

Cabinet

Tuesday 14 June 2022
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 Dora Dixon-Fyle MBE
Councillor Alice Macdonald
Councillor Darren Merrill
Councillor Catherine Rose
Councillor Martin Seaton

Portfolio

Leader of the Council
Deputy Leader and Cabinet Member for
Children, Young People and Education
Health and Wellbeing
Finance, Democracy and Digital
Climate Emergency and Sustainable
Development
Community Safety
Equalities, Neighbourhoods and Leisure
Council Homes and Homelessness
Parks, Streets and Clean Air
Jobs, Business and Town Centres

INFORMATION FOR MEMBERS OF THE PUBLIC

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Contact

paula.thornton@southwark.gov.uk; constitutional.team@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 6 June 2022



Cabinet

Tuesday 14 June 2022
11.00 am

Ground Floor Meeting Rooms, 160 Tooley Street, London SE1 2QH

Order of Business

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PART A - OPEN BUSINESS

MOBILE PHONES

Mobile phones should be turned off or put on silent during the course of the meeting.

1. APOLOGIES

To receive any apologies for absence.

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

In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.

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

To note the items specified which will be considered in a closed meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.

Item No.	Title	Page No.
5.	PUBLIC QUESTION TIME (15 MINUTES)	
	To receive any questions from members of the public which have been submitted in advance of the meeting in accordance with the cabinet procedure rules. The deadline for the receipt of public questions is midnight Wednesday 8 June 2022.	
6.	DEPUTATION REQUESTS	
	To consider any deputation requests. The deadline for the receipt of a deputation request is midnight Wednesday 8 June 2022.	
7.	MINUTES	1 - 6
	To approve as a correct record the minutes of the open section of the meeting held on 8 March 2022.	
8.	GATEWAY 1 PROCUREMENT STRATEGY APPROVAL CONTRACTOR SERVICES FOR THE LEDBURY ESTATE	7 - 27
	To approve the procurement strategy for new build works at Ledbury Estate.	
9.	AYLESBURY ESTATE PHASE 2B COMPULSORY PURCHASE ORDER (CPO)	28 - 52
	To note the position in relation to the delivery of new homes at Phase 2B of the Aylesbury Estate regeneration programme and related recommendations.	
10.	COUNCIL TAX REBATE 2022	53 - 73
	To approve the allocation of the Government's Council Tax Rebate grant.	
11.	NON-DOMESTIC RATES - COVID -19 ADDITIONAL RELIEF FUND	74 - 88
	To approve the COVID – 19 Additional Relief Fund (CARF) policy set out within the report as per the government's requirement to support those businesses affected by the pandemic but that were ineligible for existing support.	

Item No.	Title	Page No.
12.	REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE: REVIEW OF REGENERATION IN THE BOROUGH OF SOUTHWARK	89 - 131
	To consider recommendations from the overview and scrutiny committee in respect of review of regeneration in Southwark.	
13.	REPORT OF THE ENVIRONMENT SCRUTINY COMMISSION: ENERGY SCRUTINY REVIEW	132 - 178
	To consider recommendations from the environment scrutiny commission in respect of the energy scrutiny review.	
14.	REPORT OF THE HEALTH AND SOCIAL CARE SCRUTINY COMMISSION: DOMESTIC ABUSE IN FAMILIES	179 - 191
	To consider recommendations from the health and social care scrutiny commission in respect of domestic abuse in families.	
15.	REPORT OF THE HOUSING AND COMMUNITY ENGAGEMENT SCRUTINY COMMISSION - NEW COUNCIL HOMES ON EXISTING ESTATES IN THE BOROUGH OF SOUTHWARK	192 - 197
	To consider recommendations from the housing and community engagement scrutiny commission in respect of review of new council homes on existing estates in Southwark.	
16.	REPORT OF THE HOUSING AND COMMUNITY ENGAGEMENT SCRUTINY COMMISSION: LICENSING IN THE PRIVATE RENTED SECTOR	198 - 201
	To consider recommendations from the housing and community engagement scrutiny commission in respect of licensing in the private rented sector.	
17.	REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: REVIEW OF SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) PROVISION IN THE BOROUGH OF SOUTHWARK	202 - 208
	To consider recommendations from the education and local economy scrutiny commission in respect of special educational needs and disabilities provision in Southwark.	

