelligence</li> <li>i) Use Volunteer Manager's network to have guest speakers for exchanging of knowledge and support</li> <li>j) Ensure volunteering is on the agenda with clients and staff during group and 1:1 sessions.</li> <li>k) Putting Community Southwark in touch with relevant individuals in the borough who need support</li> <li>l) Deliver a workshop to organisations on mental health volunteering inclusion</li> <li>m) Hold a round table for organisations, and volunteers to discuss inclusion</li> </ul>	<ul style="list-style-type: none"> <li>• More people from our Black Asian and ethnic minority communities engage in volunteering</li> <li>• The diversity of Trustees on VCS boards increases</li> <li>• More people accessing employment through the experience gained by volunteering</li> <li>• More organisations offer opportunities to volunteers</li> <li>• Improved experience of volunteering through support of host organisations</li> <li>• Residents feel supported in their neighbourhoods by active communities</li> <li>• Young adults are active volunteers</li> </ul>
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<b>Item No.</b> 9.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Driving up Standards for the Private Rented Sector	
<b>Ward(s) or groups affected:</b>		All wards – Particularly landlords and tenants of privately rented homes	
<b>Cabinet Member:</b>		Councillor Darren Merrill, A Safer, Cleaner Borough	

### **FOREWORD – COUNCILLOR DARREN MERRILL, CABINET MEMBER FOR A SAFER, CLEANER BROUGH**

As the pressures on housing numbers increase, the private rented sector will continue to grow and the council intend to do all they can to protect the welfare of its residents, ensuring that they live in good, healthy housing conditions. Whilst most homes in the private rented sector are well-managed, the council has to intervene where landlords are not managing their properties effectively, maintaining adequate standards, treating their tenants fairly or, challenging their tenant's behaviour when they are causing problems for neighbouring residents with repeat anti-social behaviour. This can be the minority of landlords who wilfully neglect their businesses or, more often, those that with the best of intentions are not aware of their full responsibilities as landlords.

Through previous licensing schemes the council has made significant progress improving the private rented sector. These proposals, for new discretionary licensing schemes, will help build on this success to make Southwark a safer more desirable place to live and deliver the large-scale improvements that are needed in the borough's private rented sector. The council will continue to build on working in partnership with good landlords, support those landlords who want to manage their homes more effectively and enabling more targeted and effective action against rogue landlords.

The Gold Standard Charter sets a higher standard than that required by licensing. Its purpose is to establish and reward good practice in the sector highlighting the importance of offering; responsive repairs, improved energy efficiency, fair and predictable rents, and a secure tenancy with protection from unnecessary eviction. Membership offers additional rewards for landlords that help the council provide homes for those that find themselves without, often the most vulnerable residents in the borough.

## RECOMMENDATIONS

1. To approve the changes to the existing mandatory licensing Scheme set out in Appendix 1 and the new initial fee structure for mandatory licensing as set out in Appendix 7.
2. To approve the implementation of a borough wide additional licensing designation for 5 years as detailed in Appendix 2 and 3 from 1 March 2022 for Houses in Multiple Occupation (HMOs) not included in the mandatory licensing definition, under Part 2 of the Housing Act 2004. Including the initial fee structure as set out in Appendix 7.
3. To approve the implementation of the selective licensing designation 1 in Champion Hill and Newington wards, for 5 years, as detailed in appendix 4 and 6, from 1 March 2022 under the Housing Act 2004.
4. To approve the implementation of the selective licensing designation 2 in Faraday, Goose Green and St. Giles wards, for 5 years, as detailed in Appendix 5 and 6, from 1 March 2022 under the Housing Act 2004.
5. To approve the initial fee levels for selective licensing designations 1 and 2 as set out in Appendix 7.
6. To delegate the authority to the Strategic Director of Environment and Leisure to make any minor amendments to the schemes as necessary during the 5 year duration, for the effective administration of the schemes.
7. To approve the final proposals for the council's Gold Standard Charter for Landlords as set out in Appendix 9 and 10.
8. To delegate the authority to the Strategic Director of Environment and Leisure to make minor amendments to the Gold Standard Charter as necessary for the effective success and administration of the scheme.

## BACKGROUND INFORMATION

9. The private rented sector (PRS) in Southwark constitutes approximately a third of the housing stock in Southwark and plays a crucial role in meeting the housing requirements of residents. According to census data, growth in the PRS in Southwark has been significant; in 2001 it represented almost 9% of the stock, by 2011 it had grown to over 23% (28,493) and by 2019 had grown to just over 29% (42,964) (see appendix 11 for more information).
10. The proposals set out in this report and its appendices reflect Southwark as a borough with a broad diversity and a wide range of issues in its private rented housing sector.
11. The Council recognises that there are different types of landlord operating within this sector:
  - professional, responsible landlords

- inexperienced, reluctant or accidental landlords and
  - rogue or criminal landlords.
12. All these types of landlord require a different approach by the Council and the proposals set out in this report and its appendices therefore, aim to:
- recognise and reward responsible landlords
  - support and educate inexperienced, reluctant or accidental landlords and
  - tackle rogue or criminal landlords so they are forced to either operate responsibly or stop them operating within the sector.
13. The Council will continue to take tough action against rogue and criminal landlords as they knowingly flout their obligations by letting unsafe and substandard accommodation to tenants, placing their health, safety and welfare at serious risk. Many of these tenants are the most vulnerable people in our society. These landlords often target vulnerable tenants and usually house them in overcrowded and poorly managed and maintained accommodation. This also has a detrimental impact on neighbourhoods. Anti-social behaviour (ASB), nuisance neighbours, accumulations of rubbish and other problems can be linked to the failure of private landlords to manage their properties and tenancies effectively.

#### **Provisions for Licensing in the Private Rented Sector**

14. There are 3 types of licensing that can apply to properties in the private rented sector. All three types are included in these proposals and are referred to and outlined in more detail within this document and its appendices. These are:
- **Mandatory Licensing** - Under part 2 of the Housing Act 2004, larger houses in multiple occupation (HMOs) (definition outlined below) that are occupied by 5 or more persons forming at least 2 separate households are required to be licensed.
  - **Additional Licensing** – Part 2 of the Housing Act 2004 also gives local authorities power to license HMOs that are not covered by mandatory licensing. This includes shared houses and smaller bedsit type accommodation where there are 3 or more people in two or more households. It can also include some properties converted into flats that do not comply with 1991 (or later) Building Regulations
  - **Selective licensing** - Part 3 of the Housing Act 2004 gives local authorities power to license properties that are not covered by mandatory or additional licensing.
15. Additional and selective licensing are sometimes collectively referred to as discretionary licensing as the decision to use these licensing provisions in its borough is at the discretion of the local authority. Schemes can only be considered by a Local Authority if they have sufficient evidence that an area contains a high proportion of properties in the private rented sector and a significant number are suffering from particular issues as set out under the Housing Act 2004 and The Selective Licensing of Houses (Additional

Conditions) (England) Order 2015. (See paragraph 131 below for a full list of eligible criteria).

16. Once the schemes are operational 'landlords' are legally obliged to apply for a licence if one of the schemes apply to their properties and, comply with any conditions set out in the licence.
17. The above provisions are set out in more detail below under Legal Implications (starting from paragraph 123 below).

Note: The legal definition of a House in Multiple Occupation (HMO) is extensive, but a brief definition is: a dwelling that's occupied by three or more people in two or more households (families), who share at least one basic amenity (kitchen, bathroom or toilet). Sections 254-260 in Part 7 of the Housing Act 2004 provides the definition of a house or flat in multiple occupation (see: [Meaning of "house in multiple Occupation" \(legislation.gov.uk\)](https://www.legislation.gov.uk))

Some buildings converted into self-contained flats can also be HMOs if they were converted without complying with the 1991 Building Regulations. This is defined in section 257 of the Housing Act 2004 (see: [HMOs: certain converted blocks of flats \(legislation.gov.uk\)](https://www.legislation.gov.uk))

### **Current and Previous Licensing Schemes in Southwark**

18. The Council has operated a mandatory licensing scheme since April 2006. The mandatory scheme will continue to run without an end date in accordance with Part 2 of the Housing Act 2004.
19. Additional and selective licensing schemes started on 1 January 2016 for 5 years and came to an end on 31 December 2020.
20. The additional licensing scheme was applied borough wide and took steps to address management, fire safety, anti-social behaviour, overcrowding and provision of adequate facilities such as bathrooms, W.Cs and kitchens.
21. Selective licensing applied to only a few key trunk roads and their immediate surrounding areas to address anti-social behaviour, the condition of the property and overcrowding.

Note: Not all of the required improvements, repairs or management that relate to a house/dwelling under the Act can be dealt with under the licensing conditions for any type of licensing scheme. In such cases they are dealt with separately to the licence under Part 1 of the Housing Act 2004 via the Housing Health and Safety Rating System (HHSRS) however, HMO licensing helps Local Authorities to uncover specific cases where these actions need to be taken in their area.

22. Significant steps were made towards improving the PRS under the previous schemes and the results were presented at Cabinet on 19 January 2021.

### **Steps Already Taken Towards Implementing New Proposals**

#### Housing Stock Condition and Stressors Survey 2019

23. To Council worked with an external consultant, Metastreet Ltd, to carry out a Housing Stock Condition and Stressors Survey.

24. The data for the survey was gathered using existing data from across the council and from external sources. relating to property conditions, anti-social behaviour and deprivation
25. For property conditions the council used previous housing complaints and enforcement activity indicating poor property conditions. Non-council data sources were added, including publicly available such as Energy Performance Certificates (EPC) and energy data. These were then compared to the predicted PRS to produce a list of properties that were predicted to be PRS and to have a cat 1 hazard
26. For ASB, records of ASB complaints, mainly noise and Southwark's Anti-Social Behaviour Unit (SASBU) records, which were confirmed to be in the PRS were compared to the list of predicted PRS to produce a list of PRS where ASB had occurred, including repeat offences.
27. For deprivation, council held statistics and publicly held data were used that align with the legislation and guidance. These include IMD and barriers to housing and services. Proxies were used for other factors, for example, early unavoidable death rates and levels of childhood obesity for 'health of households'.
28. The results of the survey were used to develop the proposals and included information gathered on the size, geographical spread and condition of the private rented sector in Southwark.
29. More information regarding the survey and its findings can be found in appendix 11.

#### Consultation

30. Before a local authority can introduce a licensing scheme it must, by law, take reasonable steps to consult all persons who are likely to be affected by any licensing scheme and to consider any representations made.
31. On 19 January 2021 Cabinet gave approval for officers to carry out a public consultation on new proposals for the private rented sector. The report included information on:
  - the results of the previous schemes and other actions taken to improve the private rented sector,
  - the Housing Stock Condition and Stressors Survey,
  - proposals for changes to the fee structure and conditions attached to licences for the current mandatory licensing scheme,
  - proposals for new additional and selective licensing schemes,
  - details on how officers intended to conduct the consultation, and
  - the new proposals for an additional licensing scheme for smaller HMOs and a phased approach to introduce a new, ward based, selective licensing scheme in a small area followed by a larger scheme to be approved by the Secretary of State for Housing, Communities and local Government.

32. The consultation began on 15 February 2021 and ran for 19 weeks before ending at midnight on the 28 June 2021. The consultation was paused for the 6 week pre-election period before the London Mayoral elections in May.
33. The consultation asked for views on the council's proposals for:
- Changes to the fee structure and conditions attached to mandatory licensing
  - Proposals for Borough-wide Additional Licensing for HMOs
  - Selective Licensing in 19 wards through four designations
  - Conditions, new fees and discounts attached to additional and selective licensing
  - Respondents perceptions and experiences of the issues in the borough
  - The introduction of a Gold and Platinum Standard Charter for Landlords
34. The consultation provided a total of 1,916 responses received on the online survey and 121 responses on a commonplace map. Appendix 12 gives greater detail of the consultation and responses.

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

35. This report, and attached appendices, sets out:
- An overview of the provisions within the Housing Act 2004 that allows Local Authorities to introduce discretionary licensing schemes.
  - The content of the public consultation on the licensing schemes and the Gold and Platinum Standard Charter, how it was conducted and the results.
  - How the Council has considered the results and representations made during the consultation and, the changes the Council has made in response to those results and representations.
  - Final proposals for a new, borough wide additional licensing designation for smaller HMOs.
  - The next steps for the wider proposals for Selective Licensing.
  - Final proposals for 2 new selective licensing designations to improve conditions and tackle ASB in targeted areas.
  - The evidence supporting the proposals.
  - Final proposals for a Gold and Platinum Standard Charter for landlords.
  - Other initiatives, strategies and commitments developed, or identified to assist with improving the private rented sector.

#### **Consultation Response Summary for Each Proposed Scheme/Designation**

### Mandatory Licensing

36. Although the Council is not obliged to consult on mandatory licensing, the proposed changes were included in the consultation as Council wanted to take the opportunity to seek opinions on the proposed changes and give stakeholders and residents a fuller picture of licensing in the borough across the PRS. HMO licensing is also complex and the Council wanted to ensure consistency across the schemes to help simplify licensing across all HMOs covered by the mandatory and proposed additional licensing schemes.
37. The current discretionary conditions attached to the mandatory licensing scheme were devised in 2015 and were pertinent to the issues in the HMO sector at that time. The conditions were revised to be consistent with the proposed additional licensing scheme and to take account of the current issues within the private rented sector (PRS).
38. At consultation, the conditions proposed for the additional licensing scheme were the same as those proposed for the mandatory licensing schemes with the addition of a condition addressing anti-social behaviour.
39. The Council also consulted on new fees that would include a flat fee to cover the first 5 bedrooms with an additional charge per bedroom above 5.

Flat fee for up to 5 bedrooms	£1,500
per bedroom above 5	£100

40. High level results of the consultation

Mandatory Scheme Responses	Agree	Disagree	No Opinion
Proposed licensing conditions	38%	17%	45%
	A Little Too High/Too High	Reasonable/A Little Too Low	No opinion
Proposed licensing fee	35%	32%	33%

41. Whilst the results of the consultation show that most respondents agreed with the proposed conditions there were a number of written representations regarding specific conditions that were considered by the Council. The conditions attached to this scheme have therefore been amended in response to a number of these representations. 7 conditions were deleted and 14 conditions were amended. This is set out in more detail in appendix 13 and the final proposed conditions for the scheme are in appendix 1.
42. Although the results of the consultation show that more respondents thought the fees were too high, The Council does not intend to change the proposed fees as they reflect the true cost to the council in administering and enforcing the scheme. Any reduction in fees would have an impact on the Council's objectives for the scheme. The proposed fees are higher than the current fees however the Council has found that the existing fees do not currently cover the cost of administering and enforcing the scheme.



## 43. Final Fee Proposals

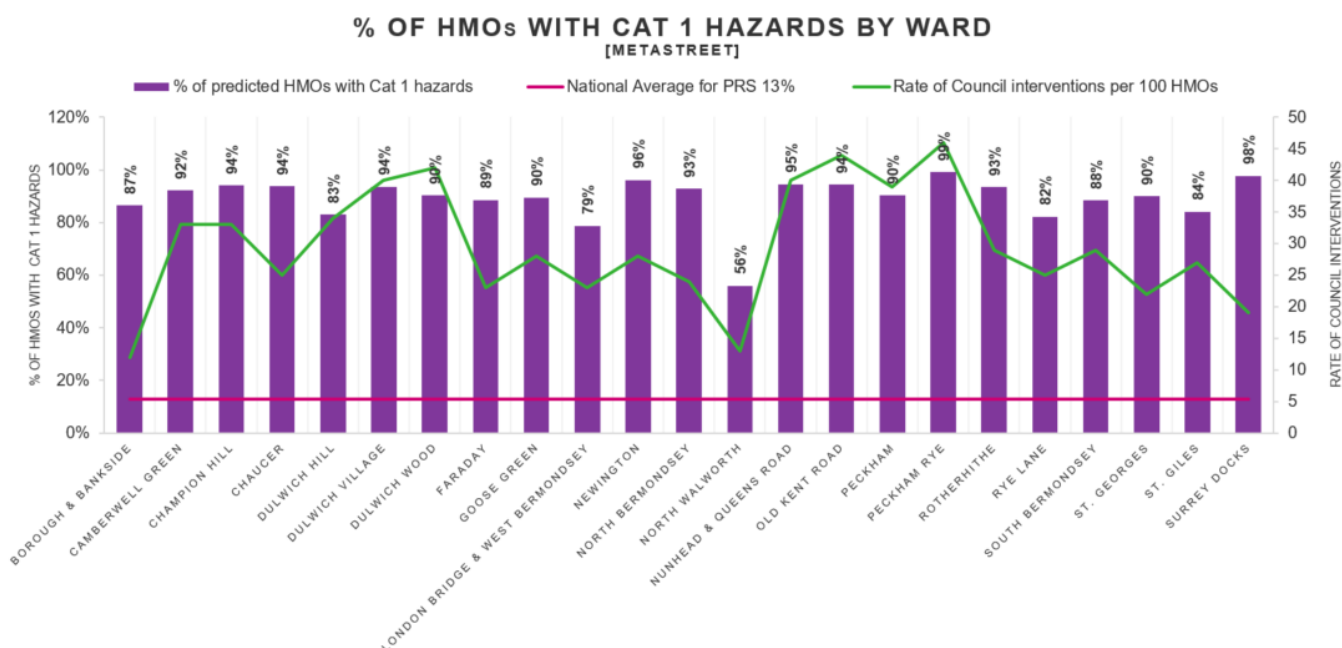
Note: The fees for all licensing schemes will be levied in two parts. Part A of the fee must be received when the application is made to the Council and, if the licence application is granted, Part B of the fee must be received and cleared before a licence is issued (see appendix 7 for more information).

	Part A	Part B	Total
Mandatory Licence	£1050 (+ £70 per bedroom above 5)	£450 (+ £30 per bedroom above 5)	£1500 (+ £100 per bedroom above 5)

44. Discounts against fees are addressed further down in this report in paragraphs 94 and 95.

### Additional Licensing

45. The evidence base gathered by the Housing Stock Condition and Stressors Survey indicated that 86.3% of HMOs across the whole borough have serious hazards that could endanger the health, safety and welfare of their inhabitants. This evidence indicates that a significant number of HMO landlords are not effectively managing their properties. (More information is given in Appendix 11 - Private Rented Property Licensing – Evidence Report)



[Source: Housing Stock and Stressors Report, Metastreet, 2019](#)

46. As a response to this evidence, at consultation, the Council proposed a borough wide additional licensing designation that would apply to most HMOs that did not fall within the scope of mandatory HMO licensing. This included some buildings converted into self-contained flats which can also be defined

as HMOs (section 257 of the Housing Act 2004). These are often referred to as section 257 HMOs.

47. At consultation, the Council set out a new flat fee of £1,300, for additional HMO licences.

48. High level results of Consultation

Additional Scheme Responses	Agree	Disagree	No Opinion
Proposed introduction of scheme	45%	17%	38%
Proposed licensing conditions	38%	17%	45%
	Too High	Too Low	No opinion
Proposed licensing fee	32%	35%	33%

49. It is clear that a high percentage of respondents agree with the Council's proposals and in response to this, the council does not intend to change the area covered by the proposed additional licensing designation.

50. Although a high percentage of respondents agreed with the proposals the council received representations regarding the inclusion of some section 257 HMOs. In response to these representations the council intends to change the types of section 257 HMOs included in the additional licensing scheme. The scheme will only include section 257 HMOs where the building or part of a building is of three or more storeys that have been converted into three or more self-contained flats and where both the building and self-contained flats it contains are under the same ownership or considered by the Council to be effectively under the same control.

51. Whilst the results of the consultation show that most respondents agreed with the proposed conditions there were a number of written representations regarding specific conditions that were considered by the council. The conditions attached to this scheme have therefore been amended in response to a number of these representations. 7 conditions were deleted and 15 conditions have been amended. This is set out in more detail in appendix 2 alongside the final proposed conditions for the scheme and in appendix 11.

52. The majority of the respondents thought that the fees were reasonable. The Council therefore does not intend to change the final proposed fees for the Additional Licensing Scheme.

53. Final Fee Proposals

	Part A	Part B	Total
Additional Licence – up to 4 bedrooms	£923	£377	£1300

54. Discounts against fees are addressed further down in this report in paragraphs 94 and 95.

### Selective Licensing

55. As a response to the evidence outlined by the Housing Stock Condition and Stressors Survey, at consultation, the Council proposed 4, ward based, selective licensing designations each addressing specific issues within each of the designations. These schemes would apply to all private rented sector properties that are not included in the Mandatory or Additional Licensing schemes. These proposals were split into 2 phases.
- Phase 1 consisted of Designations 1 & 2 which collectively equate to 18% of the total PRS in Southwark.
  - Phase 2 consisted of Designations 3 & 4 which collectively equate to 67% of the total PRS in Southwark.

Note: More information regarding the evidence for each of the designations can be found in appendix 11.

56. Whilst the council has collated evidence and carried out a public consultation for Designations 3 and 4 this report does not seek approval to implement these designations at this time. The proposed timeline is set out in a table below in paragraph 60.
57. At consultation, the Council set out its intentions to introduce 'Phase 1' (Designations 1 & 2) under the general approval as set out in paragraph 61 below. The first 6 months of these 2 designations will act as a pilot for the new targeted and ward based approach. Following the 6 month period officers will assess the effectiveness of Designations 1 and 2 against the objectives for each designation (See appendix 8).
58. If 'Phase 1' is deemed to be successful officers will seek approval from Cabinet to make an application to the Secretary of State for the Department for Levelling Up, Housing and Communities (DLUHC) for approval of designations 3 and 4 as set out in the guidance referred to in paragraph 61 below. (DLUHC formerly known as the Ministry for Housing, Communities and Local Government (MHCLG))
59. If officers find that the pilot is not successful this will be reported to Cabinet and corrective action taken to improve the performance and results of the designations. Following any changes made to the designations, if successful, the council will review its position regarding Designations 3 and 4 and the decision will be made public.
60. Suggested timelines for the two phased approach following approval of these proposals:

Cabinet approval for final proposals for 'Phase 1' (i.e. additional & selective licensing designations 1 & 2) and Gold Standard Charter	19 October 2021
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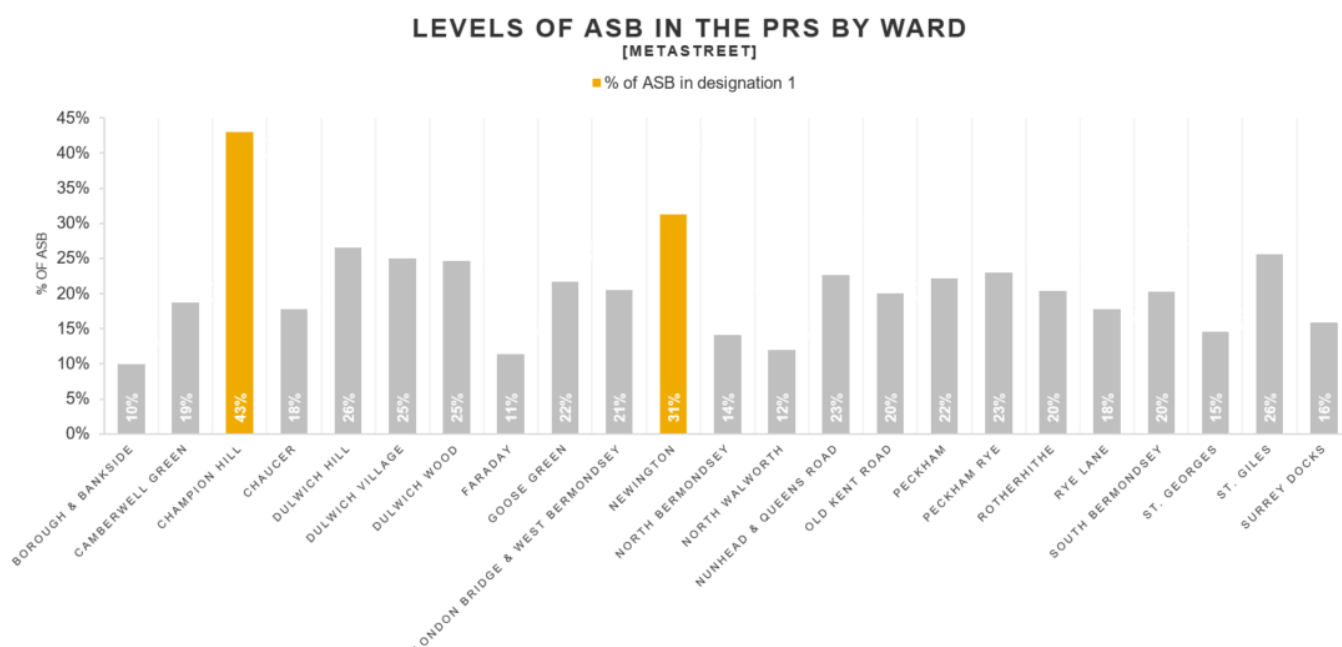
3 month minimum statutory notification and standstill period	November 2021 to February 2022
Gold Standard Charter Start Date	1 January 2022
Phase 1 Start date	1 March 2022
Officers to monitor performance of Phase 1 with live data	Weekly
Assess overall performance of Phase 1 - 6 month pilot	September 2022
Recommendation to Cabinet for either; approval of application to Secretary of State (SoS) for the Department for Levelling Up, Housing and Communities or, approval of changes to proposals	Estimated to be October/November/December 2022
Where an application is made: Response expected from SoS	Estimated to be February – July 2023
Where an application has been made and approval given by SoS - Phase 2 Start date	Estimated to be August/September 2023

61. This approach is in line with the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 (see [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418588/General\\_consent\\_final\\_2\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418588/General_consent_final_2_.pdf)) and the updated guidance issued by the Department for Communities and Local Government (now DLUHC) in March 2015 (Selective licensing in the private rented sector - A Guide for local authorities) (see [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418551/150327\\_Guidance\\_on\\_selective\\_licensing\\_applications\\_FINAL\\_updated\\_isbn.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418551/150327_Guidance_on_selective_licensing_applications_FINAL_updated_isbn.pdf)), which states: “Under the new arrangements if a local housing authority makes a designation that covers 20% or less of its geographical area or privately rented properties, the scheme will not need to be submitted to the Secretary of State, provided the authority has consulted for at least 10 weeks on the proposed designation. However, if the local housing authority makes one or more designations that are in force partly concurrent to an existing scheme, and cumulatively all the designations cover more than 20% of the area or the private rented stock, those new designations will need to be submitted to the Secretary of State for approval.”
62. The pilot scheme/‘phase 1’ must run for an adequate period of time, deemed to be 6 months, and its performance reviewed by the Council before an application to the Secretary of State for ‘phase 2’ can be made. If the Council applied to the Secretary of State for permission to implement ‘phase 2’ before this time ‘Phase 1’ it could not be considered a pilot scheme and an application would need to be made for approval for both ‘phase 1’ and ‘phase 2’ as both phases combined, cover more than 20% of the total private rented sector in Southwark.

### Selective Licensing Designations 1 and 2

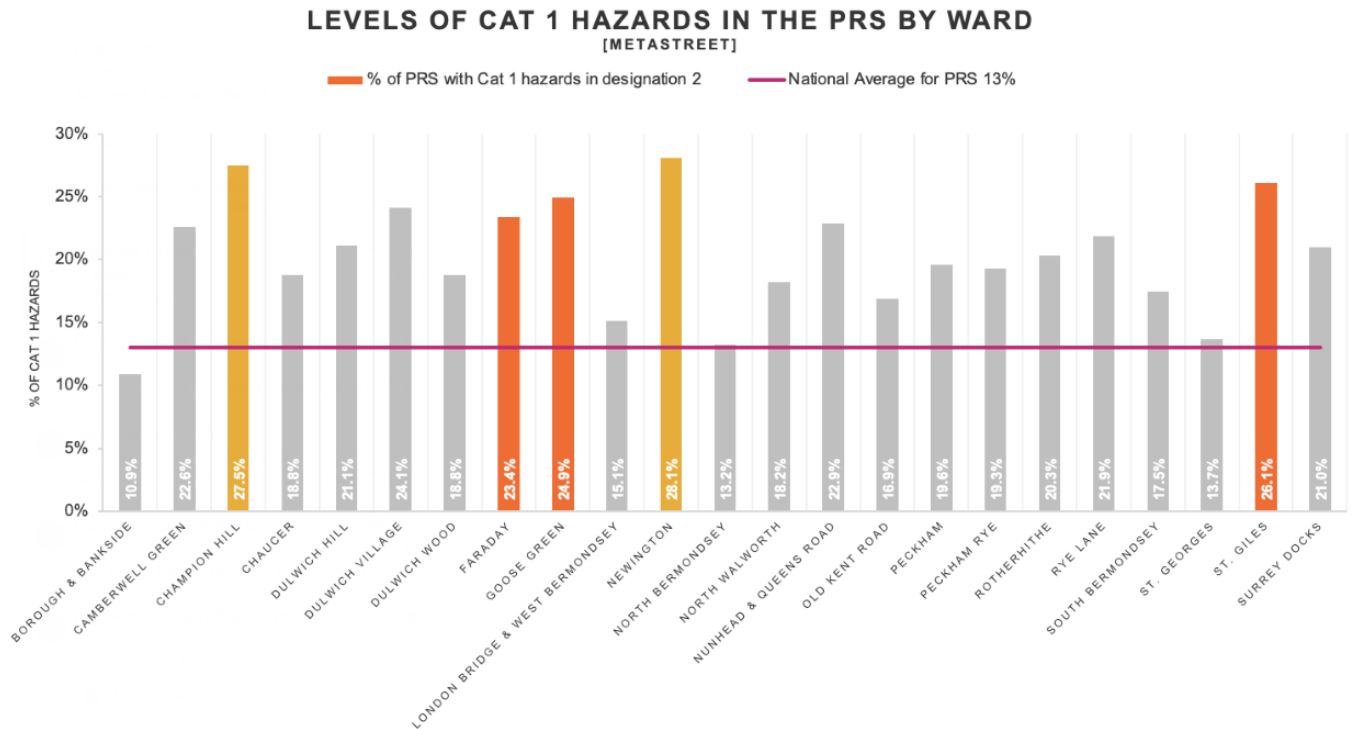
63. At consultation, designation 1 included two wards, Champion Hill and Newington, with not only the highest levels of ASB linked to the PRS in the borough, but also high levels of repeat incidents of ASB.
64. In these two wards alone, over a five-year period, over 800 interventions conducted by the Council to deal with 755 complaints of ASB with. 137 properties in these wards needed repeat interventions by the Council. The majority of the complaints were around noise and rowdy behaviour. The percentages of ASB in the private rented sector in each ward is as shown in the graph below. (More information is given in Appendix 11 - Private Rented Property Licensing – Evidence Report)

Note: Any ASB where there were not clear links to a privately rented property were excluded from the data.



[Source: Housing Stock and Stressors Report, Metastreet, 2019](#)

65. At consultation, Designation 2 comprised of the three wards with high levels of poor property conditions; Faraday, Goose Green and St Giles.
66. Overall, in these three wards, there are 1,451 properties in the PRS that are predicted to have category 1 hazards in the borough, around double the national average of 13% (source ONS English Housing Survey) as shown in the graph below.



[Source: Housing Stock and Stressors Report, Metastreet, 2019](#)

67. Champion Hill and Newington wards, whilst having high levels of poor property conditions have already been included in Designation 1 and are therefore not included in Designation 2.
68. Whilst Dulwich Village has high levels of poor property conditions it does not have the levels of PRS required to meet the legal threshold and therefore cannot be included in a scheme. Other wards with high levels of poor property conditions above the national average for the PRS have been included in the future proposals for phase 2.
69. In order to determine the wards with the highest levels of poor property conditions factors such as housing complaints, housing notices and EPC data were included. (More information is given in Appendix 11 - Private Rented Property Licensing – Evidence Report).
70. The objective of the proposed licence conditions is to improve property condition and management of these properties whilst recognising that the Housing Act 2004 in general requires the Council to deal with sub-standard conditions using HHSRS assessments and enforcement powers, e.g. an Improvement Notice under Part 1 of the Act.
71. At consultation, the Council also set out a new flat fee of £900 for Selective licences.

## 72. High level results of Consultation

Selective Scheme Responses	Agree	Disagree	No Opinion
Proposed introduction of scheme	42%	20%	38%
Proposed Licensing conditions	36%	20%	44%
	Reasonable	Unreasonable	No opinion
Proposed Licensing Fee	34%	32%	34%

73. It is clear a high percentage of respondents agree with the Council's proposals and in response to this the Council does not intend to change the area or type of property covered by the proposed selective licensing designations 1 and 2.

74. Whilst the results of the consultation show that most respondents who had a firm opinion agreed with the proposed conditions there were a number of written representations regarding specific conditions that were considered by the Council. The conditions attached to this scheme have therefore been amended in response to a number of these representations. Some conditions were deleted or amended and this is set out in more detail in appendix 13 with the final proposed conditions for the scheme set out in appendix 4 and 5.

75. The majority of the respondents thought that the fees were reasonable. The Council therefore does not intend to change the final proposed fees for the Selective Licensing Scheme.

## 76. Final Fee Proposals

	Part A	Part B	Total
Selective Licensing Designations 1 & 2	£630	£270	900

77. Discounts against fees are addressed further down in this report in paragraphs 94 and 95.

**Alternatives to Discretionary Licensing**

78. When considering whether to make an additional or selective licensing designation a local authority must identify the objectives that a designation will help it to achieve. At consultation the proposed scheme objectives that relate to 'Phase 1' were:

- Reduction in ASB and repeat ASB incidents in PRS properties
- Improve property standards in the borough
- Ensure compliance with licence conditions
- Maximise the number of licensable properties that are licensed to ensure that the schemes are improving housing standards to the largest possible percentage of licensable properties

- Improve the professionalism of landlords and managers and the management of PRS property
79. At consultation the council detailed a number of other courses of action or alternatives to selective and additional licensing that had been considered, but did not believe that they, individually or collectively, provided an effective means of tackling poor housing conditions or anti-social behaviour in the borough, or of delivering the scale of improvement required. The alternatives considered were:
- Use of Part 1 Housing Act enforcement powers (Housing Health and Safety Rating System) and Public Health powers
  - Voluntary Accreditation schemes facilitate improvement in management practices and standards
  - Rely on prosecutions and civil penalties for housing offences
  - Improvement grants to improve sub-standard properties
  - Utilising ASB enforcement powers
80. The 17% of respondents that did not agree with the proposed additional licensing scheme were asked what they thought the alternatives should be.
81. Approximately 10% just reiterated that they did not support the introduction of additional licensing. Of the remaining points made, some related to alternatives that had already been considered by the Council and referenced in the consultation evidence report (such as voluntary accreditation and use of other enforcement powers). Others expressed views regarding the proper enforcement of a licensing scheme, as opposed to suggesting an alternative to an additional licensing scheme. Key themes for alternative suggestions were that respondents “generally disagreed with the proposals”, that the “council should use their existing powers and enforce existing regulations” and that the council should issue fines for “poor properties/landlords”. More detailed information regarding the results of the consultation and representations are attached in appendices 12 and 13.
82. The 20% of respondents that did not agree with the proposed selective licensing schemes were asked what they thought the alternatives should be. The main comments were similar in nature and volume to those about additional licensing. Appendix 13 gives more details of the representations received and a response to those representations.
83. The Council is of the opinion that no viable alternatives were identified through the consultation process that would, individually or collectively, be capable of delivering the scheme objectives that the Council would deliver through the operation of the proposed selective or additional licensing schemes. The final objectives for the licensing schemes (alongside outcomes and outputs) can be found in Appendix 8.
84. Consideration was given to review the Council’s decision to introduce selective licensing as a phased approach rather than making an application to the Secretary of State for the Department for Levelling Up, Housing and Communities for all four selective licensing designations at this time. The Council believe that to introduce all 4 designations at the same time may



overwhelm services and that if the new targeted ward based approach does not meet completely with the Council's objectives in the first few months any minor changes necessary to improve outputs would be more difficult with a larger scheme. The phased approach tackles the worst issues in the borough first, ensures that its new approach to licensing is effective, that the Council has the capacity to run the schemes effectively and make changes to improve the performance of the schemes where necessary before introducing a larger and more complex, scheme.

### **The Landlord's Gold Standard Charter**

85. At consultation the Council set out its proposals for a Landlord's Gold Standard Charter. The Charter was designed to recognise landlords who provide a better service than the one required by law, encourage other landlords to achieve a higher standard, and give tenants a better idea of the standard of accommodation that they should be offered. The Charter also offered incentives through discounts on licences to encourage landlords to sign up to the Council's Social Lettings Agency and Finders' Fee schemes.
86. With regard to the Social Lettings Agency discount, properties managed by the Council will be exempt from licensing. This means that once a property has been signed up, and the lease agreement with the Council has been signed, the property will be under the management of the Council and will be exempt from licensing. References to the Social Lettings Agency and the associated discount have therefore been removed from the final proposals for the scheme. This change will have no financial impact on landlords as the proposals were to offer a free licence, however it will make the process of signing up to the social lettings agency easier as they will not need to fill in an application form for a licence.
87. Landlords who sign up to the Charter and the Council's Finder's Fee Scheme will be described as Gold Standard Charter plus landlords rather than Platinum Standard Charter landlords. The Council has decided that the term "Platinum Standard Charter" was misleading as the standard criteria is the same for Platinum as it is for Gold. The term 'Gold Standard Charter Plus' describes a landlord who has signed up to comply with the Gold Standard criteria but has also signed up to the Council's Finder's Fee scheme to help the Council find homes in the private rented sector for residents that need to find a new home. The term 'Platinum Standard Charter' has been reserved for future proposals to improve the private rented sector further with a higher voluntary standard building on the successes of the Gold Standard Charter over the next few years.
88. The changes outlined above have not affected to value of the discounts on offer.
89. 19% of landlords said they would be interested in signing up to the Gold Charter, 33% said they weren't sure and 48% said they wouldn't be interested. However, 30% of the same landlords said that the discount on offer would be an incentive to sign up to the Gold Standard Charter.
90. In contrast 67% of tenants said that they would be more likely to move into a property with a landlord or agent signed up to the Gold Standard Charter.

91. Whilst the proposals do not appear to be particularly popular with landlords, private rented sector tenants overall agreed with the proposals and suggested that they would use the scheme to help find a good landlord and property for their next home.
92. The final proposed Gold Standard Charter is outlined in appendix 8 which includes the changes to the “Platinum” Standard and the discounts attached to the scheme are outlined in appendix 7.
93. The Council intends to launch the Gold Standard Charter in November 2021 in advance of the proposed start date for selective and additional licensing schemes. This will give landlords time to sign up and ensure that they are eligible for the appropriate discount before they apply for their licence.

#### **Discounts for the proposed licensing schemes**

94. At consultation, the Council proposed 4 possible discounts to the licence fees however, as mentioned above, the Council has removed the discount for landlords joining the Social lettings agency as those properties will now be exempt from licensing. Gold Standard Charter members who sign up to the Council’s Finder’s Fee scheme will be referred to as Gold Standard Charter Plus members. These changes have not affected to value of the discounts on offer.
95. The consultation responses considered by the council therefore are;

Name of discount	Discount	When the discount will apply	Applicable to Schemes
Early Bird discount	30% on Part A & B fees	First 3 months from start of the scheme	Selective and Additional only
Gold standard Charter members	50% on the Part B fee	For the full life of the scheme	Mandatory, Selective and Additional
Gold Standard Charter Plus members	100% on the Part B fee	For the full life of the scheme	Mandatory, Selective and Additional

96. High level results of Consultation

	Reasonable	Unreasonable	No opinion
Proposed Discounts	39%	19%	42%

97. Respondents were asked which of the discounts should be removed and for suggestions for discounts that should be added. Whilst a number responded with comments regarding general disagreement to the proposals there were very similar numbers of respondents suggesting that the early bird and Gold Standard Charter discounts should be removed while others suggested that there should be a discount for ‘good landlords’ and for those that were licensed under the previous schemes.

98. 30% of landlords said that the proposed discount for Gold Standard Charter would be an incentive to sign up.
99. The final proposed fees and discounts are outlined in appendix 7.
100. At consultation the Council stated that licences issued under the previous additional and selective licensing schemes that have not expired during the 5 year period of the proposed schemes will be valid under the new designations for the remainder of their licence period. Landlords who wish to take advantage of the early bird discount which will be available for the first three months following the start of the schemes can apply for a new licence within the early bird period if they wish to take advantage of the early bird discount. The Council has not made any changes to this proposal. The new licence, if applied for during the early bird discount period, and if the application meets all of the standard requirements attached to the licensing process, will be issued for the 5 year period of the new licensing schemes and they will therefore not be at any disadvantage by renewing their licence earlier than the expiry of their current licence.

#### **Addressing the number of responses with 'No opinion'**

101. It was noted that there were a high number 'don't know'/not sure' responses, throughout the consultation.
102. Number of 'don't know'/not sure' responses by respondent type

	Landlords	PRS tenants	Council tenants/owner occupiers & other
To proposals to introduce licensing schemes	21%	38%	41%
Licensing conditions	21%	37%	42%
Fees	14%	42%	44%
Discounts	19%	35%	46%

103. Although the highest percentage of 'don't know/not sure' responses were from owner occupiers, housing association tenants or council tenants, who may not have any previous experience of the private rented sector or licensing, a significant number were from landlords and tenants in the PRS. This is thought to be an indication of a lack of awareness of rights and responsibilities within the sector. This is something that the Council believed to be the case before the consultation and believe that the consultation results bear this out. The Council is committed to; empowering residents to take pride and influence over their homes and, support businesses and increase the professionalism of landlords operating in the borough. As part of this commitment, and in response to the consultation, the Council intends to increase and improve promotion of its existing services and initiatives, highlighted below. Other new initiatives, i.e. renters' support organisation & Gold Standard Charter, will help to inform PRS tenants and landlords and will

be implemented alongside the proposed licensing schemes. The Council will continue to work with landlords and tenants to ensure that services are meeting their needs.

### **Proposals for a Renters' Support Organisation**

104. The Council will establish a renters' support organisation in early 2022, to ensure private renters have a collective platform and can work with the Council to improve conditions and empower tenants in the private rented sector.
105. The Gold Charter will be subject to review every 18 months in partnership with the renters' support organisation. This will ensure that the Charter continues to reflect any changes in legislation and requirements and the needs of the sector.

### **Landlord Forum & Bulletins**

106. The Council currently hosts a number of Landlord Forums and sends Newsletters to landlords and agents who have signed up to provide information, support, and the opportunity to comment on the Council's policies and plans for the private rented sector. The content of the forums and bulletins is wide ranging and includes; multiple services across the council and services/agencies outside of the Council that can help landlords keep informed and be engaged (e.g. DLUHC, Landlord's Organisations, and HMRC etc.). The Council has moved these forums online in response to the pandemic and noted that the numbers of attendees has been greater since it has done so. Landlords and agents, when asked at the last forum, said they have found it more convenient to attend. In addition to this the Council did not have to limit the numbers of attendees to a maximum due to the size of the rooms available for the events. The Council will continue to send bulletins and host forum events but will promote them to a larger audience, via the proposed licensing schemes, and arrange a mixture of online and in-person events going forward.

### **Rogue Landlord Multi-Disciplinary Task Force**

107. The Council will continue to operate its Rogue Landlord Multi-Disciplinary Task Force to continue to increase the number of rogue landlords and agents that the Council takes formal action against by;
  - Ensuring that there are formal referral channels and that they are working effectively
  - Facilitating intelligence sharing between the teams to uncover potential illegal activity for investigation (offences such as tax evasion, money laundering, trafficking, placing residents' health, safety and welfare at serious risk, harassment and illegal eviction, and modern day slavery)
  - Highlighting specific cases of concern and ensuring enforcement action is taken promptly by all members of the task force.
  - Enabling a coordinated response and robust enforcement against any rogue landlord or agent.

- Recording multi-disciplinary successes, publicise through press releases and the GLA Watch list.
- Sharing best practice.

## **Policy framework implications**

### **Manifesto Commitments**

108. As part of the 2018 manifesto the Council committed to the introduction of a Gold Standard for the private rented sector. The proposal is to achieve this via the Landlord's Gold Standard Charter.
109. The 2018 manifesto also included a commitment to improving fire safety in the private sector. The proposal is to request fire risk assessments for all HMOs via the licensing conditions and request that they be published online via the Landlord's Gold Standard Charter.

### **Southwark's Fairer Future Commitments**

110. The Borough Plan sets out these commitments across eight themes. The designation of discretionary Licensing schemes, the Gold Standard Charter and other initiatives outlined in this report supports a number of the themes that form Southwark's Fairer Future Commitments. They support 'homes for all' and 'tackling health inequalities' by improving living standards in the borough. Licensing specifically will help to address poor housing, as well as dealing with and deterring rogue landlords.
111. A secure home environment gives Southwark residents the platform to make the most of the opportunities on their doorstep supporting a number of the themes including; 'thriving neighbourhoods' and 'a great start in life'.
112. Licensing also supports Southwark's and the GLA's commitment to tackling rogue landlords. Rogue landlords are likely to be responsible for other criminal activity such as money laundering, modern day slavery and trafficking. Through discretionary licensing we can establish more easily who the responsible landlords are (i.e. the ones that apply for a licence voluntarily and provide good quality accommodation), educate and support the less professional landlords (i.e. ones who apply but were unaware of the standards they should comply with prior to licensing) and identify the rogues (i.e. the ones who do not apply and deliberately flout the law). This benefits responsible landlords who most definitely make less profit from their business than the unscrupulous ones that ruin the reputation of the sector.

### **Southwark's Housing Strategy 2020**

113. The long-term housing strategy for the Borough was agreed by cabinet in 2015. However, a refreshed version of this strategy was agreed at cabinet on 8 December 2020 following a public consultation in March 2020. This updated housing strategy continues the long term direction, but with simplified clearer commitments and updated actions. This strategy includes the commitments for mandatory, additional and selective licensing and the Landlord's Gold Standard Charter.
114. The four fundamental issues are affordability; quality; security and pride and responsibility.

115. The four broad principles on these key values, as follows:
- Increasing the supply of genuinely affordable high quality homes that meet our residents' housing needs and aspirations
  - Demanding safer, higher quality, energy efficient homes
  - Promoting tenure security and social support in housing, and improving the health, wellbeing and economic resilience of residents.
  - Empowering residents and communities to have pride and influence over their homes
116. The principles make specific reference to demanding safer, higher quality, energy efficient homes. The licensing proposals will help the Council to ensure properties in the private rented sector comply with these principles. The Gold Standard Charter will show that the Council expects more from the private rented sector by outlining a standard which equates to best practice.
117. The principles make specific reference to empowering residents to take pride and influence over their homes. These proposals will empower private sector tenants by; informing them the standards their landlords must comply with via licensing and, the higher standards the Council believe tenants should expect via the Gold Standard.

## **COMMUNITY, EQUALITIES AND HEALTH IMPACTS**

### **Community Impact Statement**

118. The proposals set out the Council's expectations for the private rented sector including a proposal to drive up standards via the Gold Standard Charter. These proposals will have a positive impact on the wider community, as it is recognised that an increase in legally compliant and decent homes are linked to improved communities, reduced crime, improved educational attainment and health.

### **Equality (including Socio-economic) Impact Statement**

119. Poor housing is more likely to affect the most vulnerable in society. The disabled, those with impaired immune systems, the very old and young, the most disenfranchised in our society; those escaping abuse, ex-offenders, addicts and reformed addicts, migrants and particularly illegal immigrants who are more susceptible to modern day slavery, are most likely to be living in the worst dwellings in PRS. The proposed additional and selective licensing schemes seek to improve the quality of accommodation for occupiers in the private rented sector, reduce the impact on the wider community and make our expectations for the sector clear and transparent.
120. Licensable properties are required to meet conditions that are aimed at ensuring fit and proper management and tenancy, providing a fair environment for all tenants and landlords, better choice and standard of rented accommodation, and be adverse to rogue and non-compliant landlords. Introducing a Gold Standard Charter will mean that tenants and landlords alike understand the Council's expectations and aspirations for the sector above and beyond that required by legislation. These proposals are

designed to empower tenants so that they have a standard to point to when choosing a home and confidence in approaching their landlord for improvements to their existing home regardless of age, disability, gender, race, sexuality etc. This will lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore it can assist with community cohesion and tackle exclusion. The Equalities Impact Assessment for licensing and the Gold Standard Charter is provided in appendix 12.

### **Health Impact Statement**

121. Poor housing has long been identified as a health inequality which adversely impacts on the health of occupiers especially those in vulnerable groups. It is widely accepted that the ability to live in decent housing is key to all aspects of wellbeing. These proposals will improve the living conditions for those tenants in the private rented sector and in doing so will have a positive impact on the health and wellbeing of those occupiers.

### **Climate Change Implications**

122. The licensing proposals support the Council's Climate Change Strategy by working to ensure that the energy efficiency in private rented sector properties is improved. The conditions attached to the licences require properties to have an Energy Performance Certificate of E or above in line with the Minimum Energy Efficiency Standards (MEES) and the energy efficiency regulations detailed below. Where there is a lack of compliance, and if there has been no registration of a valid exemption, enforcement will be under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019 (discretionary condition).

Note: More information on the Minimum Energy Efficiency Standards (MEES) is available here: [Domestic private rented property: minimum energy efficiency standard - landlord guidance](#)

123. The Gold Standard Charter asks landlords to achieve a higher standard of energy efficiency than the regulations by asking for an Energy Performance Certificate of D or above. The Charter also asks landlords to commit to a planned programme to improve the energy efficiency of the building to achieve an Energy Performance Certificate of B or C, as far as reasonably practicable.
124. Landlord forums, bulletins, and the renters' support organization will be used to give information to landlords and tenants at regular intervals regarding; the energy efficiency standards and regulations, information on how to achieve improved energy efficiency, and the various grants and schemes offered by energy companies or central government to improve energy efficiency. The PRS Housing Enforcement Service responsible for licensing will liaise with the Council's Fuel Poverty / Energy Efficiency Officer on projects specifically for the private rented sector.
125. The council is committed to ensuring that the minimum energy efficiency standards (MEES) is raised for private rented properties and improve its

enforcement to capture non-compliance, providing support to tenants and landlords where needed.

126. In order to deliver improvements in energy efficiency in homes, government needs to significantly increase the level of funding available for renewable heat technology and for raising the thermal efficacy of existing buildings. The council will continue to make the case to government for investment in homes both in our bilateral discussions, but also working in partnership with other boroughs through London Councils.
127. More information regarding the council's Climate Change Strategy can found here: <https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7377>

## LEGAL IMPLICATIONS

### The legislative framework for Licensing

128. The Housing Act 2004 allows Councils to license privately rented housing in three ways:
- a) Mandatory licensing under Part 2, section 55 of the Housing Act 2004 places a duty on all local authorities to license houses in multiple occupation occupied by five or more persons, living in two or more single households.
  - b) Additional licensing under Part 2, section 56 of the Housing Act (detailed further below in section 2 "*Additional Licensing*").
  - c) Selective licensing under Part 3, section 80 of the Housing Act 2004 (detailed further below in section 3 "*Selective Licensing*").