Item No.	Title	Page No.
18.	REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: GROWING ETHNIC MINORITY PAY GAP	209 - 211
	To consider recommendations from the education and local economy scrutiny commission in respect of the growing ethnic minority pay gap.	
19.	REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: PROCUREMENT, ACCESSIBILITY AND SOCIAL VALUE	212 - 215
	To consider recommendations from the education and local economy scrutiny commission in respect of procurement, accessibility and social value.	
20.	REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: TOWN CENTRE ACTION PLAN - SOUTHWARK PIONEERS FUND	216 - 218
	To consider recommendations from the education and local economy scrutiny commission in respect of the Town Centre Action Plan – Southwark Pioneers Fund.	
21.	MOTIONS REFERRED FROM COUNCIL ASSEMBLY	219 - 237
	To consider motions referred from council assembly on the following:	
	<ul style="list-style-type: none"> • For a Fairer, Greener, Safer Borough • Royal Mail • Council-supported events and the Bermondsey Carnival • Right to food • Tamil Heritage Month • Southwark’s support for Ukraine • Making Borough and Bankside and St George’s fairer, greener and safer • Making Bermondsey fairer, greener and safer. 	
22.	APPOINTMENTS TO OUTSIDE BODIES 2022-23	238 - 252
	To consider and agree nominations to outside bodies 2022-23.	
23.	NOMINATIONS TO PANELS, BOARDS AND FORUMS 2022-23	253 - 261
	To consider nominations to panels, boards and forums 2022-23.	

DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING

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: 6 June 2022



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 8 March 2022 at 11.00 am at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: 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

ANNOUNCEMENT BY THE LEADER OF THE COUNCIL - UKRAINE

The Leader of the Council spoke of the distressing events being witnessed in Ukraine and pledged Southwark's support and welcome to all refugees.

1. APOLOGIES

All members were present.

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

The chair gave notice of the following late item:

- Item 7: Deputation requests

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

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

There were no closed items for this meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. PUBLIC QUESTION TIME (15 MINUTES)

None were received.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 1 February 2022 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 request had been received in line with the council's constitutional deadline for the receipt of deputation requests).

RESOLVED:

1. That the deputation request from Sceaux Gardens Tenants and Residents Association be heard.
2. A spokesperson for the deputation addressed cabinet for five minutes and questions were asked of the deputation for a period of five minutes.

8. CLIMATE CHANGE CITIZENS' JURY - RECEIPT OF RECOMMENDATIONS REPORT

A representative from Shared Future and jury members were in attendance to present this report to cabinet and answer questions.

RESOLVED:

1. That the recommendations of the climate change citizens' jury be welcomed and all the jury members be thanked who gave their time and contributions to the process.
2. That all the recommendations from the jury be considered and a full response be brought forward in July 2022.
3. That officers revise the climate change strategy and action plan in response to the jury's recommendations and bring an updated plan to cabinet in July 2022 as part of the first annual review.

9. RESPONSE TO THE REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - SOUTHWARK'S CLIMATE STRATEGY AND ACTION PLAN

RESOLVED:

1. That the recommendations of the overview and scrutiny committee (paragraph 6 of the report) be welcomed and the response set out in the report be agreed.
2. That the climate action plan be updated in line with these recommendations when it is published in July 2022.
3. That any major policy changes in the future be aligned, wherever possible, with the council's climate change strategy.
4. That there is suitable training for members following the local elections in May 2022, and that climate change forms part of the ongoing training offer to both members and officers in the council.

10. BOROUGH PLAN INTERIM PERFORMANCE REPORT 2018-2022

RESOLVED:

That the council's performance over 2018-19 – 2021-22 against the council plan 2018-2022 and refreshed Borough Plan 2020-2022 be noted.

11. POLICY AND RESOURCES STRATEGY: REVENUE MONITORING REPORT, INCLUDING TREASURY MANAGEMENT 2021-22

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 – 20 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 £6.4m after use of reserves.
5. That the housing revenue account (HRA) forecast outturn position for 2021-22 (Table 2, paragraphs 53 – 60 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 66 – 73 of the report) be noted.

12. EMPTY HOMES FUNDING IN THE PRIVATE SECTOR

RESOLVED:

1. That the report be noted and the following bids for capital funding to help increase the number of properties brought back into use across the borough be agreed:
 - a) A capital allocation of £2m to provide funding to compulsory purchase (CPO) long-term empty homes. This will be a revolving fund as costs will be recouped from the sale of the properties. Further details in paragraphs 29-33 of the report.
 - b) To increase the annual capital funding available for grants to refurbish empty homes from £95k to £400k. Further details in paragraphs 22-26 of the report.
 - c) To increase the annual capital funding available for loans to refurbish empty homes from £62k to £700k. Further details in paragraphs 22-26 of the report.
 - d) To support the expanded programme two additional officers will be recruited. The costs for the posts will be £90k. These posts will be funded from capital resources. Further details in paragraphs 27-28 of the report.

13. PROGRESS REPORT ON INSOURCING OF LEISURE SERVICES**RESOLVED:**

That the progress that has been made in respect of the delivery of the project plan, the challenges and opportunities associated with insourcing, and management of risk in respect of the insourcing of the leisure service, be noted.

14. LINDLEY ESTATE - APPROPRIATION FOR PLANNING PURPOSES**RESOLVED:**

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

15. LOMOND GROVE, ELMINGTON ESTATE - APPROPRIATION FOR PLANNING PURPOSES**RESOLVED:**

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

The meeting ended at 12.40pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 16 MARCH 2022.

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.

Item No. 8.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Gateway 1 Procurement Strategy Approval Contractor Services for the Ledbury Estate	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Darren Merrill, Council Homes and Homelessness	

FOREWORD – COUNCILLOR DARREN MERRILL, CABINET MEMBER FOR COUNCIL HOMES & HOMELESSNESS

In December 2021 a cabinet report was agreed to allocate funds as detailed below, but in the intervening period cost inflation has increased the expected cost for this project.

This cabinet report seeks approval for a budget to appoint a main contractor to deliver 340 high-quality new homes, the majority of which will be for council rent. Not only will we be replacing existing homes, we will also be building additional and much needed new council homes to help meet the needs of the 16,200 households on our housing allocations list.

The replacement homes will meet the commitment made in the Landlord Offer to Ledbury residents. We have worked closely with Ledbury residents, local community groups and other stakeholders to prepare designs that meet the requirements of the Landlord Offer and reflect the views and feedback from those living on the estate. The wider community will also benefit from the development, as we will provide a new TRA hall and provide better quality green and play spaces across the estate.

I want to thank the members of the Resident Project Group for their ongoing commitment and dedication to the future of the Ledbury, along with the wider members of the Ledbury community who have given us a clear direction through both the ballot and TRA vote results. I am looking forward to working with them in the future.

RECOMMENDATIONS

That the Cabinet:

1. Approves the procurement strategy for new build works at Ledbury Estate which is currently estimated at a cost of approximately £161m with a contract duration of up to six (6) years.

2. Notes that this cost is the current best estimate based upon current market conditions. This may change over the coming months and will be updated accordingly should this happen.
3. Notes that the GW2 for procurement of the main contractor will be brought to cabinet seeking approval following completion of the tender process.

BACKGROUND INFORMATION

4. This procurement strategy relates to the Ledbury Estate within the council's Southwark Construction Programme, which is part of the council's commitment to build 11,000 new homes by 2043.
5. The Southwark Construction Programme (formerly the New Homes Development Programme) is aimed at creating new homes from existing council assets and acquiring new assets. The principle of New Homes Development was agreed by cabinet in July 2012.
6. Cabinet approved a report in December 2021 allocating £149.58m from the Housing Investment Programme to the main works contract for the Ledbury Estate, along with a further £19.16m for oncosts. (This followed on from initial approval of £5.4m for oncosts for the early design work). Approval at December cabinet was granted for a total scheme cost of £174m.
7. The construction market is experiencing a period of volatility and has since seen a rise in inflation which is affecting a number of tender returns, the current estimated cost for delivering the main works for this scheme is £161m (at current market rate).
8. In addition to an increase in the inflation forecast, the cost increase estimate also reflect changes to the current proposals following progression of design development as well as an increase in associated contingency sums.
9. Ledbury Estate will deliver 340 homes and will provide a mix of one to five bed units predominantly for social rent as well as private sale in six blocks across the Bromyard and Old Kent Road sites. There will be no net loss of council homes and at least 50 per cent of the new homes will be social rented.
10. This procurement is over the Public Contracts Regulations (PCR) 2015 and has an estimated works cost of £161m. The estimated total scheme costs (inclusive of fees) are £192.5m. The fees include:
 - a. Architects Fees;
 - b. Employer Agent Fees;
 - c. CDM Coordinators;
 - d. Surveys;
 - e. Planning Application Fee;
 - f. Contingency; and