#### *Additional Licensing*

129. Under section 56 of the Housing Act 2004, a local authority can designate the whole or any part(s) of its area as subject to additional licensing.
130. Where an additional licensing designation is made it applies to all HMOs that are not subject to licensing under the mandatory scheme (i.e. they can license any HMO occupied by 3 or 4 people from more than one household).
131. An additional licensing scheme should only be considered if the Council believes a significant proportion of HMOs in the area are being managed sufficiently ineffectively as to give rise to, or be likely to give rise to, problems for the occupants or for members of the public.
132. There is no requirement to seek Secretary of State Consent before implementing additional HMO licensing.

#### *Selective Licensing*

133. Under section 80 of the Housing Act 2004, a local housing authority can designate the whole or any part(s) of its area as being subject to selective licensing.
134. Where a selective licensing designation is made it applies to all Part 3 Houses that may be houses or flats as defined by sections 79 and 99 of The Housing Act 2004 that are privately rented in the area, subject to certain exemptions;



for example Registered Social Landlords, or HMOs that are required to be licensed under Part 2 of the Act through the mandatory licensing scheme or any additional licensing scheme.

135. The local authority will need to submit an application for approval to the Secretary of State for Levelling Up, Housing and Communities if it intends to make a selective licensing designation that covers.
  - a. 21% or more of its total geographical area and
  - b. includes more than 20% of its privately rented properties
136. For the Council to introduce a selective licensing scheme applying to non HMOs it has to be satisfied it is an area in which one or more of the following general conditions apply. These general conditions are:
 

That the area is, or is likely to become, an area of low housing demand;

  - a. That the area is experiencing a significant and persistent problem caused by antisocial behaviour (the Council must show some or all landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat and effectively deal with the problem);
  - b. The area has poor property conditions;
  - c. The area has high levels of migration;
  - d. The area has high levels of deprivation;
  - e. The area has high levels of crime.
137. The authority must also be satisfied that making a designation will, when combined with other measures undertaken in the area by the local housing authority (or by other persons together with the local housing authority) lead to a reduction in, or the elimination of, the problem(s).
138. Under the Secretary of State's General Approval 2015, before a local authority can introduce a selective licensing scheme it must take reasonable steps to consult all persons who are likely to be affected by any such licensing scheme for a minimum of 10 weeks. The local authority must consider any representations made during the consultation.
139. Before making any decision, Cabinet must have due regard to the responses received through the consultation undertaken and take due regard to the matters set out in the DLUHC Guidance: Selective licensing in the private rented sector - A guide for local authorities.
140. In particular it must be considered whether there are any other courses of action available that would achieve the same objective or objectives as any proposed schemes without the need for the designations to be made.
141. Once the Local Authority has decided to implement schemes the Local Authority must, within 7 days of the decision, publish a public notice of the designation to include:
  - that the designation has been made,
  - whether or not the designation was required to be confirmed and either that it has been confirmed (under section 58 or section 82 as

appropriate) or that a general approval applied to it (giving details of the approval in question),

- the date on which the designation is to come into force, and
  - any other information which may be prescribed.
142. The start date for the designation must be no earlier than three months after the date on which the designation is confirmed.
143. After publication of a notice, and for as long as the designation is in force, the local housing authority must make available to the public in accordance with any prescribed requirements
- copies of the designation, and
  - such information relating to the designation as is prescribed.
144. Draft notices of the designations are attached in appendix 3 and 6. These will be issued and publicised widely following approval by Cabinet

### Financial and Resource Implications

145. Administration of the scheme is such that it is intended to be self-financing over a five year period. The fees that are being applied are set at a level where the revenue from the fee will cover the cost incurred and will be reviewed on an annual basis to ensure it is in line with inflation and reflects the costs of the scheme.
146. The fees proposed are as follows:

<b>Licence Type</b>	<b>Part A</b>	<b>Part B</b>	<b>TOTAL</b>
<b>Mandatory</b>	1050 (+ £70 per bedroom above 5)	450 (+ £30 per bedroom above 5)	1500 (+ £100 per bedroom above 5)
<b>Additional</b>	£923	£377	1300
<b>Selective</b>	£630	£270	900

147. The discounts proposed are:
- A 30% early bird discount for the first 3 months from the start date of the schemes. (The early bird discount does not include applications made for mandatory licences.)
  - A discount of 50% will be offered on the 'Part B' fee for all licensing schemes where the landlord and/or managing agent has signed up to the Council's Gold Standard Charter (see appendix 9 for details on the Charter).

148. More information regarding the fees and discounts can be found in appendix 7.
149. The forecast costs and income over the five-year period are as follows:

Description	5 year Income and Expenditure Analysis			Annual Average
	Mandatory + Additional HMO Licensing	Selective Licensing Designations 1 & 2	Total HMOs & Selective Licensing	
	£'000	£'000	£'000	£'000
Staffing Costs	2,770	2,360	5,130	1,026
Other running costs	2,396	1,989	4,385	877
Total costs	5,166	4,349	9,515	1,903
Estimated Income	(5,160)	(4,344)	(9,505)	(1,901)
Net Expenditure	6	5	10	2

150. The income will be closely monitored and a team proportionate to the demand for the service will be employed. The costs of the scheme will cover the cost of; processing the licence application, compliance monitoring and, enforcement against landlords who are non-compliant with the licensing process.
151. The Gold Standard Charter will be administered using existing resources.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Head of Procurement**

152. N/a

### **Director of Law and Governance**

153. The Housing Act 2004 requires private rented houses in multiple occupation (HMO's) of a specified size to be licensed (mandatory licensing) and allows a local housing authority to extend licensing to smaller HMO's by designating an area or areas of their district or the whole of their district as subject to additional licensing. The Act also enables local housing authorities to extend licensing requirements to other private rented properties by designating for selective licensing an area or areas of their district or the whole of their district.
154. The HMO Licensing provisions do not apply to houses let by local housing authorities or registered social landlord.
155. The circumstances in which the Council may designate areas as subject to additional and selective licensing are set out in the Act and are summarised in this report together with the evidence supporting the proposed designations.
156. The Council may designate areas to be subject to additional licensing if it is satisfied that a significant proportion of HMO's relating to a description of HMO's to be specified in the designation are being managed sufficiently

ineffectively as to give rise to one or more particular problems either for those occupying or for members of the public. When considering an additional licensing scheme, the Council must also be satisfied the designation will significantly assist with dealing with the problems.

157. For selective licensing, the Council may designate areas as subject to licensing, if it is satisfied that the areas are impacted by one of a number of conditions set out in legislation; one of the conditions is that the areas are experiencing significant problems with anti-social behaviour (ASB). This is the condition relied on for the purpose of the scheme proposed in this report.
158. When considering a selective licensing scheme on the basis of ASB, the Council must also be satisfied that there is a link between the ASB and private rented accommodation in the area. It must be satisfied:
  - a) the area(s) is/are experiencing a significant and persistent problem caused by ASB
  - b) some or all of the landlords letting in the area are failing to take reasonable action to combat the problem
  - c) when combined with other measures taken in the area by the local housing authority or by other persons, making designations will lead, to a reduction in or elimination of the problems identified
  - d) the scheme will significantly assist with achieving objectives.
159. For both additional and selective licensing schemes the Council must also be satisfied before making designations that;
  - (i) the proposed designations are consistent with the overall housing strategy,
  - (ii) a coordinated approach is adopted in dealing with homelessness, empty properties and ASB,
  - (iii) alternative courses of action have been considered.
160. The law specifies conditions that a licence must contain but otherwise a licence may include such conditions for regulating management use or occupation of the house as the Council feels appropriate.
161. The Council may set an application fee. Such fee must be reasonable and proportionate and should not exceed the anticipated cost to the Council of running and enforcing the licensing scheme.
162. The Council may invoke enforcement processes against those controlling or managing a property without a licence or failing to comply with licence conditions.
163. The designation of areas subject to additional and selective licensing requires approval from the Secretary of State.
164. The Act requires the local housing authority to carry out consultation before making a designation. Before making the designation the local housing authority must:
  - (a) take reasonable steps to consult person who are likely to be affected by the designation; and

- (b) consider any representations made in accordance with the consultation and not withdrawn.
165. DCLG guidance suggests that this consultation should include local residents, for example, tenants, landlords and managing agents, other members of the community who live or operate businesses or services in the proposed designated area and local residents and businesses in the surrounding area that will be affected. Case law indicates that those affected outside the Council's area should also be consulted. A minimum consultation period of 10 weeks is required under the general consent issued by the Secretary of State in April 2015.
166. When considering the recommendations of this report, due regard must be given to the public sector equality duty in section 149 of the Equality Act 2010. This requires the Council to consider all individuals when carrying out its functions.
167. Importantly, the Council must have due regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct; advance equality of opportunity and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct. Cabinet members are referred to the community impact statement in the report.
168. Designations can last for no more than 5 years from the date on which it comes into force. The Council must review the designation from time to time and if appropriate the designation may be revoked.
169. Designations, once made must be publicised by the Council within 7 days and notice provided within 2 weeks to interested parties, in accordance with the specifications set out in regulations. Once the notice has been published the Council must make copies of the designation and any prescribed information available to the public.
170. It is a criminal offence to let out a property in the designation area without applying for a licence. Failure to apply for or obtain a licence could lead to prosecution and an unlimited fine or the imposition of a civil penalty of up to £30,000. In addition, the Council or the tenants of the property could apply to the First Tier Tribunal for a Rent Repayment Order, requiring the landlord or agent to repay any rent paid for up to 12 months during which the property was unlicensed.
171. Once a designation has been made, no notice under section 21 of the Housing Act 1988 (notice requiring possession) may be served in relation to a short-hold tenancy of the whole or part of an unlicensed property, whilst it remains unlicensed.
172. Where the breach of a licence condition is identified, the licence holder may be prosecuted for each breach or issued with civil penalty of up to £30,000 for each breach.

173. If the licence holder allows the property in question to become occupied by more than the number of persons permitted by the licence, he or she may also be prosecuted and sentenced to an unlimited fine or the imposition of a civil penalty of up to £30,000.

#### **Strategic Director of Finance & Governance (EL21/064)**

174. The strategic director of finance and governance notes the recommendations to Cabinet to approve the changes to Southwark's mandatory licensing scheme and implementation of a new additional licensing scheme and new selective licensing designations 1 and 2 to operate in Southwark for 5 years from March 2022.
175. The strategic director notes the recommendation to Cabinet to approve the initial fee levels for selective licensing designations 1 and 2 as set out in appendix 7.
176. The strategic director of finance and governance also notes the recommendations to approve the Gold Standard Charter for Landlords.
177. The strategic director of finance and governance notes the resource implication recommendation will be contained within existing budgeted revenue resources.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>
<a href="#">Housing Stock and Stressors Report, Metastreet, 2019</a>
Housing Act 2004 - <a href="http://legislation.gov.uk">Housing Act 2004 (legislation.gov.uk)</a>
Housing and Planning Act 2016 <a href="http://legislation.gov.uk">Housing and Planning Act 2016 (legislation.gov.uk)</a>
Selective licensing in the private rented sector: A Guide for local authorities (DCLG – March 2015) - <a href="http://www.gov.uk">Selective licensing in the private rented sector: a guide for local authorities - GOV.UK (www.gov.uk)</a>
The Housing Act 2004: Licensing of Houses In Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 - <a href="http://publishing.service.gov.uk">General consent final 2 .pdf (publishing.service.gov.uk)</a>
Housing Strategy (London Borough of Southwark – 2020 to 2043) – <a href="#">Housing Strategy – Southwark Council</a>
London Borough of Southwark - Council Plan 2018 – 2022 - <a href="#">Southwark's Borough Plan - Southwark Council</a>

Background Papers
London Borough of Southwark Social Lettings Agency & Finder's Fees scheme - <a href="#">Earn money from your property</a>
Climate Change Strategy <a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7377">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7377</a>

## APPENDICES

No.	Title
Appendix 1	Mandatory Licensing - Final Proposal
Appendix 2	Additional Licensing – Final Proposal
Appendix 3	Additional Licensing Draft Designation Declaration
Appendix 4	Selective Licensing Designation 1 - Final Proposal
Appendix 5	Selective Licensing Designation 2 – Final Proposal
Appendix 6	Selective Licensing Draft Designation Declaration
Appendix 7	Statement of Fees, Charges and Discounts for Licensing – Final Proposal
Appendix 8	Licensing Schemes - Objectives, Targets and Measures – Final Proposal
Appendix 9	Gold Standard Charter Criteria – Final Proposal
Appendix 10	Gold Standard Charter Process – Final Proposal
Appendix 11	Private Rented Property Licensing – Evidence Report
Appendix 12	Consultation on PRS Licensing in Southwark – Final Report & Consultation Evidence
Appendix 13	Council's Consideration of Consultees' Responses to the Public Consultation
Appendix 14	Equalities Impact Assessment

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Darren Merrill, A Safer, Cleaner Borough.	
<b>Lead Officer</b>	Caroline Bruce, Strategic Director - Environment and Leisure	
<b>Report Author</b>	Emma Trott, Private Sector Housing Enforcement Manager, Regulatory Services	
<b>Version</b>	Final	
<b>Dated</b>	7 October 2021	
<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 Governance	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>	7 October 2021	



<b>Item No.</b> 10.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Empty Homes Action Plan	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Darren Merrill, A Safer, Cleaner Borough	

## **FOREWORD - COUNCILLOR DARREN MERRILL, CABINET MEMBER FOR A SAFER, CLEANER BOROUGH**

London is in the middle of a housing crisis, and this is clear in Southwark too – there are over 15,000 households on our council waiting list looking for a secure, genuinely affordable place to call home – half of these households include children. We house 3,400 families in temporary accommodation, sometimes in severely overcrowded conditions.

Whilst we are on track to meet our own commitment to build 2,500 new council homes by May 2022 - with many in the process of going through planning or already being built – we also know there are a high number of homes in our borough being left empty which should be available to residents now.

There has already been notable success as we have brought homes back into use amongst our own council stock, including 231 homes in 2020-21 - giving dozens of families an affordable place to raise their families. However, whilst we do everything we can to keep all of our stock in use and expand our council house numbers further, this is only a small part of the challenge we face. We also need the private sector to do its bit to bring its properties back into use at an affordable price.

This report and the action plan sets out the challenge in detail and seeks to understand the reasons for so many private homes being left empty. This is especially important when so many are left furnished but unoccupied. Each empty private home represents unacceptable waste, which should be a valued home for our residents, providing them all the life chances that a high-quality secure home can bring.

I am dismayed at the waste represented by the large number of empty private homes we have in the borough. It is clear that as a council, we have limited direct powers to intervene in the private housing market, but we are using every tool at our disposal to encourage landlords to use their asset for a home. This report also sets out how we will campaign for greater powers to disincentivise this waste, and ensure that homes cannot continue to be left empty across our borough.

## **RECOMMENDATIONS**

1. To approve the new detailed Southwark Empty Homes Action Plan 2021 in Appendix 1.

## BACKGROUND INFORMATION

2. Southwark, like many other London boroughs and other councils across the country has a large number of empty homes (see Appendix 1). 75% of these homes are in the private sector where there are significant limits to the powers that local authorities have to return these homes to use.
3. There are a number of reasons why the number of empty homes are high in Southwark:
  - There is an increased churn associated with a significant private rented sector, larger than many boroughs.
  - There are a high number of empty properties situated within large scale regeneration schemes such as at Aylesbury Estate, and some where fire risk assessment work has identified a need to vacate blocks and take corrective action such as at Ledbury Estate. Some fluctuation in numbers is expected as essential safety work is conducted that will mean that blocks, such as Marie Curie House, will need to be decanted.
  - There are a high number of new properties being built but which can take some time to sell or let.
  - Southwark is attractive for overseas buyers that may only occupy occasionally or leave vacant for speculative reasons.
  - The COVID-19 pandemic has meant that many students have not chosen to rent in the private rented sector while their courses have been mainly online.
  - When a resident passes away, it can take some time for a property to then be brought back to use, especially through probate proceedings. Sadly the pandemic has also increased the number of such deaths.
4. There is a growing demand for housing as London faces a severe housing crisis. Empty homes represent a needless waste and a lost resource, and empty homes can also create a serious blight on a neighbourhood.
5. The council is committed to taking action to reduce the number of empty homes in our borough, so more local people can move into them', as set out in the Borough Plan 2018-2022  
<https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan>
6. In February 2021 Cabinet agreed to create a new empty homes action plan and agreed on some actions to be included to bring empty homes back in to use and increase the supply of homes for homeless households in Southwark  
<https://moderngov.southwark.gov.uk/documents/s93304/Report%20Empty%20Homes%20Action%20Plan.pdf>
7. There has already been some notable success including:
  - Bringing 231 long-term empty homes back into use in 2020/21, considerably exceeding the target of 25. The council is also on track to deliver the 2021/22 target which is 100.
  - The introduction of a new reporting route for empty homes to make it easier to report empty homes and to find out information on letting the homes to the council

<https://www.southwark.gov.uk/home-owners-services/private-home-owners-and-landlords/help-with-empty-properties>

- Appointing a contractor to conduct an audit of empty homes to help improve our understanding of the reasons for this and the types of support which would help to bring the properties back in to use
  - A re-launch of the incentives programme for letting properties to the council to help meet housing need
- <https://www.southwark.gov.uk/home-owners-services/private-home-owners-and-landlords/earn-money-from-your-property>
- A review of the councils grant and loans programme which will be presented to the council's Housing Investment Board in the autumn
  - The council has temporarily brought back homes in to use on regeneration schemes. This includes 103 properties on the Ledbury Estate, nine properties on Tustin Estate 36 on Churchyard Row and is bringing back 80 units on the Aylesbury Estate.

## **KEY ISSUES FOR CONSIDERATION**

8. Cabinet is asked to approve the new detailed Southwark Empty Homes Action Plan (Appendix 1).
9. The actions have been grouped by the following five themes:
  - Taking a zero tolerance approach to long term empty private sector homes
  - Working with residents and property owners to quickly bring homes back in to use
  - Improving our understanding of private sector empty homes to better target action and support
  - Campaigning for more resources and more effective powers to tackle empty homes in the private sector
  - Reducing the number of empty council homes.
10. The targets have been made smarter and provide more detail on how the proposals will be delivered.

## **Next steps**

11. The Empty Homes Action Plan will be published on the council's website.
  12. A cross council Empty Homes Action Plan Group will continue to monitor progress on the action plan, and provide updates to the lead Cabinet Member and through the council's performance challenge mechanisms.
  13. The council will launch a campaign to raise awareness of the support and incentives to bring properties back in to use, but also of the potential penalties and powers which may be used if action is not taken. One of the aims is to get more good quality homes for homeless households through the council's social lettings agency.
- <https://www.southwark.gov.uk/home-owners-services/private-home-owners-and-landlords/earn-money-from-your-property>

14. The council will continue to make representations to government concerning the limitations of legal powers and national policy with regard to the ability of local authorities to take action to return empty properties to use. The Council has met with and is currently in dialogue with MHCLG and DWP to set out our concerns about the limitations of current powers. The council is also calling for new planning powers to ensure properties do not sit empty upon completion.
15. The council will continue to work with our relevant stakeholders, supporters and allies in this debate who want to bring empty homes back into use. This includes third party campaign groups, think tanks and charities.
16. The council also has concerns about the high levels of short term letting in the borough and this is a significant problem for most inner-London boroughs. Although this does not contribute to the empty homes figures in the borough, it represents a significant lost resource for households seeking long-term settled homes. We will continue to take action within existing powers to limit short-term lettings and will work with London Councils and others to lobby for action in this area.

### **Policy framework implications**

17. In December 2020 Southwark Council agreed the new Southwark Housing Strategy 2020. This contained a commitment to tackling empty homes and making better use of existing properties. This included an action to develop an empty homes action plan. The February 2021 Cabinet Paper on the Empty Homes Action Plan agreed the overriding actions to be included in the action plan. This report sets out further detail on these actions in the attached Empty Homes Action Plan.

### **Community, equalities (including socio-economic) and health impacts**

#### **Community and equalities impact statement**

18. The Empty Homes Action Plan should benefit all communities through reducing the number of empty homes in the borough and therefore ensuring more homes are used to house our local residents. The action plan should not have any negative impacts in relation to any of the protected characteristics under the Equality Act.

#### **Health impact statement**

19. The Empty Homes Action Plan will have a positive impact on health. Empty homes can be a blight on a neighbourhood and can therefore have negative impacts on mental health. The action plan also contains actions which would help to improve the condition of properties as they are brought back into use, which will help to improve health. Reducing the number of empty homes should also assist in reducing the number of households who are living in unsuitable accommodation. Some property owners may be stressed about the burden of what to do with their empty property and therefore the action plan and campaigns to raise awareness of the options for empty properties may assist in this area.
20. The empty properties brought back into use in the Ledbury towers, Churchyard

Row and Aylesbury have allowed those families who were living in hostels with shared facilities to live in self-contained accommodation. This has had important health implications during the pandemic as it has allowed residents to maintain social distancing and if necessary to isolate safely.

21. Based on all the assessments above the recommendation is that the action plan should be agreed, to continue the policy as set out in the previous Cabinet report. The equality and health analysis demonstrates that the policy shows no potential for discrimination and the council has taken all appropriate opportunities to advance equality of opportunity and foster good relations between people with different protected characteristics.

### **Climate change implications**

22. The Empty Homes Action Plan includes actions which will help return properties to use, which will contribute to making better use of the existing supply of properties. This has a lower impact on carbon emissions compared to building new homes. In addition, the provision of grants and loans will result in improvements to the existing housing stock which should help to make them considerably more energy efficient.

### **Resource implications**

23. There are many teams that are contributing to the delivery of the action plan including:
  - The Council Tax team that produce the empty homes returns
  - The Private Sector Housing and Adaptations Team within Asset Management leading on initiatives and enforcement
  - The Regeneration Team, Resident Services and Housing Solutions working together on use of empty council homes awaiting redevelopment for use as temporary accommodation
  - External Affairs in supporting the lobbying campaign; and
  - The Private Sector Enforcement team in Environment and Leisure.
24. There are no immediate resource implications from this report. Where possible the council will reduce any resource implications from the action plan through use of its own communications tools, and use of existing staff.

### **Legal implications**

25. As per the previous report, there are no direct legal implications arising from this report. There may be further work required to fully understand the legal implications if the council decides to use enforcement powers such as Empty Dwelling Management Orders to address issues with particular properties. This would be covered in a separate report as required.

### **Financial implications**

26. Officers are reviewing the resources required to deliver the Empty Homes Action Plan, including identifying a capital fund for the compulsory purchase and refurbishment of long-term empty homes. We will seek to support the efforts to

supply homes for homeless households in Southwark.

### **Consultation**

27. The council consulted on the Southwark Housing Strategy 2020 as set out in the Cabinet report to agree the Housing Strategy in December 2020. The Empty Homes Action Plan will assist in part with the delivery of the housing strategy. There are no plans for further consultation at this stage.

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

#### **Director of Law and Governance**

28. The report seeks cabinet approval of the Southwark Empty Homes Action Plan. The action plan references the limited 'last resort' legal powers available to a local authority to deal with empty properties in its area. The Director of Law and Governance and her staff will provide advice to officers on the development of any policies or strategies to support the action plan involving the use of legal powers and on legal action contemplated on specific properties.
29. Cabinet members, when making a decision on the recommendations in this report are required to have due regard to the public sector equality duty (PSED) in section 149 of the Equality Act 2010. This duty requires the council to consider all individuals when carrying out its functions. Specifically, to have due regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct; advance equality of opportunity and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Cabinet members are referred to the Community, Equalities (including socio-economic) and Health Impacts statement in the report.

#### **Strategic Director of Finance and Governance (H&M 21/084)**

30. This report seeks cabinet approval of the Empty Homes Action Plan, which is designed to accelerate and increase the number of empty properties brought back into occupation across the borough. There are no revenue budget implications arising at this stage as it is proposed to be resourced internally within the existing staffing establishment across the council as highlighted in the report. Any future capital funding requirements will be considered during the autumn and reported to Cabinet as required, but it should be noted that both the council's general fund and housing investment programmes are under significant financial pressure.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark's Borough Plan 2020 – 2022	160 Tooley Street, SE1 2QH	Rob Weallans Tel: 020 7525 1217
<b>Link (please copy and paste into browser):</b> <a href="http://moderngov.southwark.gov.uk/documents/s92006/Appendix%20A%20Southwarks%20Borough%20Plan%202020.pdf">http://moderngov.southwark.gov.uk/documents/s92006/Appendix%20A%20Southwarks%20Borough%20Plan%202020.pdf</a>		
Southwark Housing Strategy 2020	160 Tooley Street, SE1 2QH	Rob Weallans Tel: 020 7525 1217
<b>Link (please copy and paste into browser):</b> <a href="http://moderngov.southwark.gov.uk/documents/s92380/Appendix%20A%20-%20Southwark%20Housing%20Strategy%202020.pdf">http://moderngov.southwark.gov.uk/documents/s92380/Appendix%20A%20-%20Southwark%20Housing%20Strategy%202020.pdf</a>		

## APPENDICES

No.	Title
Appendix 1	Southwark Empty Homes Action Plan 2021

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Darren Merrill, A Safer, Cleaner Borough	
<b>Lead Officer</b>	Michael Scorer, Strategic Director of Housing and Modernisation	
<b>Report Author</b>	Perry Singh, Strategy and Business Support Manager	
<b>Version</b>	Final	
<b>Dated</b>	7 October 2021	
<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 Governance	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>	7 October 2021	

# Southwark Empty Homes Action Plan

## October 2021

This action plan sets out Southwark Council's zero tolerance approach to long term empty homes and sets out plans to bring empty homes quickly back into use. We will work closely with our residents and property owners while taking firm action where required.



# One page summary of the Southwark Empty Homes Action Plan

This table is a one page summary of the full action plan which is included towards the end of this document.

<p><b>Taking a zero tolerance approach to long term empty private sector homes</b></p> <ul style="list-style-type: none"> <li>• Applying full council tax to all empty homes and applying the maximum premiums for homes empty over two years</li> <li>• Using compulsory purchase powers and empty dwelling management orders where required, with dedicated funding.</li> <li>• Using enforcement options where an empty property is a statutory nuisance</li> </ul>
<p><b>Working with residents and property owners to quickly bring empty homes back in to use</b></p> <ul style="list-style-type: none"> <li>• Raising awareness and provide advice on the options to bring properties back into use</li> <li>• Providing enhanced grants and loans to bring properties back in to use</li> <li>• Encouraging property owners to let their homes through the council's social lettings agency to homeless families with a clear offer</li> <li>• Contacting developers of newly developed empty homes with the offer of leasing to the council</li> <li>• Making it easier to report empty homes</li> </ul>
<p><b>Improving our understanding of private sector empty homes to better target action and support</b></p> <ul style="list-style-type: none"> <li>• Contacting owners of empty homes on the council tax database to improve our understanding of the reasons for this, and what additional support would help return the property to use.</li> </ul>
<p><b>Campaigning for more resources and more effective powers to tackle empty homes in the private sector</b></p> <ul style="list-style-type: none"> <li>• Demanding flexibility to charge unlimited council tax premiums, a reduction in the initial 2 year period, and flexibility to charge premiums on second homes and furnished homes</li> <li>• Demanding increased resources for grants and loans</li> <li>• Calling for simpler and swifter powers around CPOs and EDMOS</li> <li>• Calling for planning powers to revert property to the local authorities housing supply where vacant</li> </ul>
<p><b>Reducing the number of empty council homes</b></p> <ul style="list-style-type: none"> <li>• Setting ambitious targets for quickly turning around major and minor council empty properties as they become vacant</li> <li>• Where possible, using council homes which are empty due to impending redevelopment as temporary accommodation.</li> </ul>

## The problem of empty homes and limited powers

London is in the midst of a housing crisis. At a time when tens of thousands of families across the capital are reliant on temporary accommodation or on waiting lists for a suitable home, it has never been more important to tackle the issue of empty homes, with numbers of empty homes rising across London and the country.

Empty housing in Southwark, as across London, is a problem predominantly driven by the private sector. The overwhelming majority of empty homes are privately owned where there are limited powers to tackle this. As a council we recognised the scale of this problem and are committed to clamping down on empty homes which are a needless waste and a lost resource, particularly in an area where there is high demand and significant levels of housing need. Empty homes can also create a serious blight on a neighbourhood by creating environmental problems with pests and as places of anti-social behaviour.

The council is committed to 'Take action to reduce the number of empty homes in our borough, so more local people can move into them', as set out in the Borough Plan 2018-2022. In February 2021 Cabinet agreed actions to be included in this Empty Homes Action Plan. The full report is available online [here](#). The council will use all powers available, while recognising that these are extremely limited and we need significant changes at a national level to support our ambitions.

Part 1 of the following action plan sets out Southwark Council's zero tolerance approach to long term empty homes in the borough. There is simply too high a demand for housing for it to be acceptable that properties are left empty for long periods of time. We plan to use all the powers available to us as cost efficiently as possible to deter landlords from leaving properties empty, while at the same time working proactively with landlords and residents to bring properties back into use as quickly as possible. We know in many cases people may just need advice or some financial support to make the required repairs, or to find a suitable buyer or tenant. We have also started further research to increase our understanding of the reasons properties are being left empty and what further support may be required to assist landlords to quickly return properties to use.

While we are committed to use all the powers, buttons and levers available to us, our powers are limited. There is more that needs to happen at a national level to give local authorities the powers to truly tackle this problem, and therefore the following action plan sets out how we will lobby for further powers and resources in this area.

However we also recognise there is more as a council we can do to reduce the number of empty homes we manage. While there are valid reasons for many of these being vacant there is more we can do to reduce the number of empty homes, through speeding up re-letting times and reducing the number of homes which are empty as part of regeneration schemes. This is set out in Part 2 of the action plan.

## How many empty homes are there?

There are many different definitions of empty homes and a variety of sources of data, which all have some limitations. The simplest way to compare empty homes is to focus on the council tax data. This is the method we have used for the purposes of this report. However, to a large extent this does rely on self-reporting of the relevant council tax status of a property by the tenant or owner.

Each property is either classed as being an empty home or an empty home with a premium applied for properties which are empty for over 2, 5 or 10 years, provided they are unfurnished. This gives a total of 4,469 empty homes in October 2021. Of these 1,219 had been empty for over 2 years.<sup>1</sup>

In October 2020 (the data used in the February 2021 Empty Homes Report) there were 3,720 empty homes. Of these, 1,009 had been empty for over 2 years. A higher figure of 4,218 empty homes was given on MHCLG Live Table 615. This included an additional 498 homes which were empty but in exempt classes as detailed in a table below.

We are prohibited by legislation from applying a council tax premium on properties which are furnished but unoccupied.<sup>2</sup>

Property category	October 2020	October 2021 <sup>3</sup>
Empty with zero council tax discount	2,711	3,250
Empty for 2-5 years with 100% premium council tax	795	932
Empty for over 5 years with 200% premium council tax	214	247
Empty for over 10 years with 300% premium council tax (introduced in April 2021)	N/A	40
(Total with a premium)	1,009	1,219
<b>Total empty and substantially unfurnished (with or without a premium)</b>	<b>3,720</b>	<b>4,469</b>

<sup>1</sup> The October 2021 data is provisional data and may differ slightly from the final submission to Government for Table 615

<sup>2</sup> Section 11B of the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012 and Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, states that “For the purposes of this section, a dwelling is a “long-term empty dwelling” on any day if for a continuous period of at least 2 years ending with that day —

(a) It has been unoccupied, and (b) it has been substantially unfurnished (Additional Government Guidance Letter 2014 - A property which is substantially unfurnished is unlikely to be occupied or be capable of occupation. A property which is capable of occupation can reasonably be expected to contain some, if not all, items from both of the following categories: furniture such as bed, chairs, table, wardrobe or sofa, and white goods such as fridge, freezer or cooker.)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/357791/140923-CTIL\\_on\\_EHP.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/357791/140923-CTIL_on_EHP.pdf)

<sup>3</sup> See footnote 1.

<b>Dwellings on the valuation list in exempt classes (included in the empty homes total in Live table 615)</b>	<b>October 2020</b>	<b>October 2021</b>
Class F: The council tax payer has died	308	363
Class B: Unoccupied property owned by a registered charity	63	81
Class G: Occupation prohibited by law	57	54
Class E: Empty property previously occupied by a person now residing in a care home, hospital or hostel.	35	30
Classes D,H,I,J,K,L,Q covering issues such as prison, hospital, held for minister of religion, personal care, students, mortgagee in possession and bankruptcy	35	29

As of September 2020, there were nearly 143,000 homes of all tenure types in Southwark, therefore taking the total figures in the following table, there is an approximate 5% vacancy rate in the borough. Further information by tenure is included in the following sections.

The following table breaks each category down by types of owner recorded as the primary liable party for paying the council tax.

It should be noted that this is a snapshot of time at the beginning of October and a best estimate using the information available at the time. There can be delays for people to notify council tax as they move in to properties. There is also a regular process of reviewing the data on council properties to correct issues and anomalies that arise, such as from the self-reporting of information by residents. Therefore some of the data is still subject to this review process.

Primary liable party as recorded on council tax (right) and empty homes category (below)	Private and other	Registered providers	Council not available for use (redevelopment, major refurbishment, disposal <sup>4</sup> or non-housing use)	Council available for use following minor or major repair works <sup>5</sup>	Overall total
Empty no premium (less than 2 years)	2,358	255	309	328	3,250
100% premium (empty 2-5 years)	239	123	535	35	932
200% premium (empty 5-10 years)	42	11	192	2 <sup>6</sup>	247
300% premium (empty over 10 years)	15	1	24	0	40
<b>Total premium (empty over 2 years)</b>	<b>296</b>	<b>135</b>	<b>751</b>	<b>37</b>	<b>1,219</b>
<i>Proportions of total premiums by tenure</i>	24%	11%	62%	3%	100%
<b>Total empty unfurnished</b>	<b>2,654</b>	<b>390</b>	<b>1,060</b>	<b>365</b>	<b>4,469</b>
<i>Proportions of total empty unfurnished in each tenure</i>	59%	9%	24%	9%	100%
Second homes	475	1	0	0	476
Furnished, but unoccupied	2,647	77	15 <sup>7</sup>	6 <sup>8</sup>	2,745
Uninhabitable	10	0	0	0	10
<b>Total empty homes</b> <i>including unfurnished and second homes etc.</i>	<b>5,786</b>	<b>468</b>	<b>1,075</b>	<b>371</b>	<b>7,700</b>
<i>Proportions of grand total empty in each tenure</i>	75%	6%	14%	5%	100%

<sup>4</sup> In a few exceptional circumstances, certain high value void properties are sold to raise capital receipts for the housing investment programme to increase the supply of new homes and improve the quality of existing accommodation. The council also occasionally disposes of individual properties where there are major structural issues, and repair is deemed not to provide value for taxpayer money. All disposals of council property are made following the council's void disposal strategy which was updated in December 2020. There were also some private homes built for sale to help cross subsidise the new homes programme.

<https://moderngov.southwark.gov.uk/documents/s92409/Report%20Review%20of%20Void%20Disposal%20Strategy.pdf>

<sup>5</sup> This includes 83 properties recorded as vacant by council tax but recorded as occupied by the housing department which will be reviewed with council tax. It includes some properties which are being used as temporary accommodation and going through the process of being relet.

<sup>6</sup> The two 200% premium council tax empty council properties appear to be an error. From housing department data, one looks to be occupied (to be confirmed with the TMO), and one has recently become void again but has been occupied since the council tax recorded void date. Therefore the 200% premium should probably not apply. This will be reviewed with the council tax section.

<sup>7</sup> Most of these furnished council voids appear to have been recorded as furnished in error. Three of these appear to be occupied rather than empty so should probably not be included at all. One belongs to a leaseholder. Three are not housing department units. The Council is currently reviewing these cases and the council tax records will then be updated as required.

<sup>8</sup> Please see footnote 7.

## What lies behind these numbers?

- Southwark is a leading borough in terms of the delivery of new homes of all types but this does temporarily increase the number of empty properties, however most of these are let or sold and therefore do not become long term empty properties. If any properties do remain empty the council works with the owner to explore other ways of bringing these into use.
- Some properties may be deliberately left empty as investment opportunities.
- There is an increased churn associated with having a significant private rented sector, larger than many boroughs.
- The COVID-19 pandemic has meant that many students have not chosen to rent in the private rented sector while their courses have been mainly online. In addition there was some evidence of an initial decline in demand in the private rented sector in London, with many households choosing to move further out given the opportunities presented by home working. These changes in the market are likely to be temporary.
- When a resident passes away, it can take some time for a property to then be brought back to use, especially through probate proceedings. Sadly the pandemic has also increased the number of such deaths.
- There are a high number of empty properties situated within large scale regeneration schemes such as at Aylesbury Estate, and some where fire risk assessment work has identified a need to vacate blocks and take corrective action such as at Ledbury Estate. Some fluctuation in numbers is expected as essential safety work is conducted that will mean that blocks, such as Marie Curie House, will need to be decanted.

# PART 1 – TACKLING PRIVATE SECTOR EMPTY HOMES

The main focus of the Southwark Empty Homes Action Plan is on the private sector as the overwhelming majority of empty homes are privately owned. In Southwark, privately owned empty homes account for about 75% of all empty homes including second homes and furnished homes (5,786) and around 59% of the unfurnished empty total (at 2,654). The vast majority of furnished empty homes are also in the private sector accounting for 2,647 of the total 2,745 in this category across all tenures. There were 475 second homes in the private sector.<sup>9</sup>

In addition, other registered providers (including housing associations and other local authorities) had 390 of the unfurnished empty properties. 135 had been empty for over two years. 76 of these were linked to a block which was required to be demolished. There were a further 77 furnished empty homes.

The council has adopted a zero tolerance approach to long term empty properties. While the council's preference is to work constructively with landlords and residents to bring properties back into use, the council is committed to providing disincentives for properties to be left empty, such as applying the maximum permissible council tax premium, and through enforcement action where property owners are unwilling or unable to bring their homes back into use.

There are a number of means to bring empty homes back into use from informal measures to the use of enforcement powers, which includes Enforced Sales, Empty Dwelling Management Orders and Compulsory Purchase Orders. Many of these are extremely complex and time consuming and while we will not shy away from pursuing such measures where necessary, we will also lobby for simplification of the powers, and for further powers and funding to enable further action to be taken.

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<sup>9</sup> Under the rules set by national government, council tax premiums can only be applied on long-term empty *and* unfurnished properties. See footnote 1. The council will be lobbying central government to include furnished properties within this category as part of this action plan.

## Taking a zero tolerance approach to long term empty private sector homes

Action	Officer lead	COT lead	Targets	Comments	PRAG
<b>Use of council tax powers</b>					
Continue not to offer council tax discounts on empty and unfurnished homes. The full charge is payable unless they are exempt.	Norman Lockie, Head of Income Operations	Duncan Whitfield	In operation	As introduced in April 2016	Complete
Continue to apply a 100% additional council tax premium for properties empty for over 2 years (double council tax).	Norman Lockie, Head of Income Operations	Duncan Whitfield	In operation	As introduced in April 2019	Complete
Continue to apply a 200% additional council tax premium for those empty for over 5 years (triple council tax)	Norman Lockie, Head of Income Operations	Duncan Whitfield	In operation	As introduced in April 2020	Complete
Continue to apply a 300% additional council tax premium for those empty for over 10 years (quadruple council tax)	Norman Lockie, Head of Income Operations	Duncan Whitfield	In operation	As introduced in April 2021	Complete
<b>Further consider use of Empty Dwelling Management Orders (EDMOs)</b>					
Explore use of EDMOs for properties which are empty for over two years	Mike Scarlett, PSH & Adaptations Manager	Michael Scorer	April 2022	Mike Scarlett and Emma Trott to explore joint work for options for procuring a management contract for any properties with EDMOs and/or management orders on occupied HMOs.	On track
<b>Use of compulsory purchase order (CPO) powers where other options have failed</b>					
Use of CPO for longer-term empty homes that are having a significant environmental impact	Mike Scarlett PSH & Adaptations Manager	Michael Scorer	Ongoing		On target



Creation of an 'Empty Homes CPO Fund' dedicated to deployment where all other options have failed to bring empty homes back into use		Michael Scorer / Duncan Whitfield	A proposal on CPO will to go to the Housing Investment Board in the autumn.		On target
<b>Use of enforcement powers</b>					
Using enforcement powers as appropriate where an empty property is a statutory nuisance – linking landlords to other support and options available to bring properties back into use.	Emma Trott, Housing Enforcement & Licensing Manager	Caroline Bruce	Ongoing	Where an empty property is causing a statutory nuisance to a neighbouring property the Housing Enforcement service can take formal action to require the owner to resolve the problem causing the nuisance. For example this could be a leaking roof near a party wall which is making the wall damp within the neighbouring property. This action cannot require the owner to bring their property back into use but will ensure they are taking responsibility for any nuisance caused to neighbouring properties. To fall within the definition of statutory nuisance, an issue needs to be: <ul style="list-style-type: none"> <li>• a nuisance</li> <li>• posing a threat to health</li> </ul>	On target

## Working with residents and property owners to quickly bring empty private sector homes back in to use

Action	Officer lead	COT lead	Targets	Comments	PRAG
<b>Explore offering enhanced grants tied to long-term leasing</b>					
Review levels of grant and loans offered to property owners to help bring homes back in to use	Mike Scarlett, PSH & Adaptations Manager Dave Hodgson, Director of Asset Management	Michael Scorer	October 2021	Review completed. The outcome of the review is that individual grants & loans need to increase to take account of the increase in building costs and to incentivise landlords/property owners to complete repairs/improvements. A summary of the proposed grants & loans is being prepared and will go to Cabinet.	On target
Review funding for grants and loans as required	Mike Scarlett, PSH & Adaptations Manager	Michael Scorer	October 2021	In progress. Current annual budget will be reviewed following the proposal to increase the individual grants & loans.	On target
To publish an enhanced offer for grants and loans by the end of the year.	Mike Scarlett, PSH & Adaptations Manager	Michael Scorer	December 2021	In progress.	On target
<b>Incentivise property owners to let their homes through the council's social lettings agency to homeless families<sup>10</sup></b>					
Develop a standard maximum offer of how much we will pay for renting empty properties, expectations of rents, letting terms etc. and publicise all the benefits that are available as	Ricky Bellot, Interim Head of Housing Supply Mitzi Myrie, Housing	Michael Scorer	November 2021	The team are finalising a draft with the offer. The team has also been exploring ways to promote the offer.	On target

<sup>10</sup> The social lettings agency offers a guaranteed rent paid even if the property is empty, regular property visits to ensure the tenant is looking after it, a lease of up to five years, full management of all tenant issues including day to day repairs, guaranteed vacant possession at the end of the lease, and no fees or charge for the service. Please see this webpage for more information about the social lettings agency. <https://www.southwark.gov.uk/home-owners-services/private-home-owners-and-landlords/earn-money-from-your-property>

part of the offer, through a variety of media channels.	Supply Manager				
Consult on a new zero cost private rented sector license fee as part of the refreshed Private Rented Sector Licensing Scheme. The Gold Standard Charter includes a 'Gold Standard Charter Plus' which gives an additional discount to any Gold Standard Charter Landlord who has signed up to the Council's Finder's Fee Scheme. Where landlords have signed up to the social lettings agency, the properties will be managed by the Council so become exempt from licensing, preventing the need to apply or pay for a license which is an additional; incentive for a landlord to choose this option.	Emma Trott, Housing Enforcement & Licensing Manager	Caroline Bruce	March 2022	Cabinet will need to agree the final proposals following consultation, with a view to the licensing scheme starting in March 2022.	On target
Use council tax empty homes information to identify newly developed homes which are sitting empty	Norman Lockie, Head of Income Operations	Duncan Whitfield	Quarterly, starting with a new formal process from October 2021	A new process will be formalised where council tax will run the reports and the data will be used to identify newly developed properties which are vacant and potentially available for let. This will then be shared with council officers in the regeneration team.	On target
Contact developers of newly developed empty homes with the offer of leasing to the council to let to homeless households.	Jon Abbott, Head of Regeneration North Neil Kirby, Head of	Steve Platts and Eleanor Kelly	Quarterly	On receipt of the council tax information, regeneration officers will contact the developers of new units to understand the reasons for any vacancies and to suggest leasing to the council on standard terms and rents.	On target

	Regeneration South, Colin Wilson, Head of Regeneration - Old Kent Road Ricky Bellot, Interim Head of Housing Supply Mitzi Myrie, Housing Supply Manager	Michael Scorer			
<b>Raise awareness and provide advice on options to bring properties back in to use</b>					
Organise an empty homes publicity drive, as part of the housing crisis campaign	Louise Neilan, Head of External Affairs	Eleanor Kelly	October 2021	We will use all appropriate and effective council channels to ensure the public are aware of: <ul style="list-style-type: none"> <li>• how to report empty homes,</li> <li>• the costs of leaving homes empty, both to owners and the wider community</li> <li>• incentives to bring properties back into use</li> </ul>	
Improve the <a href="#">council's web pages</a> on the support and assistance for bringing empty homes back into use including better linking to the information about council tax premiums which will be charged as per the next action	Mike Scarlett, PSH & Adaptations Manager, Richard Selley, Director of Customer Experience	Michael Scorer	October 2021	Review of accessibility, readability and functionality of the web page. This will include the layout and display of the pages. Confirming if the content is in line with current guidelines and branding. Content will need to be updated as and when any agreed policy changes take place.	On target

<p>Ensure the council's council tax webpages about <a href="#">empty properties</a> and <a href="#">second home discounts</a> links to the webpage above about bringing empty properties back into use.</p>	<p>Laurence Fleming Service Development Officer Richard Selley, Director of Customer Experience</p>	<p>Duncan Whitfield</p>	<p>October 2021</p>	<p>A web link will be inserted to ensure a joined up approach.</p>	<p>On target</p>
<p><b>Making it easier to report empty homes</b></p>					
<p>Establish an empty homes reporting telephone line through the council' switchboard</p>	<p>Dominic Cain Director of Exchequer</p>	<p>Duncan Whitfield</p>	<p>October 2021</p>	<p>There is an existing empty homes reporting telephone number. A new flowchart has been provided to help the call centre better assign calls to the appropriate team. We will continue to explore methods to make reporting of empty homes easier.</p>	<p>On target</p>
<p>Improve options for the reporting of empty homes online and via email</p>	<p>Richard Selley, Director of Customer Experience</p>	<p>Michael Scorer</p>	<p>November 2021</p>	<p>The existing web form is in place and receives hits daily. The Digital team will work with Resident Services to review the web form. Amendments to the page and appropriate automatic routing will be constructed where appropriate. The review will explore automatic filtering to the correct team. A process map and scoping is required to explore other options. Longer term actions could include an online app for reporting empty homes. There are currently similar apps on the market so the council will explore whether it is beneficial to purchase an app or develop a new app.</p>	<p>On target</p>

# Improving our understanding of private sector empty homes to better target action and support

Action	Officer lead	COT lead	Targets	Comments	PRAG
<b>Improve the data on empty homes</b>					
Contact owners of empty homes on the council tax database to improve our understanding of the reasons for this, and what additional support would help return the property to use.	Norman Lockie, Head of Income Operations	Duncan Whitfield	December 2021	An empty homes audit is planned. Owners of empty homes will be contacted to ensure the property is still empty, why, and what additional assistance may be required to bring the property back into use. The approach to the review has been agreed and that specifications for the data and use of API's is being finalised	On target
<b>A new empty homes board</b>					
Introduce a cross council empty homes board to meet bi-annually to agree and review the action plan	Robert Weallans, Housing Strategy Manager	Michael Scorer	May 2021	The board has been set up and has met a number of times to agree this action plan and to coordinate workstreams across the council. The board will continue to meet to review the action plan as required and to monitor progress towards delivery of the actions, and to track the number of empty homes.	Complete

# Campaigning for more resources and more effective powers to tackle empty homes in the private sector

In recognition of the limited powers the council has to tackle empty homes, the council will campaign for the following changes to legislation and national policy, working with the Mayor of London and London Councils.

Action	Officer lead	COT lead	Targets	Comments	PRAG
Establish a thorough, consistent and long term public affairs plan, engaging both the Mayor of London, Greater London Assembly and London Councils in order to influence government policy towards empty homes and relevant local authority powers	Joseph Brown Cabinet & Public Affairs Manager	Eleanor Kelly	Ongoing	<p>This plan's asks will include as a starting point:</p> <ul style="list-style-type: none"> <li>• Simpler, swifter and more cost effective enforcement powers, such as simplifying EDMO and CPO procedures, such as allowing for community impact and housing need to be accepted reasons to seek enforcement actions.</li> <li>• New planning powers to allow Local Authorities to revert property to local authority's affordable housing supply where it remains empty following completion. Current planning powers do not allow for planning consent to require homes to be occupied. If new powers are introduced the council will quickly implement these new powers.</li> <li>• Greater flexibility over council tax premiums on empty homes - Government should allow unlimited council tax premiums on empty homes and greater flexibility to enable local authorities to charge</li> </ul>	On target

				<p>the premium on homes empty for less than 2 years. We will also seek further flexibilities to charge premiums on second homes and other furnished empty properties.</p> <ul style="list-style-type: none"> <li>• Increased resources for grants and loans</li> </ul>	
Work with partners from across the third sector to support and develop policy, campaigns and relevant other work streams, including organisations such as Action on Empty Homes	Joseph Brown Cabinet & Public Affairs Manager	Eleanor Kelly	Ongoing	The council is currently in dialogue with Action on Empty Homes and work will continue following the agreement of the action plan.	Ongoing
Ensure any related government consultation responses set out our clear asks	Perry Singh, Strategy and Business Support Manager	Michael Scorer	As required	The council has met with MHCLG and DWP to discuss the issues with powers such as CPOs and EDMOs and remains in dialogue on these issues. The lobbying points will be used in all housing consultations as appropriate.	On target



## PART 2 – REDUCING THE NUMBER OF EMPTY COUNCIL HOMES

While the issue of empty homes is concentrated in the private sector, a quarter of empty homes are owned by the council. The vast majority of these are related to ongoing estate redevelopment, major refurbishment, disposal or non-housing use. This accounts for at least 74% of the vacant council properties.

The figures below are all records on the council tax database where the council is recorded as the principal account holder. It includes properties which have been purchased as part of regeneration schemes and some other long term non HRA council owned properties like school houses, park keeper houses etc. It also includes some private units which were built to help subsidise the new homes programme which are awaiting sale.