- g. Administration and Development Allowance.
11. The above fees are subject to a separate approval process and the services will be procured in line with the council's procurement rules and Contract Standing Orders (CSO).
 12. Due to the Greater London Authority (GLA) funding requirements the council need to be in contract and have started on site by September 2022. To achieve this target, a GW1 paper is being progressed for the procurement of a demolition contractor, which is estimated to have a contract value of below £2.5m. This is included with the estimated £161m estimated cost discussed above.

Summary of the business case/justification for the procurement

13. The council has committed to the delivery of 11,000 new homes by 2043. This procurement exercise will build on the progress made to date and significantly contribute to the target of 11,000 homes by 2043.
14. Additional key deliverables are as follows:
 - a) Maximise and enhance the utility, value and quality of council-owned land and buildings to deliver:
 - High quality homes for rent
 - Improved streetscapes and permeability
 - Employment and training opportunities
 - b) Deliver high quality and fit-for purpose public buildings at good value.

Market considerations

15. This is a relatively significant sized project and likely to be attractive to local medium and large sized contractors, therefore the tendering process needs to reflect this by ensuring that the appropriate works contractors are targeted.
16. The construction industry is currently very buoyant, whilst the council has had relatively good responses from the tenders' processes previously; the council is finding that some contractors are becoming more selective about which projects they choose to submit a tender for. The council has had some projects for which they have few tender responses, these tend to be projects that have significant site constraints and likely to have a higher degree of risk around the fixed priced. There is still a very high demand for construction services, and with many London boroughs engaging in the development of affordable housing, this is only likely to increase.
17. It has been reported that there are shortages of materials, which has led to increases in cost, which is due to a range of external challenges and

circumstances, however the indications suggest that the industry will remain relatively buoyant due to the level of demand.

18. As a result of the current external challenges, it is likely to be that the market is more competitive and contractors are more selective in terms of the projects they wish to take on, and that the council can expect further fluctuation. This means that it will be important for the Southwark Construction Team to have range of procurement routes at their disposal, in order to ensure that they are robust enough to adapt to changes in the market conditions.

KEY ISSUES FOR CONSIDERATION

Options for procurement route including procurement approach

19. As this project is above the PCR threshold for public works the full tendering requirements of the PCR 2015 would apply. The following procurement options are therefore available to the council:

A Do Nothing

20. Do nothing is not an option for this procurement due to the requirement to re-provide replacement homes for residents of the Ledbury Estate and the council's commitment to build high quality affordable housing.

B A PCR Compliant Framework

21. There are a number of frameworks available for the council to use, these include:

Framework	Expiry	No. of Contractors	Fee
Hyde Housing (National Framework Partnership)	January 2025	Lot 6: 12 Lot 7: 11	£2,500 to £5,000
South East Consortium	March 2025	8	£4,000 (one off use) or £10,000 (unlimited)
Notting Hill Housing	TBC	TBC	TBC
London Construction Panel	May 2023	10	Free
Crown Commercial Services	October 2026	Lot 4: 14	TBC
Catalyst Constructor Services	June 2023	6	Free
Scape	August 2026	1	No

22. Most frameworks offer a good range of contractors; however they still offer a more limited market than a PCR compliant tender process that is open to the full market. It should be noted some of the same contractors are on the different frameworks.
23. Frameworks will offer a quicker route to procurement than going to market through a PCR compliant tender exercise that is open to the full market.
24. The following tables summarises and compares each of the frameworks in terms of contractors available:

South East Consortium	London Construction Programme	Catalyst Constructors Services	Notting Hill Housing
Bugler Developments	Bugler Developments Ltd	Hill Partnership	To be confirmed <i>They are in the process of awarding a new framework</i>
United Living	Durkan Ltd	Durkan	
Castleoak care Partnerships	Engie Regeneration Ltd	Engie	
Kind & Company	Galifiord Try Construction (UK) Ltd	Jarvis	
DCB (Kent)	Geoffrey Osbourne Ltd	Lovell Partnership	
Real LSE	Kier Construction London	Higgins Construction	
Wates Construction	McLaren Construction Ltd		
M B McNamara Construction	Rydon Construction Ltd		
	Willmott Dixon Holdings		