### Vacant council stock by best estimate of type October 2021 (note this includes non HRA stock)<sup>11</sup>

Vacant home type	Number	Percentage
Disposal and private homes built for sale <sup>12</sup>	58	4%
Redevelopment and major refurbishment	978	68%
Non housing use, gypsy and traveller plots and leaseholders <sup>13</sup>	39	3%
<b>Total empty homes not available for use</b>	<b>1,075</b>	<b>74%</b>
Homes being made ready for re-letting (including temporary accommodation and TMO properties)	371 <sup>14</sup>	26%
<b>TOTAL COUNCIL VOIDS</b>	<b>1,446</b>	<b>100%</b>

<sup>11</sup> Non-HRA properties include homes built on our estates that are for shared ownership or outright sale as part of our new homes programme. It also can include residential properties belonging to other departments such as former schoolhouses.

<sup>12</sup> In a few exceptional circumstances, certain high value void properties are sold to raise capital receipts for the housing investment programme to increase the supply of new homes and improve the quality of existing accommodation. We also occasionally dispose of individual properties where there are major structural issues and repair is deemed not to provide value for taxpayer money. All disposals of council property are made following the council's void disposal strategy which was updated in December 2020. There are also some private homes built for sale to help cross subsidise the new homes programme.

<https://moderngov.southwark.gov.uk/documents/s92409/Report%20Review%20of%20Void%20Disposal%20Strategy.pdf>

<sup>13</sup> This figure includes where properties are being used for other purposes such as offices, a few gypsy and traveller plots, some non-housing department properties, and 11 properties owned by council leaseholders where the council may have been recorded as the primary liable party in error. These cases will be reviewed with council tax.

<sup>14</sup> This figure includes 83 properties where the housing department records the property as being occupied. Some of these will be where the new occupant has not yet registered their details with council tax. This may also include some units which have become vacant where the housing department has not yet been notified. These cases will be reviewed with council tax for accuracy.

Of the total 1,446 empty properties, 1,036 were council properties related to ongoing estate redevelopments, major refurbishments or disposals, of which 736 had been empty for over two years accounting for 93% of all long term empty council properties, and 60% of all long term empty properties in all tenures.

The vast majority of these long term empty properties are linked to the Aylesbury Estate regeneration. There were 611 void properties on the Aylesbury Estate of which 400 had been vacant for over 2 years. There were also 98 empty properties on the Ledbury Estate of which 84 had been vacant for over two years. There are also blocks that have been emptied, and residents rehoused, to allow for repair works to take place. Maydew accounted for 135 voids of which 133 were void for over 2 years.

With the regeneration voids, some of the properties are effectively uninhabitable but there are strict rules about what can be removed from the council tax property list on which these figures are based.<sup>15</sup>

Active empty council homes (known as 'voids') vary in number day by day as a result of the usual churn of residents moving in and out of our 37,000 council homes. Once a tenant leaves a property, we cannot simply re-let this home immediately. We have high standards for our council homes and many need to be re-decorated or have improvements made to bring them back up to a high standard. As of October 2021 this number stood at 371, though this includes 83 properties which the housing department records as occupied, so many of these may not actually be vacant. These cases will be reviewed with council tax. Therefore of the total available council rented stock, roughly 1% were empty, consistent with other social landlords.

We have specific targets to turn around these voids and bring them back in to use as soon as possible. Those homes that need significant works after being vacated are known as 'major voids' and our target is bring them back into use in no more than 100 days. Homes which only need some repairs or upkeep work are 'minor voids' and we aim to bring these back into use and re-let within 28 days. These targets are reflected in the Action Plan tables below.

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<sup>15</sup> A property's only considered derelict if it is not possible to live in it, for example because it's been damaged by weather, rot or vandalism or would need major structural works to make it 'wind and watertight' again

## Reducing the number of empty council homes

Action	Officer lead	COT lead	Targets	Comments	PRAG
<b>Setting targets for returning empty council homes ('voids') to use</b>					
Major voids turnaround (average) <100 days	Cheryl Russell, Director of Resident Services	Michael Scorer	2021/22	As included as a key measure in the Borough Plan	On target
Minor voids turnaround in days (average) <28 days	Cheryl Russell, Director of Resident Services	Michael Scorer	2021/22	As included as a key measure in the Borough Plan. COVID-19 and its impacts have hit our ability to let properties as quickly as we can. It is anticipated that the impact of the pandemic will continue to be reflected in performance and higher than normal turnaround times due to the continuation of the challenges presented by COVID-19 and the need to comply with strict social distancing measures and guidance. The team are working closely with Asset Management to continue to turn properties around as quickly as possible. The outturn figure reflects that we are broadly comparable with the average London re-let times during the past year.	Red – This is currently off target due to the impacts of the covid19 pandemic – See comment
<b>Maximise use of empty homes designated for redevelopment</b>					
Review use of lettings on the Aylesbury Estates and Ledbury redevelopment as part of the empty homes awaiting redevelopment in	Abi Oguntokun, Area Manager	Michael Scorer	October 2021	Following a review of the phasing in phase 2 of the Aylesbury Estate, it was agreed that 80 decommissioned properties in Wolverton and Brockley will be brought back into use. Work is ongoing	On target

the Temporary Accommodation Supply Action Plan			on site to bring these properties back into use as Temporary Accommodation. 103 properties are currently being used for temporary accommodation in Ledbury. All properties on regenerations schemes will be reviewed on an ongoing basis responding to any potential changes in phasing.	
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DRAFT

<b>Item No.</b> 11.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title</b>		Green Buildings Fund	
<b>Ward(s) or groups affected:</b>		Borough wide	
<b>Cabinet Member:</b>		Councillor Helen Dennis, Climate Emergency and Sustainable Development	

## **FOREWORD – COUNCILLOR HELEN DENNIS, CLIMATE EMERGENCY AND SUSTAINABLE DEVELOPMENT**

Delivering on net zero carbon buildings and sustainable development must be the cornerstone of any response to the Climate Emergency, and is central to Southwark Climate Strategy & Action Plan. As a Council, we are committed to playing our part locally in global action to prevent catastrophic climate change, and have promised to embed climate action in all that we do. The first theme of our Strategy & Action Plan is ‘Greener Buildings’, and from the analysis that we’ve commissioned, we understand that buildings in our borough are responsible for 79% of carbon emissions. With that in mind, it is vital that we use our powers as a planning authority to insist on exemplary new build schemes, and to push for the greatest possible ambition when it comes to the achievement of on-site CO2 emissions reduction. This is why our New Southwark Plan will require the reduction of emissions by 100% on 2013 regulations for residential developments, and 40% for non-residential, and why we have committed to an early review of the NSP to see if we can go even further.

However, we also know that technology in this area is still developing, and that schemes presently, are unable to meet these targets – this is why our Carbon Offset Fund is an essential tool for the Council, ensuring that financial contributions are legally secured that enable us to meet net zero by 2030. This report sets out how we plan to oversee and spend these carbon offset payments, establishing a ‘Green Buildings Fund’ which can enable work on community buildings, schools and council homes. As set out in our Climate Strategy & Action Plan, we will need much greater investment from central government to supplement this fund, but we are excited by the potential it offers to decarbonise some of our borough’s important community assets. This report also signals our intention to establish a local carbon offset price, building on the current London Plan price of £95 per tonne, which more closely reflects the full cost of carbon offset projects. It is my hope that over time, new technologies and a revised carbon price, will move us to a place where on-site savings are maximised, and where central government significantly increases the amount of funding that local authorities can access for this vital climate emergency work.

## RECOMMENDATIONS

1. That all secured carbon offset funding is held and consolidated in a carbon offset fund called the Green Buildings Fund to maximise carbon offsetting opportunities.
2. That the Green Buildings Fund is spent to deliver carbon offsetting projects in accordance with the council's Climate Change Strategy and Action Plan. The initial focus of offsetting projects will be the decarbonisation and retrofitting of community buildings, schools and council housing.
3. That officers will prepare recommendations with input from relevant Cabinet Members on which carbon offsetting projects to fund. The relevant delegated officer or the Planning Committee will approve the release of the funds for carbon offsetting projects using existing s106 processes.
4. That the funding criteria for carbon offsetting projects will be agreed by officers and relevant Cabinet Members.
5. That officers seek other sources of co-funding for the Green Buildings Fund, and review options for a new local carbon offset price in parallel to the New Southwark Plan early review, to encourage greater onsite carbon reduction performance and ensure the carbon offset price fully covers offsetting costs.

## BACKGROUND INFORMATION

### Policy context

#### National

6. The UK Government statutory commitment is to achieve net zero carbon emissions by 2050 as required by the Climate Change Act (2008) (as amended). This national legislation that applies to governance and institutions to ensure that they are addressing Climate Change. Point 1 of the Climate Change Act (2008) as amended states: "It is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least [100%] lower than the 1990 baseline."
7. Several recent national reports and targets define new considerations for a quicker response to the Climate Emergency and carbon emission reductions. These are relevant in the policy context of attaining zero carbon homes as they set out the need to respond quicker to reduce carbon emissions.

8. The Carbon Budget Order (2021) sets out the carbon budget of 965,000,000 tonnes of carbon dioxide equivalent for the next budgetary period 2033-2037. This is a legally binding reduction target.
9. The 6th Carbon Budget (2021) enshrines a new interim carbon target for the UK. The 6th Carbon Budget sets out a target of a 78% reduction in carbon emissions against 1990 level baseline carbon levels by 2035. This brings forward previous carbon targets.
10. The recently published IPCC report (2021) was published in response to the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways' contained in the Decision of the 21st Conference of Parties of the United Nations Framework Convention on Climate Change to adopt the Paris Agreement. The report sets out projected impacts and risks of climate change, and emissions pathways. The report demonstrates why both individuals and organisations need to act quickly to respond to Climate Change.
11. These publications and revised targets are part of an updated policy framework in advance of UN Climate Change Conference (COP26) in Glasgow in October-November 2021. The COP26 summit will bring parties from across the world to work together to accelerate action towards the goals of the Paris Agreement and the UN Framework Convention on Climate Change.

#### London Plan (2021)

12. This 2050 net zero carbon target, as required by the Climate Change Act (2008), is echoed in policy in the published London Plan (2021) which is committed to making London a net zero carbon city by 2050. London Plan Policy SI2 'Minimising greenhouse gas emissions' requires major development to be net zero-carbon. This means that major residential and non-residential development must reduce greenhouse gas emissions in operation and minimising both annual and peak energy demand.
13. The London Plan also requires boroughs to set up a carbon offset fund which is a collection of financial contributions secured through s106 agreements, where new major referable development has not achieved net carbon zero onsite and an offsetting payment is collected by the council to make up the shortfall to net zero.
14. The Fund is ring-fenced to secure delivery of carbon offsetting projects that reduce carbon emissions. Processes will identify a suitable range of projects that can be funded, and appropriate monitoring procedures to enable clear and accurate

reporting to ensure the offsetting is effective and transparent. The GLA has published guidance for management and governance of a Carbon Offset Fund<sup>1</sup>.

### The New Southwark Plan

15. As a sector, the planning system makes an important contribution to meeting the 2050 net zero target alongside all other sectors. The New Southwark Plan that has recently finished consultation on Main Modifications following public examination in Spring 2021 was prepared to meet the statutory 2050 net carbon zero target by proposing development plan policies that mitigate carbon emissions and ensure development adapts to climate change in general conformity with the London Plan (2021). Once the plan is adopted, likely later this year, the new energy policy 'P69 Energy' will require all major residential development to reduce onsite operational carbon emissions by 100% on 2013 Building Regulations Part L standards. Major non-residential developments must reduce carbon emissions onsite by a minimum of 40% on 2013 Buildings Regulations.
16. On 27 March 2019 Southwark's Council Assembly resolved to call on cabinet to declare a Climate Emergency and to do all it can to make the borough carbon neutral by 2030. In response to this declaration, the planning division will be reviewing its planning policies as part of an early review of the New Southwark Plan to meet this target. The council work to date has seen a 37% reduction in carbon from 2008.

### Southwark Climate Change Strategy

17. On 14 July 2021 Southwark's Council Assembly adopted the Climate Change Strategy to set out how Southwark will tackle the Climate Emergency and do all it can to reduce the borough's carbon emissions to net zero by 2030. The planning division is working closely with the Climate Change Team to implement the relevant Action Points within the strategy.
18. At the same time, Southwark's Council Assembly agreed a change to Southwark's Constitution that requires all reports to include information about the climate impact of that decision. This will enable decision makers are able to consider this alongside other considerations when making their decision.

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<sup>1</sup> [https://www.london.gov.uk/sites/default/files/carbon\\_offset\\_funds\\_guidance\\_2018.pdf](https://www.london.gov.uk/sites/default/files/carbon_offset_funds_guidance_2018.pdf)



## Section 106 Contributions to the Green Buildings Fund

19. Carbon offsetting is a planning obligation collected under Section 106 agreements. This obligation allows new developments to comply with planning policy where it is not feasible to achieve all necessary carbon emissions savings on the development site. The carbon offset is collected as a financial contribution by the Planning Division's S106 team. The funding is ring-fenced and will be used to 'offset' the carbon footprint of the new development by funding carbon saving projects elsewhere in Southwark. The fund may also receive further funding from external groups such as MHCLG.
20. The council's current carbon offset price at £2,850 per ton of carbon (a rate of £95 per tonne of carbon over a 30-year period) was adopted in November 2020 and is applied to all relevant major residential and non-residential schemes. This price is consistent with the price defined in the new London Plan (2021). The carbon offset price is currently under review. The previous price per tonne of carbon was £1,800 at a rate of £60 per ton of carbon over a 30-year period. The majority of funds currently secured and collected within the council's Fund was secured at the previous carbon offset price of £60 per tonne.

### Current total

21. As of August 2021, the council could receive up to £10,351,691.46 of potential carbon offset financial contributions if all permissions were implemented. However, it is unlikely the Council will collect the full amount as some permissions may not be implemented, some may be superseded, and others may have a Section 73 agreed to alter the financial contribution requested. Therefore, this figure could be lower in practice and must be considered as a potential total.
22. As of August 2021, the payments received by the Council from applicants total £2,398,421.46 which must be used to offset the total tonnes of carbon from new development schemes.
23. As of August 2021, this equates to circa 175,000 tonnes of carbon that needs to be offset by the potential payments to the Fund if all development that has been consented is delivered. The current total of tonnes of carbon to be offset is circa 42,000 tonnes for received payments to the Fund.
24. The fund income is currently secured and monitored by the planning division's S106/CIL team using Exacom, a software tool to monitor financial obligations of developments within Southwark.

## Forecast

25. The sole purpose of the Fund is to deliver carbon offsetting measures in the borough. In line with the strategic objective to achieve net zero carbon emission in new builds, the Fund foresees a reduced contribution from developments in the future as onsite carbon emission performance improves and therefore emphasises the effective use of the Fund to maximise carbon reduction through the offsetting projects.
26. There is a forecast reduction in financial contributions to the Fund over 10 years, as new developments will achieve high onsite energy performance to reach the 100% net zero carbon target under the new policies and higher cost of carbon. As such, the aim of the fund is to maximise carbon savings for minimum spend, including administration cost.

## KEY ISSUES FOR CONSIDERATION

### Overview of the Green Buildings Fund

27. The management and governance of the Green Buildings Fund must ensure that the Fund is well placed to deliver offsetting projects that can effectively offset the shortfall in carbon emissions from new developments by offsetting existing carbon emissions.

### Decision making

28. Officers will prepare recommendations with input from relevant Cabinet Members on which carbon offsetting projects to fund based on the funding criteria. Decisions on releasing s106 funds will take place using existing and established s106 processes to minimise administrative burden. Projects under £100k will require approval from the relevant Delegated Officer. Projects above £100k will be taken to Main Planning Committee to approve the release of funds for carbon offsetting projects based on the officer recommendation.
29. Officers will review, filter and shortlist potential projects through an application process and provide advice on their acceptability against funding criteria. A decision on whether the project will be funded or not will be taken using the same process for internal and external projects. Officers will have technical support to evaluate and monitor the effectiveness of offsetting projects.

### Day-to-day administration

30. Day-to-day responsibility for the management of the Fund and the selection, evaluation and monitoring of offsetting projects will have resource implications for the council. There are no resources currently assigned for this role and therefore a percentage of the collected funds will be used for administration costs (circa 5%) to fund appropriate roles. This will be reviewed as needed. The resource implications for the day-to-day administration of the Fund, will increase with the number of projects funded. The Section 106 and CIL team will be responsible for the ongoing collection and monitoring of the financial contributions secured through s106 agreements.

### Carbon offset ratio

31. The carbon offset ratio is a key performance indicator of the Green Buildings Fund. This is the carbon offset price per tonne of carbon compared to the cost of the offset measure to reduce one tonne of existing carbon emissions. For example, if the cost of carbon is £95 per tonne, the council should spend no more than £95 per tonne of carbon to offset a tonne that has been emitted. This is expressed as a ratio of £95: £95 or 1:1.
32. As such, a carbon offset ratio of 1:1 will be a core criterion for the successful funding of offsetting projects so that they deliver the required carbon reductions at the required cost per tonne - £60 or £95 per tonne depending on the carbon offset price at the time the s106 legal agreement was agreed.
33. The Fund must achieve a 1:1 carbon offset ratio as early and consistently as possible to achieve the ambition of meeting net zero development. The Fund will need to be flexible in terms of types of projects it funds to ensure this. If the 1:1 carbon offset ratio is not achieved, the underperformance will put pressure on subsequent project spending to achieve higher levels of carbon emission reductions that potentially cost more to implement. If the ratio is lower than 1:1, e.g. 1:2, the council would spend more than £95 on offsetting each tonne of existing carbon, again resulting in an underperformance in reaching net zero. Moreover, further projects would need to achieve greater carbon emissions reductions to offset underperforming projects that do not meet net zero targets. Therefore, the cost of a project or initiative should not propose a carbon price greater than £95 per tonne if the net zero carbon is to be achieved.
34. Table 1 provides a scenario where financial contributions are secured within the Green Buildings Fund from three planning permissions, based on the carbon price of £95 per tonne, and subsequently how the Fund is used to deliver two projects to offset the residual emissions created by the three schemes. It shows that the offsetting projects can achieve a 1:1 carbon offset ratio as they cost £95 per tonne

of carbon saved. If further projects continue to offset the remaining emissions on a 1:1 carbon offset ratio, the total residual emissions from the three schemes will be fully offset by the funded measures, using the exact amount of financial contributions secured from the S106 agreements.

**Table 1: How the carbon offsetting will work (Example figures used).**

<b>Planning Permissions</b>	<b>Total tonnes of CO2 per year to be offset</b>	<b>Total tonnes of CO2 over 30 years to be offset</b>	<b>Financial contribution from applicant, secured through s106 (£95 per tonne, tCO2)</b>	<b>Total available Funding within the Carbon Offset Fund</b>
Planning Permission 1	20t	600t	£57,000	£57,000
Planning Permission 2	400t	12,000t	+£1,140,000	£1,140,000
Planning Permission 3	1000t	30,000t	+£2,850,000	£2,850,000
<b>Total from Planning Permission</b>	<b>1420t</b>	<b>42,600t</b>	<b>=£4,047,000</b>	<b>£4,047,000</b>
<b>Offsetting Project</b>	<b>Total tonnes of CO2 per year to be offset</b>	<b>Total tonnes of CO2 over 30 years to be offset</b>	<b>Financial spend of offsetting project (£95 per tonne, tCO2)</b>	
Offsetting project 1	30t	900t	-£85,500	£3,961,500
Offsetting project 2	500t	15,000t	-£1,425,000	£2,536,500
<b>Total offsetting achieved</b>	<b>530t</b>	<b>15,900t</b>	<b>=£1,510,500</b>	<b>£2,536,500</b>

<b>Example: Remaining tonnes of carbon to be offset at 1:1 carbon offset ratio</b>	<b>26,700t</b>	<b>£4,047,000 - £1,510,500</b>	<b>£2,536,500 remaining in the fund</b>
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### Type of carbon offsetting projects

35. The Green Buildings Fund will be flexible and fund a range of projects to ensure optimal delivery of Fund. A set of funding criteria will dictate which projects are considered for selection, evaluation and decision. Projects must deliver the highest carbon reduction per pound spent in line with the Climate Change Strategy.
36. The Fund is solely for the purpose of reducing emissions. For an offsetting project to be funded using the Green Buildings Fund, it will need to comply with the funding criteria.
37. Funding criteria is currently being prepared but will likely require:
  - Projects to meet at least a carbon offset ratio of 1:1 or better. This means that for each £60 or £95 (if secured at that carbon offset price)\_spent one tonne of existing carbon emissions must be reduced
  - Not be proposed by an individual or an individual business for individual benefit
  - Provide details of carbon reduction potential and proposed monitoring
  - Be legally entitled to receive funding from the council and observe applicable limitations that apply to funds raised through S106; and
  - Comply with GLA Carbon Offset Fund Guidance and all applicable legislation
38. Once the funding criteria for offsetting projects has been agreed, it will be published on the council's website with the relevant guidance and application form.
39. One of the focuses of the Green Buildings Fund will be to fund offsetting projects that enable the retrofitting and decarbonisation of existing community buildings, schools and council housing, as this is where the biggest carbon reductions can be made and can utilise existing in-house structures to reduce administration costs take advantage potential economies of scale.
40. Some projects funded by the Green Buildings Fund may have identifiable co-benefits for the natural and built environment, and local communities. These co-benefits will be evaluated in the selection and evaluation process of projects, as a consideration when there are multiple projects which meet or exceed the carbon

offset ratio. Projects with co-benefits and that meet these criteria should be considered for funding.

41. No geo-fencing or only funding projects in specific geographical areas of the borough is proposed. This to ensure the Fund us be spent on projects across the borough wherever a minimum carbon offset ratio of 1:1 can be achieved to ensure the highest carbon emissions reduction.

#### Monitoring and reporting

42. Due to the range of project type and size, all proposed offsetting projects will be required to state as part of the funding application how the savings will be calculated in advance and verified following funding. An industry standard methodology such as SAP can be used to assess built environment carbon emission reductions prior to funding. With technical support from consultants, a standard methodology for the prediction and verification of carbon savings for Green Buildings Fund projects will be developed and agreed. Having a standard methodology is important for accurately assessing the effectiveness of projects to reduce carbon, and to also ensure that the monitoring and reporting is clear, accurate and transparent.
43. Further work will take place to define a clear auditing mechanism for the ex-ante and ex-post verification of offsetting projects. Some flexibility may be required for community-led projects where the exact reduction in emissions cannot be provided.
44. The reporting of potential and received payments into the Green Buildings Fund, the disbursement of the fund, and details of the projects will take place using a live monthly report. In addition to this, there will be annual data relating to the fund in the Annual Monitoring Report for the Climate Change Strategy and in GLA Annual Monitoring Report.

#### Supporting documents and guidance

45. A Carbon Offset Fund background report prepared for the Planning Division was completed in November 2020 by Anthesis Consultants. The report provides guidance to the council regarding the management and spending of a carbon offset fund. The Greater London Authority published guidance for London's Local Planning Authorities on establishing carbon offset funds in October 2018.

## **Community, equalities (including socio-economic) and health impacts**

### **Community impact statement**

46. The implementation of the Green Buildings Fund will have a positive impact for the community. Our commitment to meeting the challenge of the climate emergency opens enormous opportunity for the borough, its residents and businesses. By taking an approach that puts social justice at the centre there is an opportunity to tackle not just the climate emergency, but to reshape our borough, to create a better, fairer Southwark. The decisions we take in funding offsetting projects have the potential to deliver wider benefits, improving the quality of homes and community buildings, reducing air pollution, improving health and creating good quality green jobs.

### **Equalities (including socio-economic) impact statement**

47. In everything we do as a council, we seek to promote equality. The implementation of the Green Buildings Fund will have a positive impact for all, including those with protected characteristics as it will reduce existing carbon emissions by funding offsetting projects across the borough.

### **Health impact statement**

48. By funding and delivering a variety of carbon offsetting projects across the borough, co-benefits from projects may enhance the health and well-being of our residents.

### **Climate change implications**

49. Agreeing the report recommendations will ensure that new major development that has already been granted planning permission will be net zero once the required offsetting of existing carbon emissions within the borough has taken place by spending funds secured through S106 legal agreements. This is an important Action Point in delivering the Climate Change Strategy and reducing carbon emissions within the borough and embed new processes and skills within the council to deliver these projects.

### **Resource implications**

50. There will be a requirement for officers to administer and monitor the fund and projects through the Climate Emergency and Planning teams.

### **Legal implications**

51. See response from Director of Law and Governance

### **Financial implications**

52. There are no immediate financial implications due to the implementation of the recommendations of this report.
53. If required, circa 5% of the collected funds may be used for the administration costs for the day-to-day running of Fund. As of August 2021, the current Fund total equates to £2,398,421.46 with 5% of this total equating to £119,921.07 to cover administration costs if needed. There is a projected Fund total of £10,351,691.46 if all current permissions were implemented.
54. Future costs for the administration of the Fund will be addressed in further reports at the time those costs will be incurred. Any underspend on administration may be used for offsetting projects.
55. Any future projects due the implementation of recommendations of this report will be dealt by the further reports.
56. As above, it is anticipated that the type of carbon offsetting projects that will be prioritised will be capital projects provided funding criteria is met.

### **Consultation**

57. Not applicable

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

#### **Director of Law and Governance**

58. This report recommends that a Green Buildings Fund is set up to collate all carbon offset funding received through S106 agreements and any other sources of funding to deliver carbon offsetting projects across the Borough.
59. On 14 July 2021 the Council Assembly approved the Climate Emergency Strategy. Officers explain that the recommendations in this report seek to build on and deliver the action points in the Council's Climate Emergency Strategy.
60. The Council's constitution was further amended to note that "Southwark Council has declared a Climate Emergency and committed to do all it can to make the borough carbon neutral by 2030. The council will protect our environment for the benefit of our residents and take steps to reduce the borough's carbon emissions in recognition of the climate emergency". The recommendations in this report are sought in accordance with this responsibility.



61. It is noted that, in accordance with Part 3F of the Council's Constitution, matters reserved for decision by the planning committee are the expenditure of funds over £100,000 of strategic importance secured through legal agreements under section 106 of the Town and Country Planning Act 1990, or any previous legislation. All projects funded by the Green Buildings Fund, which involve expenditure in excess of £100,000, will need to be referred to planning committee and officers from legal services will provide legal advice, when required, in relation to this process.
62. Officers will also need to note the individual terms of a section 106 agreement and if there are any restrictions on the expenditure of a carbon offset contribution. Any such restrictions will need to be adhered to when funds are considered for a project.
63. 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. A decision has not yet been made regarding the specific projects which will benefit from the Green Buildings Fund but it is intended that everyone will benefit. The Public Sector Equality Duty will need to be considered for each project.
64. 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).
65. The introduction of this Green Buildings Fund is not anticipated to have any detrimental impacts on a particular group or to breach the provisions of the Human Rights Act 1998.

#### **Strategic Director of Finance and Governance (CE21/048)**

66. This report is requesting cabinet to approve a number of recommendations relating to the Carbon Offset Fund as reflected in the report. Background and full details are contained within the main body of the report.

67. The Strategic Director of Finance and Governance notes that the carbon offset amounts are collected under S106 agreements from developers into a Carbon Offset Fund maintained by the council to fund carbon offsetting projects in the future. It is noted that there are no immediate financial implications arising from this report and the costs of maintaining and managing the Carbon Offset Fund will be financed within the 5% of the fund set aside for administration expenditure.
68. The strategic director of finance and governance expects the use of the Carbon Offset Fund for future projects will be subject to formal reports with financial appraisals, including identifying the revenue or capital resources for any new commitments.
69. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

#### **Other officers**

N/a

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
None		

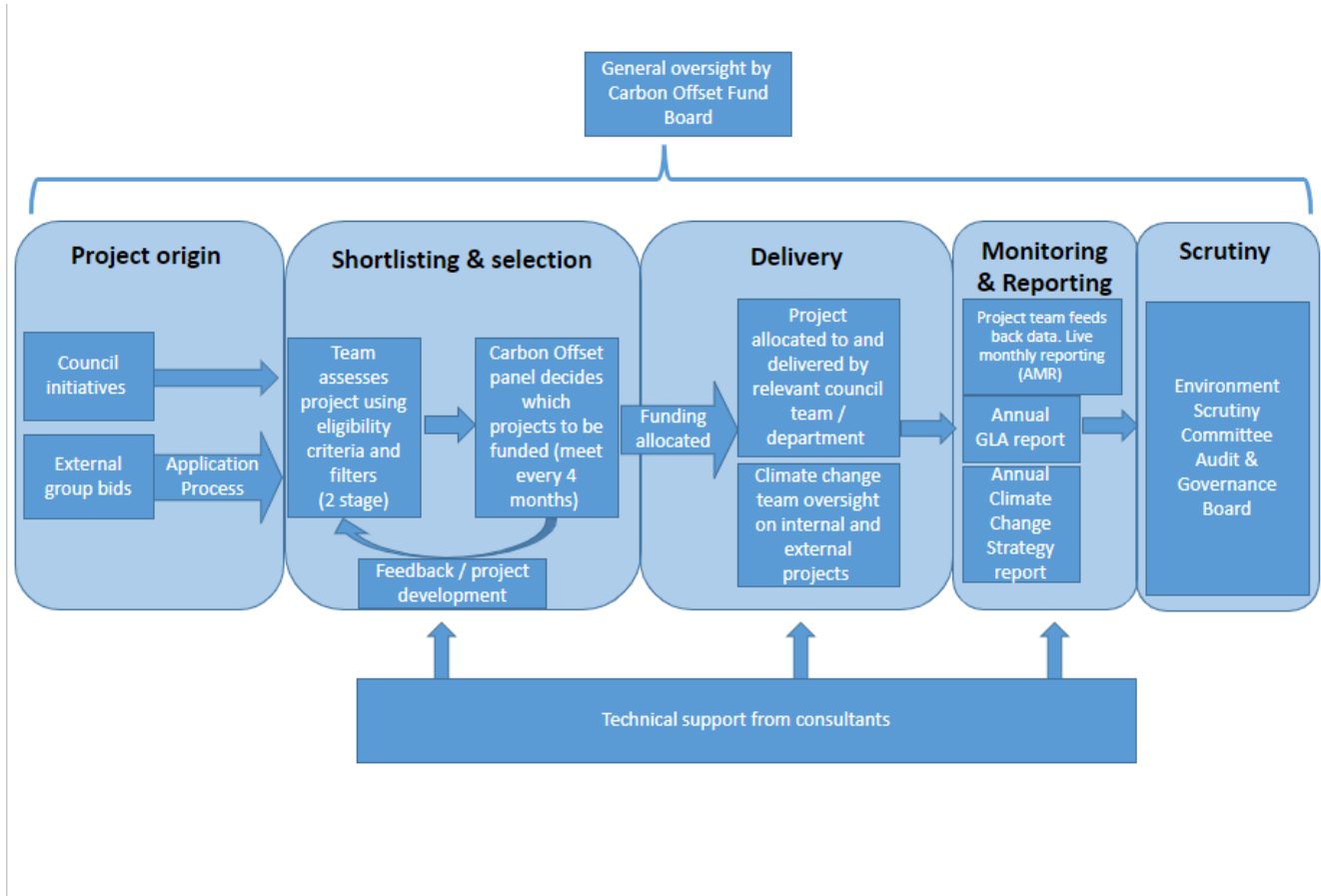
#### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Flowchart of the projects for the Green Buildings Fund

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Helen Dennis, Climate Emergency and Sustainable Development	
<b>Lead Officer</b>	Juliet Seymour, Planning Policy Manager	
<b>Report Author</b>	Tom Buttrick, Team Leader, Planning Policy	
<b>Version</b>	Final	
<b>Dated</b>	7 October 2021	
<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 Governance	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>	7 October 2021	

## Appendix 1: Flowchart for the projects for the-Green Buildings Fund



<b>Item No.</b> 12.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Heritage Supplementary Planning Document (SPD)	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Helen Dennis, Climate Emergency and Sustainable Development.	

**FOREWORD – COUNCILLOR HELEN DENNIS, CABINET MEMBER FOR CLIMATE EMERGENCY AND SUSTAINABLE DEVELOPMENT**

The immensely rich and varied architecture, archaeology and history of Southwark is of national and international significance, ranging from prehistoric flint scatters, through Shakespearean playhouses, to the vast industrial Tate Modern. Our historic environment is an important and essential community benefit, contributing many tangible and intangible benefits to wellbeing, culture, and the sense of place and identity.

At the same time, Southwark also has some of the highest regeneration activity experienced anywhere in London. We recognise that Southwark’s unique historic environment is a finite and non-renewable resource, and requires sustainable management based upon best practice, clear principles, consistent policies and sound guidance. Our aim is to find a balance between our commitment to the historic environment and to sustainable development.

The purpose of this document is to show how the development decisions the council make are considered, and are consistent with national and local policy and guidance. Policies within the Southwark Plan protect the historic environment from harm and ensure that heritage-led development conserves or enhances heritage places and their settings.

Southwark Council have produced this Supplementary Planning Document (SPD) to set out our approach to the management of heritage assets and to show how we protect and celebrate our common humanity in harmony with the economic and social needs and aspirations of the people who live, work and visit Southwark now, and in future generations. History is not just about the past, it is an essential and unstoppable process and all of us are living histories, creating new history every day. History can help us to understand and engage with our contemporary places and cultures and nurture a sense of belonging and identification for everyone.

We hope that this document will provide clear guidance to help manage change in the historic environment through the planning system. We hope it will set out our commitment to Southwark’s unique heritage and celebrate new history in the making, but above all provide helpful and clear advice on how to approach these matters and find sustainable outcomes.

## **RECOMMENDATIONS**

That Cabinet:

1. Agree that the Heritage Supplementary Planning Document (SPD) be adopted (Appendix A).
2. Notes the Equalities Impact Assessment (Appendix B) and Consultation Report (Appendix C)

## **BACKGROUND INFORMATION**

3. The Heritage SPD provides guidance on how to apply the relevant policies of the Southwark Plan and the emerging New Southwark Plan concerning the historic environment. It gives guidance on how to conform to the additional national and local legislature and policies, within which the council must operate.
4. The aim of the Heritage SPD is help people to understand heritage matters and provide advice on conservation, preservation and enhancement of the historic environment.
5. It is designed for a wide readership, including applicants, owners, residents, planners, community groups and developers.
6. This document is a Supplementary Planning Document (SPD), which means that it is supplementary to the saved policies of the Southwark Plan and the emerging New Southwark Plan. SPDs contain non-statutory guidance that expands on development plan policies. SPDs can be a material consideration in planning decisions but are not part of the Plan.

## **KEY ISSUES FOR CONSIDERATION**

### **Climate Change**

7. As a result of the UK Government passing legislation to become Carbon Neutral by 2050, Southwark issued a Climate Emergency and made a pledge to do all it can to become carbon neutral by 2030.
8. Southwark's heritage assets have already released the carbon generated during construction, which means it is vital that we prioritise re-using our heritage assets, which will help towards reducing any present or future emissions.
9. Adapting and retrofitting our heritage assets will help to continue the longevity of these buildings. This could be done by restoring the existing use or changing the use through alterations.

## **Southwark's Heritage Assets – Listed Buildings, Local List, Conservation Areas, Archaeology and Nature.**

10. Southwark has approximately 1,000 heritage assets ranging from houses, schools, offices, railings, walls, gates, tombstones and monuments. These can be statutory designated heritage assets such as Listed Buildings, Conservation Areas or Scheduled Ancient Monuments (SAM), or locally designated heritage assets such as the Local list.
11. Under the Planning (Listed Buildings and Conservation Areas) Act 1990, a listed building is a building of special architectural or historic interest that is included on the national list of historically important buildings. The Government puts together this list with advice from Historic England.
12. Only a very small percentage of Southwark's buildings are listed. This fact alone makes every listed building special. The purpose of listing is to make sure that the special interest of these buildings is taken into account in decisions affecting their future. In order to protect Southwark's built heritage, special planning controls apply to listed buildings.
13. Southwark Council has a duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate as conservation areas those 'areas of special architectural or historic interest, the character of which is desirable to preserve or enhance.' It is the overall character of an area, rather than the individual buildings, which is important when designating a conservation area. The main purpose of designating a conservation area is to preserve and enhance the character and appearance of the area. The emphasis of planning control in conservation areas is not preventing development, but managing change that will harmonise with the special architectural or historic qualities of the area and protect open spaces and the wider setting of the conservation area.
14. A locally listed building is a building, structure or feature which is not listed but is important in the local context owing to its special architectural or historic interest or its townscape or group value. The protection of local heritage is important because it enhances the value of Southwark's built environment, but also maintains a sense of local distinctiveness which can assist with regeneration and place-making.
15. Archaeology is the study of people and past activities from the below-ground evidence that they leave behind, normally this takes the form of buried layers and deposits (stratigraphy), finds (artefacts) and features (pits, post-holes, ditches, wells, etc.). Southwark contains some of the most important urban archaeological sites in Britain, with sites dating from Mesolithic times (8,500 BC to 2,000 BC) in a pre-urban landscape to buried deposits relating to modern London as a world city. Archaeology is finite and non-renewable, and the council works hard to preserve this fragile resource.

16. The natural environment, like the historic environment, makes a positive contribution to community life by boosting wellbeing, increasing mutual understanding and cohesion and encouraging a stronger sense of place. Natural assets include geology, soil, air, water and all living things and their ecosystems, as well as natural processes and functions. It is this 'natural capital' that makes human life possible.

### **Heritage Crime**

17. Southwark's heritage assets are of national importance. It is only right that the Council should act to protect them from criminal damage and to enforce against unauthorised works that harm their special character.
18. It is an offence for anyone to carry out works that require ancient scheduled monument consent or listed building consent without the consent being first obtained. It is similarly an offence to demolish a building within a conservation area without express planning permission.

### **Consultation**

19. Consultation for the Heritage SPD began on Monday 11<sup>th</sup> January 2021 and was due to close on Monday 5<sup>th</sup> April 2021. As a result of the New Southwark Plan Examination in Public, the consultation period for the Heritage SPD was extended to Monday 10 May 2021.
20. Comments were provided via the Consultation Hub, or written responses sent to the Planning Policy Inbox ([planning.policy@southwark.gov.uk](mailto:planning.policy@southwark.gov.uk)).
21. Notifications of the consultation were sent out via MySouthwark to all statutory consultees that have signed up for this service. The link to the consultation hub was included in this notification.
22. Advertisement of the consultation was published on the council's social media pages in order for the consultation to reach a wider audience.
23. The consultation was presented at Southwark's Conservation Advisory Group (CAAG) on Tuesday 23 January 2021 by a Design and Conservation team leader.
24. A public consultation event was held on 16<sup>th</sup> February 2021 where an overview of the document was given by the previous Cabinet Member for Climate Emergency, Planning and Transport, Councillor Johnson Situ, and was followed by a presentation by the Group Manager of the Design and Conservation team and a Q&A session.
25. All documents relating to this consultation were also made available on the Southwark website.
26. The key themes to come out of the consultation were;



- a. Need to expand upon guidance in chapter six, 'Historic Environment in a Changing Climate'
  - b. Additional clarifications to be provided in chapter seven, 'Introduction to Built Heritage Assets' in order to make guidance clearer and consistent
  - c. Summaries requested of external guidance documents such as those from Historic England
27. Chapter six, 'Historic Environment in a Changing Climate' has been added to, with updated information and further diagrams provided. Additional clarifications have been provided within chapter seven, 'Introductions to Built Heritage Assets' and guidance updated with any national or regional policy changes to ensure consistency. The SPD was not considered the place to provide extensive summaries of external guidance as the document would become overly lengthy, however, any relevant external guidance has been linked to and signposted.
28. Full consultation responses and how they have been dealt with can be found in the Consultation Report (Appendix C).

### **Community impact statement and equalities**

29. The Heritage SPD is intended to be inclusive and accessible. Planning has a key role to play in supporting the council to promote equality and value diversity. We want to involve as many people as possible from as many communities as possible in the planning process. This aligns with our Public Sector Equality Duty.

### **Health impact statement**

30. Not applicable

### **Climate change implications**

31. The Heritage SPD sets out guidance for in chapter six, 'Historic Environment in a Changing Climate' on appropriate considerations for applicants to consider for the adaptation and retrofitting of heritage assets. The guidance will assist the delivery of schemes with lower carbon emissions as they progress through the planning system. New guidance within the SPD supports the delivery of the council's Climate Change Strategy.

### **Financial implications**

32. There are no immediate financial implications arising from this report.
33. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

## Legal implications

34. This report is being brought before the Cabinet Member for Climate Emergency and Sustainable Development under Part 3D of the Constitution. Under paragraph 7 of Part 3D individual cabinet members have the power to agree significant policy issues in relation to their area of responsibility. The Cabinet Member for Climate Emergency and Sustainable Development therefore has the power to agree the draft of the Heritage SPD which would include sending it out for consultation. It should be noted however that final approval of the SPD resides with full Cabinet under Part 3C of the Constitution paragraph 21 which states that only full Cabinet has the power to adopt supplementary planning documents taking account of comments from the planning committee.
35. The National Planning Policy Framework states that SPD's add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites or on particular issues and are capable of being a material consideration in planning decisions but are not part of the development plan.
36. The Town and Country Planning (Local Planning) England Regulations 2012 states at regulation 12 that a local planning authority must undertake a process of public participation before it can adopt a SPD. Part of that process involves consulting with relevant persons, setting out the main issues raised by those persons and then explaining how those issues have been addressed in the SPD. This report is the first step towards beginning the public participation process and will help to inform further drafts of the SPD.
37. SPD's are not subject to independent examination in the same way that other planning documents are however as stated above there is still a process of consultation that must be undertaken in respect of such documents. Section 19(3) of the Planning and Compulsory Purchase Act 2004 specifically requires local planning authorities to comply with their adopted Statement of Community Involvement ("SCI"). The Council's SCI provides for a period of 6 weeks informal and then 6 weeks formal consultation which occurred from 11 January to 10 May 2021.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

**APPENDICES**

No.	Title
Appendix A	Heritage Supplementary Planning Document (October 2021)
Appendix B	Equalities Impact Assessment
Appendix C	Consultation Report

**AUDIT TRAIL**

<b>Lead Officer</b>	Juliet Seymour, Head of Building Control, Policy, Transport, Design and the Built Environment	
<b>Report Author</b>	Gemma Williams, Planning Officer Athena Hylton Thompson, Graduate Planner	
<b>Version</b>	Final	
<b>Dated</b>	7 October 2021	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Departmental Finance Manager	Yes	Yes
Cabinet Member	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		7 October 2021

<b>Item No.</b> 13.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Annual Workforce Report 2020–21 and Workforce Equality, Diversity & Inclusion Action Plan	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Rebecca Lury, Finance, Performance and Democracy	

### **FOREWORD - COUNCILLOR REBECCA LURY, CABINET MEMBER FOR FINANCE, PERFORMANCE AND DEMOCRACY**

For the second year, this report comes in the face of unparalleled challenge for our workforce during the Covid-19 pandemic. The period of the report is 1 April 2020 – 31 July 2021.

I want to give my thanks to all employees for their hard work in continuing to serve our community in difficult circumstances.

The council has long been committed to achieving a workforce that reflects the community of Southwark, and has made year on year progress to achieving that aim.

We are slowly recovering from the pandemic and adjusting towards business as usual. We are proud of what Southwark council has achieved, particularly our contribution to helping residents and communities through one of the most testing times in recent memory.

Whilst the pandemic continues and we try to return to a new normal, there is much planned to improve workforce equality, diversity and inclusion.

The Annual Workforce Report provides an update on key aspects of our progress, including information on the make-up of our workforce and our recruitment, training, pay and Southwark Stands Together.

With Southwark Stands Together alone we have increased the number of Black, Asian and minority ethnic colleagues at the senior management level from 22% to 26% since 1 April 2020 despite the challenges of the pandemic; we are reviewing our recruitment practices; we have stopped using the term 'BAME' in our workforce; we are on track to deliver 100 internships to local people in the Council, with 82% identifying as Black, Asian and minority ethnic.

This report shows the diversity of our workforce of over 4,000 staff, with our work to support our parental workforce and the support we provide to those at all stages of their careers, across all age groups.

We will be looking to continue to provide support to our whole workforce over the year ahead.

## **RECOMMENDATIONS**

1. That the Cabinet notes the Annual Workforce Report attached as Appendix 1, including the Protected Characteristics and Workforce Profile (Section 1), General Workforce Data (Section 2), Pay Gap reports (Section 3) and the Equality, Diversity and Inclusion (EDI) Action plan (Section 4) and this covering report.
2. Cabinet notes that officers will continue to develop and deliver the council's Equality, Diversity and Inclusion action plan including the recommendations under Southwark Stands Together – Workforce Work stream to improve EDI across our workforce.

## **BACKGROUND INFORMATION**

3. This year the Annual Workforce Report (Appendix 1) has been redesigned to provide clarity to the reader on the council's legal duties and our commitment to go over and above our legal obligations to improve EDI across our workforce. The new format has designated sections such as:
  - Section 1 - Our legal duty to report on the Public Sector Equality Duty for the Protected Characteristics
  - Section 2 – the General Workforce data as part of our commitment to be transparent and open
  - Section 3 - Pay Gap Reports on Gender, Ethnicity and Disability
  - Section 4 - Equality, Diversity and Inclusion Action Plan and next steps.
4. We are proud to have taken bold steps through our Southwark Stands Together (SST) programme to address organisational challenges to tackle racial inequality in the council. In doing so, we understand that it is imperative that we demonstrate that commitment by addressing under-representation of Black, Asian and Minority Ethnic staff at all level in the council. This is particularly important since international and national research states that client's, customers and residents benefit from enhanced service provision if they are provided from diverse teams that reflect their own communities. Therefore, diversity is essential for good service provision, as well as a legal and moral duty to ensure that Southwark council reflects the local community we serve.
5. At the point of reporting this to Cabinet, the council has seen the extreme inequalities identified by the international Covid-19 pandemic and the momentum of the Black Lives Matters movement across the world. These

two issues have together illuminated the inequalities within British society, within our Southwark community and Southwark council as an employer. Through the work of the SST Programme (which was first presented to Cabinet on 20 October 2020), we have been working collaboratively with our staff and key stakeholder to address the inequalities within Southwark councils workforce. This report outlines the work we have been doing to deliver key projects, initiatives and activities implemented during the period 1 April 2020 – 31 July 2021.

## KEY ISSUES FOR CONSIDERATION

6. Over the last year, the council has progressed significantly in addressing areas of inequality within the workforce and taken very specific action with regards to race and ethnicity as part of the SST Programme within the Workforce Work stream.
7. Key areas of activity and achievement for 20-21 have been in:
  - a) The implementation of the SST Programme - Workforce Work stream which has been working to address racial inequality. We made a commitment to amplify the voices of our staff from Black, Asian and minority ethnic communities through our solutions based conversations designed to help draw out beliefs and perceptions from the workforce on area where they felt the council should focus on to affect real change. In these discussions, they shared their personal experiences and most importantly, what they wanted the council to address to improve their experience in the council. This information has formed the basis for key changes such as; improvement in recruitment practices, re-designing employment policies, improved learning and develop for staff and leaders on EDI and increased representation of Black, Asian and minority ethnic staff at senior management level (grade 14 and above).
  - b) Our commitment to continue funding of our Staff Networks to provide support for our key staff groups within the protected characteristics, providing dedicated events and support networks for employees. This has enabled us to bring different groups of employees together to develop our understanding and commitment to intersectionality and help foster a culture of cohesion and belonging.
  - c) The provision of a range of EDI events throughout the year, thus challenging discrimination and championing unity and inclusion for all protected characteristics including Southwark's first Race Inclusion Week and 'Career Conversations' to celebrate and amplify the voices of senior managers in under-represented groups.
  - d) Our re-accreditation of the Disability Confident status to support our employees with a disability and a range of events to understand disability and intersectionality with our other protected characteristics.

- e) Launch and implementation of key policies and guidance to support women in the workplace, Domestic Abuse and Menopause.
  - f) Implementation of the use of pronouns in email footers and the launch of the Transgender and Gender Identify Guidance for our colleagues from the LGBTQ+ community.
  - g) Comprehensive programme of support to working parents during the Covid-19 pandemic.
  - h) Our commitment to engage and involve our workforce in the development and production of key employment initiatives that affect them has been demonstrated by widening our engagement throughout the workforce through our Staff Networks and SST Champions who play an active role in shaping the direction of our EDI strategies, initiatives and action plans.
8. The initiatives undertaken in 2019-20 have been a good start to inform the EDI action plan for 2021. We have used our workforce data to help shape the action plan, so that we understand the areas of focus that a likely to achieve the greatest impact for our workforce.
  9. The analysis of the current workforce data, the identification of significant underlying trends, has helped identify initiatives which is being developed with the co-operation and involvement of key stakeholders across the council to improve our approach to EDI.
  10. In summary, our legal duty to report on the Public Sector Equality Duty for the Protected Characteristics has been met by the production of our Annual Workforce Report, specifically section one of the report. The key highlights/challenges areas for development are:
  11. Our commitment to be transparent and share our data to help encourage our workforce and key stakeholders to address challenges in our workforce is demonstrated under section two of the Annual Workforce Report. The key issues from the general workforce data show:
    - **Starters** - There were 533 (398 2020-21 financial year and 135 April to July 2021) people who started work with the council within the year. The number of staff recruited was less than the 513 new starters the previous year due to the impact of Covid-19. Those starting during this period have not resulted in any notable changes to the profile of the workforce in terms of sex, age, ethnic origin or disability (Key workforce data). 60 new starters were TUPE intake as part of the Parking Service moving into Southwark Council. A key area for development here is to develop and reshaping the Corporate and Departmental Induction programmes for all new starters as part of the Employee Experience Strategy and Recruitment Strategy, to ensure new starters are inducted as early as possible.

- **Leavers** - 415 (272 in financial year 2020-21 and 143 April to July 2021) staff left the organisation in the reporting period in comparison to 407 in 2019-20. The most common reason for leaving during the report period was resignation 64%. The key areas for development is the exit interview strategy
- **Recruitment** - During April 2020 to July 2021 the Council ran 583 recruitment projects which resulted in 13,895 people who pursued an application for employment with us. When reviewing sex and disability the success of people at the hired stage of the recruitment process are in line with the percentages of people who applied, i.e. female / male, not disabled / disabled. For ethnicity, the success of people at the shortlisting stage is in line with the percentages of people who applied, however this does not follow through to appointment. The areas for development her are to apply the full range of changes in recruitment practices as detailed in the Southwark Stands Together action plan including review the Recruitment and Selection policy and implement a council wide Recruitment Strategy.
- **Agency Workers** - Agency Workers currently account for approximately 12% of the workforce and we have seen an increase in agency usage due to the requirement for interim and specialist skills sets, seasonal work, greater requirement within Adults and Children's Social care. The key area for development will be the development of an Agency Strategy that will aim to reduce our reliance on agency workers and particularly in those areas with long tenure.
- **Learning and Development** - Learning and development opportunities for the workforce have continued in earnest despite the pandemic and the Council has provided a range of blended learning, in person (as we return gradually to workplaces) on online, through group webinars, individual e-learner training, in-house training using Teams and on-demand recording of sessions available via Microsoft Stream, which stores videos created within various Microsoft apps. We have continued to provide the Professional Qualifications Scheme, ILM, working to implement digital inclusion for our entire workforce and an enhanced equality of opportunity suit of courses in support of the Southwark Stands Together Workforce Work stream action plan. Key areas for development over the year ahead will be providing a clear L&D Programme from new starter to exit level, clearly tied Southwark's values and behaviours.
- **Sickness** - the average number of sick absence days per person is 6.04 days (12 months to July 2021), which is a decrease of 1.38 days per person since last year. This is lower than the average sickness across London boroughs of 8.6 days and public sector average of 8.8 days (LGA, 2020). The largest category for the grouped sickness absence reasons is 'stress/depression/anxiety/mental health' accounting for 28% of all absence (an increase of 2% from last year). Although this seems high the Health and Safety Executive, in 2019-20 reported stress,



depression or anxiety accounted for 51% of all work-related ill health cases. The areas of focus for the year ahead are to continue to promote and develop wellbeing and mental health support for all staff, the launch of the new Wellbeing Strategy and council wide sickness strategy is being developed in order to provide strong absence management with a holistic approach to wellbeing at work, which is particularly in the light of post pandemic and the return to the workplace.

- **Disciplinary Investigations and Outcomes** - It is usual within a Local Authority to have a very small percentage of staff who were subject to disciplinary investigation. In this reporting period, Southwark has had 1% of the workforce who have been subject to disciplinary proceedings. The majority of cases were men, in grades 1-9. All 6 dismissals this year were white men. It is essential that all disciplinary investigations are reviewed and monitored. The area of focus will be to complete a trend analysis to assess what interventions could be implemented to avoid repeat behaviour that leads to disciplinary action. By undertaking this analysis the Council would aim to identify the potential causes that could be addressed by undertaking training and development or where better managerial guidance and direction on any specific reoccurring themes could be implemented.

- **Capability** - Managing performance and sickness absence management is essential within a local authority. In the majority of cases most employees will never need to have their performance or sickness managed via the capability policy only 0.5% of the workforce did this reporting period. It should not be seen as solely punitive, it aims to encourage individual improvement and the raising of standards. This is supported as 65 % of those complaints were resolved with no requirement for further action as they were positively resolved. Of those cases that progressed more white employees were subject to capability proceedings than colleagues from black, Asian and other ethnic minority communities and most were in grades 1-9. The area of focus will be to complete a trend analysis to assess what interventions could be implemented to avoid repeat behaviour that leads to capability action.

- **Employee complaints** - There were 0.5% of the workforce who took out an employee complaint, of which the majority were resolved in stage 1 the informal part of the process. Of the very small number of complaints that progress (7 in total) there was a split between men and women, more complaints were made by employees who identified their ethnicity as black and more white employees complaints were upheld in comparison to black colleagues. It is important that we monitor the complaints received and undertake a 'deep dive' into the topics that underpin that complaint, review those areas where problems exist, identify potential solutions and take action to address the areas of concern.

- **Respect at Work Complaints** - 0.4 % of the workforce (19 complaints), have been raised complaints under the Respect at Work

procedure, related to perceptions/experiences of harassment or bullying in the workplace. 51% were female and 49% were male. 74% of RAW complaints were received from employees who identify as black or Asian and 21% were identified as white, 32% had a disability. Areas of focus for the year ahead will be ensuring the Southwark Council does not tolerate employees experiencing bullying or harassment in the workforce and under the Southwark Strands Together Workforce Work stream addresses areas of racial inequality or discrimination including a 'deep dive' into those who identified as disabled. Therefore, continued monitoring of this data to identify any trends is essential if we are to deliver our two newest equality values as a council.

12. All the data and trends that have been identified within Section 1: Protected Characteristics and Workforce profile and Section 2: General Workforce data has informed the key areas of focus the council will be taking to ensure that we deliver of our two new council values to:
  - always work to make Southwark more equal and just
  - stand against all forms of discrimination and racism.
13. This will be achieved by delivering the Equality, Diversity and Inclusion Action plan (Section 4) including our Southwark Stands Together – workforce work stream commitments.
14. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 place a mandatory requirement to report annually on our gender pay gap and publish the information. This demonstrates the difference in pay between the employee groups. We also use this methodology to produce an Ethnicity and Disability Pay Gap. In summary the key issues from the Pay Gap Reports shows:
  - **Gender Pay Gap** - The mean Gender pay gap: Southwark council has a mean gender pay gap of minus 5.99%, a slight decrease from minus 6.62% last year. This indicates that on average Southwark male employees are paid lower than Southwark female employees by approximately 5.99%. For every £10 a male employee is paid, females is paid £10.59. This is predominantly due to the larger number of male workers in lower paid roles within the waste and cleansing services. The narrowing of the gap is a positive trend towards parity.
  - **Ethnicity Pay Gap** – This is not a legal requirement but one conducted by the council for openness and transparency and informing the key E,D,I initiatives. The mean Ethnicity pay gap: Southwark council has a mean ethnicity pay gap of 14.68%. This indicates that on average, for every £10 a Black, Asian and Minority Ethnic employee earns, White employees earn £11.47, which is a small increase on last year.
  - **Disability Pay Gap** - This is not a legal requirement but one conducted by the council for openness and transparency to inform key E,D,I initiatives. The mean Disability pay gap: Southwark council has a

mean disability pay gap of 2.24%. This indicates that on average, for every £10 a non-disabled employee earns, a disabled employee earns £9.77.

15. All the data and trends that have been identified within the pay gap reporting has informed the key areas of focus will be used to develop a Pay Gap Strategy which will include the detailed next steps and actions listed in the Annual Workforce Report - Pay Gap Report Section 3.

## **Conclusion**

16. We are delighted to present our Annual Workforce Report which demonstrates our continued commitment to being transparent on our workforce data. In doing so, we are proud to be an organisation that appreciates the need to go over and above our statutory responsibilities. We recognise we have come a long way in the last year to improve our work and dedication to E,D,I within Southwark. We recognise there is a lot more to do however we hope this report clearly explains what the issues are and how we are addressing them to do our very best for our residents, workforce, businesses, and wider communities we are proud to serve and ensure we deliver our council values for all.

## **Policy implications**

17. All action points that require amendments to existing employment policies as part of the development of our new Employee Experience Strategy will be subject to the appropriate internal approval process.

## **Community, equalities (including socio-economic) and health impacts**

18. The council will deliver our socio-economic responsibilities through a new employment opportunity pathway to open up the talent pipelines for a variety of functions and roles within the council, which includes focussing on work experience as well as internships, graduate training programmes and apprenticeships.
19. The Southwark Equality Framework replaces the Council's Approach to Equality and explains how the Council is working towards a Southwark that is tolerant, diverse and fair for all. It sets out what the public can expect from the Council, what the legislation requires of us and what the Council is committed to doing. It explains our approach to advance and promote equality of opportunity in the borough by making equality part of our day-to-day business – including how the Council will use equality analysis to generate insight and understand the effects of its decisions on different groups.
20. The Framework is a visible commitment to equality in Southwark and sets out how we will consider the impact our services, policies and decisions have on the protected characteristics (race, sex, disability, age, religion or belief, sexual orientation, pregnancy and maternity, gender reassignment

and marriage and civil partnership as well as socioeconomic status) into our processes.

21. The council intend to have a greater focus on our socio economic responsibilities in future Annual Workforce Reports.

### **Climate change implications**

22. There is significant evidence of the link between climate change and inequality. While everyone is affected by climate change, the extent of that impact is not equal. As set out in the Council's Climate Change Strategy, climate change has the biggest impact on those who are poorer or have underlying health conditions. Black, Asian and Minority Ethnic residents are disproportionately affected. Social justice is central to the strategy including maximising the co-benefits of action and ensuring that climate change policy reduces inequality and promotes fairness.
23. The equality framework is one element of the council's work in tackling social inequality and injustice. The response to combat climate and tackling inequality and injustice through initiatives like the Equality Framework go hand in hand.

### **Resource implications**

24. There are no specific implications arising from this report. Existing resources are already in place to meet the strategic aims. Any actions arising which have resource effects will be subject to separate decision-making process and reallocation within the existing budget.

### **Legal implications**

25. The Annual Workforce Survey attached at Appendix 1 of the report meets, and exceeds, the mandatory requirement for the Council to publish information demonstrating its compliance with the general duty to eliminate discrimination, advance equality and foster good relations in accordance with the Public Sector Equality Duty and to report annually on the gender pay gap under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

### **Financial implications**

26. There are no financial implications arising from this report.
27. Where the updates to the council's workforce strategy have financial implications, these will be managed within the existing agreed budgets for the council's general fund and housing revenue account.

## Consultation

28. Consultation has been undertaken with the council's recognised Trades Unions, Staff Network Groups and the council's Equality and Diversity Officer.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Director of Law and Governance

29. The report asks cabinet to note the contents of the appended Annual Workforce Report and the analysis of that as set out in the report. Cabinet are also asked to note that officers will develop the Council's Workforce Equality Plan in light of the recommendations as set out in the Southwark Stands Together Workforce Workstream and will continue to implement the Workforce Strategy.

### Strategic Director of Finance and Governance

30. This report is requesting cabinet to note the Annual Workforce Report attached as Appendix 1, including the Protected Characteristics and Workforce Profile (Section 1), General Workforce Data (Section 2), Pay Gap reports (Section 3) and the Equality, Diversity and Inclusion (EDI) Action plan (Section 4) and this covering report).
31. This report is also requesting cabinet to note that officers will continue to develop and deliver the council's Equality, Diversity and Inclusion action plan including the recommendations under Southwark Stands Together – Workforce Work stream to improve EDI across our workforce.
32. The strategic director of finance and governance notes the financial implication and notes that there are no new immediate financial implications arising from this report.
33. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

### Other officers

34. None

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Southwark Equality Framework	Communities 160 Tooley Street	<a href="mailto:Stephen.douglass@southwark.gov.uk">Stephen.douglass@southwark.gov.uk</a>
<b>Link (copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/documents/s99894/Report%20Southwark">https://moderngov.southwark.gov.uk/documents/s99894/Report%20Southwark</a>		

Background Papers	Held At	Contact
<a href="#">%20Equality%20Framework.pdf</a>		
Southwark Stands Together	Strategy & Economy 160 Tooley Street	<a href="mailto:Stephen.gaskill@southwark.gov.uk">Stephen.gaskill@southwark.gov.uk</a>
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/documents/s99892/Southwark%20Stands%20Together%20Annual%20report.pdf">https://moderngov.southwark.gov.uk/documents/s99892/Southwark%20Stands%20Together%20Annual%20report.pdf</a>		

## APPENDICES

No.	Title
Appendix 1	Annual Workforce Report

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Rebecca Lury, Finance, Performance and Democracy	
<b>Lead Officer</b>	Eleanor Kelly, Chief Executive	
<b>Report Author</b>	Melanie Medley, Director of Employee Experience (Interim) (HR & OT)	
<b>Version</b>	Final version	
<b>Dated</b>	7 October 2021	
<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 Governance	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>		7 October 2021

<b>Item No.</b> 14.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Appropriation of 86, 88 and 114 Vestry Road SE5 8PQ	
<b>Ward:</b>		St Giles	
<b>Cabinet Member:</b>		Councillor Stephanie Cryan, Council Homes and Homelessness	

**FOREWORD – COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR COUNCIL HOMES AND HOMELESSNESS**

At the time of writing, more than 16,000 households were recorded on Southwark’s housing register in need of rehousing, having risen sharply as a consequence of the pandemic – behind these figures are stories of families living in overcrowded homes, delaying key life decisions due to extortionate housing costs, health problems linked to housing, children’s educational attainment and younger people’s ability to invest in themselves and their futures thwarted. In this context, Southwark is resolved to maximise the overall social rented stock in our borough, including through pursuing an ambitious programme for building new council homes.

Next year, we will begin construction on eleven new council homes at Vestry Road, as part of our long-term commitment to build 11,000 new council homes by 2043. Unlike in previous periods of council house building where large sites lent themselves to comprehensive estate development and (relatively) simpler approaches to land assembly, today, most of our development sites involve the repurposing of existing housing land with a greater risk of historic property rights emerging that may frustrate the process. We owe it to residents on our waiting list and to neighbouring residents who have contributed positively to the design and associated landscaping of these new homes to mitigate any risk to the development. Cabinet is therefore recommended to approve the appropriation of the highlighted land from housing to planning and back to housing, an administrative process that will enable construction of the approved scheme to proceed with confidence.

**RECOMMENDATIONS**

That Cabinet:

1. confirms that the land shown edged red on the plan at Appendix A that is currently held for housing purposes is no longer required for those purposes and approves 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.

2. confirms that following completion of the appropriation at paragraph 1 the land shown edged red on the plan at Appendix A will no longer be required for planning purposes and approves 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.

## **BACKGROUND INFORMATION**

3. The property in question comprises the Lettsom Tenants Hall and two vacant commercial units. It is shown edged red on the plan at Appendix A to this report and forms part of the Lettsom Estate. The Council holds the freehold interest in the land within its Housing Revenue Account. It is a predominantly residential area.
4. On 27 July 2021 subject to the completion of a unilateral agreement (the equivalent of a s106 agreement where the applicant is the Council) that has now been completed, planning consent was granted for the demolition of the existing buildings and redevelopment of the site.
5. On 28 November 2018 Council Assembly approved the current Council Plan. This sets a number of commitments to our community including *A Place to Belong*; one of the undertakings to meet this commitment is to *Build at least 1,000 more council homes.....by 2022*. The recommended appropriations in this report are to further this commitment.
6. In pursuit of this commitment, a number of sites throughout the borough have been identified as providing capacity for additional new homes. Once identified, the development of those sites is consulted upon with the local community, a planning application is made and if appropriate planning consent is granted for the proposed new homes. Thereafter, if there are any third party rights that present a risk to the development Cabinet has been asked on a number of occasions to appropriate the site to mitigate such risk. This report is another to enable the de-risking of a development that will provide new additional housing for social rent.
7. The consented scheme referred to at paragraph 4 will provide:
 

3	x	One bedroom flats
4	x	Two bedroom flats
4	x	Three bedroom flats
1	x	Replacement Tenant's Hall
1	x	Play/recreation area
8. All eleven new homes will provide housing to be let at Council rent levels.



9. The contract for the construction will shortly be procured and it is intended for construction to commence in March 2022.

## KEY ISSUES FOR CONSIDERATION

10. Following demolition work will take place extending the existing building footprint. The new building will be five storeys in height, with a step down in height to four storeys adjacent to the existing block to the north. The proposed materials are curtain wall glazing behind metal louvred screens at ground floor and buff-coloured brickwork above. As part of the planning process, a daylight sunlight and overshadowing report, was produced by a specialist surveyor.. This was considered in the planning process for daylighting and sunlighting and identifies potential interference with the lighting from the scheme to some rooms in neighbouring properties. The Executive Summary in the report states:

*Overall, the results show that the vast majority of daylight or sunlight reductions to the surrounding residential properties will be within the BRE guidelines. Those which just exceed the BRE guidelines reduction criteria only do so to a minor extent and/or retain a good level of daylight/sunlight for an urban area. The overshadowing results to the surrounding gardens show that each garden will continue to enjoy good levels of sunlight in accordance with the BRE guidelines. Overall, we therefore consider that the Proposed Development will not result in a material adverse effect.*

11. The daylighting/sunlighting report whilst generally positive does recognise there will be some impact to neighbouring properties. These adverse impacts were not of a degree to cause refusal of the scheme from a planning perspective but their existence poses a risk in being able to build the scheme because affected persons may apply to the court for an injunction to stop it proceeding. There is also the risk that persons may claim an unregistered right of pedestrian access to Vestry Road from the heart of the Lettsom Estate between 86 Vestry Road and the existing hall that will be stopped up when the new homes are built and seek an injunction to stop their construction on account of interference with that right.
12. As part of the planning process nearby properties were consulted and four responses to the application were received. One response was neutral and three objected to the scheme. All four responses (including the neutral one) feel the proposed new building at five storeys is too high and the three objectors cited an adverse impact on daylighting from the construction.

## Appropriations

13. The appropriation of land refers to the process whereby a council alters the purpose for which it holds land. Where land has been appropriated for planning purposes third party rights enjoyed over the land can be overridden. The beneficiaries of such rights may however claim compensation [equal to the loss in value of their property caused by losing the right] but cannot seek an injunction to delay or terminate the development. This will give the Council the certainty that having commenced construction works a person with the benefit of an unregistered (with the Land Registry) right over land (such as a right to light) cannot apply to the court to have the development stopped. This is a very important tool in enabling development to proceed on urban sites. As mentioned, the beneficiary of any such right is entitled to financial compensation for the interference of the right. The Council could either insure against such compensation claims but this will be costly or accept the risk of an injunction that may be fatal to development or result in perhaps significant unquantifiable costs.
14. The compensation a person affected by interference of a right may be entitled to, is based on the value of their properties before the right has been interfered with versus the value of the property with the interfered right. This compensation is based on the diminution in value of the affected property. If agreement between the parties is not possible it will be determined by the Upper Tribunal (Lands Chamber). The onus is upon the claimant to prove a loss in value and compensation only becomes payable once there is an actual interference with a right.
15. In this case it is recommended that the land edged red on the plan be appropriated from housing purposes to planning purposes. This will mitigate the risk of legal action to frustrate the scheme being delayed or completed. Thereafter it is recommended the land appropriated to housing purposes as to hold the land for planning purposes will not be consistent with the ultimate use of the land.
16. The rationale for the appropriations of the land shown at Appendix A is set out at Appendix B and Cabinet is recommended to approve the appropriations.
17. The appropriation stages is summarised below:
- |  |   |  |
|--|---|--|
| Land currently held for housing purposes |   |  |
| Appropriate from housing to planning     | ⇩ | Third party rights interfered with by development cannot be enforced by injunction |
| Appropriate from planning to housing     | ⇩ | Construction of new housing can proceed  |
18. In considering the recommendations in this report Cabinet must weigh the

interference that implementation of the scheme may cause to nearby properties. Some properties may have rights interfered with particularly in relation to lighting against the benefits arising from the scheme namely eleven new Council homes and a new and improved Tenants and Residents hall for the benefit of the local community.

### **Rationale for recommendations**

19. a. To mitigate against the construction of new Council housing being frustrated or delayed by legal injunctions
- b. To de-risk the construction project so as to encourage the maximum number of bidders and achieve a lower construction cost.
- c. To deliver a current Council Plan commitment.

### **Community impact statement**

20. The Council Plan was the subject of extensive community consultation. The recommendations herein further the delivery of the *A Place to Belong* commitment set out in the Plan.
21. 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.
22. 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.
23. 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.
24. If the recommendations set out are approved, the Council will be able to proceed with the construction of eleven new homes and a replacement community hall with modern facilities. Based on the information available it is not considered there are any particular groups sharing a protected characteristic that will be adversely impacted by the proposals. The new housing should be beneficial across the range of protected characteristics.

### **Health impact statement**

25. It is widely recognised unsuitable housing has an adverse health affect on those housed therein. Such adverse effects may manifest in mental and/or physical health terms. Whilst it is not known at this time who will be housed in the new homes they will ultimately allow eleven applicants (whether directly or via existing tenants moving as a consequence) on the housing waiting list to become secure council tenants and to move into better accommodation that should be beneficial to their health with a corresponding reduction in health service demands.

### **Climate change implications**

26. Demolishing buildings and constructing new ones expends energy in transportation of people and materials, disposing of demolition debris and producing materials necessary for construction. There may also be adverse implications in flooding, water stress and overheating terms. However, there is a pressing need for additional social housing in Southwark. This causes tension between the Council's housing and climate change aspirations.
27. To offset the impact of the new construction the Council following commissioning of energy, flooding and overheating reports (available under planning documentation see weblink at end of this report) has designed the new building to mitigate as far as reasonably possible the adverse climate change implications arising from the proposed construction. For instance, heating to the new housing and hall will be provided by way of Air Source Heat Pumps that will mitigate carbon dioxide emissions but nevertheless this will not offset all the emissions caused by the development so a payment is being made in lieu of the deficit secured through the unilateral undertaking referred to in paragraph 4.

## **Financial Implications**

28. The construction of the new homes and their associated works will have a significant cost and an approved budget exists for this. The budget will need to make provision for any compensation claims for diminution in value that may arise as a consequence of the interference with any rights. The budget will be reviewed when the procurement process mentioned at paragraph 9 has been completed.
29. Where land is appropriated from the housing revenue account to the general fund there is a transfer of debt between the accounts. When land is appropriated from general fund to the housing revenue account this debt transfer is reversed. As both appropriations will take place on the same day there will be no net transfer of debt and there are, therefore, no financial implications arising directly from the recommendations made in this report.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

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

30. The report recommends the appropriation of council owned land for planning purposes, and thereafter, the appropriation of that land for housing purposes.
31. A council holds land and property for a variety of statutory purposes in order to perform its functions. A council is authorised by virtue of section 122 of the Local Government Act 1972 (“the 1972 Act”) to appropriate land within its ownership for any purpose for which it is authorised to acquire land by agreement, where is no longer required for the purpose for which it is held immediately before the appropriation.
32. The land must already belong to the council. Paragraph 3 of the report confirms that the land to be appropriated is in the council’s freehold ownership.
33. The land must be no longer required for the purpose for which it is currently held. The report confirms at paragraph 8 of Appendix B that the land is no longer required for housing purposes.
34. The purpose for which the council is appropriating the land must be authorised by statute. It is proposed that the land is held for planning purposes. This is a purpose which is authorised by statute. Section 246 of the Town and Country Planning Act 1990 (“TCPA 1990”) defines such purposes as, inter alia, those for which can be acquired under ss226 or 227 of that Act. Section 227 provides that a council may acquire land by agreement for any purposes for which it is authorised to acquire land compulsorily by s226 TCPA 1990.

35. The purposes for which a council can acquire land pursuant to s226 TCPA 1990 include purposes “which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.” S226 also authorises the acquisition of land “... if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land.” In the case of either s226 or s227 the acquiring authority must be satisfied that whatever development proposals it has for the land in question these are likely to “contribute to the achievement of any one or more of the following objects – (a) the promotion or improvement of the economic well-being of their area; (b) the promotion or improvement of the social well-being of their area; (c) the promotion or improvement of the environmental well-being of their area.” The Council’s plan to build new homes on the land, of which all are council homes for rent, is capable of falling within all three categories.
36. Section 203 of the Housing and Planning Act 2016 came into force on 13 July 2016. This section contains a power to override easements and other rights, and it replaces s237 TCPA.

S203 says:

“(1) A person may carry out building or maintenance work to which this subsection applies even if it involves

(a) interfering with a relevant right or interest...

(2) Subsection (1) applies to building or maintenance work where –

(a) there is planning consent for the building or maintenance work,

(b) the work is carried out on land that has at any time on or after the day on which this section comes into force

(i) become vested in or acquired by a specified authority or

(ii) been appropriated by a local authority for planning purposes as defined by section 246(1) of the Town and Country Planning Act 1990 [*i.e. for purposes for which an authority can acquire land under ss226 and 227*]

(c) the authority could acquire the land compulsorily for the purposes of the building or maintenance work, and

(d) the building or maintenance work is for purposes related to the purposes for which the land was vested, acquired or appropriated as mentioned in paragraph (b).”

37. What this means is that where land has been appropriated for planning purposes building work may be carried out on land even if this interferes with rights or interests if there is planning consent for the building work; and the work must be for purposes related to the purposes for which the land was appropriated, in this case planning purposes. By s204 those third party rights are converted into an entitlement to compensation to be calculated in accordance with ss7 and 10 of the Compulsory Purchase Act 1965.
38. This report confirms that the work being done on the land will be done in accordance with planning permission. Once the land has been appropriated and s203 triggered, that work will be authorised even where it interferes with third party rights.
39. Following the appropriation of the land for planning purposes it is recommended that the land is appropriated for housing purposes, as the land is to be used for the provision of new housing. At that point the land will no longer be required for planning purposes and will be appropriated for housing purposes.

#### **Strategic Director of Finance and Governance (H&M21-064)**

40. The Strategic Director of Finance and Governance notes the recommendation to appropriate land as described in order to facilitate regeneration and the building of new homes at Vestry Road. This land appropriation is proposed to occur in such a way that it will have a neutral financial impact. This scheme forms part of the Council's new homes direct delivery programme and any associated costs will be contained with the Housing Investment Programme.

#### **Strategic Director of Housing and Modernisation**

41. This report ensures that the proposed development of the Lettsom Tenant's Hall and 86 and 88 Vestry Road can progress with the avoidance of legal challenge. Extensive consultation with local residents, together with a commitment to make a minimum of 50% of the new social rented homes available to local tenants in housing need leads the way in which social housing can be developed in inner cities. The scheme contributes to the Council's target to build 2,500 new homes by 2022 and its pledge to build 11,000 new homes by 2043.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Weblink</b>
Council Plan 2018/9 – 2021/22	<b>Link: (please copy and paste into browser)</b> <a href="http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.p">http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.p</a>

	<a href="#">df</a>
Planning documentation	<b>Link: (please copy and paste into browser)</b> <a href="https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=QRYE2WKBMVV00">https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=QRYE2WKBMVV00</a>

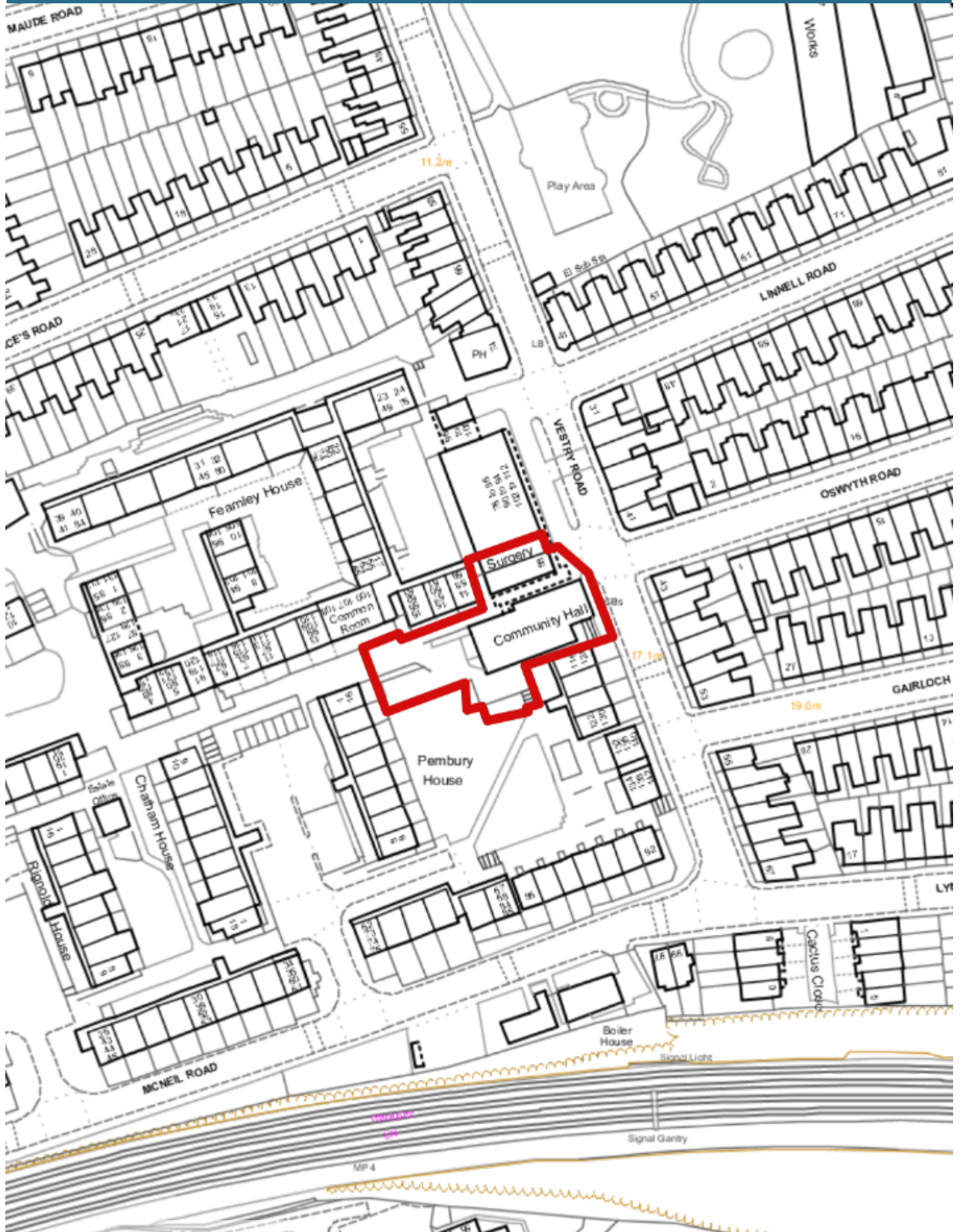
## APPENDICES

Appendix	Title
Appendix A	Land at Vestry Road
Appendix B	Rationale for appropriations of the land

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Stephanie Cryan, Council Homes and Homelessness	
<b>Lead Officer</b>	Eleanor Kelly, Chief Executive	
<b>Report Author</b>	Patrick McGreal, Regeneration North	
<b>Version</b>	Final	
<b>Dated</b>	7 October 2021	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / 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
Strategic Director of Housing and Modernisation	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	7 October 2021	





Scale = 1250

18-Aug-2021

***Appropriation of 86, 88 and 114 Vestry Road SE5 8PQ  
Appendix B***

**Appropriation of the land (shown edged red on the plan) at Appendix A for purposes set out in s226 of the Town and Country Planning Act 1990 and to purposes set out in section 9 of the Housing Act 1985**

**Background to appropriation**

1. Under section 122(1) of the Local Government Act 1972 the Council may appropriate land for any purpose for which it is authorised to acquire land when the land is no longer required for the purposes for which it is held.
2. Under section 226(1)(a) and 227 of the Town and Country Planning Act 1990 the Council may acquire land if they think the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. This includes development of the sort contemplated in the redevelopment of the subject Lettsom Hall and vacant shops. The power in section 226(1)(a) is subject to subsection (1A) of section 226. This provides that the acquiring authority must not exercise the power unless it considers the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area for which the acquiring authority has administrative responsibility. There are clear economic social and environmental and social benefits associated with the provision of new housing at 86, 88 and 114 Vestry Road namely providing people with quality accommodation that may result in better educational attainment and general well being, and employment opportunities from the construction works. Accordingly the Council may appropriate land for the purposes of the development proposals land that it already owns if that land is no longer required for the purposes for which it is held. The land shown on the plan at Appendix A is no longer required for its current purposes for the reasons set out below and is not needed in the public interest for those purposes. The land can therefore be appropriated from its current use. As the appropriation will facilitate new housing development proposals it may be appropriated for planning purposes.
3. Where land has been appropriated for planning purposes Section 203 of the Housing and Planning Act 2016 (power to override easements and other rights) applies such that the erection, construction or carrying out or maintenance of any building or work on the land (by the council or a person deriving title from the council) is authorised if it is done in accordance with planning permission, notwithstanding that it interferes with certain private rights such as restrictive covenants and easements. The effect of triggering section 203 is that private rights are effectively overridden and converted into a claim for compensation pursuant to s 204. The level of compensation for interference with rights or breach of restrictive covenant is assessed on the basis of the loss in value of the claimant's land as a consequence of the interference or breach of covenant. An important consequence of the operation of Section 203 is that a claimant cannot secure an injunction, to prevent the development from going ahead - as indicated above, the remedy is a claim for compensation.
4. Prior to developing land it is usual practice to make prudent enquiries of what rights might exist over the land, this will involve inspecting the land to see if there are any obvious rights and checking land ownership information. However, some rights may not be apparent from inspection and historic ones may not always be recorded

at the Land Registry. The application of the power to override rights contained in s203 therefore mitigates this risk.

5. The right to claim compensation for the depreciation in value caused by the loss of right is enforced against the owner of the land which in this case is the Council.

### **Rationale for appropriating the subject site to planning purposes**

6. 86,88 and 114 Vestry Road site is under utilised in land use terms and the need for new housing at council rent levels greatly exceeds the existing use need. In pursuance of the adopted Council Plan and to address a need for new social housing, the site has been identified to be redeveloped for this purpose. Planning consent has been secured for the scheme outlined in paragraph 7 of the main report. As discussed in the main report there may be an adverse impact on the rights of light to nearby properties from the scheme. Appropriation will eliminate any risk of one or more property owners or occupiers applying to the court for an injunction. If an injunction is granted, the scheme will not be able to proceed. In any event, the risk of an application for an injunction is such that it will deter prospective builders from bidding to construct the new housing or result in a substantial risk contingency that undermines the viability of construction. In these circumstances it is appropriate to utilise the powers of section 203 to overcome this risk and enable the much needed new homes to be built.
7. As indicated above, the land is now required to be held for planning purposes to facilitate the redevelopment proposals associated with the planning permission for new housing. When land has been appropriated for section 203 purposes it will continue to benefit from its over-riding provisions even when the land is no longer held for planning purposes.
8. The land shown edged red at Appendix A is no longer required to be held for housing purposes. As indicated above, the land is now required to be held for planning purposes to facilitate the redevelopment proposals associated with the planning permission.

### **Rationale for appropriating the subject site to back to housing purposes**

9. Once the land is appropriated for planning purposes it should be appropriated back to housing purposes as this will be its ultimate usage and the cleansing effect of s203 means that it can be developed in confidence that the works won't be at risk of an application for an injunction to frustrate the development.
10. Section 9(1)(a) of the Housing Act 1985 provides a local housing authority may provide housing accommodation by erecting houses on land acquired. It is therefore apt that following the s203 appropriation the land is in accordance with section 122(1) of the Local Government Act 1972 appropriated for purposes within section 9(1)(a) of the Housing Act 1985.
11. The appropriation of the land whilst denying the beneficiaries of any third party rights over the land the ability to frustrate the regeneration of the land will not take away their ability to claim for compensation in respect of any diminution in the value of their land as a result of their rights being overridden.

<b>Item No.</b> 15.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Pupil Place Planning Report for 2021	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Jasmine Ali, Deputy Leader & Cabinet Member for Children, Young People and Education.	

### **FOREWORD - COUNCILLOR JASMINE ALI, DEPUTY LEADER & CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION**

Southwark Council has a duty under the Education Act 1996 to ensure that sufficient capacity of school places exists for children of statutory school age. The attached report provides an overview of school place capacity and forward place planning for Southwark.

I am pleased to confirm that Southwark has sufficient pupil places to meet existing demand in both primary and secondary phases of education. We were able to offer a primary or secondary school place to all Southwark applicants for the 2021/22 academic year.

The report does recognise a troubling imbalance. Southwark has considerable overcapacity in primary schools, both at reception and across the school year groups. Contributing factors are the falling birth rate, uncertainties around Brexit and more recently, and as a result of the pandemic, more families choosing to work in London whilst living further afield.

This trend manifested itself for the first time in 2018 and has been exacerbated since. The negative impact on school finance was partly mitigated, through a range of actions including reduction by the schools adjudicator of Pupil Admission Numbers for primary schools at the request of the council.

In July 2021 the council was forced to close St John's Walworth school, albeit at the request of the school's diocese and the school's governing body. The impact was great and the community were deeply saddened as St John's like all Southwark schools was at the heart of its community. The council worked closely with the school, parents and pupils to make sure all students were offered places at neighbouring good and outstanding schools.

Today we have a fully operational joint member and officer group to work with schools to maintain exemplary educational outcomes while mitigating serious financial loss. We are also working with neighbouring London boroughs to lobby government to find a funding formula to support schools to remain open, so that they can operate with smaller class sizes to facilitate education recovery and help our pupils catch up after losing over a year of face to face teaching.

The report provides full details of the decline in primary demand which is spread across the borough to a greater or lesser degree. In the short to medium term, the authority may need to redesign provision to meet the reduced demand for places in this area, including the closure or merger of some schools and subsequent repurposing of school spare capacity within school buildings.

Southwark is anticipating that secondary demand will plateau and then decrease steadily from 2023-4. We do not anticipate that secondary capacity will be exceeded by demand borough-wide and therefore additional capacity is unlikely to be required for the foreseeable future.

Despite the downward trend overall, there are identified areas of potential growth for both primary and secondary in Southwark linked to long term regeneration programmes in the borough – i.e. at Canada Water and in the Old Kent Road area. The authority will consider appropriate ways to reconfigure existing schools to meet this demand should it materialise.

At secondary level, we can report that there are enough places. We can offer a primary or secondary place to all Southwark applicants and are covered for any late applicants, who we will be able to accommodate.

Southwark continues to, where necessary, expand and enhance our SEND provision, to ensure that children are, where possible, educated in-borough, and the authority is better able to manage its resources. The new Spa school in Camberwell has been a success and plans are moving forward to build a new special needs school on the old Bellenden school site.

Even with the uncertainty of the pandemic, Southwark continues to be recognised as a great place to bring up children, with lovely schools where children attain good educational outcomes. We have a firm commitment to ensure that even further development across schools and education, in line with the council's Southwark Stands Together movement, is achieved.

Our programme of school building and refurbishment has transformed many of our schools into educational landmarks. Each year our education team helps our schools get closer and closer to our target of 100 per cent good or outstanding schools. At the time of writing, we are at 94% good or outstanding; with Ofsted currently in the borough, we have high hopes for the remaining 6 per cent.

The officer/member working group will continue to have oversight of strategic place planning and interventions required to address the current level of falling rolls and spare capacity across Southwark's primary schools. In Southwark, we will continue to work strategically with primary schools to cope with the issue of falling demand.

## Executive Summary for Pupil Place Planning Report

Southwark Council has a duty under the Education Act 1996 to ensure that a sufficient capacity of school places exist for children of statutory school age. Continuous monitoring and analysis of data and trends are carried out by officers, to produce an annual report on place planning to ensure that sufficient capacity exists. This report therefore aims to provide Cabinet with an overview of school place capacity, as well as forward place planning for Southwark. The highlights from the report for 2021/22 are as follows

- Southwark has sufficient pupil places to meet existing demand in both primary and secondary phases of education in Southwark. The authority was able to offer a primary or secondary school place for the 2021/22 academic year, to all on-time Southwark applicants at the normal points of entry, and has sufficient provision available to accommodate late applicants for September as well as those in need of a place in year.
- Southwark has considerable overcapacity in primary, both at reception and across the school year groups a variety of actions to address this have taken place including: school mergers, PAN reductions and the closure a primary school. GLA projections anticipate that primary reception demand overall will continue to decline until at least, September 2027. Further actions to reduce school place capacity are being developed and will be implemented from September 2022 onwards.
- There are areas of Southwark where a steeper decline in primary demand has been observed, this are mainly centred around the Elephant & Castle and Peckham localities. In the short to medium term, the authority may need to redesign provision to meet the reduced demand for places in this area, including the closure or merger of some schools and subsequent, repurposing of school spare capacity within school buildings.
- Southwark is anticipating that secondary demand will plateau and then decrease steadily from 2023/4. We do not anticipate that secondary capacity will be exceeded by demand borough wide, and therefore, additional capacity is unlikely to be required for at least 10 years
- Despite the downward trend overall, there are identified areas of potential growth for both primary and secondary in Southwark linked to long term regeneration programmes in the borough – i.e. at Canada Water, and in the Old Kent Road growth area. The authority will consider appropriate ways to reconfigure existing schools to meet this demand should it materialise.
- Southwark continues to, where necessary, expand and enhance our SEND provision, to ensure that children are, where possible, educated in-borough, and the authority is better able to manage its resources.
- An officer/member working group has been established to look at strategic place planning and interventions required to address the current level of falling rolls and spare capacity across Southwark's primary schools.

## RECOMMENDATIONS

1. That Cabinet note the updated forecasts of primary and secondary school places from 2021-2022 onwards set out in paragraphs 48 to 53 (primary) and paragraph 58 (secondary) of this report.
2. That Cabinet note the existing over supply of primary and sufficiency of secondary places across the Council area, and proposed actions to monitor supply and demand.
3. That cabinet note the actions outlined in this report to match primary demand with capacity of places and agrees to delegate the decision to request a variation from the Office of the Schools Adjudicator to reduce the published admission numbers at the schools with a trend of vacancy rates referred to in paragraphs 19-21 from September 2022 onwards, to the Strategic Director of Children's and Adults' Services, after consultation with the Deputy Leader & Cabinet Member for Children, Young People and Education .

## INFORMATION

4. Southwark's Pupil Place Planning update was last reported to Cabinet in October 2020. The annual update describes the demand for primary and secondary school places in the Council area and details any steps being taken to manage that demand.
5. The Council has a duty under the Education Act 1996 (as amended by the Education and Inspections Act 2006) to secure that sufficient primary and secondary schools are available for its area. This requires the council to ensure projected demand is met with sufficient supply, and to determine whether an increase or decrease in demand is temporary or permanent. Based on this evidence and needs, the Council will then work with schools to admit additional pupils or an additional form of entry for a fixed period of time, to expand permanently where demand has increased or, if demand is falling, to close, merge schools, or reduce their Published Admissions Number (PAN).
6. The Council monitors and predicts demand for school places using a variety of methods. These include:
  - *using projections provided by external bodies for school places and births – in our case, the Greater London Authority (GLA) undertake this role*
  - *looking at the numbers of historical applications made*
  - *looking at the numbers of births in a given area, both borough-wide and in particular localities*
  - *examining the cross border flow of primary and secondary pupils – children resident in other authorities attending schools in Southwark and vice versa.*

## KEY ISSUES FOR CONSIDERATION FOR FUTURE ACTION

### Approach to primary and secondary pupil place planning

7. Southwark's pupil place planning figures are predominantly, based on GLA projections, commissioned by the Council annually. These are informed by: current school rolls, birth rates, underlying population projections, migration, and new housing developments.
8. A detailed methodology is outlined in Appendix 1. In primary place planning, the Council area is split into five Planning Areas ("PAs"), these are detailed in Appendix 2. The PAs, broadly align with the Council's former "Community Council" (now "Multi-ward Forum" areas). A list of primary schools by planning area and by ward (old and new) is also included at Appendix 3; a map showing all primary schools in the borough is attached at Appendix 4
9. Secondary school planning is carried out on a borough-wide basis because the distance of for some secondary schools extend some way beyond borough boundaries, and secondary age pupils are able to travel to schools inside and outside the Council area.
10. A map of secondary school locations is attached at Appendix 3. Consideration is being given to splitting the Council into 2 or 3 planning areas for secondary place planning, similar to primary PAs, in line with DfE guidance . Work on this process has also commenced and will be explored with the Cabinet Member, any recommendations resulting from this will be brought to the appropriate level of decision-maker,

## KEY FACTORS AFFECTING PRIMARY SCHOOLS

### Headline figures for primary - Reception Year

11. Detailed graphs and tables of Reception year projections are given at paragraphs 48 to 53, summary highlights of the overall figures are given below:
  - *In September 2021, there were 3,641 available primary reception places in Southwark, and 26,618 year R to 6 primary places*
  - *The take up of primary reception places shows a vacancy rate in September 2021 of around 719 places (24FE) - 18% overall). The vacancy figure was 733 (19% - 24FE) in September 2020.*
  - *PAN reductions were agreed by Cabinet in October 2019 to address falling rolls across the local authority, 300 places/10FE were removed from 12 schools however, demand has continued to fall by a rate quicker than our ability to remove capacity.*
  - *There has been a higher drop in the demand for denominational places, with voluntary schools showing a 22% drop in reception numbers since September 2015, against a 16% boroughwide and 21% community schools fall over the same timescale.*

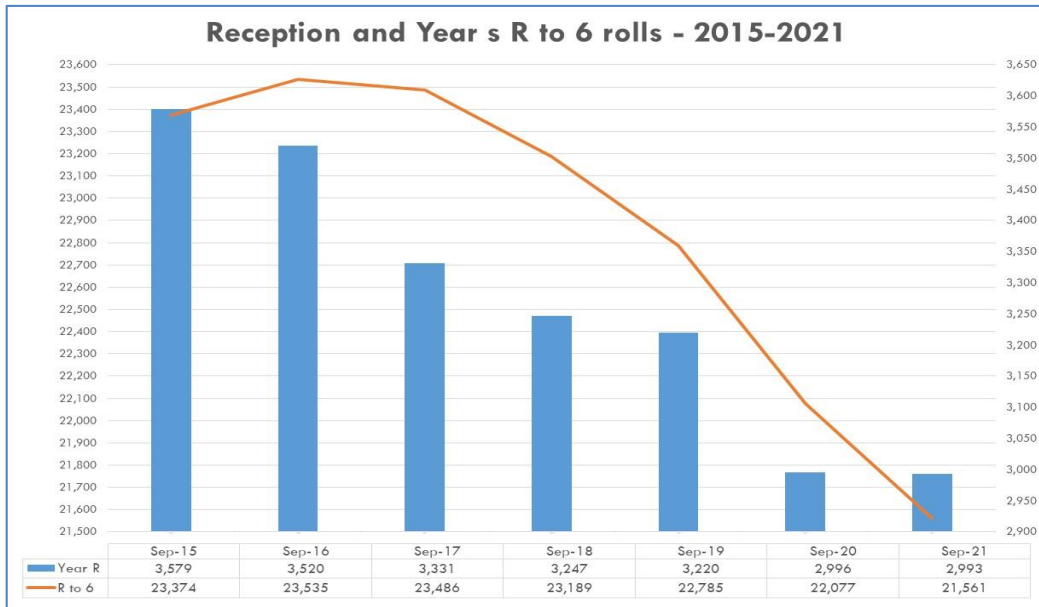


## Falling rolls in primary schools - Reception to Year 6

12. Southwark has seen a substantial reduction since September 2015 in primary reception and whole school rolls. Reception rolls have fallen by 20 forms of entry (20FE) - 16% overall - in 6 years since September 2015, an average of around 2.5FE overall per annum. Whole school (years R to 6) rolls have decreased by 1,813 pupils over the same period – equivalent to 60 classes or 8% overall. It is expected that the overall number (Year R to 6) will continue to fall as each year group works its way through school. Pupil projections received from the GLA and outlined in paragraph 48 support this scenario.

Table 1: Primary rolls September 2015-2021 (reception and whole school)

Year	R	+/-	%	R to 6	+/-	%
September 2015	3,579			23,374		
September 2016	3,520	-59	-2%	23,535	+161	+1%
September 2017	3,331	-189	-5%	23,486	-49	-0.2%
September 2018	3,247	-84	-3%	23,189	-297	-1%
September 2019	3,220	-27	-1%	22,785	-404	-2%
September 2020	2,996	-224	-7%	22,077	-708	-3%
September 2021	2,993	-3	0%	21,561	-516	-2%
<b>Change 2015-2021</b>	<b>-586</b>	<b>-16%</b>		<b>-1,813</b>	<b>-8%</b>	



13. The percentage of empty school places in specific areas of Southwark have grown.

Table 2 Percentage fall in reception roll and vacancy increase

Category	PA1	PA2	PA3	PA4	PA5	Overall average
% increase in vacancies since 2015	+21%	+12%	+16%	+16%	+1%	<b>+13%</b>

14. Between 2008 to 2016 onwards, Southwark (like most other areas of London) experienced a surge in demand for primary and secondary places. The Council worked to support existing primary schools to expand, as well as working to enable free schools to open, to meet demand as required. As a result, a £200m programme of investment in Southwark primary,

secondary and special schools to increase numbers and address capacity issues was undertaken. At that time, projected population growth for Southwark was predicated on pre-Brexit, projected levels of in-migration and economic growth, and housing stock levels for families remaining affordable. The changes to these scenarios from 2015 onwards have led to a decline in the population overall and families with children in particular.

15. The direct impact of the decline in population, has led to excess capacity of school places/ falling school rolls which in turn, creates financial pressure on schools as funding is allocated based on pupil numbers, fewer children means lower funding. The Council began to take proactive steps in 2018 (effective from 2019) to address oversupply by reducing primary provision where it was no longer needed, and continues to do so.
16. A variation request to the Office of the School's adjudicator, led to the removal of 300 excess places at primary reception from 19% in 2018 to 14% in 2019. A further two schools in Peckham have reduced their PANs for 2021. Appendix 10 provides details of which schools by planning area, have (or are planning to reduce) their PANs since 2019. National Audit Office and Ofsted guidance is for LAs to have between 5% to 10% spare places to allow for an element of choice, and for late and in-year applications.
17. A whole borough approach to reduce capacity effectively is being undertaken. The Council is working closely with school leaders of Local Authority maintained schools, the regional Schools Commissioner, the Diocesan Authorities – both from the Church of England (the Southwark Diocesan Board of Education (SDBE)) and the Roman Catholic Church (the Catholic Education Commission for Southwark) to discuss the overprovision in their voluntary aided schools. Regular meetings with Academy Trusts that have schools in the borough have also been requested.
18. As we still have an overall overprovision of primary reception places across the borough, as well as higher concentrations of excess capacity in 2 areas (PA1 and PA3), work on the further reduction of reception places continues.
19. Officers are currently working with school leaders of primary schools to reduce capacity/rationalize provision further through a reduction of Reception year places at schools with a trend of high reception vacancy levels and/or school amalgamations. The existing proposals are outlined in Table 3 below – a reduction in the published admission number (PAN) of six schools.

*Table 3 – Schools proposed for PAN Amendment/Merger*

<b>School</b>	<b>PA</b>	<b>2021/2 PAN</b>	<b>2022/3 PAN</b>	<b>Reduction</b>
English Martyrs RC	1	60	30	30
Cobourg	1	60	30	30
Ilderton	2	60	30	30
St Francis RC	3	60	30	30
Rye Oak	3	60	30	30
Dog Kennel Hill	4	60	30	30
<b>Total</b>		<b>360 (12FE)</b>	<b>180 (6FE)</b>	<b>180 (6FE)</b>

20. Consultation has already commenced with Headteachers and Chairs of Governors to reduce published admission numbers to these schools from September 2022. PAN reductions will be undertaken through a request for variation to the previously determined admission numbers, through the Office of the Schools Adjudicator (OSA), as September 2022 admissions were agreed and determined in January and February 2021 respectively. The decision about making a referral to the OSA will need to be made after the consultation has been completed. Officers are requesting that this decision is delegated to the Strategic Director of Children's and Adults' Services following consultation with the Deputy Leader & Cabinet Member for Children, Young People and Education due to the limited time available to implement this process before school places are offered in April 2022 for September.
21. Given the need to process this referral urgently once the consultation has been completed, cabinet is requested to delegate this decision to the Strategic Director of Children's and Adults' Services, after consultation with the Deputy Leader & Cabinet Member for Children, Young People and Education.
22. The process to merge or amalgamate schools will follow statutory procedures, which will be brought to Cabinet for determination next year. Any council proposals that will include the closure of maintained schools will be brought to the cabinet member for the approval of any statutory consultation process. In the first instance we would aim to reduce the projected excess capacity in the next two years by 180 places (6FE), meaning the excess capacity would be reduced to around 390 pupils (13FE), or around 11% primary capacity, more in line with guidance outlined in paragraph 16.
23. It is anticipated that primary reception rolls will fall by a *further* 250 pupils (8FE) by the end of the decade, so it is likely that a second round of PAN reductions via amalgamations or closures will be required. As mentioned in paragraph 48, whilst there is a projected reduction in primary numbers overall, there will be areas of growth in specific localities. We anticipate the greatest need for additional places in the medium term to long term to fall into two discreet areas, located within Planning Area 2 (Bermondsey and Rotherhithe), and in the longer term in Planning Areas 3 (Peckham & Nunhead). This derives mainly from two areas presently being developed.
- *Around the Rotherhithe peninsula (as part of the "Canada Water" development) – planning area 2*
  - *Along the Old Kent Road as part of the Bakerloo Line extension (BLE) development) – planning area 2, and part of planning area 3.*
24. As we receive data on developments in these localities, these are interpolated into the pupil place planning figures produced by the GLA. Work is ongoing to reflect this in the projections produced, but a fair amount of the development outlined in the latter schemes take place after 2033, beyond the scope of this report.
25. School building capacity exists in planning area 2 and planning area 3 to absorb a great deal of any, future projected growth, and should demand

exceed this, consideration would be given to expanding existing schools, first and foremost. Sites for this have already been identified and will continue to be assessed against local need.

### **The effects of COVID-19 on primary rolls**

26. The largest effect was on enrolment the early years' foundation stage of the school population. There has also been an increase in primary age parents' home educating children with reasons related to the pandemic, particularly during 2020.
27. Additionally, there is evidence that parents and carers are relocating outside of London, in part driven by COVID issues. The effect of this has been to further exacerbate the drop in primary roll numbers across year groups that we saw in Table 1 (paragraph 12).
28. The longer term effects on these and on school rolls in general is less clear. The GLA are working on a variety of scenarios going forward, all of which involve a degree of reduction in demand.

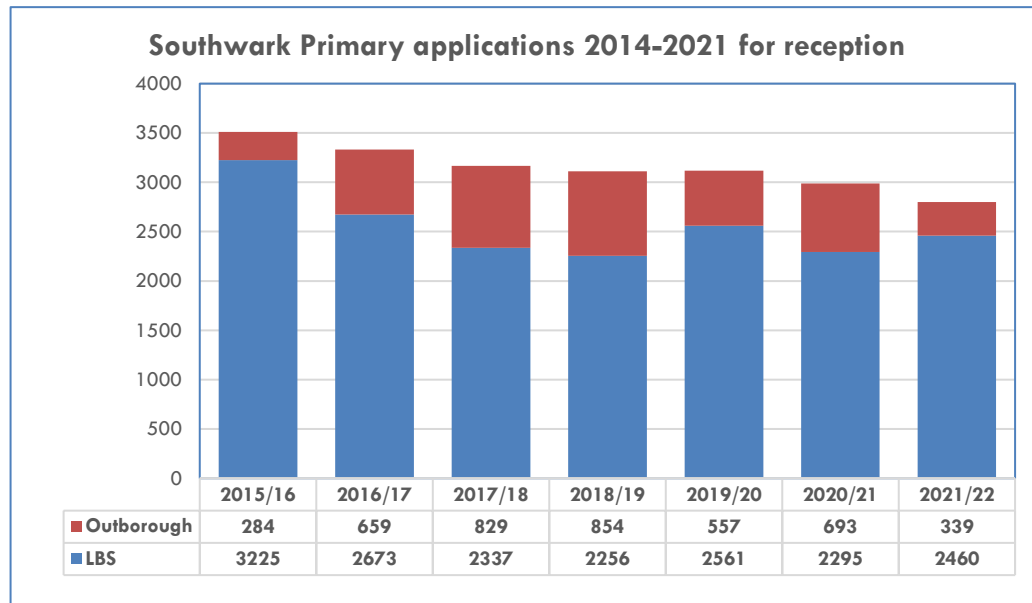
### **Longer term primary need in identified development areas**

29. Consideration also needs be given to the Old Kent Road Area Action Plan (OKRAAP). The plan will guide and manage new development and growth in the area over the next 20 years and will provide a vision and objectives on infrastructure needed to support growth. Sites for educational provision have been identified, and could be developed as schools should they be required.
30. If the proposed development is delivered on the Old Kent Road, additional provision *may* be required in the medium to long term. Work has been undertaken to assess the capacity of the school to help determine this.
31. Should there be need, the Council could support schemes for schools that are located close to the area of need and offer good quality internal and external teaching areas, in accordance with DfE/Council design guidance
32. Any proposals for amendment to school capacities resulting from the Old Kent Road or Canada Water developments would be brought forward to Lead Member and, where appropriate, for Cabinet approval.

### **Primary reception place applications**

33. Another method of tracking demand for primary places outside of population led projections is to look at trends in the levels of applications for reception places. Southwark's drop in primary applications was 6% for September 2021, less than London overall (10%). The level of demand for primary reception places since 2008 is in line with most London boroughs, showing an increase in demand for primary places from 2008 to 2016 and a reduction thereafter.

34. This year's numbers of applications have continued to fall overall, There are 710 (20%) less applicants to Southwark primaries overall than there were in 2016. The drop is steeper when you focus on Southwark residents, where there are 765 fewer applications than in 2015/16, equating to a 24% drop in Southwark applicants for a reception place. The variable number of



Outborough applicants has masked this steeper drop over the last 6 years.

*Table 4– Primary Reception Applications 2015-2021 (Southwark and out borough applicants)*

Year	LBS	Outborough	Total	+/-	%
2015/16	3,225	284	3,509		
2016/17	2,673	659	3,332	-177	-5%
2017/18	2,337	829	3,166	-166	-5%
2018/19	2,256	854	3,110	-56	-2%
2019/20	2,561	557	3,118	+8	+0%
2020/21	2,295	693	2,988	-130	-4%
2021/22	2,460	339	2,799	-189	-6%
<b>2015-21</b>	<b>-765</b>	<b>+55</b>		<b>-710</b>	<b>-20%</b>

## Births

35. Birth rates in Southwark increased from 2002 to 2011 and peaked in that year – thereafter, from 2011 to 2019, there has been a decline (22%) in the number of births, which feeds into reception places four years later. A further fall (5%) in births is presently projected from 2021-2030 onwards which *could* potentially impact on reception figures for 2025-2034, and a (slow) rise in births is projected from 2031 onwards.
36. Detailed figures for births and projections into the future are given in Appendix 7. The GLA has so far only produced comprehensive birth and population projections at (pre 2018) ward level. The GLA commented that projections using new ward boundaries will not be produced until 2022/23 – therefore the projections we use will, for the time being, be based on the old pre-2018 ward boundaries.
37. Some references in the text and individual planning area analyses therefore may refer to pre-2018 wards no longer in existence, or with revised borders. School locations in old and new ward boundaries are given in Appendix 2, and a ward by ward guide to the location of schools in each division is given

at Appendices 2 and 5

### Primary cross border flows

38. Children are able to apply to and attend schools in other local authority areas. For some pupils living on the border to another authority, the nearest school may not be in Southwark. Admissions authorities cannot reserve places for or prioritise pupils from a particular local authority area, and must admit children applying for the school irrespective of in which authority they reside places.
39. There has always therefore been a degree of 'cross border traffic' of pupils resident in one borough attending schools in another. Projections presume that there remains a similar level of cross border flows in and out of Southwark from neighbouring authorities from year to year. Southwark exchanges pupils with over 30 authorities at primary level, but the broad effect is marginally positive for Southwark (we receive more primary age pupils from other authorities than those that leave Southwark to attend schools in other areas). The main authorities we "swap" pupils with are Lewisham, Lambeth, Croydon and Westminster, with pupils in the east and the west of the borough more likely to take up places in these boroughs than others. These four LAs make up around 90% of our primary age "cross border traffic".
40. 1,708 (8%) primary school age pupils attend primary schools in 31 other local authorities outside Southwark, equivalent to around 4 schools' worth of our 74 primary schools. Conversely, our primary roll *includes* around 2,540 (11%) non-Southwark pupils from 33 LAs outside Southwark. This is a "net gain" of around 832 pupils (+3%).
41. This is similar to previous years, and inflows/outflows are examined more closely in the planning area summaries - a variable percentage of inflows and outflows occur in each locality. Some planning areas see a greater percentage of "traffic", and/or net gains or losses of pupils to neighbouring LAs – PA3 sees a net loss (to Lewisham), and PA2 a net gain (mainly from Lewisham and Lambeth). Notwithstanding the 11% of our primary pupils coming from outside Southwark, around 24% of primary applicants come from outside Southwark, perhaps reflecting the popularity of Southwark primary schools. Appendix 8 explores this data in more detail.

### Effects of academy status on place planning

42. Place planning has been impacted by the academy presumption outlined in the Academies Act 2010, which requires local authorities to facilitate academies or free schools, rather than providing new schools themselves.
43. An LA could reduce provision in a locality, and this could be negated by an academy opening or an existing academy expanding. This makes long term planning at a local and boroughwide level challenging. The ESFA consults with (but does not require the approval of) the Council when academies or free schools are proposed. Academies are able to increase their Published Admission Number (PAN) by simply by placing a notice on their website, and notifying the Council. These schools are not required to undergo any

form of statutory process to expand or to seek the Council's approval. There are 36 mainstream schools in Southwark, which are free schools or academies (19 primaries, 16 secondaries and one all through (4-18) school). A list of the 36 academies and their 17 sponsors in Southwark is given at **Appendix 11**.

### Primary reductions and expansions in adjacent boroughs

44. The appropriate outborough expansions are detailed by borough in Appendix 6. Where appropriate and required by DfE guidance, neighbouring LAs will consult with Southwark, and where it is felt there would be a material effect on enrolment in Southwark schools, a response is provided.

### Private primary schooling and home education

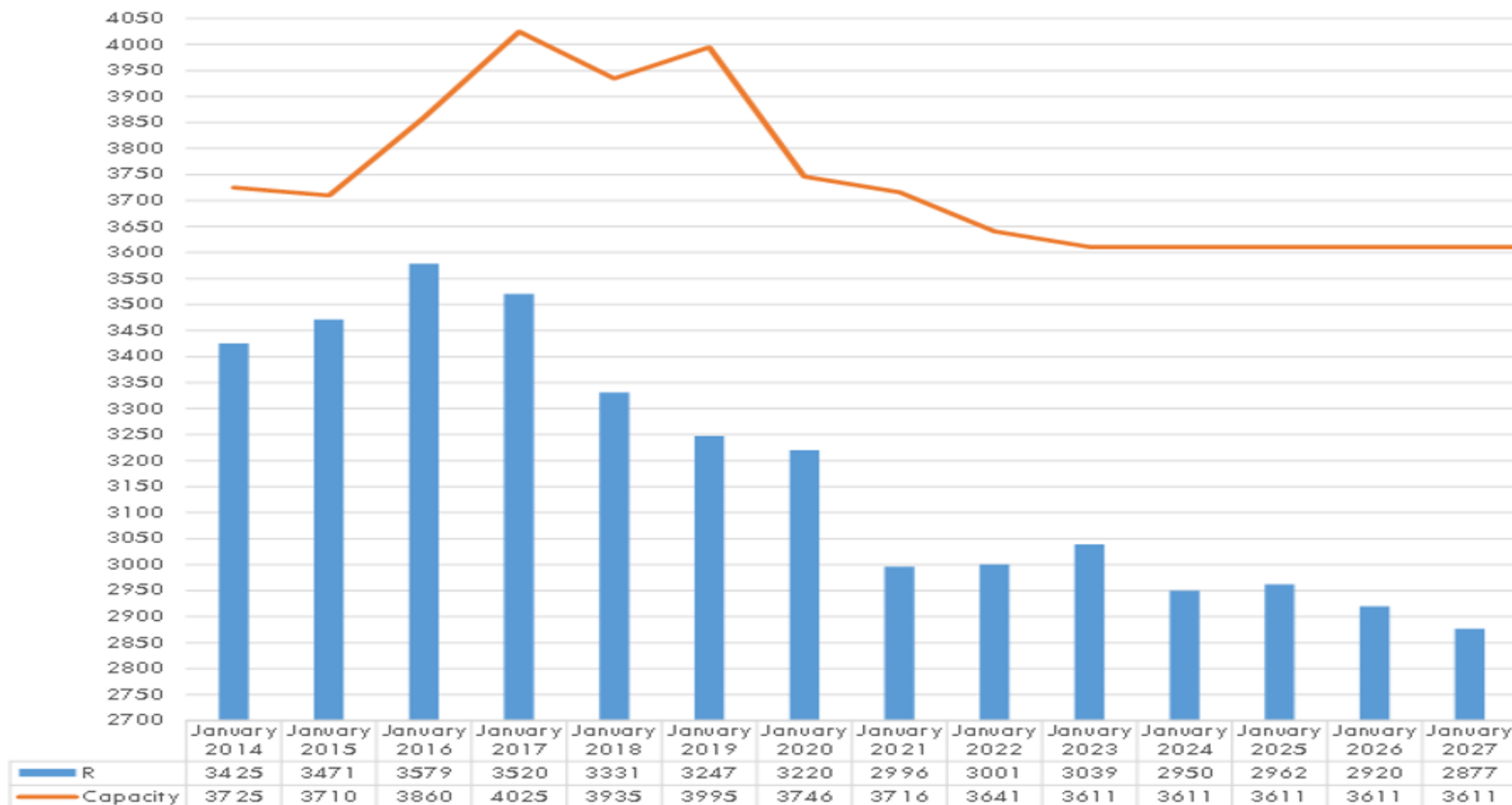
45. Projections assume historically similar proportions of children are home educated or attend private schools inside or outside Southwark. Whilst the number of primary age home-educated children has increased to around 100 pupils, this amounts to less than 0.4% of all primary pupils in Southwark and is unlikely to affect projections.
46. Similarly, the percentage of privately educated primary pupils (8%) in Southwark in January 2020 at the *seven* registered private schools with primary provision has not altered significantly in recent years, although this has increased from around 7% five years ago. This amounts to around 1,787 FTE pupils of all primary ages (years R to 6) - the equivalent to around 60 classes worth of children. We are unable to ascertain how many of these pupils are Southwark residents, but anecdotally, we are aware that there are a high proportion of out borough pupils at the schools concerned. The proportion of private school places in the borough is very slightly higher than the countrywide figure (of 7%) for private primary schooling. The figures, intake, roll and location of the seven private schools with private primary provision in Southwark are given in table 5 below. The planning area in which these schools fall is also included - as can be seen, almost all of the schools are situated in planning area 5 (Dulwich), 92% of the private primary provision in Southwark is contained within this planning area.

*Table 5 Private Primary Schools in Southwark January 2020*

School	Intake	Roll (primary)	PA
London Christian School	3-11 (Mixed)	111	1
The Villa	2-7 (Mixed)	32	3
Dulwich College	2-19 (Mixed)	347	5
Dulwich Prep	2-14 (Boys)	606	5
Herne Hill School	2-7 (Mixed)	146	5
James Allen's Girls' School	4-18 (Girls)	302	5
Alleyn's School	4-18 (Girls)	243	5
<b>Southwark Private Total R to 6</b>		<b>1,787 (8%)</b>	
<b>Southwark Primary Total R to 6</b>		<b>21,959 (92%)</b>	
<b>Southwark All Total R to 6</b>		<b>23,746</b>	

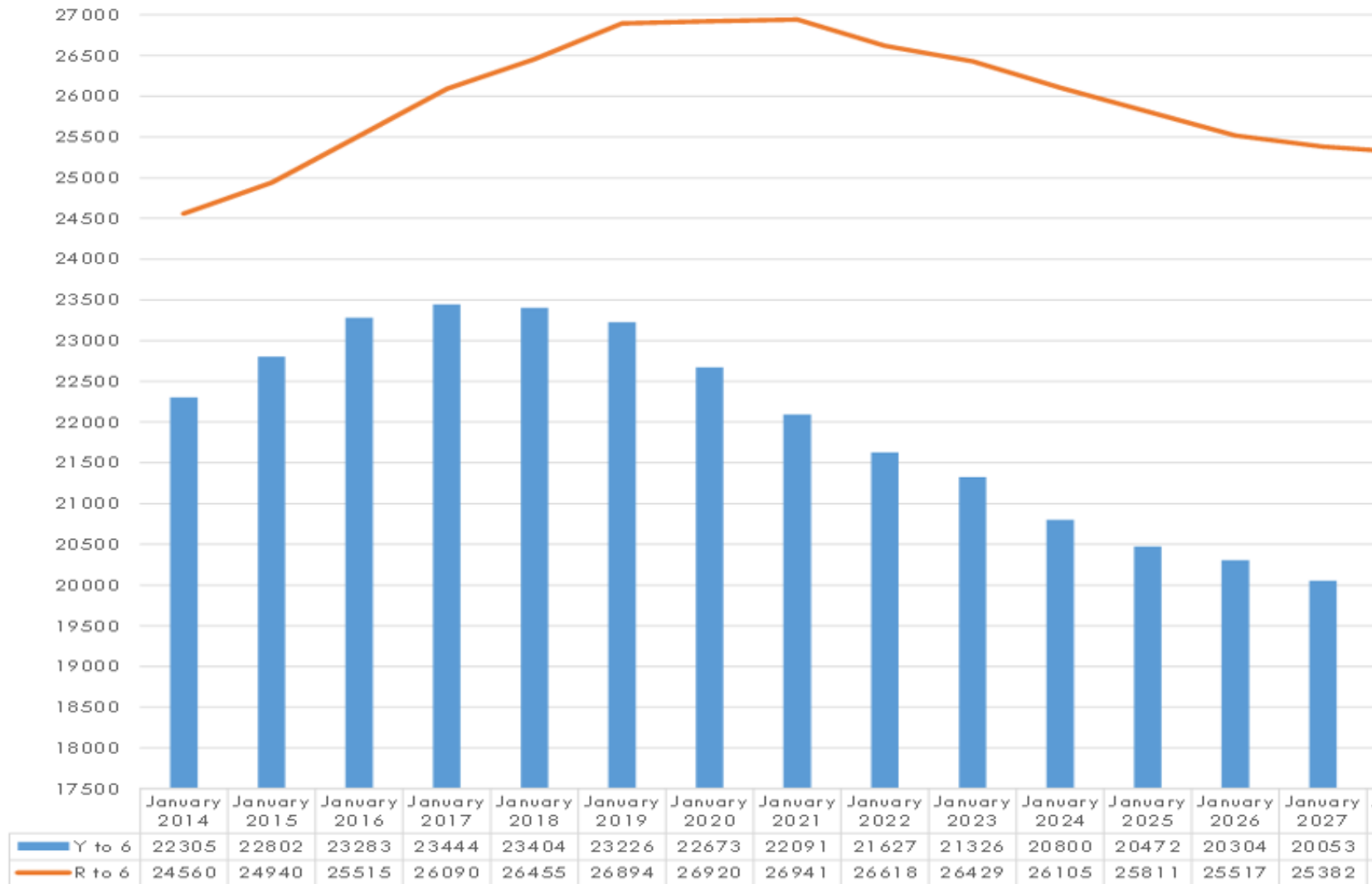
47. **Primary summary** Pupil rolls to date and projections are shown below for reception borough-wide, for all Southwark pupils and then by planning area, together with a commentary for each. A planning area summary for each of the Council's five planning areas are given below, together with remarks on the factors affecting provision in the planning area – births, existing vacancies, where the planning area takes children from and projections for the future.

### Primary Reception Rolls 2014-21 and Projections 2022-27

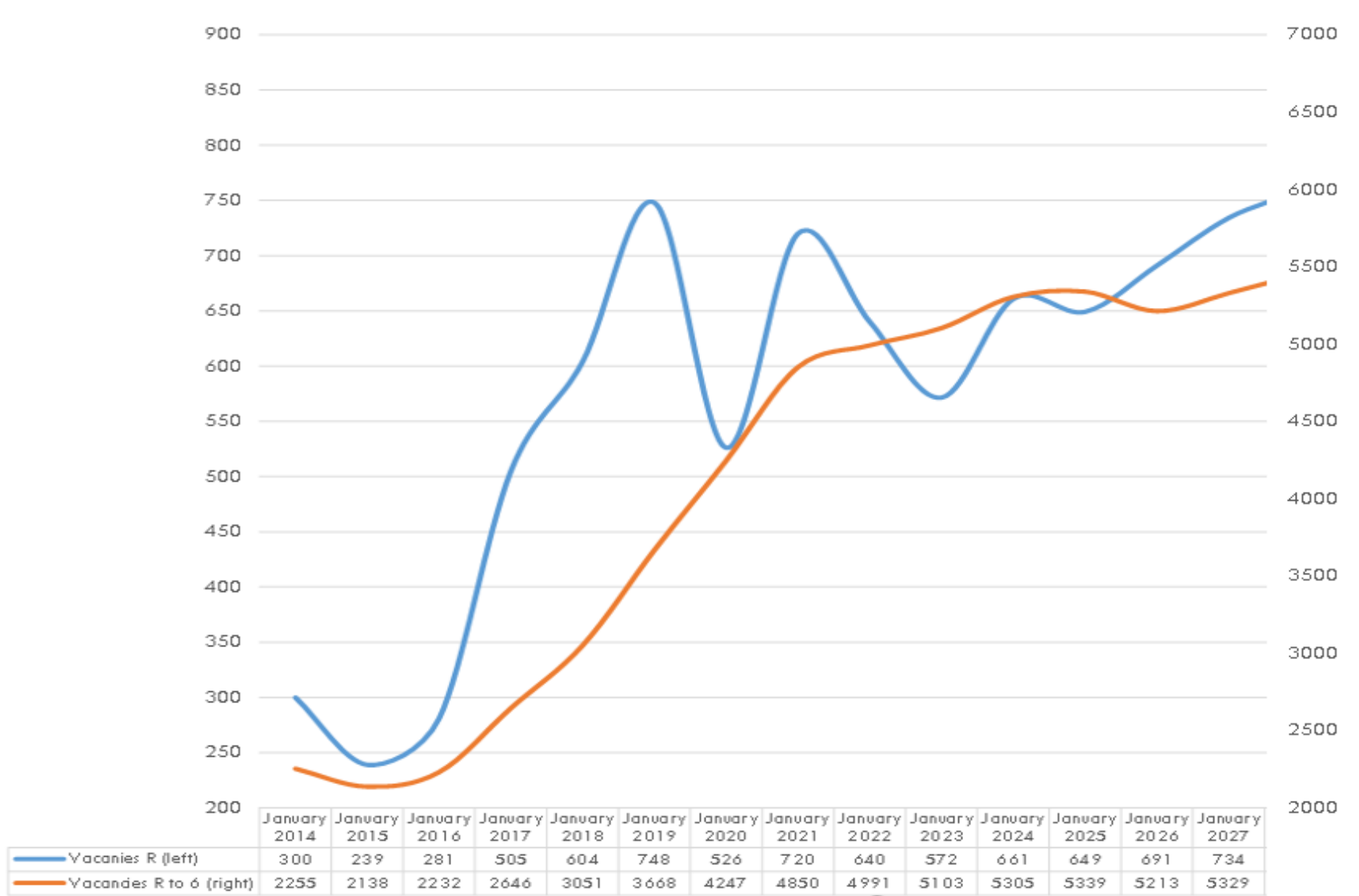




## Primary R to 6 Rolls 2014-21 and Projections 2022-27

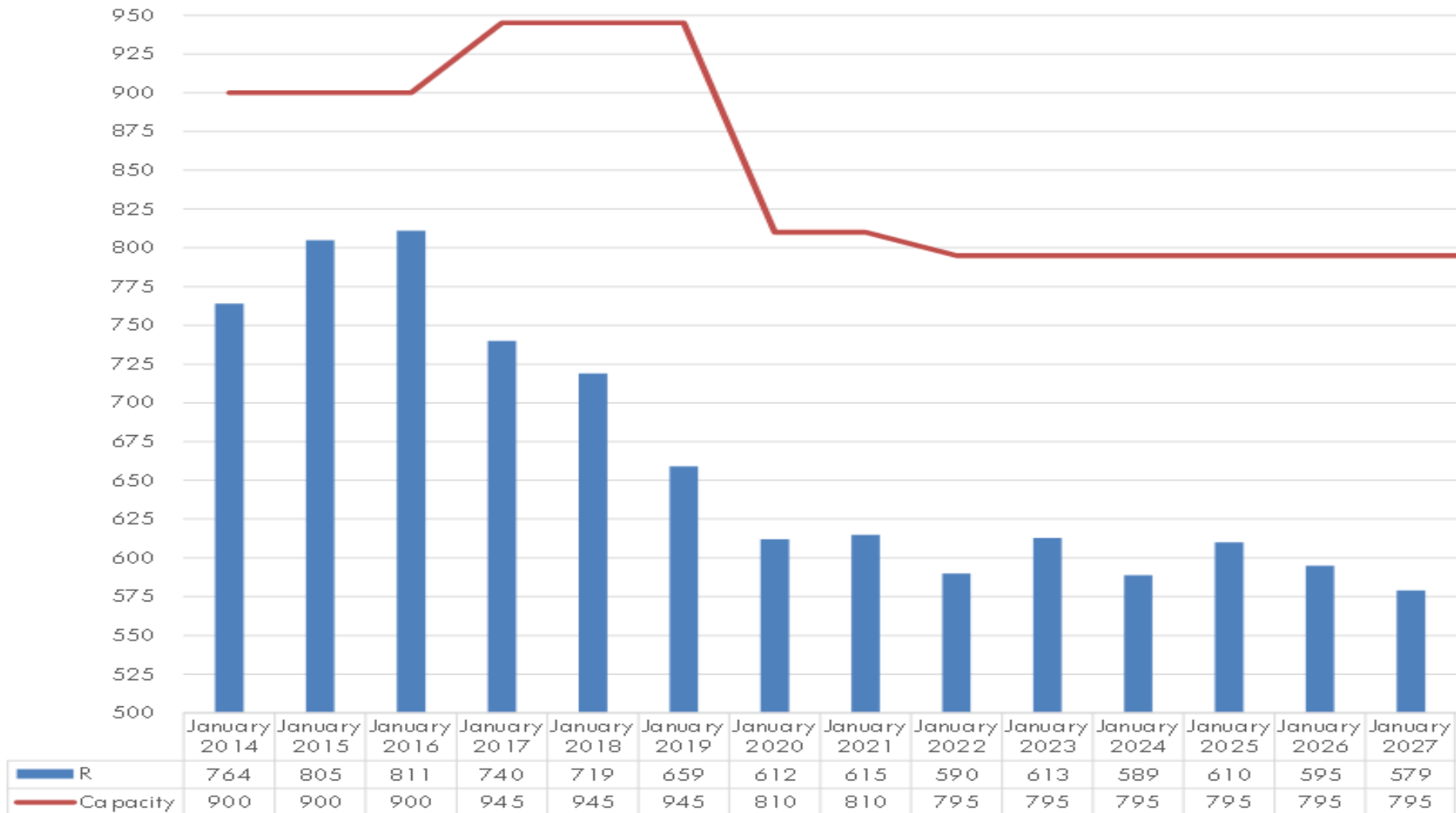


Vacancies at Reception (left axis) and across R to 6 (right axis) 2014-21 (actual) and 2022-27 (projected)



48. Planning area 1 has seen the steepest fall in demand, and despite PAN reductions, vacancy levels remain high

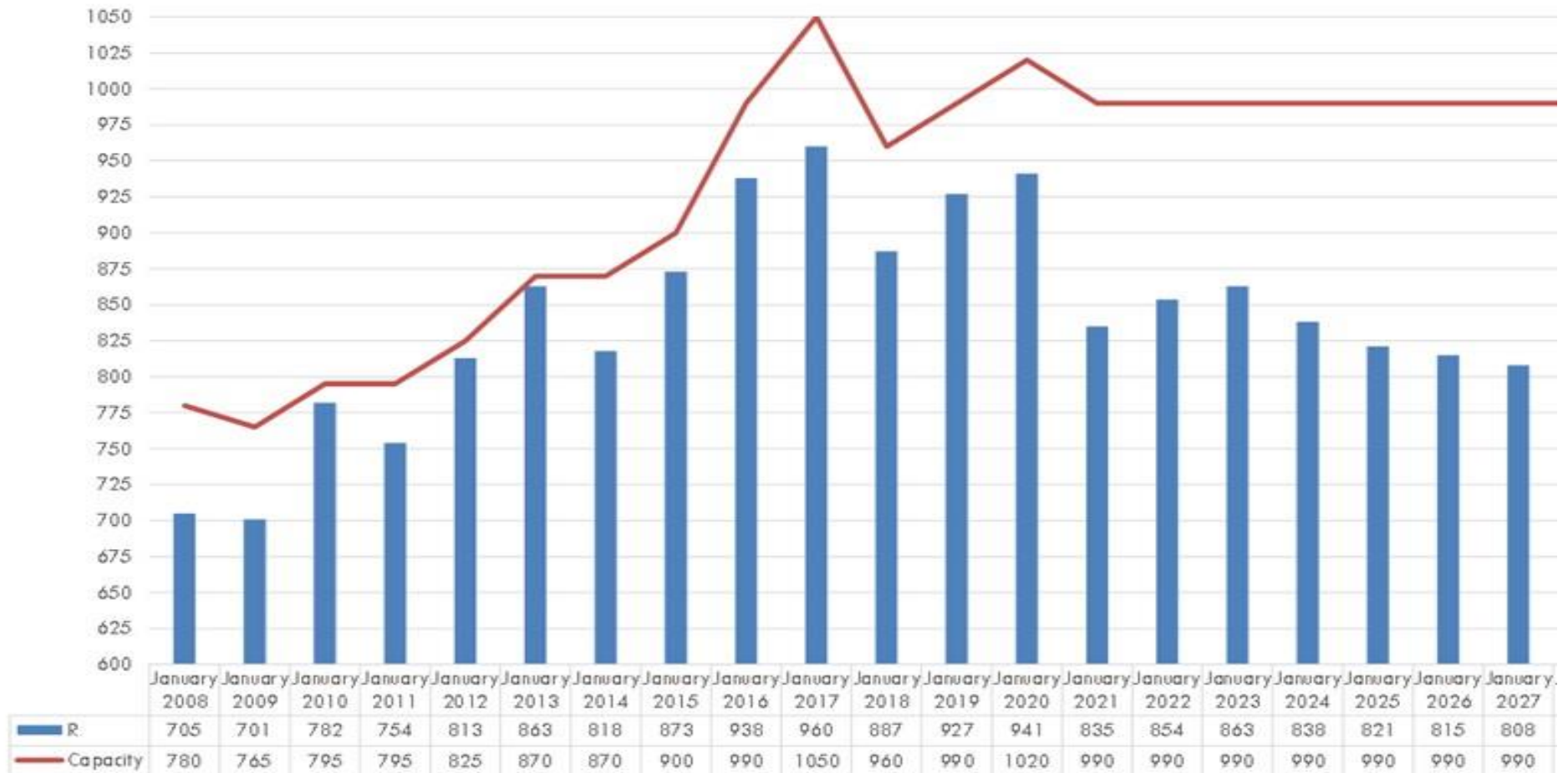
**Planning Area 1 (PA1) – Borough, Bankside & Walworth, Rolls 2014-21, Projections 2022-2027**



<b>PA1– Borough, Bankside &amp; Walworth</b>	
<b>Old Wards</b>	<ul style="list-style-type: none"> <li>• Cathedrals, Chaucer, East Walworth, Faraday, Newington</li> </ul>
<b>New Wards</b>	<ul style="list-style-type: none"> <li>• Borough &amp; Bankside, Chaucer, Faraday, Newington, North Walworth, Old Kent Road (part), St George's</li> </ul>
<b>Provision</b>	<ul style="list-style-type: none"> <li>• <u>19 primary schools</u>: 7 Community, 4 Academies (1 all through, 1 C of E Academy), 2 Foundation, 3 VA CE, 3 VA RC</li> </ul>
<b>Capacity</b>	<ul style="list-style-type: none"> <li>• As at September 2021 – 795 reception places. 5,970 Years R to 6 places</li> </ul>
<b>Projections</b>	<ul style="list-style-type: none"> <li>• There is sufficient capacity to meet demand up until 2027.</li> <li>• 216 surplus Reception places in 2027 based on expected demand.</li> <li>• Between 120 and 140 Reception places could be removed to manage capacity.</li> </ul>
<b>Changes since the last report</b>	<ul style="list-style-type: none"> <li>• St John's Walworth C of E Primary School has closed, and the pupils have been reallocated to other schools – mainly within PA1.</li> <li>• Projections to 2027 remain on target</li> </ul>
<b>Births</b>	<ul style="list-style-type: none"> <li>• Births in the planning area have fallen from 2012 to 2019 by 21%</li> <li>• Births are projected to continue to decrease by 6% (+2% per annum) by from 2018 to 2023 .</li> <li>• At (former) ward level, a decrease in births has been projected from 2018 to 2023, specifically for the former Cathedrals (-8%), Newington (-7%), Faraday (-20%), Chaucer (-12%) and East Walworth (-12%) wards. This is as a result of developments in the areas concerned, and could feed through to lower reception rolls in these areas towards the end of the decade .</li> </ul>
<b>Reception Vacancies</b>	<ul style="list-style-type: none"> <li>• There are approx.206 spare reception places (9FE) across PA1 – 26% of all reception places</li> <li>• In 2019, Reception places were reduced by 135 (4.5FE) through PAN reductions to more closely match demand. However, this has essentially just kept pace with the reduction in rolls</li> <li>• The GLA project 182 reception vacancies (8FE) in January 2023 (26%), and rising vacancy levels thereafter</li> <li>• There are 1,568 empty places from years R to 6 – 26% across PA1's primary capacity. This is projected to increase steadily to around 35% in September 2027.</li> </ul>
<b>Pupil intake by area</b>	<ul style="list-style-type: none"> <li>• PA1 is a net importer of pupils, gaining just under 800 pupils across all age groups, the equivalent of around two form entry (2FE) primaries. St Joseph's Borough RC Primary, Boutcher and Cobourg all schools in PA1, all take a significant proportion (more than 75%) of their pupils from outside the PA in which they are situated. John Ruskin Primary School, situated in PA4, takes 65% of its pupils from PA1, despite being situated in Camberwell (PA4)</li> <li>• Approximately 30% of pupils attending schools in this planning area come from outside the planning area, mainly from other planning areas within Southwark and a small number from outside Southwark (mainly Lambeth)</li> <li>• Conversely, nearly 20% % of PA1 resident children attending state schools attend a school in another planning area or a school outside Southwark – again, mainly Lambeth</li> </ul>

49. Planning Area 2, the largest PA in terms of schools and area covered, Further details of factors affecting the provision in this area are given below

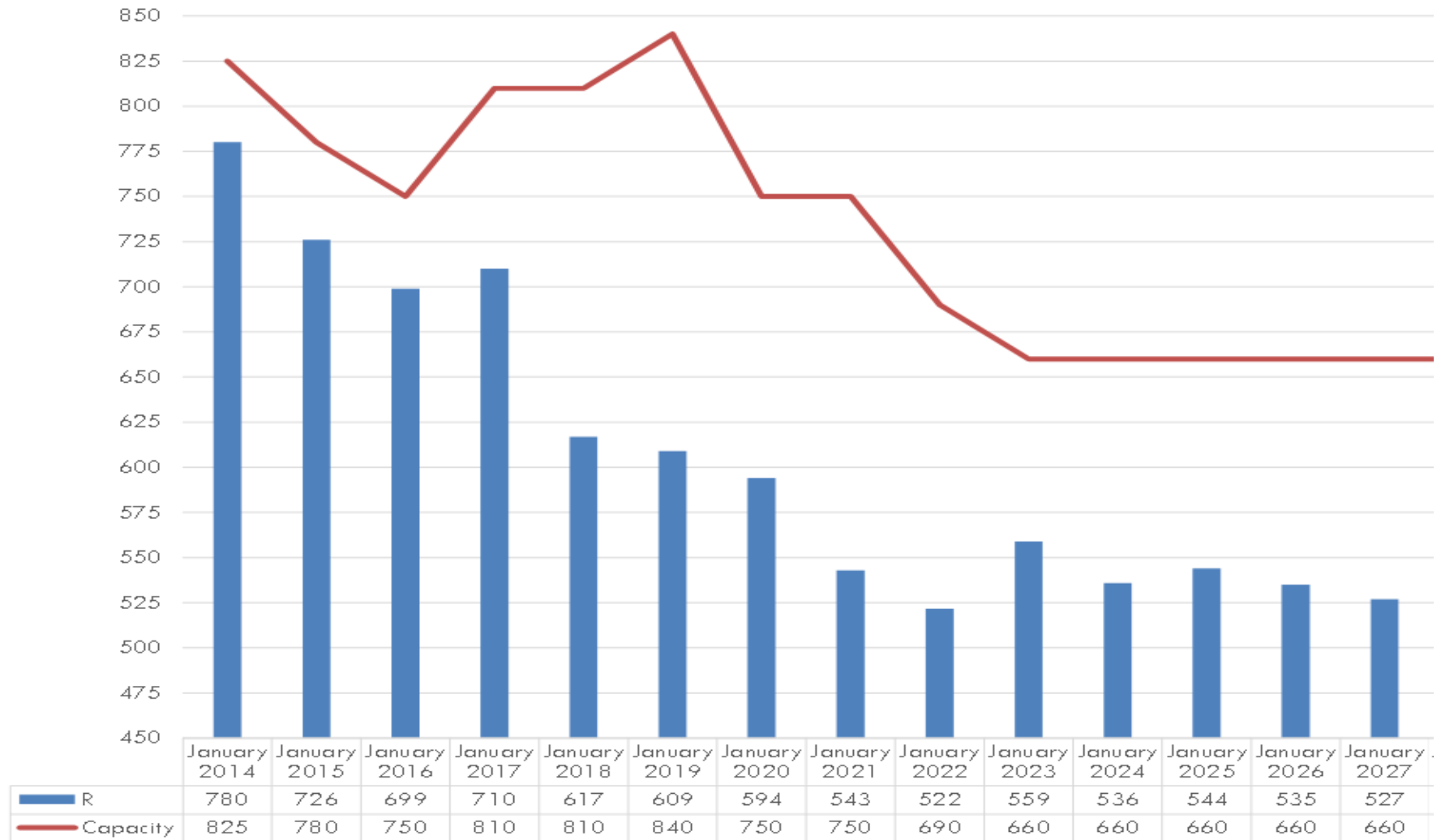
**Planning Area 2 (PA2) – Bermondsey & Rotherhithe, Rolls 2014-21, Projections 2022-2027**



<b>PA2 – Bermondsey &amp; Rotherhithe</b>	
<b>Old Wards</b>	<ul style="list-style-type: none"> <li>• Grange, Livesey (part), Riverside, Rotherhithe, South Bermondsey, Surrey Docks</li> </ul>
<b>New Wards</b>	<ul style="list-style-type: none"> <li>• London Bridge &amp; West Bermondsey, North Bermondsey, Old Kent Road (part), Rotherhithe, South Bermondsey, Surrey Docks</li> </ul>
<b>Provision</b>	<ul style="list-style-type: none"> <li>• <u>19 primary schools</u>: 11 Community, 1 Academy, 2 Free Schools, 3 VA CE, 3 VA RC</li> </ul>
<b>Capacity</b>	<ul style="list-style-type: none"> <li>• As at September 2021 – 990 reception places. 6,930 Years R to 6 places</li> </ul>
<b>Projections</b>	<ul style="list-style-type: none"> <li>• There is sufficient capacity to meet demand up until 2027</li> <li>• 182 surplus Reception places in 2027 based on expected demand.</li> <li>• Between 60 and 90 Reception places could be removed to manage capacity</li> </ul>
<b>Changes since the last report</b>	<ul style="list-style-type: none"> <li>• Projections to 2027 remain on target</li> </ul>
<b>Births</b>	<ul style="list-style-type: none"> <li>• Births from 2009-2018 peaked in 2011 in the planning area and have reduced since 2017. From 2018 to 2023, births are projected to decrease by 6%.</li> <li>• Decreases in birth figures are projected to occur from 2018 to 2023 in the former Grange (-11%), Rotherhithe (-6%), Riverside (-2%), South Bermondsey (-16%), and Surrey Docks wards (-5%). The former Livesey wards is projected to <i>increase</i> by 16%, as a result of anticipated Old Kent Road developments.</li> </ul>
<b>Reception Vacancies</b>	<ul style="list-style-type: none"> <li>• There are presently around 136 spare reception places (4FE) across PA2 – 14% of all reception places - the GLA project 127 vacancies in January 2023 (13%).</li> <li>• Unlike in PA1, we are not able to reinsert deleted provision to cope with increased demand; however, we have established that there are at least four schools in the planning area with the capacity to expand if additional provision is required, particularly with regard to the Canada Water and Rotherhithe peninsula regeneration area. There are also schools on the PA1 border with numerous vacancies</li> </ul>
<b>Pupil intake by area</b>	<ul style="list-style-type: none"> <li>• PA2 is a net exporter of pupils, losing around 180 pupils across all age groups. Pilgrim's Way Primary, situated in PA2, takes most of its pupils from PA3. Snowsfield Primary, despite being situated in PA2, takes 65% of its pupils from PA1</li> <li>• Around 20% of pupils attending schools in this planning area come from outside the planning area mainly from within Southwark with a small percentage from outside Southwark</li> <li>• Conversely, nearly 25% of PA2 resident children attending state schools attend a school in another Southwark planning area or a school outside Southwark.</li> <li>• Across PA2 schools, there are 986 empty places from years R to 6 – 14% of PA2's primary capacity</li> </ul>

50. Planning area 3 has had a considerable number of vacancies, which the PAN reduction programme has helped to address.

**Planning Area 3 (PA3) – Peckham & Nunhead, Rolls 2014-21, Projections 2022-2027**

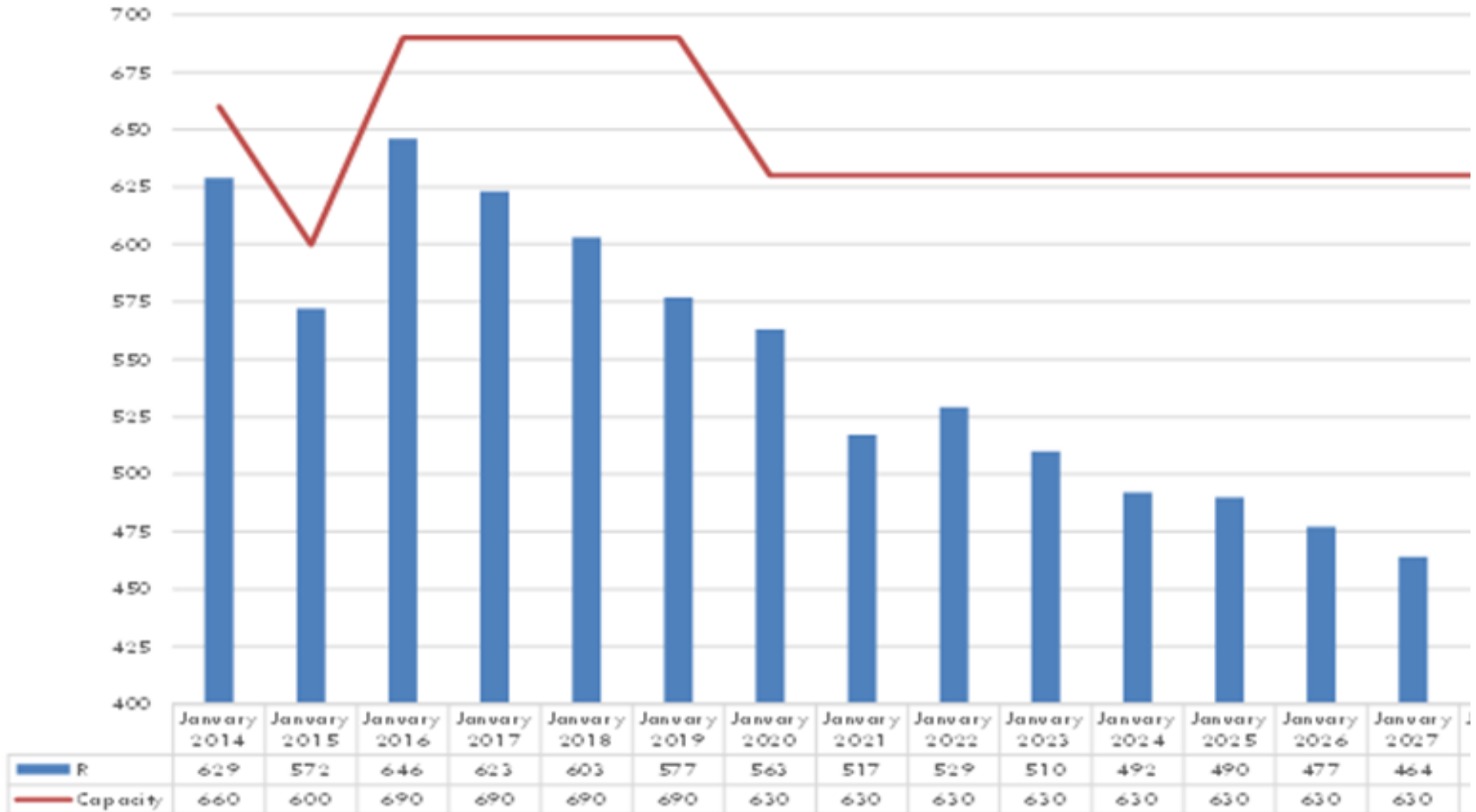


<b>PA3 – Peckham &amp; Nunhead</b>	
<b>Old Wards</b>	<ul style="list-style-type: none"> <li>• Livesey (part), Nunhead, Peckham, Peckham Rye, The Lane</li> </ul>
<b>New Wards</b>	<ul style="list-style-type: none"> <li>• Goose Green (part), Old Kent Road (part), Peckham, Peckham Rye, Rye Lane (part)</li> </ul>
<b>Provision</b>	<ul style="list-style-type: none"> <li>• <u>14 primary schools</u>: 5 Community, 3 Academies. 1 Free School, 2 VA CE, 3 VA RC</li> </ul>
<b>Capacity</b>	<ul style="list-style-type: none"> <li>• As at September 2021 – 690 reception places, 5,310 Year R to 6 places</li> </ul>
<b>Projections</b>	<ul style="list-style-type: none"> <li>• There is sufficient capacity to meet demand up until 2027</li> <li>• 133 surplus Reception places in 2027 based on expected demand.</li> <li>• Between 60 and 90 Reception places could be removed to manage capacity.</li> </ul>
<b>Changes since the last report</b>	<ul style="list-style-type: none"> <li>• For this planning area deriving mainly from Old Kent Road development, the number of units delivered by year has been recast and the delivery period lengthened</li> </ul>
<b>Births</b>	<ul style="list-style-type: none"> <li>• Births in the area increased from 2008-2012, and have decreased since 2013 to 2019, and are projected to reduce from 2018 to 2023 by 3%</li> <li>• The former Livesey ward (shared with PA2) will see a increase in births (+16%). Decreases will be anticipated from 2018-23 in the former Nunhead (-9%), Peckham (-1%), The Lane (-9%) and Peckham Rye (-4%) wards</li> </ul>
<b>Reception Vacancies</b>	<ul style="list-style-type: none"> <li>• There are presently 131 spare reception places (5FE) across PA3 - 23% of all reception places.</li> <li>• With the PAN reductions of 120 reception places, the GLA now project 141 vacancies in January 2023 (20%).</li> </ul>
<b>Pupil intake by area</b>	<ul style="list-style-type: none"> <li>• PA3 is a net exporter of pupils, losing around 943 pupils across all age groups, the equivalent of around 2 and a half two form entry primaries. The net import/export of pupils from within Southwark is a net loss of around 5%.</li> <li>• Around 20% of pupils in this planning area come from outside the planning area. Conversely, around 35% of PA3 resident children attending state schools attend a school in another Southwark planning area, or a school outside Southwark – about equally divided between the two.</li> <li>• St Francesca Cabrini Primary in PA3 has around half of pupils from outside the planning area, the majority of which come from Lewisham. Conversely, Pilgrims Way in PA2, the Belham Primary Free School (PA4), Harris East Dulwich (PA5), St George's CE Primary (PA4), and Oliver Goldsmith (PA4) all take a majority of pupils from PA3.</li> <li>• Across PA3 schools, there are 1,385 vacancies from years R to 6 – 26% of PA3's primary capacity. This is projected to reduce to around 407 vacancies (9%) by September 2027, closer to the national average, and within Ofsted boundaries to enable parental choice.</li> </ul>



51. Planning Area 4 had a number of vacancies, which the 2018 PAN reduction programme addressed. In the long term, we expect a small amount of growth in the area. Further details of factors affecting the provision in this area are given below.

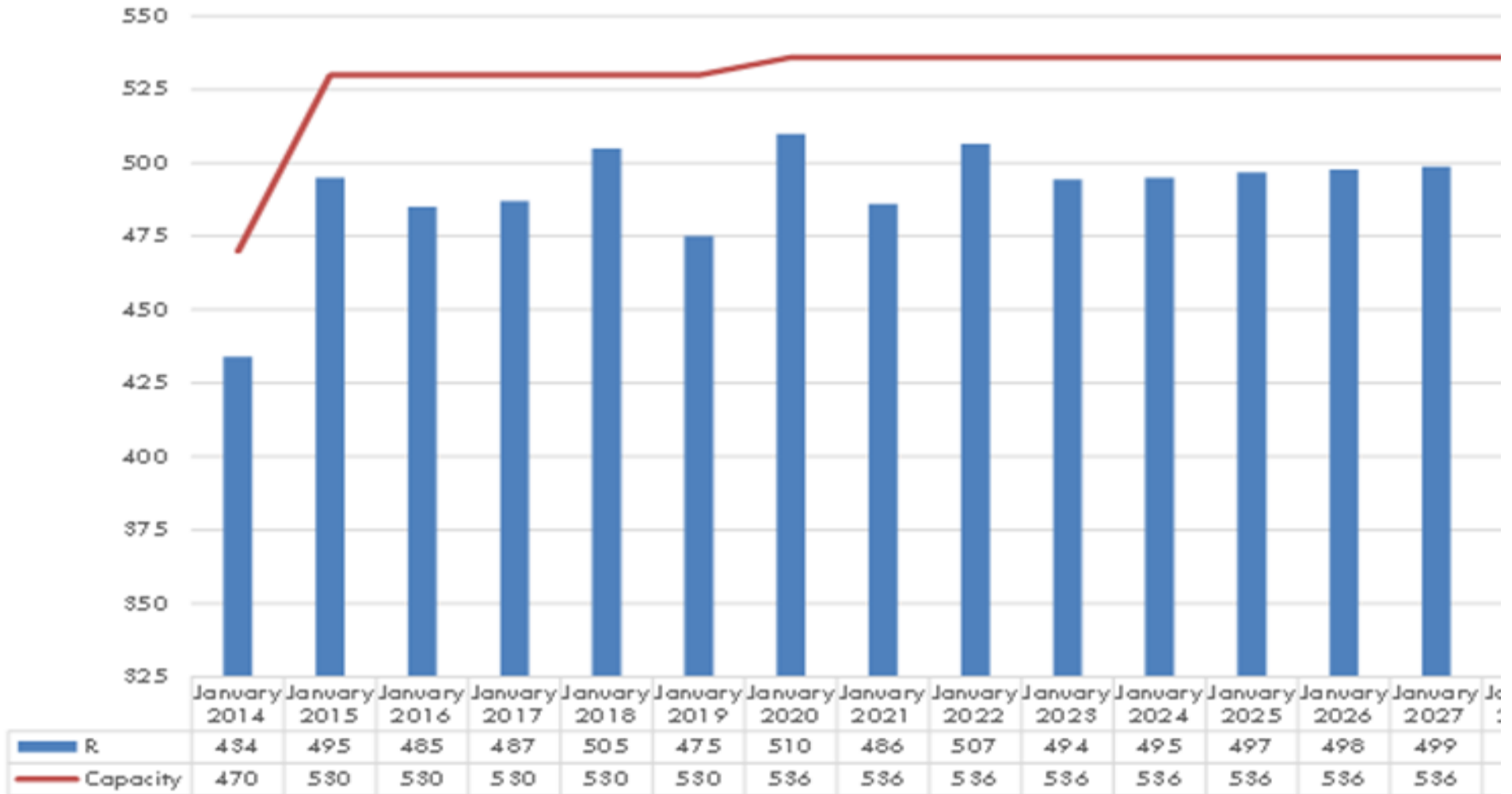
**Planning Area 4 (PA4) – Camberwell, Rolls 2014-21, Projections 2022-2027**



<b>PA4 – Camberwell</b>	
<b>Old Wards</b>	<ul style="list-style-type: none"> <li>• Brunswick Park, Camberwell Green, South Camberwell</li> </ul>
<b>New Wards</b>	<ul style="list-style-type: none"> <li>• Camberwell Green, Champion Hill, Rye Lane (part), St Giles</li> </ul>
<b>Provision</b>	<ul style="list-style-type: none"> <li>• <u>12 primary schools</u>: 7 Community, 1 Academy, 1 Free School, 1 VA RC, 1 VA RC Infant and 1 VA RC Junior</li> </ul>
<b>Capacity</b>	<ul style="list-style-type: none"> <li>• As at September 2021 – 630 reception places, 4,680 Year R to 6 places</li> </ul>
<b>Projections</b>	<ul style="list-style-type: none"> <li>• There is sufficient capacity to meet demand up until 2027</li> <li>• 166 surplus Reception places in 2027 based on expected demand.</li> <li>• Between 60 and 90 Reception places could be removed to manage capacity.</li> </ul>
<b>Changes since the last report</b>	<ul style="list-style-type: none"> <li>• PA4 (Camberwell) was originally projected to run out of space by September 2031 – this has now been postponed to an indefinite point in the future</li> </ul>
<b>Births</b>	<ul style="list-style-type: none"> <li>• Births in the area have decreased 19% from 2008 to 2017. From 2018 to 2023, births are projected to decrease by a further 10%</li> <li>• In the 3 former wards that make up the planning area, Brunswick Park former ward's birth rate is projected to decrease by 13%, Camberwell Green by 6%, and South Camberwell by 11%</li> </ul>
<b>Reception Vacancies</b>	<ul style="list-style-type: none"> <li>• There is presently around 4FE excess of places (101 – 16% of the reception total) this year, with a slow decrease of demand thereafter. The GLA project 120 vacancies (4FE) in January 2023 (19%).</li> <li>• Across PA4 schools, there are 856 empty places from years R to 6 – 18% of PA4's primary capacity</li> <li>• As a consequence of falling rolls, PAN reductions reduced the capacity of this planning area by 30 places from 2019 onwards – 1FE</li> </ul>
<b>Pupil intake by area</b>	<ul style="list-style-type: none"> <li>• PA4 is a net importer of pupils, gaining around 195 pupils across all age groups, the equivalent of just under a one-form entry primary.</li> <li>• Around 35% of pupils in this planning area come from outside the planning area, mainly from within Southwark</li> <li>• Conversely, around 35% of PA4 resident children attending state schools attend a school mainly from within another Southwark planning area</li> <li>• Goose Green Primary in PA5 takes just over a quarter of its pupils from PA4.</li> <li>• Conversely, of schools in PA4 taking pupils from other planning areas, the Belham Primary Free School accommodates over 80% of its pupils from outside PA4, as do John Ruskin Primary (over 70%), St George's CE and Oliver Goldsmith primaries (both over 60%),.</li> </ul>

52. Planning area 5 remains as in previous place planning reports. Factors affecting the provision in this area are given below. Growth is not expected to the population - as the number of children in the locality reduce, we expect schools to fill with children from elsewhere.

**Planning Area 5 (PA4) – Dulwich, Rolls 2014-21, Projections 2022-202**



<b>PA5 – Dulwich</b>	
<b>Old Wards</b>	<ul style="list-style-type: none"> <li>• College, East Dulwich, Village</li> </ul>
<b>New Wards</b>	<ul style="list-style-type: none"> <li>• Dulwich Hill, Dulwich Village, Dulwich Wood, Goose Green (part)</li> </ul>
<b>Provision</b>	<ul style="list-style-type: none"> <li>• <u>9 primary schools</u>: 3 Community, 2 Academies (1 Junior Academy), 2 Free Schools, 1 VA RC and 1 VA CE Infant</li> </ul>
<b>Capacity</b>	<ul style="list-style-type: none"> <li>• As at September 2021 – 536 reception places, 3,728 Year R to 6 places</li> </ul>
<b>Projections</b>	<ul style="list-style-type: none"> <li>• There is sufficient capacity to meet demand up until 2027</li> <li>• 37 surplus Reception places in 2027 based on expected demand.</li> </ul>
<b>Changes since the last report</b>	<ul style="list-style-type: none"> <li>• No substantive changes to the projections for PA5 (Dulwich) are noted and capacity is not projected to be exceeded by demand until 2049</li> </ul>
<b>Births</b>	<ul style="list-style-type: none"> <li>• Births in the area decreased 15% from 2008-17, and are projected to reduce further by 14% from 2018-23</li> <li>• In the former wards that make up this planning area, East Dulwich's births have decreased by 12%, College's by 19%, and Village wards by 13% over the same time period</li> <li>• Conversely, reception pupil numbers increased by 32% from 2009-16 and have increased a further 5% up to 2021. Therefore, in this locality birth figures are not a reliable indicator of demand, and the percentage of Dulwich resident parents attending Dulwich schools is reducing; schools recruit from further afield on an annual basis</li> </ul>
<b>Reception Vacancies</b>	<ul style="list-style-type: none"> <li>• There are presently around 30 spare reception places (1FE) across PA5, 6% of all reception places.</li> <li>• 42 vacancies are projected for January 2023 (8%).</li> <li>• Across PA5 schools, there are 502 empty places from years R to 6 – 14% of PA5's primary capacity, this is projected to increase to 556 in January 2023 (15% of the primary capacity)</li> </ul>
<b>Pupil intake by area</b>	<ul style="list-style-type: none"> <li>• PA5 is a net importer of pupils, gaining around 80 pupils across all age groups. Harris East Dulwich and Judith Kerr Primary Free School take a majority of its pupils from outside PA5, the latter mainly from Lambeth</li> <li>• Schools in the Dulwich planning area remain extremely popular with applicants from adjoining planning areas – this is evidenced by the 15% drop in births outlined above, but a 32% increase in demand for reception places over the same time frame</li> <li>• There is a high risk that providing any additional capacity in this area would be abstractive of other planning areas and schools from neighbouring boroughs, and would actually not meet demand from local residents – indeed, it may reduce the percentage of local children attending schools in Dulwich</li> <li>• Around 30% of pupils in this planning area come from outside the planning area, mainly from within Southwark and a small percentage from outside Southwark</li> <li>• The net percentage inflow of Southwark children from other planning areas is (+15%) the highest in Southwark</li> <li>• Conversely, around 30% of PA5 resident children attend state primary schools attend a school in another Southwark planning area or a school outside Southwark, about equally divided between the two.</li> <li>• Conversely, Bessemer Grange Primary in PA4 takes around 30% of its pupils from PA5 residents</li> </ul>

## KEY FACTORS AFFECTING SECONDARY SCHOOLS

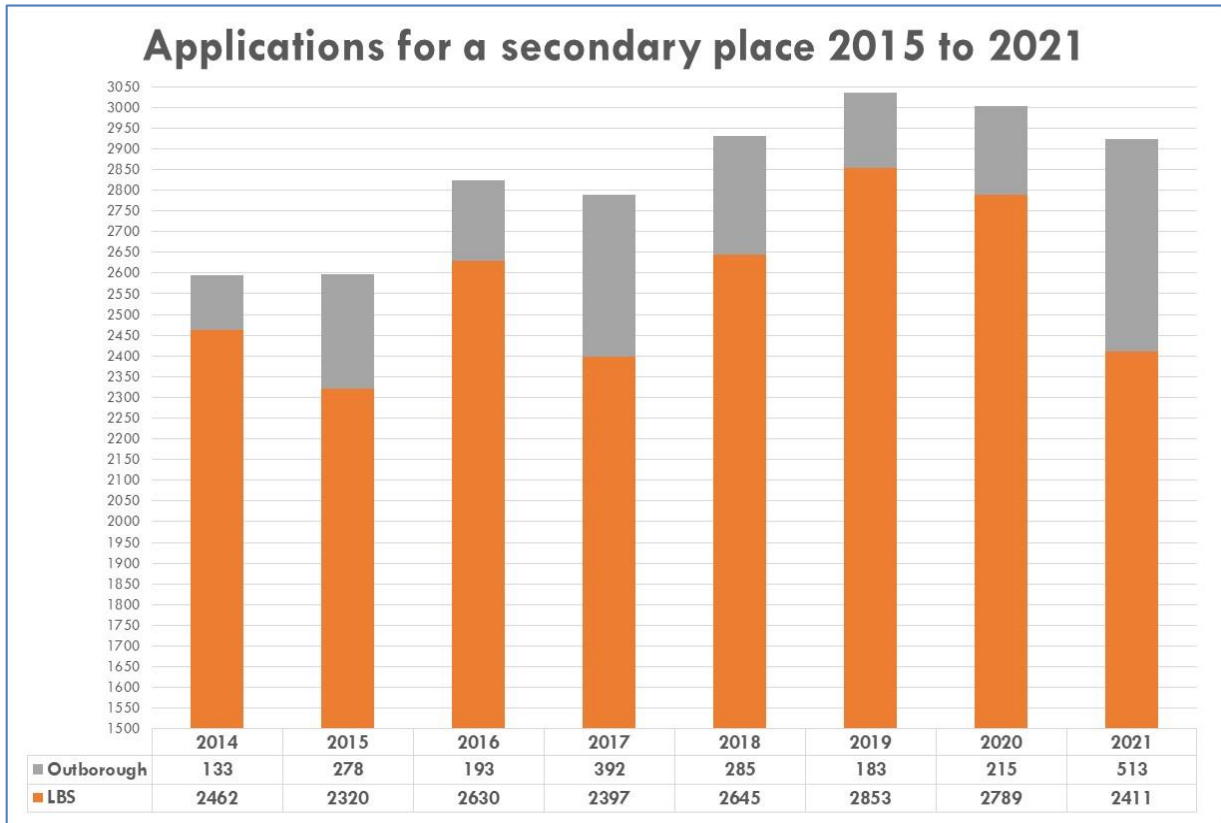
### Headline figures for secondary

53. The Council has worked with the ESFA and Free School sponsors to add a total of 14FE to the secondary provision that was in place in 2016. By 2026, this will have added an additional 2,545 secondary places from 2016 – an increase of 18% as detailed below in paragraph 54.
54. The Charter School East Dulwich (a Free School), opened in September 2016 on a temporary site in Camberwell, with an intake of 4FE in 2016/17 and 2017/18 followed by an intake of 6FE for 2018/19 before moving onto its permanent site on the former Dulwich Hospital site in 2019. Charter East Dulwich is to operate at 7FE from September 2021, and 8FE from September 2022, when the works at the permanent site are scheduled to be complete. Haberdashers' Borough Academy due to be situated on the old Fire Station site on Southwark Bridge Road, opened as a 6FE, new Free school on a temporary site in September 2019, and has taken two cohorts of 180 pupils, and will provide 900 secondary places (years 7-11) by September 2023. Both schools have remained oversubscribed since opening.
55. In last year's place planning report, Cabinet was advised that overall there was sufficient capacity within Southwark schools to meet the demand for year 7 for that academic year and going forward until 2030. This year's enrolment and the latest GLA 2021 projections (see paragraphs 57-59) show that demand will peak in 2023 and fall back from this year onwards, and reduce thereafter. In these circumstances, capacity is projected to be sufficient to meet demand. No action to increase or decrease provision at secondary phase is deemed to be necessary based on current data.

### Secondary Y7 place applications

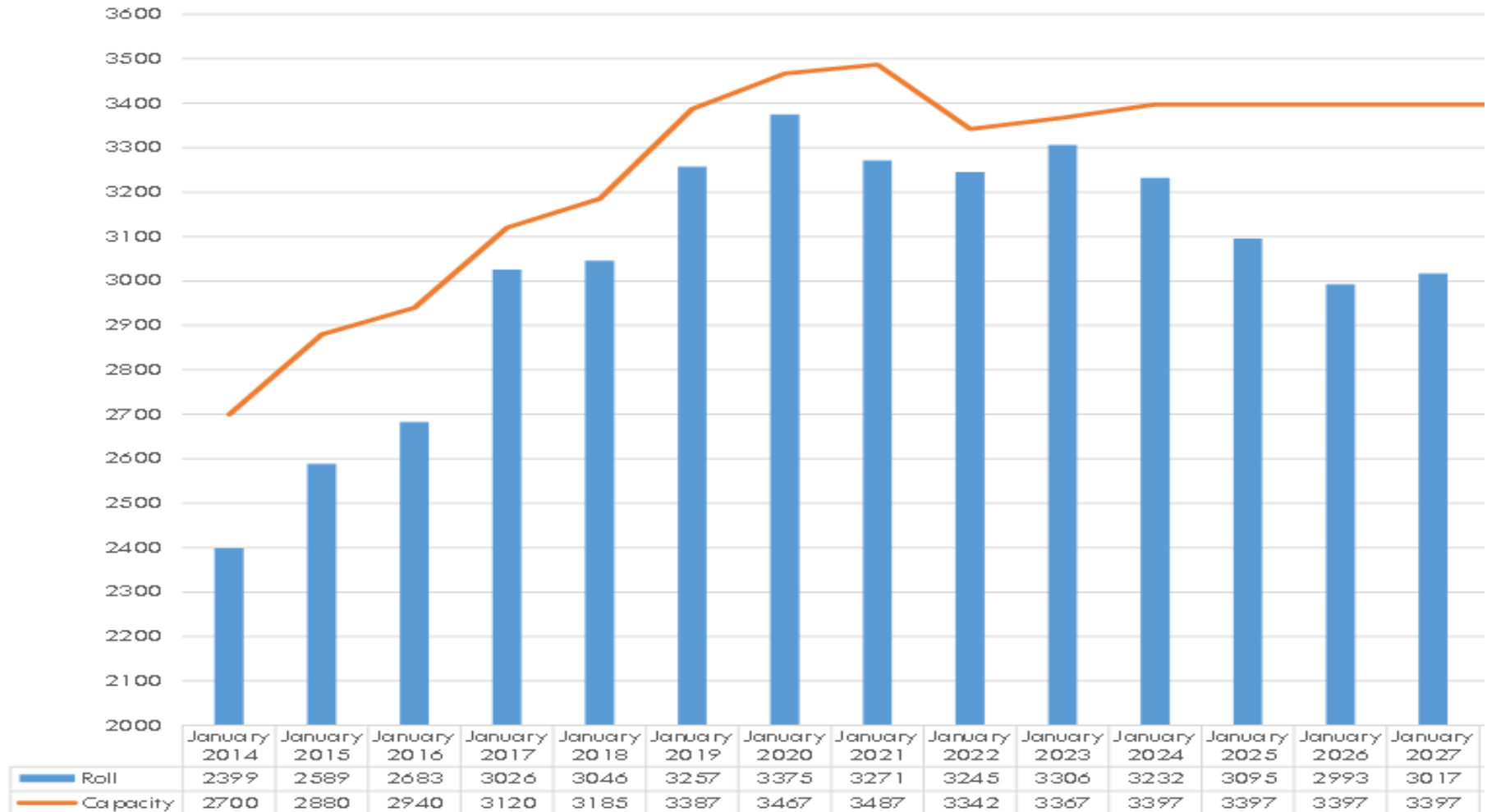
56. Y7 applications overall have reduced over the last 2 years (a decrease of 4% over this time for all applicants, and a decrease of 15% from Southwark residents). The number of non-Southwark residents has increased by around 380.

Table 6 – Secondary Y7 Applications 2015-2021 (Southwark and outborough)



57. Y7 places predicted in the GLA projections are shown in the table below, along with the expected capacity to accommodate them. This shows that demand is unlikely to exceed supply in the foreseeable future

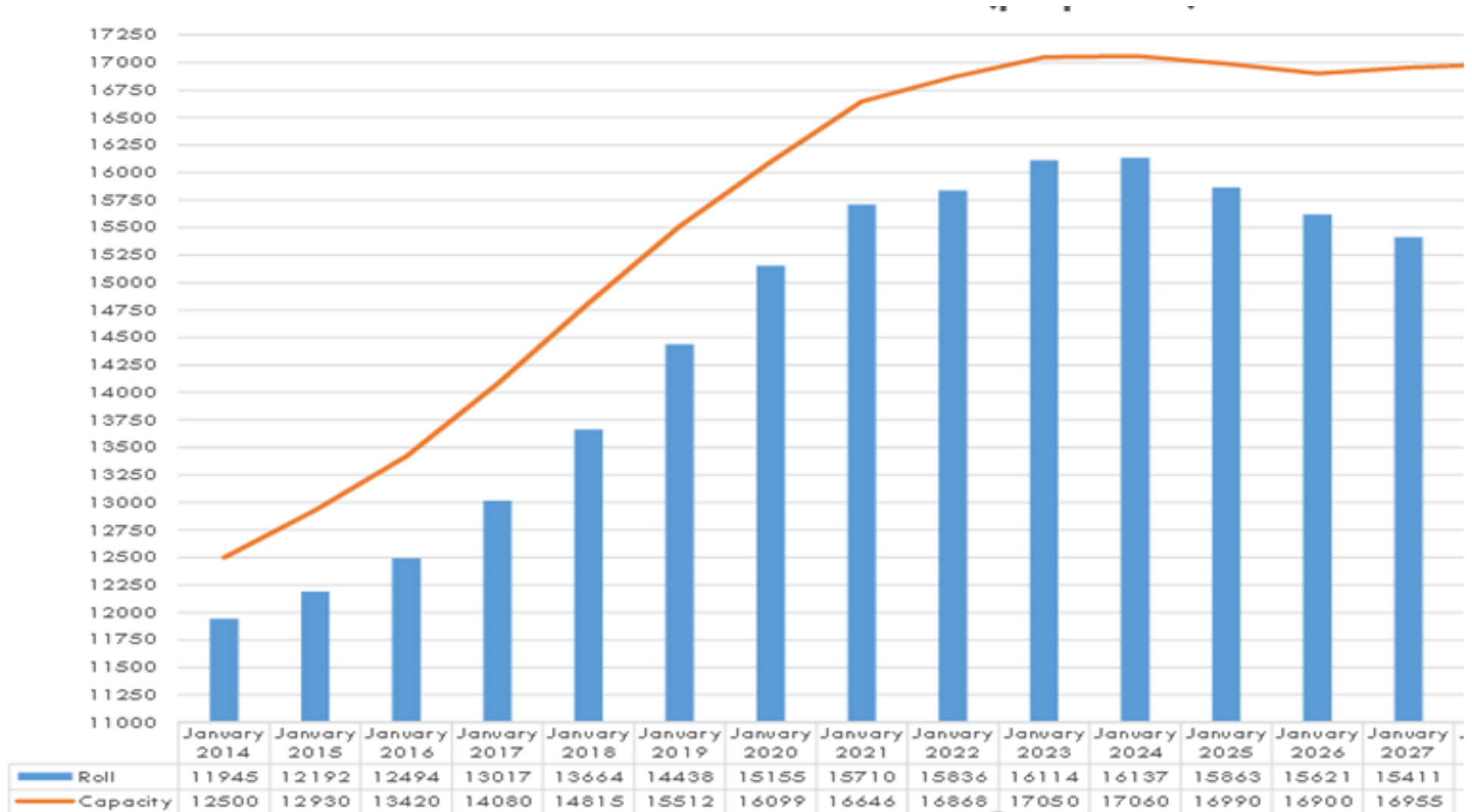
**Secondary Y7 Capacity and Roll Actual 2014-21, Projections 2022-27**



58. Similarly Y7-Y11 places predicted in the GLA projections are shown in the table below, along with the expected capacity to

accommodate them. Again, this shows that demand is unlikely to exceed supply in the foreseeable future

**Secondary Y7 Capacity and Roll Actual 2014-21, Projections 2022-27**



59. Similarly vacancies at Y7 and for years Y7 to 11 are projected to remain steady for the next 2 years but to begin to increase from



2024 onwards

**Secondary Vacancies – Actual 2014-21, Projected 2022-2027**



### Applications and expressed preferences for Secondary Schools

60. A considerable variation in the popularity of secondary schools within Southwark exists across our 20 secondary schools. This means that the balance between demand and the availability of places is not evenly distributed across the borough.
61. For all applicants (Southwark and non-Southwark residents), the average applications made was 4.2 preferences per Y7 place. For Southwark applicants only, the average was 2.7 preferences per year 7 place. This shows how the considerable number of out borough preferences (nb, this is particularly the case for Kingsdale school which borders with both Lewisham and Lambeth boroughs).

### Secondary cross border flows

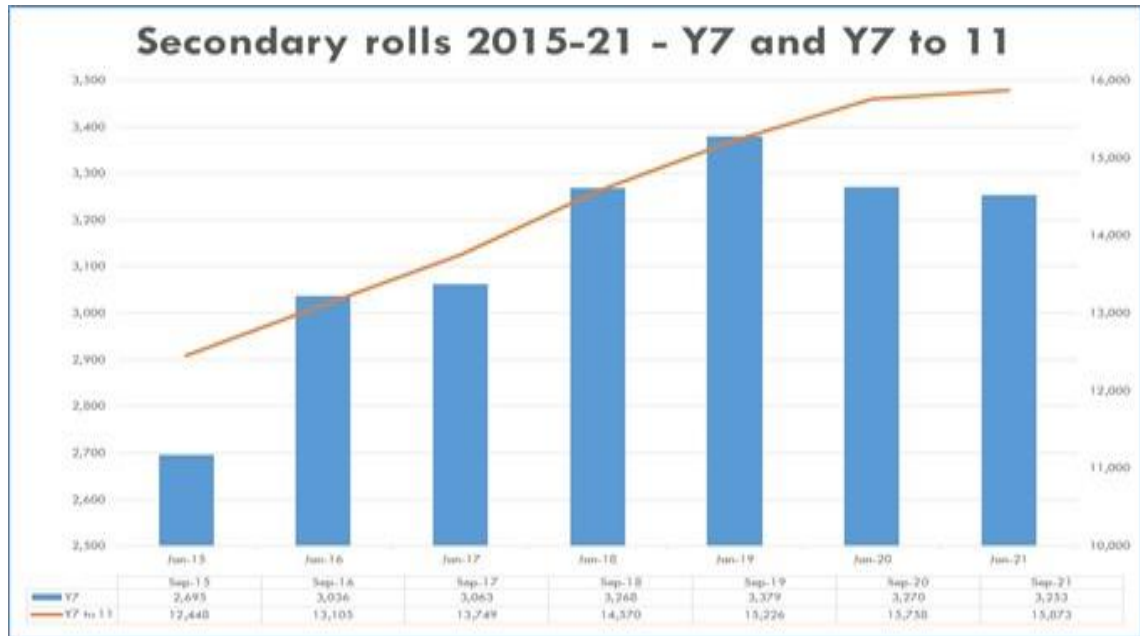
62. Around 2,748 (21%) of Southwark residents of secondary school age attend state funded secondary mainstream schools out of borough. Pupils living out of borough attending a Southwark school, total 4,234 (27%) of the Southwark school population, a net gain of around 1,486 (+7%) of pupils. Southwark exports secondary age pupils mainly to schools in Lewisham, Lambeth and Westminster, and imports pupils from Lambeth, Lewisham, Croydon, Bromley and Tower Hamlets. The increasing popularity of our secondary schools – all of which are Ofsted “good” or “outstanding” rated, may explain this level of out borough demand.

### Increasing (and decreasing) rolls

63. Southwark has seen a steady increase in secondary place demand since September 2015 in Y7 and secondary places as a whole with a slight drop off in the last two years. Y7 rolls have increased by 19FE – the equivalent of 3 secondary schools - a 21% increase overall in 5 years. Across all year groups, the rate of pupils has increased 3,425 pupils – 28% over the same time period – equivalent to 114 classes or four 6FE secondary schools.

Table 7: Secondary rolls September 2015-2020 (Y7 and whole school)

Year	Y7	+/-	%	Y7 to 11	+/-	%
Sep-15	2,695			12,448		
Sep-16	3,036	+341	+13%	13,105	+657	+5%
Sep-17	3,063	+27	+1%	13,749	+644	+5%
Sep-18	3,268	+205	+7%	14,570	+821	+6%
Sep-19	3,379	+111	+3%	15,226	+656	+5%
Sep-20	3,270	-109	-3%	15,758	+532	+3%
Sep-21	3,253	-17	-1%	15,873	+115	+1%
<b>2015-2021</b>	<b>+558</b>	<b>+21%</b>		<b>+3,425</b>	<b>+28%</b>	



64. In September 2021, 3,362 Year 7 places (the equivalent of 113FE) were available for secondary pupils in Southwark. There was an uptake of around 3,253, leaving 109 places (4FE) - a surplus of 3% - of Y7 places). This should be sufficient to accommodate any late applications
65. Overall, there are 16,888 secondary places across Year 7 to 11 (the equivalent of 564 classes) with a take up of around 15,895 (530 classes), leaving 993 vacancies (equivalent to 35 classes) across secondary school years 7-11, a 6% vacancy rate overall, within the recommended 5-10% cushion recommended by the NAO and Ofsted.

### **Old Kent Road Area Action Plan (OKRAAP) - the effect on secondary rolls**

66. Consideration also needs to be given to the Old Kent Road Area Action Plan (OKRAAP) and potential for growth. Council should consider supporting schemes for schools that are located close to the area of need and offer good quality internal and external teaching areas, in accordance with DfE/Council design guidance.

### **Effects of COVID 19 on secondary rolls**

67. As outlined from paragraph 37 onwards, there was an increase in secondary age children being home educated, there is also evidence that parents and carers are relocating out of London, in part driven by COVID issues.
68. The number of secondary applications in Southwark for September 2021, reduced by 4% against a London average reduction of 3%.

## Secondary private schooling and home education

69. Whilst the number of secondary age home-educated children has increased to around 113 pupils, this amounts to less than 0.7% of all secondary pupils in Southwark and so is unlikely to affect our projections. Pupil projections also assume that a similar proportion of children attend private schools inside and outside Southwark, and or are home educated.
70. The number of private secondary pupils in the local authority area at the eight registered private secondaries has not altered significantly (3,901 secondary age pupils, or around 130 classes), nor those receiving education at home. Table 8 below gives a list of DfE recognized mainstream independent schools with secondary provision, their gender mix and the number of pupils on roll.

*Table 8 Private/Independent Secondary Schools in Southwark*

School Name	Gender	Secondary age Pupils
Alleyn's School	Mixed	1,054
Dulwich College	Mixed	1,487
Dulwich Prep London	Boys	237
Herne Hill School	Mixed	135
James Allen's Girls' School	Girls	822
Liral Veget College London	Mixed	2
London Christian School	Mixed	13
The Villa	Mixed	151
<b>Total</b>		3,901 (17%)
<b>Total Southwark state funded secondary</b>		19,836 (83%)
<b>Total</b>		23,470

71. Private secondary school pupils account for approximately 17% of all secondary school pupils in the local authority area.
72. It should also be noted that 5 of the 8 schools are in Dulwich, and account for 97% of the independent school population in Southwark, closely matching that of the primary private schools. The Council is not able to establish, how many of these pupils are actually Southwark residents.

## Secondary expansions in adjacent boroughs

73. Paragraph 62 draws attention to the fact that approximately a fifth of Southwark-resident children of secondary school age attend schools out-borough and conversely out-borough children attend our secondary schools. Where secondary expansions or closures have occurred in schools in neighbouring boroughs, this could potentially have a material effect on recruitment to Southwark secondary schools. Therefore, appropriate expansions are detailed, borough by borough, in **Appendix 6**.

## ACCURACY OF PROJECTIONS (PRIMARY AND SECONDARY)

74. An analysis of the accuracy of the GLA primary and secondary projections used by Southwark has been undertaken. DfE guidelines aim for these to be  $\pm 1.5\%$  maximum. This has been achieved overall for primary schools. The accuracy of projections depends very much on any changes to the social makeup and

demographics of Southwark and London being gradual and that the economic outlook remaining broadly similar. In both cases, this has not happened in Southwark, and indeed, the rest of London. An accuracy check shows that:

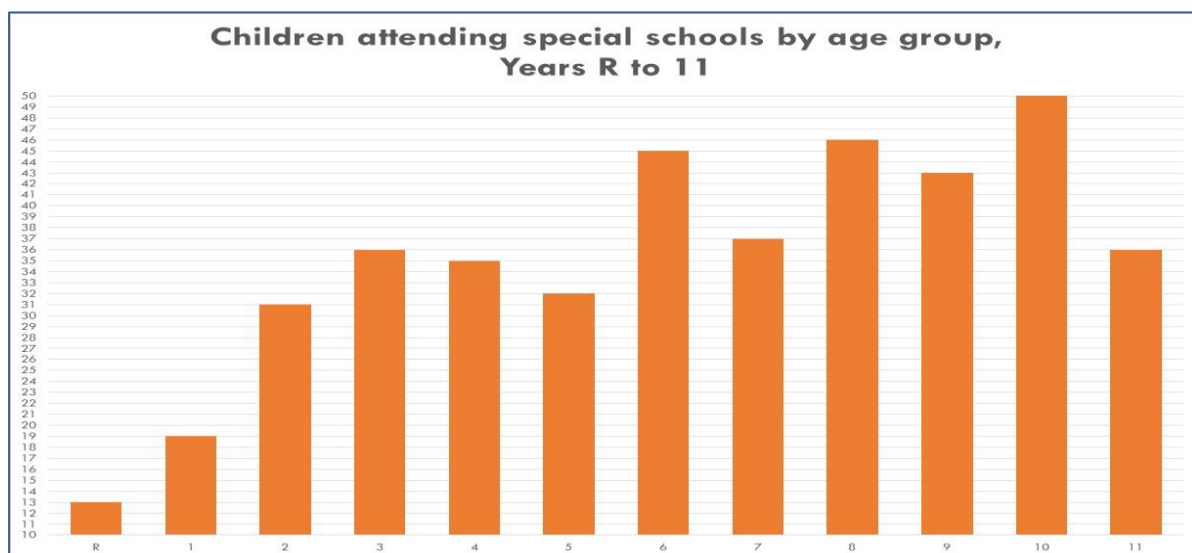
- *there has been an average overestimation of primary reception projections since January 2016, of +5.2% since 2016*
- *Overall, for YR-Y6, demand was overestimated by +1.1% on average since 2016*
- *Possible reasons for the overestimation of primary reception derives from the effects of estate decants, welfare reform and Brexit on the 0-4 years of age population, therefore the demand and consequently the number of applications for a primary reception places are less than previously anticipated*
- *The figure for Year 7 projections at secondary level has been underestimated by around 3% on average since 2016. This has not been an issue because sufficient space has existed within the system to be able to accommodate the additional pupils. A similar percentage of pupils overall were underestimated for years 7 to 11*

75. The reasons for underestimation for secondary feasibly derive from a greater than anticipated number of outborough students attending our schools - this has risen considerably in the last 5 years, in part due to the relatively high performance of Southwarkschools in KS4 assessments, in comparison to schools in neighbouring authorities contributing to Southwark secondary school popularity

### **SEND Schools Update (Primary, Secondary and 16 plus)**

76. The latest figures from the 2018 Southwark Joint Strategic Needs Assessment (JSNA) show that the percentage of children in Southwark with SEND stands at 17.0%, and with an Education and Healthcare Plan (EHCP formerly 'a Statement'), at 2.8%, both at or higher than the London and UK averages.
77. This equates to around 8,150 children with SEND. The number of children with the most complex needs (those with EHCPs), has been increasing. This is particularly true at primary age and the need for specialist provision is therefore greater.
78. Furthermore, the increase in the age range of pupils eligible for assessment from 5–19 to 0-25 will also continue to drive up the numbers of young people with EHCPs.
79. There are approximately, 4,100 children in primary school with SEND compared to almost 2,800 children in secondary schools and post-16 combined. The majority of these children have been identified by schools as in need of SEN Support.

Table 9 – Children in school age year group in special schools (R to 11)



80. The lower number of SEND pupils in secondary schools is principally because of impact of interventions in primary, with up to 60% of SEND pupils achieving the expected standard by age 11. Consequently, they are no longer classed as SEND when they move to secondary.
81. Some pupils with EHCPs who attend mainstream primary schools move on to secondary special schools or out of Southwark. The percentage of pupils attending Southwark SEND schools but living in another LA is approximately 11%.
82. The percentage of pupils living in LA but attending state-funded schools in other LAs is 19%, making Southwark a net exporter of pupils of 54 pupils - around 9% of cohort. The increase of Southwark provision outlined below is in part, driven by a strategic plan to educate more children in borough.
83. Existing provision is given in table 10 - plans and proposals for the expansion of SEND provision are given overleaf in table 11. All of Southwarks SEND provision is either good or outstanding. As can be seen, many special schools in the authority area take above the formal capacity outlined, and projects to augment provision are constantly assessed to ensure that need in the authority is met appropriately.

Table 10 Existing Special/non-mainstream schools in Southwark – roll and capacities

School	Specialism, school type (age range)	Roll (2021)	Capacity (2021)
Highshore School	SLD, PMLD Community School (11-19)	146	<b>105</b>
Spa School (Bermondsey)	ASD Academy (11-19)	110	<b>100</b>
Spa School (Camberwell)	ASD Free School (11-19)	67	<b>100</b>
Evelina Hospital School	Community Hospital School (2-19)	75	<b>40</b>
Bethlem and Maudsley Hospital School	Community Hospital School (4-19)	58	<b>40</b>
Haymerle School	ASD Community Primary School (4-11)	64	<b>72</b>

School	Specialism, school type (age range)	Roll (2021)	Capacity (2021)
Beormund Primary School	SEMH, Community School (5-11)	36	40
Tuke School	SLD, PMLD Community School (11-19)	86	90
Cherry Garden School	SLD/MLD Community School (2-11)	77	72
Southwark Inclusive Learning Service (Sils)	Pupil Referral Unit (11-16)	79	112
Newlands Academy	SEMH Academy (11-16)	71	70
<b>Total</b>		802	741

84. There are considerable financial implications in sending pupils (between the ages of 5 to 25) out-borough for SEND education including high placement and transport costs. In response to the increase in the demand for local SEND provision, the Council has embarked on a rigorous programme to increase the scope (to meet varying needs) and capacity of SEND places in Southwark.

*Table 11 SEND expansion proposals*

School	Proposal	Capacity	Status
City of London Academy (COLA)	Expansion of ASD provision	20	Work completed Sep 2020
Spa Camberwell	ASD 4-16 free school on the former site of LeSoCo	120	Opened Sep 2020, filling up
Beormund Primary	Relocation to former site Bellenden Primary School site	50	Gateway 2 approved
Charter School East Dulwich Secondary	ASD resource base as part of new build at Dulwich Hospital site	20	Work underway – completes 2022/23

### Policy implications and Council Plan commitments

85. School place planning and investment strategies are aligned to local planning and policy frameworks, including the Council Plan. These outline the council's commitment to support schools to be outstanding, with children and young people able to achieve their full potential, and parents able to exercise choice in a high-performing schools' system. When assessing the demand for primary and secondary places, the Council considers the suitability of all schools in Southwark and the risks and advantages of altering the PAN for each, as well as the risks of overprovision or not meeting demand.
86. The Council Plan (now Borough Plan) for 2018-22 was passed by Cabinet in June 2018 and presents commitments, which will guide the Council in delivering the Majority Party's manifesto vision of "*a fairer future for all*". It is a requirement that reports to Cabinet now refer to the Council Plan and how the report and or the actions outlined will help deliver key aspects of the plan. The plan states: "*Southwark schools have improved significantly in recently years and we have been meeting high demand for school places by refurbishing and expanding popular schools and working with local parents to support new schools. We believe every child has the right to a good education, which is why we have campaigned alongside local parents for fair funding and worked with schools to drive up standards*". The Plan lists targets that the Council aims to meet from 2018-22. One of the commitments is "*Open a new secondary school at Borough*".

by 2019” – paragraph 85 above states “*the (6FE) Haberdashers’ Borough School on the old Fire Station site on Southwark Bridge Road, opened in September 2019*”. The school opened in September 2019 in temporary accommodation and then moved onto the Fire Station site in September 2020 - the Council is therefore met this Council Plan commitment.

87. In the Council’s 2018-19 report back of the Council plan, the Council also reported that they had “...*delivered the first phase of the new Charter East Dulwich school buildings*”. With a short delay due to the COVID 19 epidemic, the latter build is still on track to complete by September 2022, with some pupils housed in temporary accommodation adjacent to the school until then - the Council has also met this Council Plan commitment.

### **Community impact statement and Equalities (including socio-economic) impact statement**

88. The Public Sector Equality Duty, at section 149 of the Equality Act 2010, requires public bodies to consider the protected characteristics of individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.
89. Public bodies need to have due regard when carrying out their activities to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. The Council’s “Equality Framework” explains how the council is putting equality at the heart of everything we do.
90. “Protected characteristics” are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation. In this case, the characteristics covering gender reassignment, marriage and civil partnership, pregnancy and maternity, and sexual orientation are unlikely to be issues to consider in terms of place planning. In terms of age, disability, race, religion or belief, any concrete proposals that emanate from the consultations with stakeholders will naturally be equality impact assessed. Paragraph 19 of this report sets out proposals to manage a reduction of school capacity and the effects of continued, falling rolls. Any proposal would require full consideration of the equality impact this could have on families, children and the community. A full EQIA would be undertaken at the commencement of any proposal to amalgamate or to close a school and form part of the decision making process.

### **Health Impact Statement**

91. There are no specific identified health impacts resulting from any of the proposals or recommendations, so a health impact statement is not necessary for this report.



## Climate change statement

92. Following the council assembly meeting on the 14th July 2021, the council has now committed to considering the climate change implications of any decisions made. The council is developing a toolkit for staff on the council's climate change strategy. This provides guidance for staff to consider climate change impacts. cabinet report authors are now required to detail the implications of their recommendations. The place planning report has not directly considered the impact of climate change in the main body of the report, as the effects on climate change of the three recommendations will have a minimal effect on climate change. As the numbers of pupils in the authority area falls, and the numbers of pupils attending particular schools reduce, then it is likely that less pupils will be travelling to schools, thereby potentially reducing travel (and carbon emissions) overall, and, where it is utilised, car use.
93. There will be a negligible effect on the other categories outlined - enhancing the environment and green space, green jobs and businesses, sustainable energy and reducing waste, as these are not substantively addressed or required in this report.
94. No direct measures have been taken to reduce or enhance the impact on climate change as part of this project, as no substantive negative effects have been identified. Additionally, as no direct measures have been taken to reduce or enhance the impact on climate change as part of this project, no monitoring will be required. As explained above, the falling numbers of pupils is likely, if anything, to have a net positive effect (albeit small) on climate change, as less pupils attend school and are therefore transported by car or other forms of transport. Reducing the number of school places will not directly enhance the environment and green space, nor will it create "green" jobs and businesses, or benefit sustainable energy or reduce waste, albeit that less pupils in a particular school could potentially use less energy and produce less waste.
95. Therefore, there will be, in our opinion, no substantive negative effects as a result of the recommendations and proposals.

## Resource and risk implications

96. It is in the interest of the council to ensure demand is closely matched to supply. Excess capacity in maintained schools has contributed to the financial burden on the council. Reducing the PANs of the schools concerned mitigates risk to the Council budget. The reduction of primary rolls also impacts on the Dedicated Schools' Grant (DSG) authorities receive from the DfE and could therefore indirectly reduce the amount -de-delegated to the Council to spend on supporting schools,
97. There is a small risk that amending the school's capacities where there is increased demand could potentially leave the Council vulnerable to legal action for not meeting its target duty to provide sufficient school places. As outlined in paragraph 4, section 14 of the Education Act 1996 places a duty on local authorities to "*secure that there are sufficient primary and secondary school*

*places in their area as well as working to [...] increase opportunities for parental choice”.*

98. However, the large level of vacancies and compact nature of Southwark’s geography mitigate considerably against this risk.

### **Legal implications**

99. The report sets out at paragraph 5 the council’s duty to secure sufficient school places. Section 13 of the Education Act 1996 requires the council to
- *“contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education, and secondary education [...] are available to meet the needs of the population of their area”*

Section 14 requires the council to *“secure that sufficient schools for providing (a) primary education, and (b) education that is secondary education [...] are available for their area”*. The council must exercise this duty *“with a view to (a) securing diversity in the provision of schools, and (b) increasing opportunities for parental choice”*

Supplementary advice from our Legal department is covered in paragraphs 104 to 107.

### **Finance implications**

100. The responsibilities for funding and the sources for that funding pertinent to this report are clearly set out in the relevant funding and grant regulations.
101. As described in the report there is a significant overcapacity in the primary sector. This is largely due to the decrease in pupil numbers in Southwark. As the schools receive their funding based on the number of pupils on roll this overcapacity led to the financial instability of a large number of the borough’s maintained primary schools. Since 2015/16 the number of primary schools in deficit has doubled. The Department for Education (DfE) expects schools and local authorities (LAs) to manage down any surplus and recognise that the number of schools within a local authority will need to reduce where there is a significant drop in demand. With that significant change in the main funding driver, it is very likely that in the not too distant future there will be insufficient pupil numbers to justify operating the current number of primary schools the Council currently maintains.

### **Consultation**

102. Any concrete proposals to alter PANs of maintained schools, will follow the required statutory consultation procedures with stakeholders, including individual schools, including meetings with parents/carers, staff and governors. With regards to any school closures/amalgamations, at the formal stages, consultation and statutory notices will be issued and Southwark councillors and MPs, neighbouring councils, and the Diocesan Board authorities will all be contacted to request their views.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Head of Procurement**

103. No services are being procured as a result of this report, so there is no requirement for comments from the Head of Procurement.

### **Director of Law and Governance**

104. The council has duties under the Education Act 1996 to secure that there are sufficient school places in its area to meet the needs of the population. In practice, discharging these duties requires the council to actively monitor demand for school places, and plan to match supply to demand.
105. A number of changes are proposed to primary schools within the borough. Statutory processes apply to any proposal to alter a maintained school. These proposals will be subject to statutory notification and consultation procedures under the Education and Inspections Act 2006, and in accordance with regulations and guidance issued under that Act.
106. Cabinet is also asked to note a possible increase in demand in the Old Kent Road area in future years. Similar statutory processes apply to any proposal to open a new school. As set out in the report, there is a presumption that new provision will be made through an academy, which inhibits the establishment by the council of new maintained schools.
107. Cabinet is reminded that the public sector equality duty under section 149 Equality Act 2010, as set out in the Community Impact section of the report, applies to the exercise of these functions.

### **Strategic Director of Finance and Governance (CAS21/015)**

108. This report seeks to inform Cabinet of the updated forecasts of primary and secondary school places.
109. The responsibility for the sufficiency of places is a statutory duty of the Local Authority and the funding source is a combination of general fund and funding sources that replaced the former Education Services Grant. The admissions function of the Local Authority is funded from the Central Block of the Dedicated Schools Grant.
110. The potential revenue consequences to schools flowing from changes in pupil admissions numbers contained within this report flow to and from the Dedicated Schools Grant and the Schools Block, which is ring fenced for funding mainstream schools. These arrangements are supplemented further within the Dedicated Schools Grant by a growth and falling rolls fund (as noted above) which is set aside by Schools Forum to assist in managing flexibility to variation in pupil numbers and also a Schools in Financial Difficulty Fund (de-delegated from maintained schools and accessible only to maintained schools) which has set criteria for use.

111. Schools governing bodies have a responsibility to manage their delegated budgets in accordance with the Southwark Scheme for Financing Schools, which in turn is based on nation regulations. The scheme was updated in April 2021. Therefore, any revenue consequences flowing from the changes contained within the report to individual schools delegated budgets will need to be managed closely and carefully by schools having due regard to the provisions set out in scheme.
112. The Strategic Director of Finance and Governance notes the Financial Implications paragraphs (para 100-101) that the significant reduction in the pupil numbers and the pupil numbers being the main funding driver, it is very likely that in the not too distant future there will be insufficient pupil numbers to justify operating the current number of primary schools the Council currently maintains

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Making significant changes ('prescribed alterations') to maintained schools - Statutory guidance for proposers and decision-makers October 2018	Children's & Adults' Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925637 558
<b>Link (please copy and paste into browser):</b> <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf</a>		
Council Plan 2018-2022 and Council plan progress report 2020/22	Children's & Adults' Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925637 558
<b>Links (please copy and paste into browser):</b> <a href="https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan">https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan</a>  <a href="https://moderngov.southwark.gov.uk/documents/s92006/Appendix%20A%20Southwarks%20Borough%20Plan%202020.pdf">https://moderngov.southwark.gov.uk/documents/s92006/Appendix%20A%20Southwarks%20Borough%20Plan%202020.pdf</a>		
School Admissions Code - Statutory guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels. December 2014 – DfE, and 2021	Children's & Adults' Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925637 558
<b>Links (please copy and paste into browser):</b> <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf</a>  <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1001050/School_admissions_code_2021.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1001050/School_admissions_code_2021.pdf</a>		
Health and wellbeing in Southwark Joint Strategic Needs Assessment (JSNA) - Children with Special Educational Needs and Disabilities	Children's & Adults' Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925637 558
<b>Links (please copy and paste into browser):</b> <a href="https://www.southwark.gov.uk/assets/attach/7745/JSNA-2018-SEND.pdf">https://www.southwark.gov.uk/assets/attach/7745/JSNA-2018-SEND.pdf</a>  <a href="https://moderngov.southwark.gov.uk/documents/s85675/Document%20Joint%20Strategic%20Needs%20Assessment%20Programme%20Update.pdf">https://moderngov.southwark.gov.uk/documents/s85675/Document%20Joint%20Strategic%20Needs%20Assessment%20Programme%20Update.pdf</a>		

Background Papers	Held At	Contact
The Essential Guide to the Public Sector Equality Duty – EHRC July 2014	Children’s & Adults’ Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925637 558
<b>Link (please copy and paste into browser):</b> <a href="https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf">https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf</a>		

## APPENDICES

Number	Title
Appendix 1	GLA - School Roll Forecast Methodology
Appendix 2	Primary Schools by Planning Area, Type, PAN, Old/New wards
Appendix 3	Map of Secondary Schools, PANs, list of schools by ward
Appendix 4	Map of Primary Schools in Southwark
Appendix 5	List of wards and schools
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Appendix 7	Births by calendar year in Southwark
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Appendix 10	PAN reductions for September 2019 and beyond
Appendix 11	Academies in Southwark and their sponsors

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Jasmine Ali, Deputy Leader & Cabinet Member for Children, Young People and Education	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children's and Adults' Services	
<b>Report Author</b>	Ric Euteneuer, Principal Strategy Officer (School Place Planning)	
<b>Version</b>	Final	
<b>Dated</b>	7 October 2021	
<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 Governance	Yes	Yes
Strategic Director of Finance & Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		7 October 2021

## APPENDIX ONE – GLA SCHOOL ROLL PROJECTIONS (SRP) FORECAST METHODOLOGY

<p><b>Data sources</b></p> <ul style="list-style-type: none"> <li>• Greater London Authority (GLA) bespoke Borough Preferred Option population projections</li> <li>• Pupil level School Census data from National Pupil Database (Spring Census 2018 to 2020)</li> <li>• School level current roll data by sex and NC year (from Spring Census 2021)</li> <li>• Data on linked schools and maximum and minimum NC years from Edubase and school census data</li> </ul>
<p><b>Data Processing</b></p> <p>The school roll projection model creates a roll projection for each school based on the GLA population projections of the wards where its pupils live.</p> <p>For each ward of residence in London, National Curriculum (NC) year (R to 11) and sex, the proportion of children of the corresponding age attending each mainstream state school is calculated. These proportions are carried forward as the pupils age through the school in the years being projected.</p> <p>For new pupils entering a school in future years, for example at reception, proportions are calculated as averages over the latest years of actuals, with 4 being the standard number of years used (2018, 2019, 2020 and 2021). The same approach is used at years 7 and 12, even if the school is an all through school as it is assumed that there will be significant changes in the cohort at this point.</p> <p>For the current round year (2021), the school level rolls submitted by London Boroughs to the GLA have no information on wards of residence of the pupils. For this year, the number of pupils from the roll attributed to each ward are estimated by averaging over the previous years' patterns, with the default being 3 years (2018, 2019 and 2020), and scaling to ensure that the total numbers at each school for each age and sex match the submitted rolls.</p> <p>The rolled forward and calculated new intake proportions for future years are then applied to the population projections to give projections of the number of children on roll by school by age and sex. Due to lower retention rates, sixth form projections are calculated using a survival ratio as the cohort ages through sixth form. School level projections are then aggregated to planning areas and borough totals.</p> <p><b>Population projections</b></p> <p>The GLA population projections are based on a hybrid cohort component and housing unit model. The population is projected forward based on trends in past births, deaths, migration, and household formation. The outputs include age, so the school roll projection model explicitly links to the populations of children. For full methodology see:</p> <p><a href="https://data.london.gov.uk/dataset/housing-led-population-projections">https://data.london.gov.uk/dataset/housing-led-population-projections</a></p> <p><b>Migration and housing developments.</b></p> <p>The effects of migration and housing developments feed into the school roll projection model via the underlying population projections</p>



## **Housing development**

The amount of development projected in a local authority will affect that authority's population projections and in turn its school roll projections. More development generally means that the LA will attract more people and its population will therefore rise. If population increases, there will consequently be more children and so school roll projections will also rise. The impact of new housing development varies by area and is informed by historic levels of housing occupation in the local area and recent demographic trends.

Future housing development trajectories are either provided to the GLA by the local authority for a bespoke population projection, or they use the London Strategic Housing Land Availability Assessment (SHLAA). The SHLAA trajectory has been adjusted in the first 5 years to account for assumed lower housing delivery resulting from pandemic disruption to both supply and demand.

## **Migration**

The GLA provides population projections based on 3 migration variants. It is up to the Local Authority to choose the most suitable variant for their area:

- Scenario 1: standard migration assumptions for the covid period, high domestic out-migration assumptions in the longer-term.
- Scenario 2: standard migration assumptions for the covid period, lower domestic out-migration assumptions in the longer-term. This is a high long-term population scenario.
- Scenario 3: high out migration assumptions for the covid period, high domestic out-migration assumptions in the longer-term. This is a low short-term population scenario

Further information on the migration scenarios can be found [here](#)

In early 2018, the GLA identified problems with the official estimates of population and migration of children for London local authorities. Analysis of the official estimates alongside additional comparator datasets revealed that individual cohorts of children in many boroughs were becoming increasingly inflated over time, indicating an issue with estimated migration flows.

For the 2019, 2020 and 2021 school roll projections, the GLA made comprehensive changes to the past estimates of population and international migration inputs used within the model. The changes were based on a multi-stage modelling process, that sought to identify a timeseries of past population more consistent with observed trends in administrative data sources. A consistent series of international migration flows were then created based on these updated population estimates and the standard birth, death and domestic migration components.

## ***Cross border movement***

The GLA model explicitly accounts for cross border mobility by calculating the contribution from all wards that the school draws pupils from, both from inside and outside of the borough. The model does not account for changes in cross border mobility patterns which may happen in the future due to factors such as changes in a school's popularity with parents, or schools opening and closing.

## ***Changes made***

The migration assumptions that GLA population projections which feed into the school roll projection model have been updated to reflect new assumptions since the pandemic.

## ***Quality assurance***

Comparisons are made with last year and with population and births data. Changes to information about specific schools are identified and flagged for checking.

**APPENDIX TWO – PRIMARY SCHOOLS BY OLD AND NEW WARDS, TYPES, AND PANs**

<b>Primary School</b>	<b>PA</b>	<b>PAN</b>	<b>Type</b>	<b>Old Ward</b>	<b>New Ward</b>
Charles Dickens	1	60	Academy	Cathedrals	Borough & Bankside
St Joseph's Borough RC	1	30	VA RC	Cathedrals	Borough & Bankside
Cathedral School CE	1	30	VA CE	Cathedrals	Borough & Bankside
Friars	1	30	Foundation	Cathedrals	Borough & Bankside
The Globe Academy	1	60	Academy	Chaucer	Chaucer
Surrey Square	1	60	Academy	East Walworth	Faraday
Michael Faraday	1	60	Community	Faraday	Faraday
St Peters Walworth CE	1	30	VA CE	Faraday	Faraday
Crampton	1	30	Community	Newington	Newington
Keyworth	1	60	Community	Newington	Newington
St Paul's CE	1	45	Academy (CE)	Newington	Newington
Robert Browning	1	30	Community	East Walworth	North Walworth
Townsend	1	30	Community	East Walworth	North Walworth
Victory	1	30	Community	East Walworth	North Walworth
English Martyrs RC	1	60	VA RC	East Walworth	North Walworth
Cobourg	1	30	Community	East Walworth	Old Kent Road
St Georges Cathedral RC	1	30	VA RC	Cathedrals	St George's
St Jude's CE	1	30	VA CE	Cathedrals	St George's
Charlotte Sharman	1	30	Foundation	Cathedrals	St George's
Grange	2	60	Community	Grange	London Bridge & West Bermondsey
Snowsfields	2	30	Community	Grange	London Bridge & West Bermondsey
Tower Bridge	2	30	Community	Riverside	London Bridge & West Bermondsey
Riverside	2	45	Community	Riverside	North Bermondsey
Southwark Park	2	30	Community	Riverside	North Bermondsey
St James CE	2	60	VA CE	Riverside	North Bermondsey
St Joseph's George Row RC	2	45	VA RC	Riverside	North Bermondsey
John Keats Primary	2	60	Free School	Livesey	Old Kent Road
Ilderton	2	60	Community	Livesey	Old Kent Road
Pilgrims Way	2	30	Community	Livesey	Old Kent Road
Phoenix	2	90	Community	South Bermondsey	Old Kent Road
Albion	2	60	Community	Rotherhithe	Rotherhithe
Alfred Salter	2	60	Community	Rotherhithe	Rotherhithe
Rotherhithe	2	60	Community	Rotherhithe	Rotherhithe
St Joseph's Gomm Road	2	30	VA RC	Rotherhithe	Rotherhithe
Boutcher CE	2	30	VA CE	Grange	South Bermondsey
Galleywall	2	60	Free School	South Bermondsey	South Bermondsey
Peter Hills CE	2	30	VA CE	Surrey Docks	Surrey Docks
Redriff	2	60	Academy	Surrey Docks	Surrey Docks

Primary School	PA	PAN	Type	Old Ward	New Ward
St Johns RC	2	30	VA RC	Surrey Docks	Surrey Docks
St John's & St Clements CE	3	60	VA CE	The Lane	Goose Green
Hollydale	3	30	Community	Nunhead	Nunhead & Queen's Rd
John Donne	3	60	Academy	Nunhead	Nunhead & Queen's Rd
Camelot	3	60	Community	Livesey	Old Kent Road
St Francis RC	3	60	VA RC	Livesey	Old Kent Road
Angel Oak	3	60	Academy	Peckham	Peckham
Harris Academy Peckham Park	3	30	Academy	Peckham	Peckham
St James The Great RC	3	30	VA RC	Peckham	Peckham
Ivydale	3	90	Community	Nunhead	Peckham Rye
St Francesca Cabrini RC	3	30	VA RC	Peckham Rye	Peckham Rye
Harris Primary Free Peckham	3	30	Free School	The Lane	Rye Lane
Bellenden	3	30	Community	The Lane	Rye Lane
St Mary Magdalene CE	3	30	VA CE	The Lane	Rye Lane
Rye Oak	3	60	Community	The Lane	Rye Lane
Lyndhurst	4	60	Academy	Brunswick Park	St Giles
Oliver Goldsmith	4	60	Community	Brunswick Park	St Giles
St Georges CE	4	30	VA CE	Brunswick Park	St Giles
Dog Kennel Hill	4	60	Community	South Camberwell	Champion Hill
Bessemer Grange	4	90	Community	South Camberwell	Champion Hill
Belham	4	60	Free School	South Camberwell	Rye Lane
Comber Grove	4	30	Community	Camberwell Green	Camberwell Green
Crawford	4	60	Community	Camberwell Green	Camberwell Green
John Ruskin	4	60	Community	Camberwell Green	Camberwell Green
Brunswick Park	4	60	Community	Camberwell Green	Camberwell Green
St Joseph's 046 Infants RC	4	60	VA RC	Camberwell Green	Camberwell Green
St Joseph's 046 Junior RC	4	60	VA RC	Camberwell Green	Camberwell Green
St Anthony's RC	5	60	VA RC	East Dulwich	Dulwich Hill
Goodrich	5	90	Community	East Dulwich	Dulwich Hill
Judith Kerr Free School	5	56	Free School	Village	Dulwich Village
Dulwich Hamlet Juniors	5	90	Academy	Village	Dulwich Village
Dulwich Village Infants CE	5	90	VA CE	Village	Dulwich Village
Dulwich Wood Primary	5	60	Community	College	Dulwich Wood
Harris Primary Free East Dulwich	5	60	Free School	East Dulwich	Goose Green
Heber	5	60	Community	East Dulwich	Goose Green
Goose Green	5	60	Academy	East Dulwich	Goose Green
<b>SOUTHWARK</b>		<b>3,611</b>			

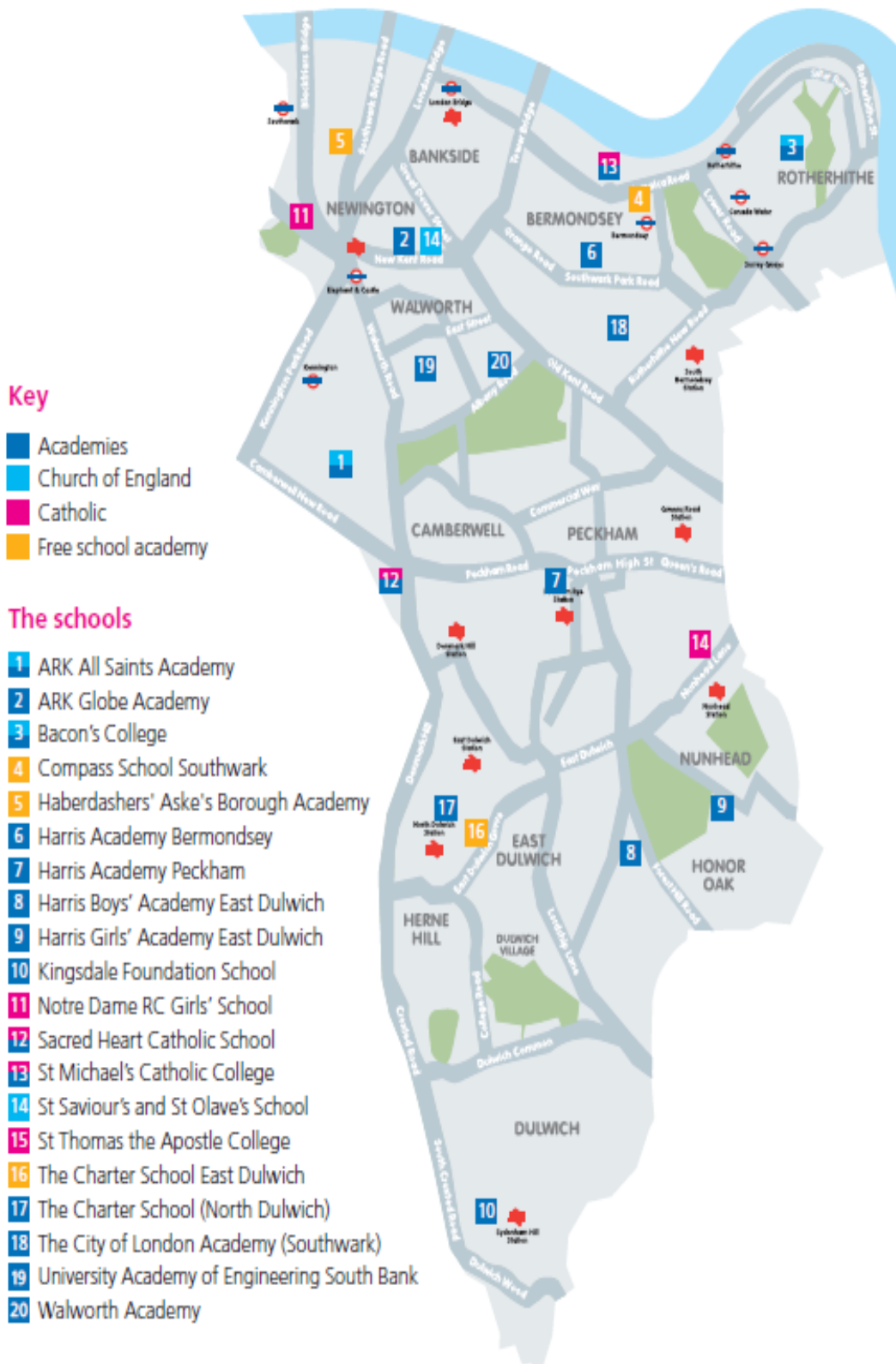
Primary School School Type	PA	PAN PAN	Type Schools	Old Ward Percentage Schools	New Ward Percentage Places
Academies		480	10	13.5%	13.2%
Free Schools		326	6	8.1%	9.0%
VA RC		525	12	16.2%	14.5%
VA CE		450	10	13.5%	12.5%
Foundation		60	2	2.7%	1.7%
Community		1,845	34	45.9%	51.1%
<b>SOUTHWARK</b>		<b>3,611</b>	<b>74</b>	<b>100.0%</b>	<b>100.0%</b>

School Type	PAN	Schools	Percentage Schools	Percentage Places
1FE	870	29	39.2%	24.1%
1.5FE	135	3	4.1%	3.7%
2FE	2,100	35	47.3%	58.2%
1.8FE	56	1	1.4%	1.6%
3FE	540	6	8.1%	15.0%
Southwark	<b>3,611</b>	<b>74</b>	<b>100.0%</b>	<b>100.0%</b>

## APPENDIX 3: MAP OF SECONDARY SCHOOLS IN SOUTHWARK

### Map of secondary schools in Southwark

Map of secondary schools in Southwark



**APPENDIX THREE – SECONDARY SCHOOLS BY OLD AND NEW WARDS, SEPTEMBER 2021, and PAN (Y7, 2021/2022)**

<b>Secondary School</b>	<b>Type</b>	<b>PAN</b>	<b>Council Ward</b>
ARK All Saints Academy	Academy	120	Camberwell Green
ARK Globe Academy	Academy	180	Chaucer
Bacon's College	Academy	180	Rotherhithe
The Charter School	Academy	192	Champion Hill
City of London Academy (Southwark)	Academy	240	South Bermondsey
Compass School Southwark	Free School	120	North Bermondsey
Harris Academy Bermondsey	Academy	180	South Bermondsey
Harris Academy Peckham	Academy	180	Rye Lane
Harris Boys' Academy East Dulwich	Academy	150	Dulwich Hill
Harris Girls' Academy East Dulwich	Academy	150	Peckham Rye
Kingsdale Foundation School	Academy	300	Dulwich Wood
Notre Dame Roman Catholic Girls' School	VA RC	124	St George's
Sacred Heart Roman Catholic Secondary	Academy (RC)	124	Camberwell Green
St Michael's Catholic College	Academy (RC)	150	North Bermondsey
St Saviour's and St Olave's C of E School	VA CE	124	Chaucer
The St Thomas the Apostle College	VA RC	152	Nunhead & Queen's Road
ARK Walworth Academy	Academy	180	Faraday
University Academy Engineering South Bank	Free School	150	Faraday
Charter School East Dulwich	Free School	180	Goose Green
Haberbdashers' Aske's Borough Academy	Free School	180	Borough & Bankside
<b>Southwark Total</b>	<b>3,356</b>		
Academies	Academy	2,324	69% of Secondary Y7 places
Free Schools	Free School	630	19% of Secondary Y7 places
VA CE	Free School	124	4% of Secondary Y7 places
VA RC	Free School	278	8% of Secondary Y7 places
<b>Southwark Total</b>	<b>3,356</b>		

**APPENDIX FOUR: MAP OF ALL STATED FUNDED MAINSTREAM  
PRIMARY SCHOOLS IN SOUTHWARK**

Map of primary schools in Southwark

Map of primary schools in Southwark



## Community primary schools

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

## Academies

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

## Voluntary aided schools

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

## Foundation schools

- 68 Charlotte Sharman Primary School
- 69 Friars Primary Foundation School

## Free schools

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



**APPENDIX FIVE - WARDS AND SCHOOLS**

Ward	Primary Schools	Secondary Schools
Borough & Bankside	Charles Dickens, St Joseph's Borough, Cathedral School, Friars	Haberbdashers' Aske's Borough
Camberwell Green	Comber Grove, Crawford, John Ruskin, Brunswick Park, St Joseph's Infants, St Joseph's Junior	Sacred Heart Roman Catholic Secondary, ARK All Saints
Champion Hill	Dog Kennel Hill, Bessemer Grange	The Charter School North Dulwich
Chaucer	ARK Globe Academy	St Saviour's & St Olave's CE
Dulwich Hill	St Anthony's RC, Goodrich	Harris Boys East Dulwich
Dulwich Village	Judith Kerr, Dulwich Hamlet Juniors, Dulwich Village Infants	
Dulwich Wood	Dulwich Wood Primary	Kingsdale Foundation
Faraday	Michael Faraday, St Peters CE, Surrey Square	ARK Walworth, University Academy Engineering South Bank
Goose Green	Harris Primary Free East Dulwich, St John's & St Clements, Goose Green, Heber	Charter School East Dulwich
London Bridge & West Bermondsey	Grange, Snowfields, Tower Bridge	
Newington	Crampton, Keyworth, St Paul's CE	
North Bermondsey	Riverside, Southwark Park, St James CE, St Joseph's George Row	Compass School Southwark, St Michael's Catholic College
North Walworth	Robert Browning, Townsend, Victory, English Martyrs	
Nunhead & Queen's Rd	Hollydale, John Donne	The St Thomas the Apostle
Old Kent Road	Cobourg, John Keats, Ilderton, Pilgrims Way, Phoenix, Camelot, St Francis RC	
Peckham	Angel Oak, Harris Academy Peckham Park, St James The Great RC	
Peckham Rye	Ivydale, St Francesca Cabrini	Harris Girls East Dulwich
Rotherhithe	Albion, Alfred Salter, Rotherhithe, St Joseph's	Bacon's College
Rye Lane	Harris Free Peckham, Bellenden, St Mary Magdalene, Rye Oak, The Belham School	Harris Peckham Academy
South Bermondsey	Boutcher CE, Galleywall	City of London Academy Southwark, Harris Bermondsey
St George's	St Georges Cathedral RC, St Jude's CE, Charlotte Sharman	Notre Dame RC
St Giles	Lyndhurst, Oliver Goldsmith, St George's CE	
Surrey Docks	Peter Hills CE, Redriff, St Johns RC	

## APPENDIX SIX – EXPANSION/CONTRACTION OF SCHOOLS IN NEIGHBOURING BOROUGHES

Table 12 – Out-borough primary school expansions/contractions by borough

Borough	PRIMARY SCHOOLS Expanded/Contracted	Remarks
Bromley	Churchfields Primary School - permanent reduction – <b>-1FE</b> (3FE to 2FE)	For 2021/22
	Trinity Church of England Primary School - permanent reduction – <b>-1FE</b> (3FE to 2FE)	
	Worsley Bridge Primary School – permanent expansion <b>+1FE</b> (2FE to 3FE)	
Croydon	Paxton Academy – <b>new school</b> (+2FE)	For 2021/22
	Krishna Avanti Primary School – permanent expansion <b>+1FE</b> (1FE to 2FE)	For 2021/22
Lambeth	Henry Fawcett Primary School - permanent reduction – <b>-1FE</b> (2FE to 1FE)	For 2021/22
	Kingswood Primary School - permanent reduction – <b>-1FE</b> (4FE to 3FE)	
	Richard Atkins Primary School - permanent reduction – <b>-1FE</b> (2FE to 1FE)	
	Stockwell Primary School - permanent reduction – <b>-1FE</b> (3FE to 2FE)	
Lewisham	Adamsrill Primary School - permanent reduction – <b>-1FE</b> (2FE to 1FE)	For 2021/22
	Harris Lewisham Free School – <b>new school</b> (+3FE) – <i>still seeking a site</i>	For 2022/23 At the earliest
	Closure of St Mary Magdalene RC Primary School s – <b>1FE</b> (1FE to 0)	For 2021/22 (December)
SECONDARY SCHOOLS Expanded/Contracted		Remarks
Bromley	SHaW Futures Academy – <b>new school</b> – (+6FE)	For 2022/23 at the earliest
	Harris Academy Sydenham – <b>new school</b> – (+10FE) – <i>still seeking a site</i>	For 2022/23 at the earliest
	Harris Girls' Academy Bromley - permanent reduction – <b>-0.3FE</b> (6.3FE to 6FE)	For 2021/22
	Ravens Wood School - permanent reduction – <b>-0.5FE</b> (8FE to 7.5FE)	For 2021/22
	The Ravensbourne School - permanent expansion – <b>+0.4FE</b> – 7.6 FE to 8FE)	For 2021/22
Croydon	Virgo Fidelis RC Secondary – closure ( <b>-4FE</b> )	For 2021/22
Greenwich	Harris Academy Avery Hill Boys School – <b>new school</b> - +6FE	For 2022/23

**APPENDIX 7 – Births by calendar year in Southwark**  
 Table 13: Births in Southwark (actuals 2000-2019, projections 2020-2040)

**Births in Southwark and by planning area – actuals 2000-19, projections 2020-27**

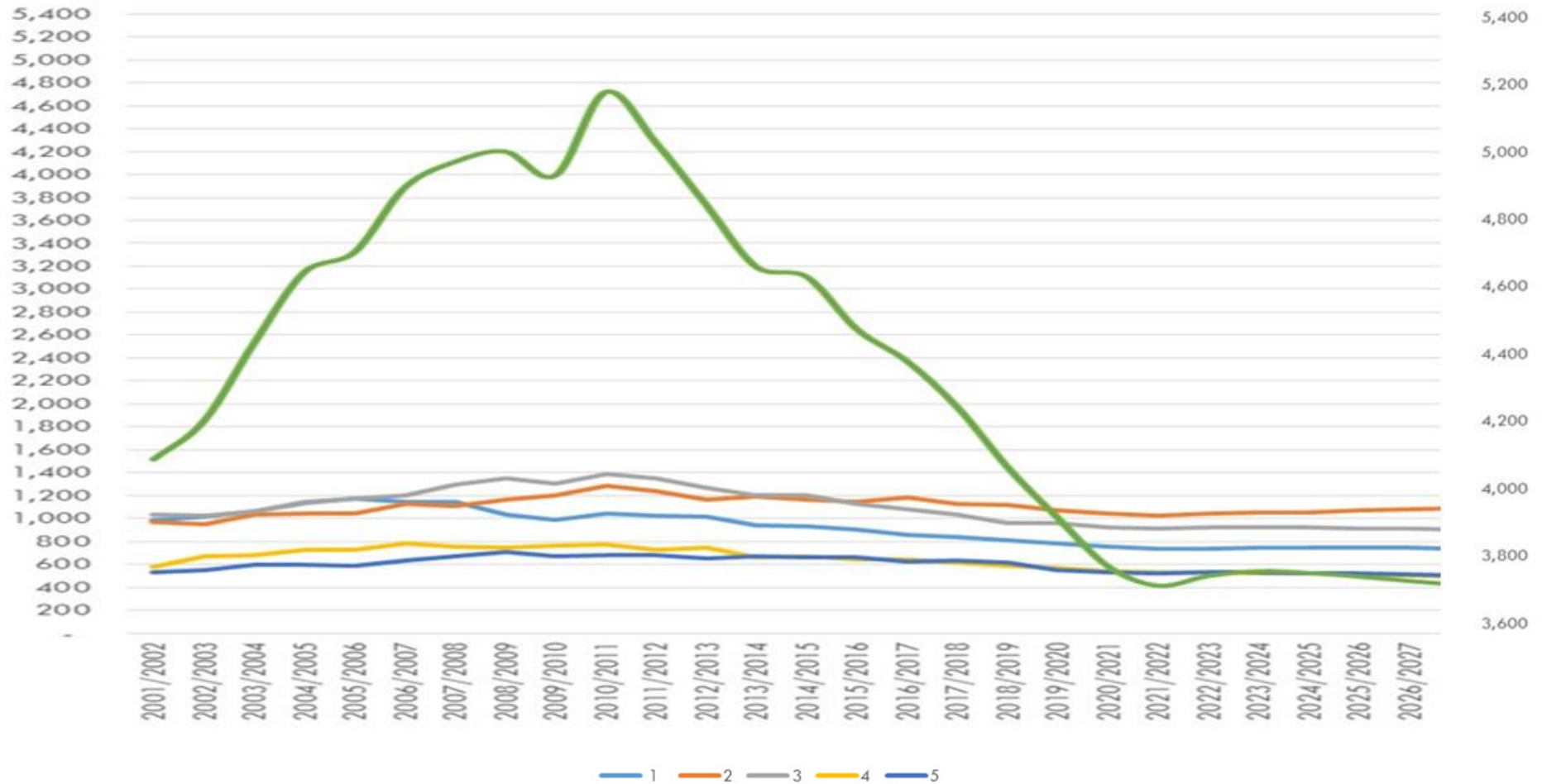
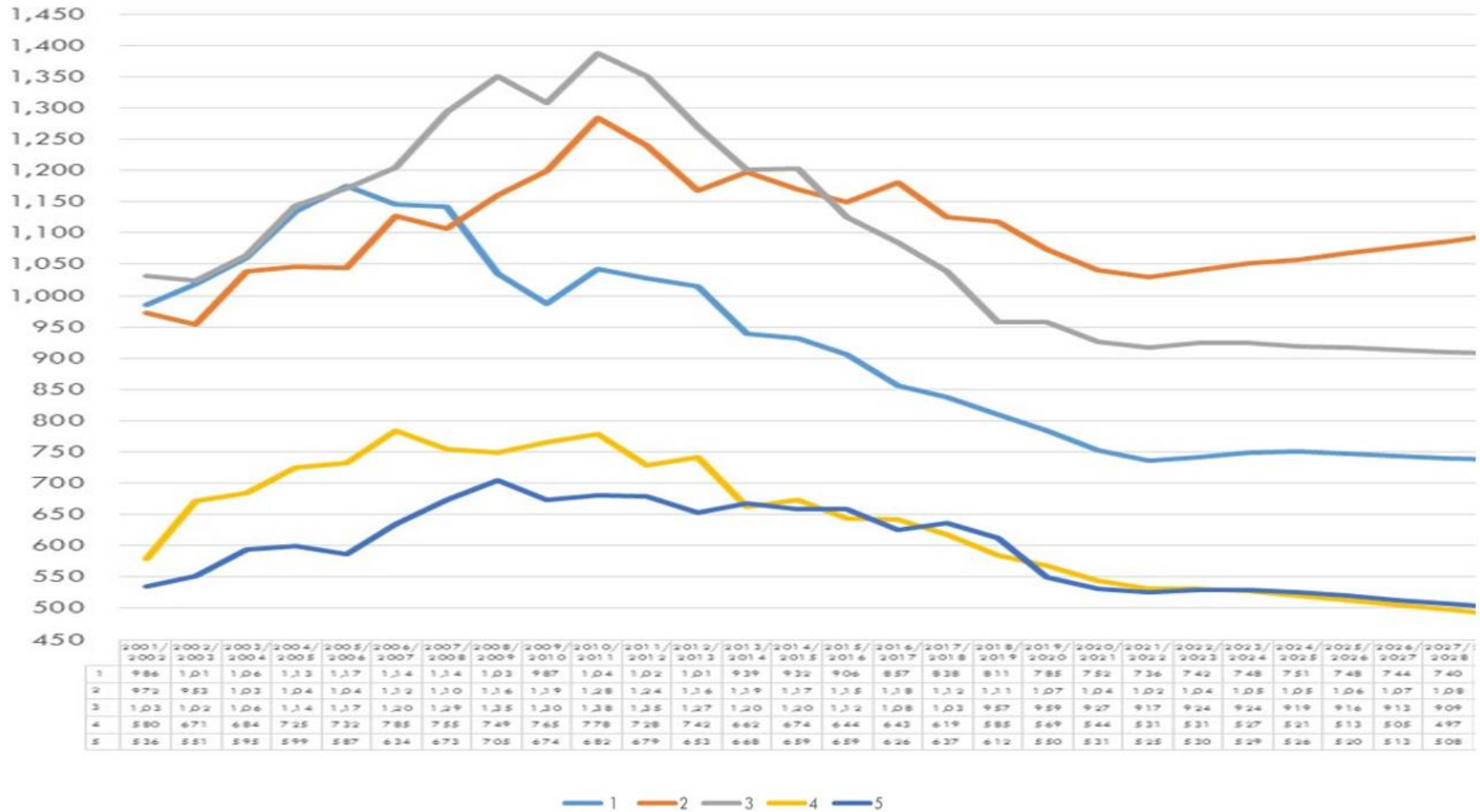


Table 14 Births by planning area (actual 2000-19 and projected 2020-2027)

Births by planning area – actuals 2000-19, projections 2020-27

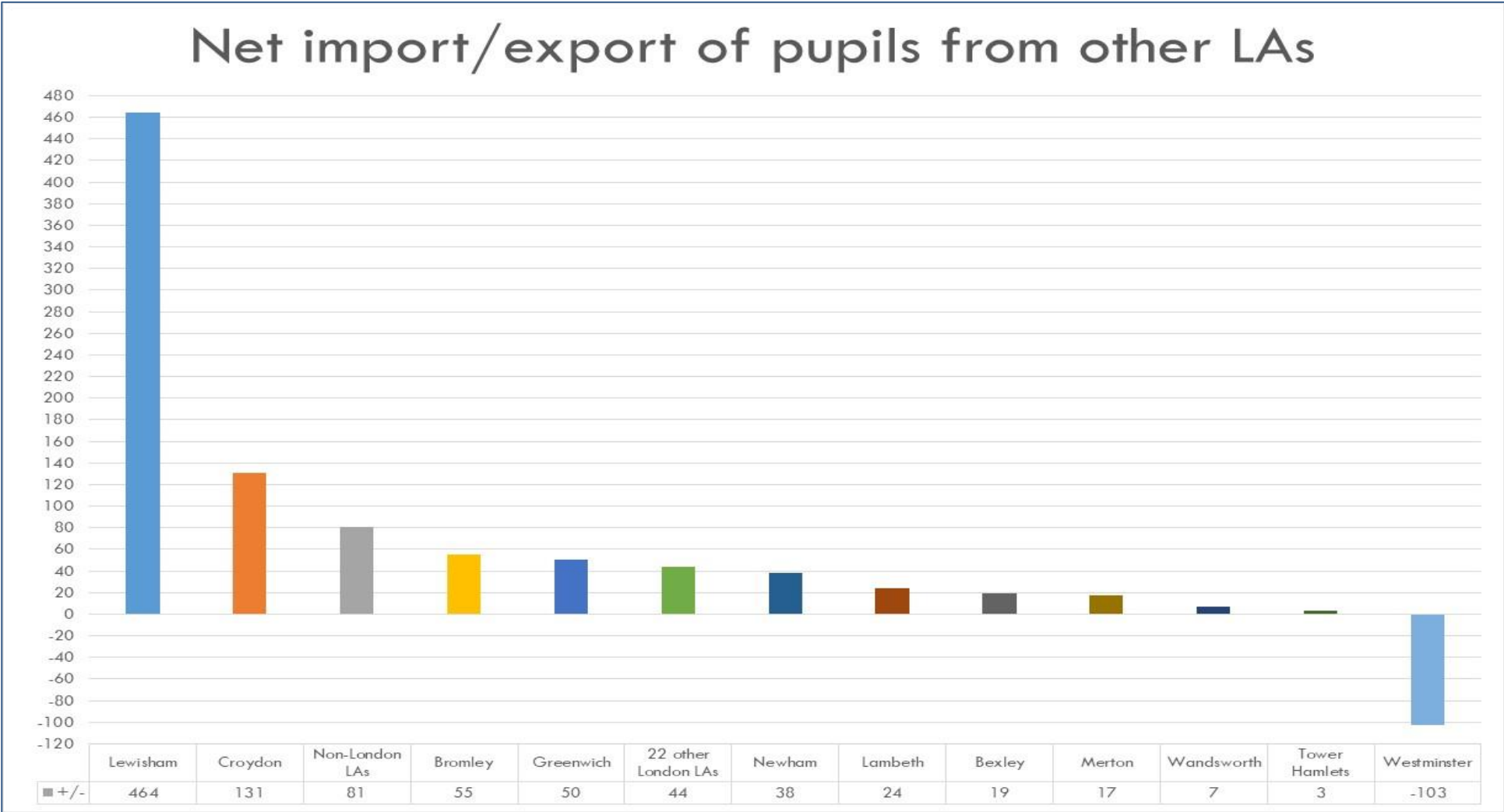


## APPENDIX 8a – PRIMARY Cross border flows to and from Southwark

Pupils in Southwark attending primary schools in other LAs/pupils from other LAs attending Southwark schools

LA	Pupils from Southwark attending other LA's schools	Percentage Southwark Outborough pupils	Pupils from other LAs attending Southwark Schools	Percentage Outborough pupils in Southwark	+/- flow
Lambeth	837	49%	861	34%	+24
Lewisham	605	35%	1,069	42%	+464
Westminster	108	6%	5	0%	-103
Greenwich	28	2%	78	3%	+50
Croydon	26	2%	157	6%	+131
Bromley	20	1%	75	3%	+55
Wandsworth	15	1%	22	1%	+7
Tower Hamlets	12	1%	15	1%	+3
Newham	4	0%	42	2%	+38
Bexley	4	0%	25	1%	+19
Merton	3	0%	20	1%	+17
22 other London LAs	39	2%	83	3%	+44
Other non-London LAs	7	0%	88	3%	+81
<b>All Cross borough</b>	<b>1708</b>	<b>100%</b>	<b>2540</b>	<b>100%</b>	<b>+830</b>

Table 15 – Net import and export of primary pupils to and from Southwark 2020

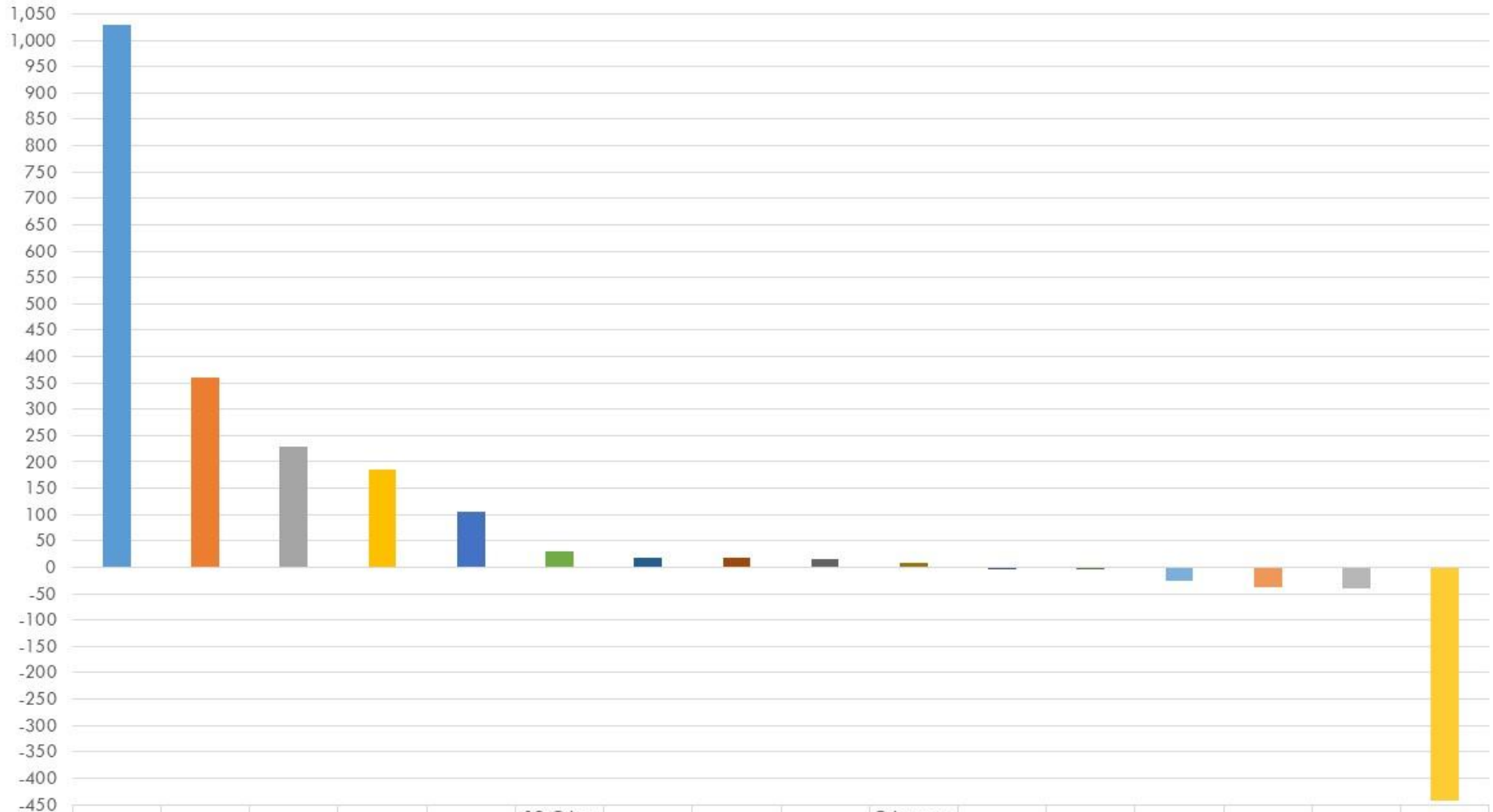


## APPENDIX 8b – SECONDARY Cross border flows to and from Southwark

Pupils in Southwark attending secondary schools in other LAs/pupils from other LAs attending Southwark schools

LA	Pupils from Southwark attending other LA's schools	Percentage Southwark Out borough pupils	Pupils from other LAs attending Southwark Schools	Percentage Out borough pupils in Southwark	+/- flow
Lambeth	1,095	40%	1,455	35%	+360
Lewisham	662	24%	1,690	40%	+1,028
Westminster	455	17%	12	0%	-443
Croydon	131	5%	361	9%	+230
Greenwich	75	3%	94	2%	+19
Wandsworth	43	2%	59	1%	+16
Hammersmith & Fulham	42	2%	2	0%	-40
Kensington & Chelsea	39	1%	1	0%	-38
Bromley	32	1%	218	5%	+186
Sutton	29	1%	4	0%	-25
Tower Hamlets	24	1%	130	3%	+106
Merton	21	1%	40	1%	+19
Bexley	18	1%	14	0%	-4
Camden	14	1%	11	0%	-3
19 Other London LAs	32	1%	63	2%	+31
Other non-London LAs	36	1%	45	1%	+9
<b>All cross borough</b>	<b>2,748</b>	<b>100%</b>	<b>4,199</b>	<b>100%</b>	<b>+1,451</b>

# Secondary imports and exports 2020

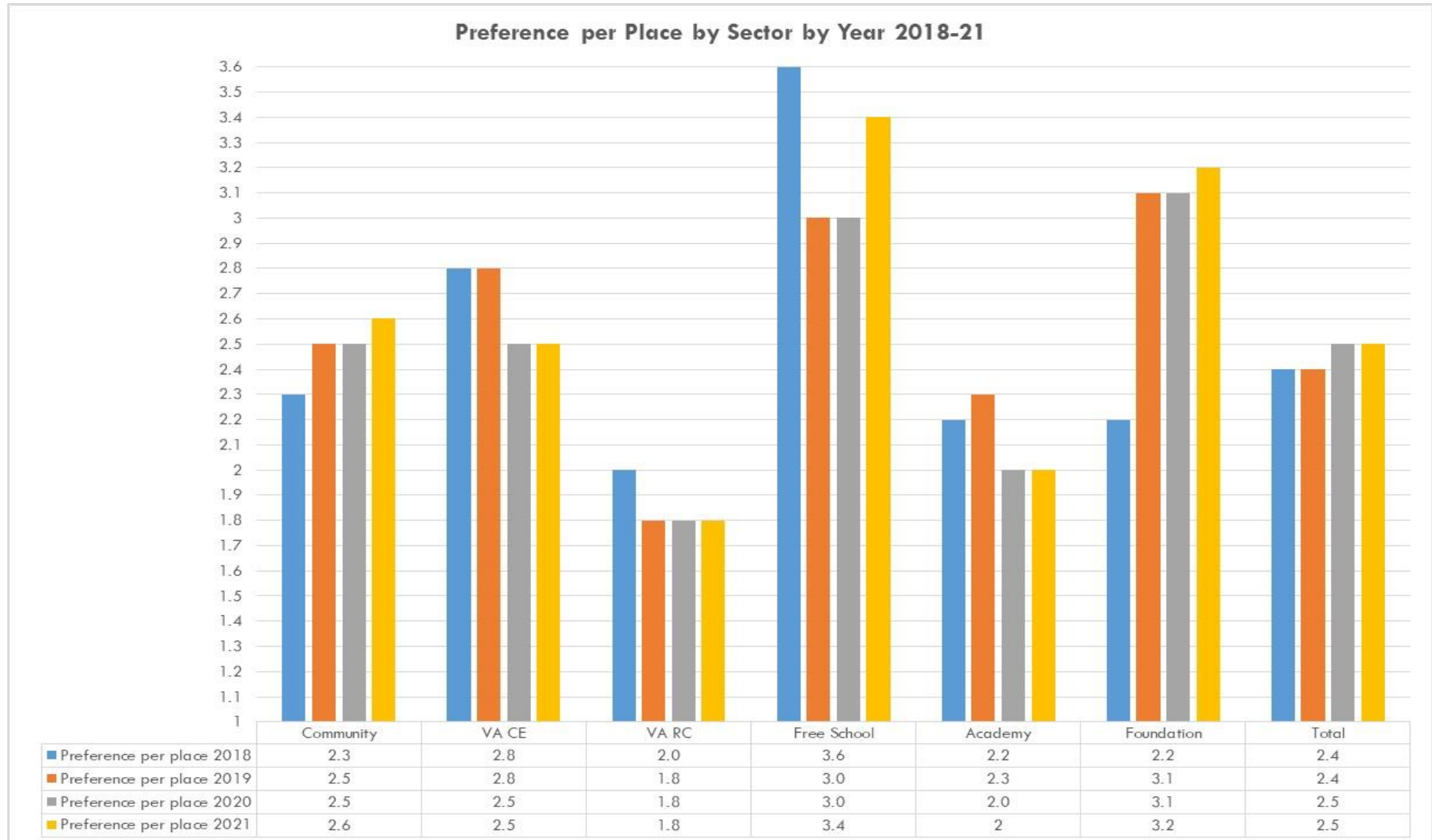


	Lewisham	Lambeth	Croydon	Bromley	Tower Hamlets	19 Other London LAs	Greenwich	Merton	Wandsworth	Other non-London LAs	Camden	Bexley	Sutton	RBKC	Hammersmith & F	Westminster
Series1	1,028	360	230	186	106	31	19	19	16	9	-3	-4	-25	-38	-40	-443



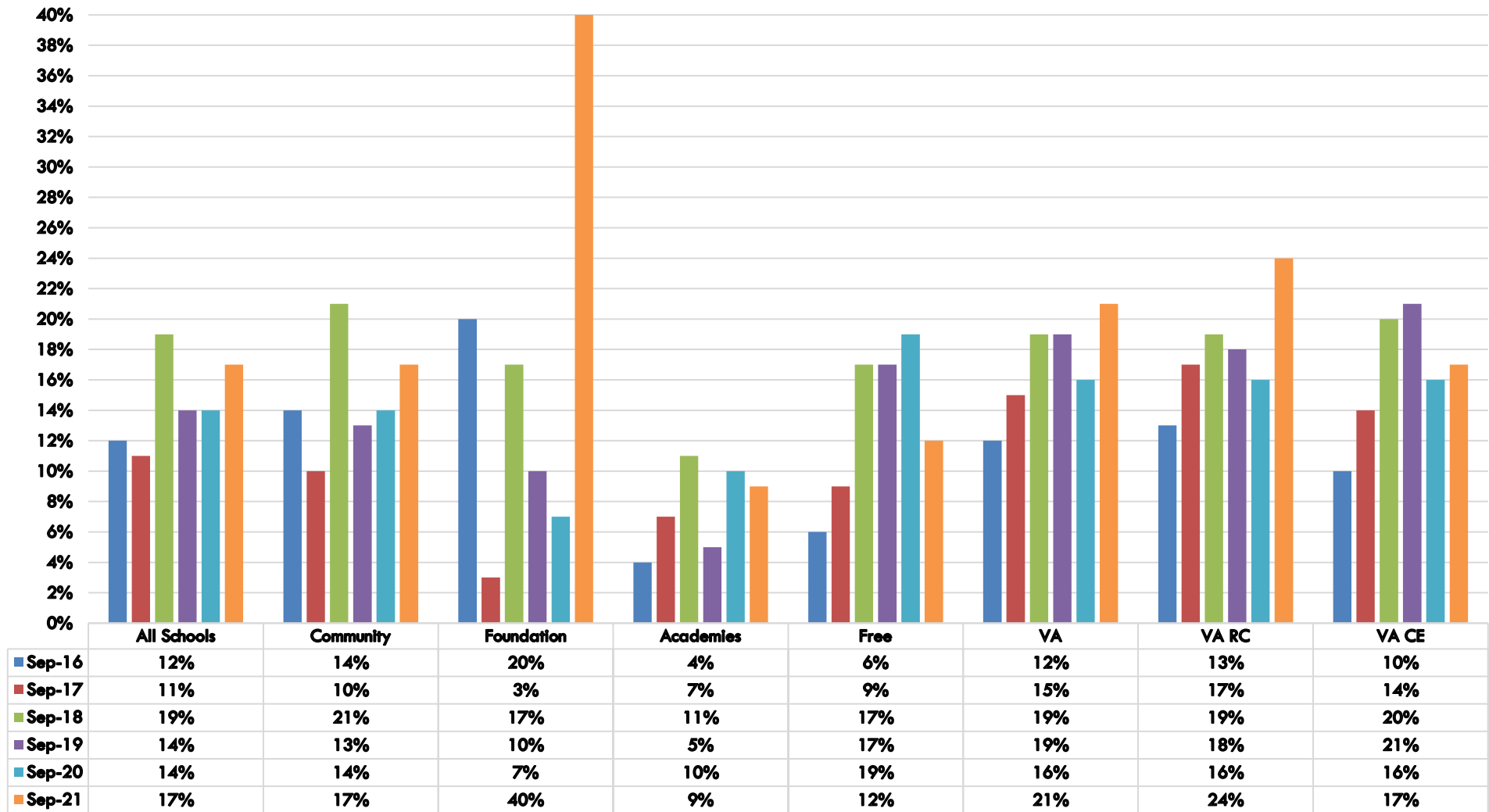
## Appendix 9a – Preferences by Sector for Reception Places, 2018 – 2020

Table 16 – Preference per Primary place by school type



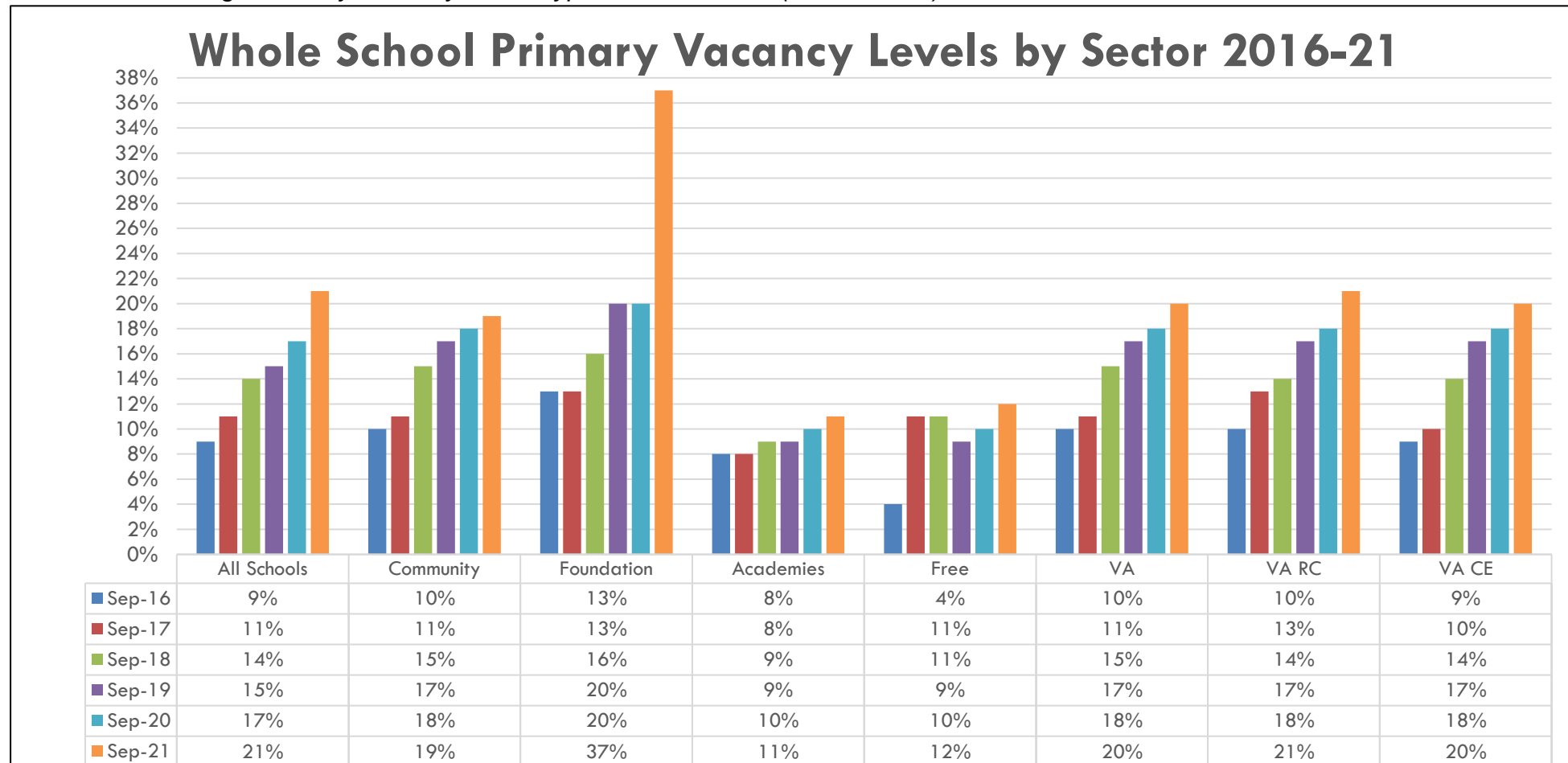
APPENDIX 9b – Primary vacancies by school type – at reception

Primary Vacancy Levels by Sector 2016-21



**APPENDIX 9c – OVERALL VACANCY RATES BY TYPE OF PRIMARY SCHOOL – WHOLE SCHOOL VACANCIES**

*Table 17 Percentage vacancy levels by school type – whole school (Years R to 6)*



**APPENDIX 10 – AGREED PAN REDUCTIONS FROM SEPTEMBER 2019 TO SEPTEMBER 2021**

*Table 18 School PAN reductions by school, by planning area – PANs reduced from September 2019 unless otherwise noted*

PA	Primary School	Previous PAN	Agreed PAN	Reduction
1	St George’s Cathedral RC	60	30	-30
	Charlotte Sharman	60	30	-30
	Keyworth	90	60	-30
	St John’s Walworth‡	30‡	0‡ (closed)	-30‡
	Robert Browning	60	30	-30
2	Phoenix*	120*	90*	-30*
3	Hollydale	45	30	-15
	Bellenden	60	30	-30
	Camelot	75	60	-15
	Ivydale	120	90	-30
	Harris Peckham Park†	60†	30†	-30†
	St Francesca Cabrini RC†	60†	30†	-30†
4	Brunswick	75	60	-15
	Comber Grove	45	30	-15
	Crawford	90	60	-30
<b>Total agreed</b>		<b>1,050 (35FE)</b>	<b>690 (22FE)</b>	<b>-410 (13FE)</b>

*\*PAN reduction agreed from September 2020 onwards*

*†PAN reduction agreed from September 2021 onwards*

*‡ Closure of school agreed from September 2021*

## APPENDIX 11 – ACADEMY SCHOOLS BY SPONSOR

Table 19 Academies and Free Schools in Southwark and their sponsors (\*these MATs have schools in other LAs)

Sponsor/Number of Academies (36)	Primary & All through (16)	Secondary & all through (17)	Special (3)
ARK (3)*		ARK All Saints Academy ARK Walworth Academy	
	ARK Globe School (4-19)		
Harris Federation (7)*	Harris Peckham Park Harris Primary Free School Peckham Harris Primary Free East Dulwich	Harris Bermondsey Harris East Dulwich Girls Harris East Dulwich Boys Harris Peckham	
Charter Educational Trust (6)	Charles Dickens Academy Lyndhurst Primary Academy The Belham Primary School Dulwich Hamlet Junior School	Charter North Dulwich Charter East Dulwich	
Spa Educational Trust (3)			Spa Bermondsey (11-19) Spa Camberwell (5-19) <i>Park College (19-25)*</i>
The Kingsdale Foundation (1)		Kingsdale Foundation	
Communitas Education Trust (3)*	John Donne Primary John Keats Free School Goose Green Primary		
City of London Academies Trust (3)*	Redriff Primary School Galleywall Primary School	City of London Academy Southwark	
STEP Academy Trust (1)*	Angel Oak Academy		
St Thomas Aquinas C of E Trust (1)*	St Paul's Walworth C of E Academy		
Academies Enterprise Trust (AET) (1)*			Newlands Academy
Anthem Schools Trust (1)*	Judith Kerr Primary		
United Learning Trust (1)*		Bacon's College	
Sacred Heart Catholic Trust (1)*		Sacred Heart Catholic School	
St Michaels Catholic College Trust		St Michael's Catholic College	
Haberdasher's Aske's Trust (1)*		Haberdashers' Aske's Borough	
Compass Educational Trust (1)		The Compass School	
South Bank Educational Trust (1)		UAE South Bank	

\* Post compulsory age, not counted in total

<b>Item No.</b> 16.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 1 Special Educational Needs and Disability (SEND) Taxi Framework	
<b>Ward(s) or groups affected:</b>		All wards	
<b>Cabinet Member:</b>		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	

### **FOREWORD – COUNCILLOR JASMINE ALI - DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION**

We have good reason to be proud of the quality of our services and educational outcomes for our young people with special educational needs and or disabilities in Southwark.

Our school travel assistance service is an important part of our SEND provision by providing travel support to enable eligible children of statutory school age and young people aged 16 to 25 on their journeys from school or other place of education. It is important because it provides 650 young people with practical support and travel during term time.

The council has a SEND taxi framework contract, which is used to provide transport to approximately 120 to 150 children and young people daily. This contract will expire on 31 August 2022. This GW1 report sets out the procurement strategy to enable a new SEND taxi framework service to be procured and in place from 1 September 2022.

The report sets out a strategy for procurement of the service, risks and mitigation are set out on page 5 and a timetable to deliver the procurement process is detailed on page 7.

The Taxi framework will provide services as needed. There will be no guarantee or commitment to purchase taxi transport, which supports the council's aims to reduce transport in vehicles wherever possible to do so.

As documented below, there is now a project board with appropriate representation from the service, and legal, finance and procurement teams are established and will have oversight of this procurement. This will enable soft market testing to be undertaken with a view to encouraging interest from local companies able to deliver the service specification.

Environmental/sustainability considerations will be incorporated into the process for companies successful at tender stage to respond to in their bids. This will include evaluation of bidders' commitment to reducing carbon emissions, improving air quality within their company and also, their willingness to work with the council on joint initiatives moving forward.

I am pleased to see that families and service user representatives will be part of the selection process and that all community, equalities, social/economic considerations outlined in the report will be developed and included in the process.

I recommend that Cabinet approves the procurement strategy for this SEND taxi framework as outlined in the report with delegation of the Gateway 2 award of contract to the Strategic Director of Children's and Adults' services. This is important as there is insufficient time available to deliver the process otherwise, as there will not be a meeting of Cabinet in April or May 2022.

## **RECOMMENDATIONS**

1. That Cabinet approves the procurement strategy outlined in this report for Special Educational Needs and Disability (SEND) taxis for children, young people and vulnerable adults, which is to undertake a competitive tender process for a four year framework agreement commencing on 1 September 2022 until 31 August 2026 for an estimated annual cost of £2m making the total for four years £8m.
2. That Cabinet approves delegation of the Gateway 2 award of contract to the Strategic Director of Children's and Adults' Services for the reasons noted in paragraph 29 of this report.

## **BACKGROUND INFORMATION**

3. The current SEND Taxi Framework commenced on 1 September 2018, following approval of companies onto the Framework for a period of four academic years, from 1 September 2018 to 31 August 2022.
4. SEND taxis are used by Children's and Adults' Services to support delivery of the council's statutory transport duties to support children of statutory school age and young people aged 19 to 25 with SEND, assessed as eligible, to travel to/from school or college and operates alongside a range of other travel assistance services which include the SEND school bus transport contract, a six to eight week independent travel training programme and direct payments to families to enable them to organise their own travel arrangements.

5. Officers regularly review travel assistance provided to individual children/young people with a view to promoting greater travel independence for individuals so that they can travel to and from school safely on their own and also, during their leisure time. By the Spring term in 2019/20, 60 children/young people had successfully completed Southwark's independent travel training (ITT) programme however, the training was temporarily suspended because of the pandemic and is due to resume from September 2021. The aim is to increase this mode of travel support whenever possible to do so, which also helps to extend capacity across the council's travel assistance resources to meet increasing demand and the service recommenced for the new academic year. It should be noted that ITT is not appropriate for all, some participants start their training but are not successful or need to be withdrawn as it is not safe for them to continue.
6. Two Providers currently deliver taxi services on the SEND taxi Framework. The two companies are - HATS Group Limited and Access Mobility Limited.
7. Providers on the Framework provide vehicles of up to eight seats, wheelchair accessible where required plus a driver (with or without a passenger assistant), to take children, young people and vulnerable adults with a range of physical/learning disabilities, emotional/mental health needs, safely to their place of education throughout the academic year. The Framework provides regular scheduled rounds, and also has a facility for provision of short-term ad hoc rounds where a vehicle is only required for a few weeks/months to cover an exceptional circumstance - for example, where a child has broken a leg and is unable to use Transport for London (TfL) buses or walk to school.
8. A fully integrated Children's and Adults' SEND travel assistance service is in place for children and young people up to the age of 25 following changes to legislation contained in the Children and Families Act 2014. The travel assistance team sits within Education Access and Statutory Services business unit, the team receives all applications for assistance, determines eligibility against the council's policy and allocates appropriate travel arrangements to those confirmed as eligible.
9. Transport journeys/rounds are allocated to providers according on the Taxi Framework Agreement mini-competition rules, where requests for quotes are sent out and the round is allocated to the Provider who gives the lowest price
10. As at 1 September 2021 there are 147 children and young people confirmed to travel via the SEND taxi transport service for the 2021/22 academic year. Most of these children travel to Southwark mainstream schools or to special schools/colleges outside of Southwark. Young people, post 16 using SEND taxis are predominantly individuals with learning difficulties who due to their needs are unable to access other forms of travel assistance or to travel independently, they require SEND taxis to travel to colleges, day centres or other educational facilities.



11. The two companies on the Framework have been able to meet the demands of the service effectively, provide a sufficiently flexible service to meet needs of children and young people using the service, prices have remained competitive.
12. This procurement will put in place a new framework with a start date of 1 September 2022.

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

13. There is an ongoing need for the council to meet its statutory duty to provide travel assistance for children, young people and adults that meet the relevant criteria.
14. Eligibility for travel assistance is assessed for children and young people up to the age of 25 under a single, travel assistance policy. This fully integrated service enables purchasing/booking/invoicing systems, comprehensive service monitoring, performance management and a rationalisation of routes to be achieved.

### **Market considerations**

15. The supported transport/taxi market is made up mainly of private sector companies with local and regional reach.
16. The market for the provision of supported transport is mature and competitive, soft market testing with neighbouring local authorities will be undertaken, it is anticipated that a sufficient number of quality bids will be received for this procurement. However, as with previous transport procurement run by the council, a comprehensive assessment of each company's ability to deliver the services to the required standards consistently and remain solvent will be put in place.

## **KEY ISSUES FOR CONSIDERATION**

### **Options for procurement route including procurement approach**

17. A project board has been in operation to oversee development of the SEND taxi framework procurement. The project board considered the following options to ensure that market challenge and competition could be demonstrated in the procurement of the SEND taxi transport for children and adults:
  - Option 1: Do nothing – this is not an option open to the council as the council has a statutory obligation to provide transport services for eligible children, young people and vulnerable adults. Failure to fulfil the statutory duty would cause considerable disruption to those eligible children and vulnerable adults and damage the council's reputation. Not putting in place medium to long term travel arrangements for these client groups will inevitably result in escalating costs to the council.

Taxis provide a necessary form of transport when school buses are not possible/ practical.

- Option 2: Competitive tender to award one or more contracts – this option could provide the service requirements however, it is less likely to provide value for money over the life of the contract and also, lacks flexibility to manage provider withdrawal. The framework agreement by its nature ensures ongoing competitive tension between providers which, it is hoped, will achieve better value for money for the council. With varying factors such as fuel and insurance costs a mechanism that can test prices in a competitive environment is considered a better way forward.
- Option 3: Participate in an existing framework agreement for taxi services – whilst this is potentially an option, research confirmed that there is no local framework in place which the council can access. There are other frameworks in place however these are not local and therefore would potentially be a more expensive solution.
- Option 4: Undertake a joint tender with other local authorities - This is an approach that would need significant coordination across authorities and a long, lead in time. Currently the council's timeline for procuring these services is not aligned to neighbouring boroughs and/or, options to extend existing arrangements to Southwark are not available. This option would also present challenges due to the need to ensure that the service provided could remain local enough to be flexible and not be compromised for example by delays due to extra travel time across borough boundaries.
- Option 5: Bring service in house. The nature of the service is not a viable option for the council to deliver, it would not be viable for the council to have a fleet of vehicles used for short periods of the day for school runs then unused for the rest of the day.
- Option 6: Competitive tender to form a framework agreement with more than one service provider - this option has worked well for the last eight years and has delivered a high quality service with manageable costs through the competitive tendering of rounds (where appropriate) each year with a number of suppliers. It is anticipated that this would continue to deliver best value for the council and it allows greater flexibility in accordance with the fluctuating nature of demand and provides greater protection in relation to provider failure or market exit.

### **Proposed procurement route**

18. The council proposes to undertake a competitive tender (option 6 above) process. The evaluation stages of that procedure are detailed further in paragraphs 36- 38 of this report.

19. The outcome of the procurement route adopted will be to:
- establish a multi-provider framework agreement
  - allocate (on the basis of prices submitted during the tendering exercise) a majority of the rounds for the first year and
  - establish a mechanism to allocate new or additional rounds by way of a mini-competition under the framework agreement.
20. A round will consist of passenger/s and their specific requirements e.g. with wheel chair access and/or passenger assistant. Following the allocation of rounds for the first year of the framework agreement in accordance with paragraphs 33 – 35 below, the council's intention is to conduct, on an annual basis, mini-competitions for all new rounds. The council will identify the rounds ensuring efficiency where possible to promote lower bids, that will need to be delivered during the following year and providers appointed to the framework agreement will be given the opportunity to bid for these rounds.
21. It is envisaged that the framework will attract both small companies and large companies to bid competitively for work and it is envisaged that a good mix of companies will be achieved to deliver the service in accordance with the service specification.
22. This taxi framework procurement approach will provide a service delivery model that will enable:
- joined up approach across Children's and Adults' Services department
  - a flexible SEND taxi transport service for eligible children, young people and adults
  - value for money – all new rounds will be awarded based on competitive price and there will be an annual price review
  - monitoring and management of the contracts with clear performance standards and targets.

### **Identified risks for the procurement**

23. A risk register of the key risks identified is set out in the table below. The project board will regularly review these risks. Actions being taken to mitigate risks are identified in the right hand column of the table.

No	Risk	Likelihood	Risk Control
1	Lack of market interest	Low	Comprehensive review and development of the process to be followed and a clear communication strategy with bidders will be in place. The scoring and evaluation will be designed to encourage bids from all providers in the market. Soft market testing to with neighbouring local authorities to identify and contact potential applicants will also take place.
2	Lack of sufficient quality bids to form a framework.	Low	A robust approach to assessment of bids taking on board lessons learned from the process implemented four years ago and through service delivery since then.
3	Not enough time to deliver procurement process and ensure continuity of service.	Low	Robust governance arrangements in place to track progress of project.
4	Council unable to manage implementation and delivery of the taxi framework service due to complexity and/or limited resources.	Low	The current taxi framework has been successfully introduced and managed by the council's Travel Assistance team, this will continue with the new Framework.
5.	Brexit	Low	No impact on the service
6.	Covid 19 Coronavirus	Low - Medium	<p>Ensure the providers have Covid policy and procedure in place for any additional re-occurrences / waves. A fair system will be developed and confirmed to enable services to be suspended and reinstated flexibly whilst managing costs, should school closures occur, (for example, implementation of a retainer fee.</p> <p>The contract price will be developed to minimise any potential risks that could arise.</p>

### **Key /Non Key decisions**

24. This is a key decision.

### **Policy Framework Implications**

25. This contract will enable the council to fulfil its statutory duty to provide transport services to eligible children and young people as set out in the Education Act 1996 and in the Education and Inspection Act 2006 and will support delivery of the Southwark School Travel Assistance Policy.
26. For adults (post 19), the contract will enable the council to fulfil its duties, under the NHS and Community Care Act 1990, National Assistance Act 1948, Health Services and Public Health Act 1968, the Chronically Sick and Disabled Persons Act 1970, the National Health Services Act 1977 and the Mental Health Act 1983, to provide services to meet the needs of vulnerable adults. This includes a duty to provide appropriate travel assistance to meet the welfare needs of adult clients assessed as needing assistance with transport.
27. The contract assists the council in meeting its statutory public sector equality duty (PSED) under 149 of the Equality Act 2010 and also supports the council's published approach to equalities.
28. Southwark's Borough Plan 2020 - 2022, evolved from the Council's refreshed Council Plan 2018 – 2022. Southwark's Borough Plan include the following relevant commitments concerning this contract:
- i. Keeping Southwark safe during COVID-19
  - ii. Tackling health inequalities
  - iii. Southwark Together
  - iv. A great start in life
  - v. A green and inclusive economy.

### **Procurement Project Plan (Key Decisions)**

29. To allow for the necessary mobilisation and TUPE consultation for a contract start date of 1 September 2022 the award decision will need to be made no later than 9 June 2022. Evaluation of tenders is scheduled to be completed by 30 April 2022. There will be no meeting of Cabinet in April or May 2022. A request to delegate the internal Gateway 2 decision to the Strategic Director of Children's and Adults' Services is proposed, so that the award date of this Framework is achievable.
30. The procurement plan is outlined below and the project board will keep these dates under constant review.

<b>Activity</b>	<b>Complete by:</b>
Enter Gateway 1 decision on the Forward Plan	2 August 2021
Brief relevant cabinet member	14 September 2021
DCRB Review Gateway 1	18 August 2021
CCRB Review Gateway 1	26 August 2021
Notification of forthcoming decision – Cabinet Agenda Despatch	11 October 2021
Approval of Gateway 1: Procurement strategy report	19 October 2021
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	28 October 2021
Completion of tender documentation	12 November 2021
Publication of Find a Tender Service Notice	15 November 2021
Publication of opportunity on Contracts Finder	15 November 2021
Closing date for expressions of interest	20 December 2021
Completion of short-listing of applicants	14 January 2022
Invitation to tender	21 January 2022
Closing date for return of tenders	28 February 2022
Completion of any clarification meetings/presentations/evaluation interviews	March 2022
Completion of evaluation of tenders	31 March 2022
DCRB Review Gateway 2:	13 April 2022
CCRB Review Gateway 2:	21 April 2022
Notification of forthcoming decision	1 May 2022
Approval of Gateway 2: Contract Award Report	1 June 2022
End of Scrutiny Call-in period and notification of implementation of Gateway 2 decision	9 June 2022
Debrief Notice and Standstill Period (if applicable)	9 June 2022
Contract Award	22 June 2022
Add to Contract Register	22 June 2022
TUPE Consultation period (if applicable)	9 June – 31 August 2022
Place award notice on Contracts Finder	22 June 2022
Contract start	1 September 2022
Contract completion date	31 August 2026

### **TUPE/Pensions implications**

31. The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) will apply on a service provision change where activities cease to be carried out by a contractor on the Council's behalf and are instead carried out by another contractor on its behalf, where there is an organised grouping of employees whose principal purpose is the carrying out of that activity, and where the activity is to be carried out otherwise than in connection with a single specific event or task of short-term duration. Only those employees assigned to the transferring activity will transfer.
32. There are no TUPE nor pensions implications for the council as an employer because the council does not deliver these services directly. TUPE will not apply on the appointment of any contractor to the new framework but may apply on the allocation of a round (a call-off contract) under that framework. Whether TUPE will apply in relation to the current contractors is unclear at this stage and will depend primarily on the allocation under the new framework of any continuing routes which result in a change in the identity of the contractor. Due diligence of the current contractors' workforce will also need to be carried out before the tender process commences as its results need to be included in the tender pack. Tenderers will be directed in the tender documentation to seek their own independent advice and no assurance or warranties will be given as to the application of TUPE.

### **Development of the tender documentation**

33. The tender documentation required to set up the framework will be developed by the project team which includes officers from the council's legal, finance and corporate procurement teams.
34. The project board will oversee all elements of the procurement process and sign off all the relevant tender documentation under a tender service (FTS) standard selection questionnaire (SQ), invitation to tender (I2T), service specification and the quality and price evaluation methodologies). The project board will report to the SEND Governance Board which is chaired by the Director of Education.
35. The criteria ratio will be 30 % Quality / 60% Price / 10% Social Value.

### **Advertising the contract**

36. The tender will be advertised in a number of ways:
  - Via the Find a Tender Service
  - Publication of notice on Contracts Finder
  - Advertisement published on the council's website
  - Existing and other taxi transport providers known to the council will also be alerted to the advert placed on the council's website.

## Evaluation

37. The contract will be awarded using a restricted tender process consisting of 3 stages– SQ, I2T and Price (allocation of rounds):
- Stage One – the purpose of the SQ is to create a short list of organisations who have demonstrated that they have sufficient financial and economic standing, and technical capacity and capability to deliver the services at the standard required a minimum/maxium number of applicants will be determined prior to completion of the tender documentation. SQs will be evaluated in accordance with requirements of the Public Contract Regulation 2015 and will comprise of both pass / fail questions, as well as technical questions which will require evaluation and scoring. For the financial assessment, in order to ascertain risk, a credit check, minimum turnover check, and a check of accounts will be undertaken to provide assurance of the continuity of the organisation. Method statements will be used to assess the technical section, allowing bidders to be scored and ranked. Only those tenderers who achieve a technical score which places them in the top ten bidders and pass all other sections will be invited to tender. The final SQ evaluation methodology will be signed off by the project board and advised to tenderers.
  - Stage Two – I2T method statements will be used to evaluate tenders against key quality criteria such as quality of resources, approach to service delivery, management of information, approach to service improvement and social value. Only tenders meeting the quality threshold will then be assessed on price.
  - Stage Three – allocation of rounds will be based on prices submitted in the tenders for the first year.
38. The evaluation panel will be made up of representatives from finance, home to school transport, adults' social care, health and safety, sustainability and equalities.
39. It is envisaged that in the event of any minor changes to a round during an academic year e.g. change in the number of passengers/pick ups the price will stay the same within an agreed range. Therefore tolerances for change will be included and these will be agreed as part of the tender documentation.



## **Community, equalities (including socio-economic) and health impacts**

### **Community impact statement**

39. This is a specialist service that is likely to be delivered annually at any one time to approximately 120 - 150 children and young people with special educational needs and/or physical disabilities each year. A comprehensive Equalities Impact Assessment was carried out for this school transport service in January 2020, the details obtained during that process are still relevant and will apply. Service users representing a wide range of communities, including families and individuals with English as an additional language, receive support through SEND transport services. This transport service supports this cohort to fully engage with educational and/or community activities e.g. to be able to attend school or their place of education, which they would otherwise be unable to do. The provision of this service will help to support vulnerable children and young people to access education and help each to move forward on their individual journey towards, independent living.
40. In 2019, a comprehensive review of Southwark's travel assistance policy was carried out and included an opportunity for families/service users to comment on the travel services in place, including, travel on the taxi framework. Wider questions were included to ascertain 'families' views towards moving to alternative travel assistance solutions including making their own travel arrangements with direct payments and, learning to travel independently, this generated a mixed response and will be developed further with families in a more direct way in the future. This consultation enabled us to obtain a much greater understanding of what the community wanted from this service. The feedback received was used to develop the council's travel assistance policy and will be helpful when determining the specific expectations of the SEND taxi framework/service. In addition, each service provider on the current framework has set questionnaires for service users, relating directly to satisfaction levels of the taxi service and quality of staffing, responses were positive across the board in this area. All responses gathered through these consultations will be reviewed and incorporated into this procurement process where appropriate to do so.
41. As SEND taxis are used by some of the most vulnerable members of the community, it is essential that the service is of a high standard and is able to meet the needs of all passengers. The SEND transport service specification will include details of the specific requirements of community needs which are based on community consultation feedback and therefore, will be able to deliver services in accordance with direct requirements highlighted by service users from the community. All potential providers will be required to demonstrate their commitment to diversity and equal opportunities.

### **Equalities (including socio-economic) impact statement**

42. Local companies, able to meet the requirements of the service specification of the taxi framework will be able to apply to join the framework – including small to medium sized local businesses and/or companies able to attract local drivers and passenger assistant staff. This would positively support Southwark's local economy.

### **Health impact statement**

43. A range of sustainable travel support is considered for each child/young person at the point of assessment. A taxi is most usually provided as a last resort to enable students to attend the school/education facility that is able to meet their health and educational needs - particularly, when the school is several miles from home.

### **Climate change implications**

44. Officers will liaise with the Council's Climate Change team to ensure that consideration of current, good practice guidelines in respect of climate change initiatives are included in the procurement process for this service. This will include guidelines relating to reducing vehicle emissions, ULEZ etc. and actions that companies are able to take towards supporting a greener approach to travel.
45. The council's travel assistance policy that is used to assess eligibility for school travel support, emphasises the council's commitment to sustainable travel and, support to encourage families and enable children/young people to travel independently through an independent travel training programme. The pandemic has delayed wide scale implementation of this ITT programme due to disruption of school closures and, social distancing requirements. The ITT programme will resume in the autumn term.
46. Details of climate change actions linked to this procurement will be detailed at the Gateway 2 stage of this procurement.

### **Social Value Considerations**

47. 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 details of how social value will be incorporated within the tender are set out in the following paragraphs.

### **Economic considerations**

48. Local companies will be able to bid for inclusion on this framework and if successful, will help to promote local jobs to local people in delivering these transport services.

### **Social considerations**

49. The council has made a commitment to ensure that the London Living Wage (LLW) benefits were extended to not only the councils directly employed staff but also those who work for the council through contracts. Since the introduction of this commitment in 2012, the LLW has been included in all relevant procurements and in some cases to existing contracts.
50. For this procurement the council will stipulate the LLW requirement for all employees, workers and sub-contractors engaged by the provider on the contract. It is recognised that with taxi and mini cab providers, a range of business models are in operation, especially with regard to the engagement of self-employed drivers. The tenderers' support of the council's LLW commitment will be tested fully through the procurement process. The council will need to be satisfied that, where there are any business models with self-employed components, self-employed workers are paid the LLW or, in the case of genuinely self-employed independent contractors, paid fees which support the council's Fairer Future Procurement Strategy.

### **Environmental/Sustainability considerations**

51. Environmental policies will be assessed at SQ stage. As a minimum providers will be expected to use and source green, environmentally friendly vehicles whenever it is possible to do so.

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

52. As this framework arrangement will be in place across the Children's and Adults' Services department appropriate monitoring and management arrangements to facilitate this change will be required. The travel assistance team has significant experience in managing transport contracts, route planning and passenger support which will be used as a basis for developing this in-house resource.

53. Day to day monitoring of the contract will be achieved through monthly review meetings between officers and the transport provider. The contract will be monitored and managed in respect of:
- compliance with the specification and contract terms and conditions
  - the performance of the contractor
  - cost
  - user satisfaction
  - risk management and
  - key performance indicators.
54. Annual awards of rounds will include an element of performance assessment. It is envisaged that poor performance will not lead to continued levels of work being secured through the framework.

### **Staffing/procurement implications**

55. There is a cross departmental project team tasked with delivering this procurement. There are governance arrangements in place to oversee the progress of the procurement and to make necessary decisions during the process.
56. Monitoring arrangements and contract management of this taxi framework arrangement has been carried out effectively by the council's Travel Assistance team for the lifetime of the current taxi framework. Annual Performance Reports will be made in line with Contract Standing Orders (CSO).

### **Financial implications: CAS210/13**

57. The school transport budget has continued to be under strain due to growth in the number of children and young people with SEND requiring transport and in particular, the increasing number who are receiving their education outside of Southwark due to the complexity of needs and/or availability of provision in borough. The total forecast cost of taxi services for the proposed SEND taxi framework is £8m (based on current projections of £2m p.a.) from 1 September 2022 to 31 August 2026 this will be met from service budgets.
58. There are a number of risks regarding future costs, which are subject to change based on number of service users, where users schools are located and the cost per trip, each of which can significantly impact the cost to the service.

### **Investment implications**

59. Not applicable to this report.

## **Legal implications**

60. Please see concurrent from the Director of Law and Governance.

## **Consultation**

61. The current SEND taxi framework service has been in operation since 1 September 2018. A travel assistance consultation with key stakeholders/users of the service was carried out in March 2019 as set out in paragraph 40 of this report. The results of the consultation have been used to shape the taxi framework tender process which will include, changes to the service specification and key aspects of the taxi service requirements that service users had informed us were important to them. There are plans in place to include parents and service users in the assessment stages of the procurement process.

## **Other implications or issues**

62. None.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Finance and Governance (CAS210/13)**

63. The financial implications are identified within paragraph 57 and 58 of this report.

### **Head of Procurement**

64. This report seeks the cabinet's approval of the procurement strategy for the provision of SEND taxis for children, young people and vulnerable adults by way of the establishing of a framework agreement spanning a total of four years. With an estimated contract value of £8m commencing September 2022.

65. Cabinet notes the procurement options are detailed in paragraph 17, the risks are detailed in paragraph 23, payment of LLW is detailed in paragraphs 49 and 50, contract management and monitoring is detailed in paragraphs 52 to 54.

### **Director of Law and Governance**

66. This report seeks approval of the procurement strategy for the SEND taxis for children, young people and vulnerable adults by establishment of a 4 year framework for this service. At an estimated contract value exceeding £4m this is a Strategic Procurement under the council's Contract Standing Orders, and the approval decision is therefore reserved to the Cabinet.

67. The nature and value of this service means that this procurement is subject to the full tendering requirements of the Public Contract Regulations (PCR)

2015. As noted in paragraphs 17 and 36 the framework will be established following a restricted procedure in accordance with the PCR and will be advertised through the UK Find a Tender portal.

68. The Cabinet's attention is drawn to the Public Sector Equality Duty (PSED) under the Equality Act 2010, and when making decisions to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to 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, religion or belief, sex and sexual orientation, The duty also applies to marriage and civil partnership but only in relation to (a). The cabinet is specifically referred to the Community, equalities (including socio-economic) and health impacts at paragraphs 39 to 51 setting out the consideration that has been given to equalities issues which should be considered when approving this procurement strategy, and at each stage of the procurement process.
69. The Cabinet is also referred to paragraphs 40 and 61 which note the consultation that has taken place. The cabinet should take into account the outcome of that consultation when approving this procurement strategy.

## BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Travel Assistance Policy 2020 - Travel Assistance consultation feedback	160 Tooley St, SE1 2QH	Glenn Garcia 0207 525 2717
<b>Link (please copy and paste into browser):</b> <a href="https://consultations.southwark.gov.uk/children2019s-and-adults-services/travel-assistance-policy-2020/">https://consultations.southwark.gov.uk/children2019s-and-adults-services/travel-assistance-policy-2020/</a>		

## APPENDICES

No	Title
None	

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children's and Adults' Services	
<b>Report Author</b>	Glenn Garcia, Assistant Director of Education, Access and Statutory Services	
<b>Version</b>	Final	
<b>Dated</b>	19 October 2021	
<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>
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<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</b>		7 October 2021

<b>Item No.</b> 17.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Response to Cabinet Report of the Education and Local Economy Scrutiny Commission: Education: Children's Experience and Education during the Covid-19 Pandemic	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Deputy Leader and Cabinet Member for Children, Young People and Education	

### **FOREWORD - COUNCILLOR JASMINE ALI, DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION**

COVID-19 has had a massive impact on all of our lives not least the lives of children and young people who've been hit hard by successive disruption to their education.

I would like to thank Councillor Babudu and his team for their scrutiny and helpful recommendations on this critical issue.

I will also take this opportunity to offer heartfelt thanks to children's services, our frontline and education team, Southwark schools and their staff for operating under such uncertainty and being there for our children and young people when it mattered most.

Thanks are most certainly also due to our children and young people, their parents and guardians who continue to inspire us all with their strength and resilience under difficult circumstances.

The attached report documents our response to the five broad areas of Scrutiny recommendations: mental health, public space, catch up, narrowing the attainment gap and the digital strategy.

Mental health is a huge issue with the pandemic putting psychological strain on many, including our children, young people and vulnerable families. Because this was a council priority prior to the pandemic, we were ready and able to open up our novel free mental health drop-in service in April 2020, coinciding with the start of the first lockdown.

The commission's recommendations to improve our work in this area are welcome. We address them partly through the launch of the Youth New Deal, the extension of drop-in services to secondary and primary schools and more. That said, we ask Scrutiny to recognise that the NHS has clear duties and



responsibilities for meeting the health needs of our residents.

Welcome too are the recommendations on curricular activities and access to public space to which we respond below. We are proud of our cross-council/cross-partner initiative, the *Southwark Summer of Play*. By working with local organisations right across the borough, the council is working to *get children out and about* over the holidays to boost their physical and mental wellbeing and help them reconnect with each other.

The fact that our children and young people suffered so much disruption to their education with so many missing over a year of face-to-face schooling is a key concern for the council. Below is an outline of what is being done.

The education team is working closely with schools on methods employed to narrow the attainment gap brought about by the attainment gap. The recent A Level and GCSE results showed that young people did well in Southwark with record numbers getting grades needed for some of the top universities including the Oxbridge colleges. We also know that the resignation of the education recovery commissioner, Sir Kevan Collins, following the Government's rejection of the proposed £15bn recovery plan, could have drastic consequences for many children who are in danger of being labelled 'Generation Covid'. We are working with schools and partners on best possible solutions and, while we know that we have fantastic schools with capacity, at the time of writing finance remains a concern.

The report also covers our response on digital strategy including the widely publicised Laptops for Learning. A successful collaboration between the Council and the London South Teaching Alliance saw a crowdfund raise £250,000, which when matched by the council raised half a million pounds. This meant that that we could get laptops to 2,600 children and young people so that they could learn during lockdown.

The global pandemic has been a massive challenge but as this report and indeed the original scrutiny commission report show, we had little option but to move fast. In the time it has taken to put the report together and respond we have moved many of the pertinent issues on. The fact that we have great frontline staff and excellent schools and amazing children and young people helps.

However the issue of education attainment in the recovery phase remains an issue that will require more thought and more resource.

The Government let us down on school meals in the holidays and on devices for children and young people from low income homes. So the council stepped in. As the schools open their doors again in September, the council and schools will need a focus on working together to narrow the attainment gap over the new academic year.

## RECOMMENDATION

1. That the Cabinet note the response from the Deputy Leader and Cabinet Member for Children, Young People and Education to the 15 June cabinet report from Education and Local Economy Scrutiny Commission: Education: Children's Experience and Education during the Covid-19 Pandemic.

## BACKGROUND INFORMATION

2. Cabinet agreed the recommendations as set out in the Cabinet report dated 15 June 2021, which under the Overview and Scrutiny procedure rule 15.3 required the Cabinet to consider and provide a written response to the report within two months.
3. The Commission investigated the impact of COVID-19 on children in respect of education and mental wellbeing. The Commission heard from three headteachers, young people and the Cabinet Member responsible for children, and officers from within the education directorate and community engagement teams.
4. The Education and Local Economy Scrutiny Commission agreed its report for referral to Cabinet at its meeting held on 20 April 2021 (subject to minor amendments).

## KEY ISSUES FOR CONSIDERATION

**Recommendation 1:** The Commission supports the Council's efforts to better support the mental health of children and young people as outlined in submissions to the Commission and the announcements in February's Council Assembly. **The Commission recommends that the Council looks at additional steps to address the expected mental health crisis amongst children and young people**, in particular whether the Council can **support:**

- **the rollout of outreach support from the Nest to primary schools** as well as secondary schools
- **Additional support for peer-led mental health approaches** (e.g. peer counselling and mental health first aid training) in schools

**Teachers who seek mental health support**, and aid efforts to ensure that teachers do not have any mental health support sought via the school or otherwise flagged on their records.

## Response to Recommendation 1

5. We should in the first instance press the health sector to provide more timely and effective support for mental health needs of our children and young people. Historically this has been severely insufficient. The council recognises this need and its exponential growth and has committed considerable resource to investing in supporting good mental health for children and young people. This need was identified and actioned well before the onset of the COVID-19 pandemic.
6. The rollout of outreach support from the Nest is already underway in Secondary schools and this will soon be extended to primary schools.
7. Through our Improving Mental Health and Resilience in Schools programme there is a well-developed and ongoing suite of support and training for children and staff and range of collaborative initiatives across Southwark schools.
8. 38 Mental Health First Aiders across Southwark schools have been equipped with the skills and confidence to spot the early signs of mental health issues in a young person and guide them towards the support they need. Projects include:
  - i. Wellbeing gardens to create space for mindfulness and reflection;
  - ii. Student leadership programmes;
  - iii. Expert-led training for parents and carers whose young people need more targeted support;
  - iv. 6-week Forest School Project for year 7 students and a summer residential trip to Jamie's Farm for Forest School Alumni; and
  - v. Staff CPD and training including sessions on "trauma-informed schools" and mental health awareness.
9. Most secondary schools have attended project, subject network and Improving Mental Health & Resilience in Schools (IMHARS) Champions meetings, prioritising mental health and wellbeing as part of the "Relationships and Health Education" curriculum and the launch of new Personal, social, health and economic (PSHE) curriculum framework and resource bank.
10. We continue to work with external and internal partners and providers, such as the Anna Freud Centre and with children's social care on securing funding for the social workers in schools programme.
11. What is noted in teacher records are a matter for individual school governing bodies to consult upon and agree. The Council encourages and promotes schools to recognise and support the mental health needs of

any staff in schools.

**Recommendation 2:** The Commission recommends that the Council supports efforts to:

- Ensure young people get early and sufficient access to public spaces as they reopen, particularly libraries
- Agree access to green space in public schools for Southwark's children and more generally ensure young people have sufficient access to green space and outdoor activities
- Provide additional opportunities for extra-curricular activities for children who have missed out on these over the various lockdowns.

### **Response to Recommendation 2**

12. Extra-curricular activities are enormously beneficial for all children and young people in helping to develop social, emotional, physical and academic development. During term time schools have been and will continue to provide breakfast and after school clubs as far as possible.
13. The Council has fully restored its youth clubs offer with full opening hours and at full capacity, with a full programme of activities from the 6 youth clubs it has in operation. Libraries reopened in April and are currently operating six days a week with a view to restoring pre-pandemic opening hours from September (subject to any further COVID-19 requirements). Libraries offer dedicated spaces for study as well as a significant stock of books in each library that are targeted to appeal to young people. A core objective of the service is to make libraries welcoming to young people.
14. Similarly the Council has, as soon as it was able to within the parameters of the Government's pandemic guidelines, reopened its leisure centres and reintroduced programmes such as the Free Swim and Gym scheme. Adventure play facilities have also reopened and the summer programme is being delivered. Officers have been working with sports clubs and organisations to assist them in returning to delivering opportunities for young people to participate in physical activity. The Council will pursue any opportunities to develop activities and initiatives through securing access to green spaces owned by private schools.
15. The Council is delivering a 'Summer of Play' programme for young people during the summer holidays. A working group has been set up with key 'Summer of Play' leads who are meeting regularly to develop the offer. The working group includes staff from the youth service, play service, libraries, culture, sports & physical activity, public health and the communications team. The Programme includes a wide range of activities across the borough and for a wide age group.

16. The Department for Education funded Holiday Activity and Food programme is providing funding for Easter, summer and Christmas holidays in 2021. The focus of the programme is on children between the ages of 4-16 years, who receive benefits-related free school meals (FSM). Eligible children will receive free places in holiday clubs providing healthy meals and enriching activities. Southwark Council received. £1,540,030 to cover the three holiday periods.
17. During summer 2021, Southwark Council are funding the delivery of a large food and cultural holiday programme across the borough.

**Recommendation 3:** The Commission recommends that the Council advocates for schools to take an evidence-informed approach to any catch-up activity and ensures young people's voices are heard in approaches taken.

The Commission recommends the Council seeks to understand children's concerns that intense catch-up activity over the summer could put further strain on students and should not be done at the expense of providing children with opportunities to take part in additional extracurricular activity. This is particularly important given that children that such social experiences have been missed as a result of the pandemic and would otherwise play an important role in supporting children's mental health and wellbeing.

### **Response to Recommendation 3**

18. We would support this recommendation. It may be helpful for the Commission to engage the Education Endowment Foundation (EEF) to carry out a research project for all Southwark schools to gain robust evidence base around catch up that compares Southwark to the National picture.
19. School advisors in the Education Directorate are working with schools to understand gaps for children in their learning and the strategies and activities schools are employing to support recovery.
20. Going forward we should employ methods of hearing directly from young people through the Youth Parliament, New Youth Deal, and working with colleagues in community engagement.
21. Youth Parliament could conduct a survey of young people to gather their impressions of how summer activities either supported the needs of young people or created additional burden by over emphasising lost learning.
22. Year 6 pupils joining Secondary schools in Year 7 for 2021/2 would have missed most of school year as a result of COVID and many did not have their planned transition day, so the commission should explore the impact of COVID-19 on this year group in particular.

23. The Commission should evaluate the work of the Council's mental health offer and its impact on schools and young people and to determine what now needs to happen to support all children and young people in Southwark's schools; recognising that mental health provision is a cross council activity and draws on input from different departments and services.

**Recommendation 4:** The Commission recommends that the Council provide more transparent structures and outputs from its task and finish group focused on narrowing the attainment gap and sharing what works in this area.

#### **Response to Recommendation 4**

24. The Council has maintained transparency in each of its commitments and priorities as reference in the Council's now Borough Plan. There is robust governance in place by offices and members.
25. Learning gaps have been identified in a variety of ways and the information used to inform provision, including targeted interventions to address essential learning.
26. Some schools report that learning gaps are less than expected, others report a significant impact on the youngest pupils in terms of language and social skills development. Some headteachers report lower achieving and disadvantaged pupils have seen greater impact of lost learning.
27. Pupils with the biggest learning gaps are largely those who did not engage well with home learning. This could have been for a variety of reasons, including digital poverty, lack of appropriate space or adult support.
28. Pupils have been offered experience in the full range of curriculum subjects, but there has been particular emphasis on mental health and wellbeing and securing the foundational aspects of reading and phonics, writing and maths, since the start of term, as part of the 'recovery' curriculum.
29. Southwark's secondary schools have taken steps to ensure that they have identified any gaps in learning and provided appropriate interventions to address them. Testing and teacher assessment was used to identify both topic areas for revisiting and then individuals for bespoke support.

30. Schools have adapted their curricula to address any learning gaps as necessary and to introduce new knowledge at an appropriate pace. Strategies employed to secure improvement include targeted work, using online learning systems, invited non-vulnerable students onsite to better support their learning, mentoring, parent contracts, and remote learner of the week awards. Pastoral support featured significantly to help students overcome their barriers to learning. Much emphasis was placed on meeting the needs of the most vulnerable students through both in-school and inter-agency support – including providing laptops, home visits, mentoring and Chaplaincy care.

**Recommendation 5:** The Commission recommends that the Council updates its Digital Strategy and relevant priorities to ensure that households with school-age children have access to high-speed fixed-line or mobile connectivity (and where still relevant, sufficient devices) to enable them to make the most of digital learning approaches. The Commission acknowledges the fantastic efforts of schools and the Council to address immediate access and device needs of students across the borough. However, the pandemic has highlighted an important new front for the Council’s evolving approach to digital inclusion which will need sustained long term focus.

#### **Response to Recommendation 5**

31. We are very proud of the work undertaken during the national lockdowns to ensure that all children and young people had access to laptops and access to connections in Southwark.
32. A joint crowdfunding exercise between schools and the Council last year was very successful in providing hardware. This supplemented the diligence of officers across education and social care in maximising government initiatives and in some cases personally delivering equipment to vulnerable pupils.
33. Significant inroads were made into connectivity for home learners during the lockdowns. However, this work must continue to ensure gaps in connectivity are remedied and all children continue to have access to hardware from home.

#### **Technology and Digital Strategy**

34. The Council is committed to finalising its’ Technology and Digital Strategy and this is currently scheduled to be put forward for agreement at Cabinet in December 2021.

35. There are six pillars focusing on digital inclusion in the Technology and Digital Strategy, these are:
- i. Affordable Broadband
  - ii. Devices
  - iii. Jobs and Training
  - iv. Digital Skills (Residents)
  - v. Digital Resilience (Businesses)
  - vi. Digital Education (For All)
36. Home schooling had become essential for the majority of families in Southwark. The need for laptops and connectivity had become apparent in the COVID-19 pandemic. The Council's digital team worked on the 'Laptop for Learning' campaign to deliver free broadband connections to 47 digitally excluded families and devices were given to schoolchildren.
37. As part of the digital inclusion work-stream further support to families across the borough is being identified within the six pillars of Technology and Digital Strategy inclusion.

### **Policy implications**

38. Southwark's Borough Plan 2020 - 2022, evolved from the Council's refreshed Council Plan 2018 – 2022. Southwark's Borough Plan provides the Council's response to COVID-19 and presents commitments towards the following areas of focus.
- i. Keeping Southwark safe during COVID-19
  - ii. Tackling health inequalities
  - iii. Southwark Together
  - iv. A great start in life
  - v. Tackling the Climate emergency
  - vi. Thriving neighbourhoods
  - vii. A green and inclusive economy
  - viii. Homes for all
39. The work of the Education Directorate works hand-in-hand with all the said commitments. From keeping education settings safe, environmentally sustainable to being advocates in tackling inequalities to achieve a great start in life.



## **Community, equalities (including socio-economic) and health impacts**

### **Community impact statement**

40. Section 149 of the Equality Act 2010, lays out the Public Sector Equality Duty (PSED) which requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. The council's [Approach to Equality](#) commits the council to ensuring that equality is an integral part of our day to day business.
41. The Council's Education Directorate involves working closely with all relevant stakeholders and partners across the sector and collectively we are committed to upholding the responsibilities towards advocating the Public Sector Equality Duty and complying with the Equalities Act 2010.
42. The PSED enables public bodies to consider the diverse needs of groups and have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Due regard is about considering the different needs of protected characteristics in relation to the three parts of the duty.
43. The Equalities Act 2010 define the following as protected characteristics; age; disability, gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

### **Equalities (including socio-economic) impact statement**

44. It is widely acknowledged that the pandemic has had a disproportionate (unequal) impact on the health and education of children and families who have a lower socio-economic status. As described in our response to the Committee's recommendations, we are seeking specific evidence to identify where this impact is with a view to targeting our resources most effectively.
45. Resources have been directly targeted towards children and young people from lower socio-economic backgrounds who were at risk of missing out on food, play or education because of the pandemic. Schools were kept open throughout for vulnerable children, food and play provided during school holidays and laptops provided for those most in need. In addition, the work being undertaken by the Southwark Stands Together work stream with our schools seeks to address racial inequality in education settings in terms of curriculum, staff development, employment opportunities and preparation and inclusion. Our commitment to addressing any attainment gap is reported on within the performance

challenge and we are held to account against that metric quarterly.

### **Health impact statement**

46. Our schools work closely with the local authority and Public Health teams to roll out initiatives and campaigns that address physical and mental health in our children and young people across the borough. Several of these initiatives have been documented throughout this report, such as The Nest, Mental Health First Aiders and IMHARS, focused on supporting the mental health of our children, young people and education staff.
47. In addition, we support staff in maintained schools to access mental health support through Mindapples and other services. The Daily Mile campaign to increase physical activity in Southwark's children is reported on via performance challenge and we are active in promoting other local initiatives to our schools to tackle obesity and to support children and young people's mental and emotional wellbeing through a programme of Personal, Social and Health Education CPD.

### **Climate Change implications**

48. All schools have a travel plan with many, putting in place actions aimed at reducing congestion and vehicle access in their communities including, Zones around schools, banning cars, idling and encouraging children to walk, cycle wherever possible. A number of schools work closely with TfL to support sustainable travel initiatives. Funding opportunities for schools to make their environments greener are regularly circulated and adopted by school communities.

### **Resource implications**

49. The Council has committed over £3million to supporting the mental health needs of children and young people. There will be resource implications for undertaking work into the view of children and young people and potentially significant resourcing implications for narrowing attainment gaps.

### **Legal implications**

50. Not applicable.

### **Financial implications**

51. Not applicable.

### **Consultation**

52. Not applicable.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS****Head of Procurement**

53. Not applicable.

**Director of Law and Governance**

54. Not applicable.

**Strategic Director of Finance and Governance**

55. Not applicable.

**Other officers**

56. Not applicable.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Education and Local Economy Scrutiny Commission 19 July 2021	Education Directorate 4 <sup>th</sup> Floor, Children's and Adults' Services Tooley Street 160 Tooley Street, London, SE1 2QH	Nina Dohel 020 7525 3252
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=550&amp;MId=7008&amp;Ver=4">https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=550&amp;MId=7008&amp;Ver=4</a>		
Cabinet Agenda 15 June 2021	Education Directorate 4 <sup>th</sup> Floor, Children's and Adults' Services Tooley Street 160 Tooley Street, London, SE1 2QH	Nina Dohel 020 7525 3252
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=7013&amp;Ver=4">https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=7013&amp;Ver=4</a>		
Education and Local Economy Scrutiny Commission 20 April 2021	Education Directorate 4 <sup>th</sup> Floor, Children's and Adults' Services Tooley Street 160 Tooley Street, London, SE1 2QH	Nina Dohel 020 7525 3252

Background Papers	Held At	Contact
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeed=550">https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeed=550</a>		
Council Assembly 24 February 2021	Education Directorate 4 <sup>th</sup> Floor, Children's and Adults' Services Tooley Street 160 Tooley Street, London, SE1 2QH	Nina Dohel 020 7525 3252
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeed=132">https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeed=132</a>		
Southwark's Borough Plan 2020-22	Education Directorate 4 <sup>th</sup> Floor, Children's and Adults' Services Tooley Street 160 Tooley Street, London, SE1 2QH	Nina Dohel 020 7525 3252
<b>Link (please copy and paste into browser):</b> <a href="https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan?">https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan?</a>		
Introduction to IMHARS (short video)	Education Directorate 4 <sup>th</sup> Floor, Children's and Adults' Services Tooley Street 160 Tooley Street, London, SE1 2QH	Nina Dohel 020 7525 3252
<b>Link:</b> <a href="https://schools.southwark.gov.uk/pshe-healthy-schools/imhars">https://schools.southwark.gov.uk/pshe-healthy-schools/imhars</a>		
Equalities Act 2010	Education Directorate 4 <sup>th</sup> Floor, Children's and Adults' Services Tooley Street 160 Tooley Street, London, SE1 2QH	Nina Dohel 020 7525 3252
<b>Link:</b> <a href="https://www.legislation.gov.uk/ukpga/2010/15/part/2/chapter/1">https://www.legislation.gov.uk/ukpga/2010/15/part/2/chapter/1</a>		
Modernise Strategy: Southwark's Fairer Future IT Strategy	Housing and Modernise Directorate, 2 <sup>nd</sup> Floor, Hub 4, Tooley Street 160 Tooley Street, London, SE1 2QH	Dionne Lowndes 07523 919 592

Background Papers	Held At	Contact
<b>Link:</b> <a href="https://www.southwark.gov.uk/council-and-democracy/modernise-strategy">https://www.southwark.gov.uk/council-and-democracy/modernise-strategy</a>		

## APPENDICES

None	
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## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children's Adults' Services	
<b>Report Author</b>	Nina Dohel, Director of Education	
<b>Version</b>	Final	
<b>Dated</b>	7 October 2021	
<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 Governance	No	No
Strategic Director of Finance and Governance	No	No
List other officers here	N/a	N/a
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		7 October 2021

**CABINET AGENDA DISTRIBUTION LIST (OPEN)****MUNICIPAL YEAR 2021-22**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
[Paula.thornton@southwark.gov.uk](mailto:Paula.thornton@southwark.gov.uk)

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Peter Babudu		<b>Dated: 26 August 2021</b>	
Victoria Olisa			
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Leanne Werner			
Jack Buck			
Sarah King			
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Anood Al-Samerai			
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