Hyde Housing (National Framework Partnership)		Crown Commercial Services	Scape
Lot 6	Lot 7	Lot 4	
Kier Construction	Kier Construction	Kier Construction Ltd	Wates Construction Ltd
McLaren Construction Ltd	McLaren Construction Ltd	BAM Construction Ltd	
John Graham Construction Ltd	John Graham Construction Ltd	John Graham Construction Ltd	
Wates Construction Ltd	Wates Construction Ltd	Wates Construction Ltd	

Hyde Housing (National Framework Partnership)		Crown Commercial Services	Scape
United Living Ltd	Higgins Partnerships	ISG Construction Ltd	
Hill Partnerships Ltd	Hill Partnerships Ltd	Balfour Beatty	
Bennet Construction Ltd	Midgard Ltd	Galiford Try Construction Ltd	
Bugler Developments Ltd	Engie Regeneration Ltd	Lang O'Rouke Construction Ltd	
Real Places Ltd	Vistry Partnerships Ltd (Galiford)	McLaughlin & Harvey Ltd	
Purlake New Homes Ltd	Bouygues UK Ltd	Bouygues (UK) Ltd	
Henry Construction Projects Ltd	McAleer & Rushe Contracts Ltd	Tarnac Trading Ltd	
		Tilbury Douglas Construction Ltd	
		Skanska Construction Ltd	
		Willmott Dixon Construction Ltd	

25. The council has already procured a number of contractors using PCR compliant frameworks.

C Open / Restricted PCR Compliant Tender – Single Stage (SQ/Tender)

26. An open / restricted PCR Compliant single stage tender process will offer the council access to the full market and allows the council to be able to demonstrate value for money. This is a route the New Homes Development Team successfully used to procure contractors for a number of projects since 2017.
27. A single stage tender process offers a competitive route to procuring contractors with tenderers having to put their best offer forward in order to be awarded the contract. This route does have its drawbacks, one of which is that it can take longer when compared to calling off an existing framework and will often be insufficient for more complex or phased projects.
28. The stages of this approach generally are:
- a. Selection Questionnaire
 - b. Invitation to Tender (ITT) resulting in a JCT Design and Build Contract

D Open / Restricted PCR Compliant Tender – Two Stage

29. An open / restricted PCR compliant two stage tender process will offer the council a more robust process for phased projects, programmes delivering more than one project or where there is uncertainty in the market place.
30. A two stage tender process is a more collaborative approach that allows the council to select the right contractor on the basis of an outline project plan, appointing them to a Delivery Agreement. The Delivery Agreement sets out the relevant project's two stages: the first governed by the terms of a pre-construction services agreement, the second stage being the works themselves governed by a main works contract. The first stage sees the council and appointed contractor develop the detailed design and technical specification, upon which the contractor draws together its subcontractors to finalise pricing based on established pricing principles. Proceeding to the second stage is subject to the council's agreement.
31. Using a two stage process is likely to be required only on specific projects or in specific market conditions, as with the single stage process it can be resource intensive and typically takes longer to complete than calling off an existing framework through a single stage process.
32. The stages of this approach generally are:
 - a. Selection Questionnaire
 - b. ITT resulting in a Delivery Agreement and/or Preconstruction Services Agreement
 - c. Tendering of the subcontract packages (generally around 80% of packages tendered) resulting in a JCT Design and Build Contract

E Competitive Procedure with Negotiation

33. A Competitive Procedure with Negotiation (CPN) would allow the council the flexibility to enter into a dialogue with bidders if required.
34. To date the New Homes Development Team has undertaken Restricted Procedure on a number of previous procurements. This has led to some contractors trying to negotiate the terms of the contract after the award of contract and led to delays entering into the contract.
35. Whilst the council would not want to negotiate on the contractual terms and conditions, the CPN route would allow council to establish when the site or contractual issues may be a challenge for bidders and allow the council the option to adjust its position during the procurement process. This would also allow the council another avenue to state to the tenders where the council's position is fixed and non-negotiable.
36. The drawbacks of this route are that it will increase the length of the procurement process, however this could result in time saved later when the council is entering into contract.

Proposed procurement route

37. Officers are seeking approval to undertake a procurement exercise via the Hyde Housing (National Framework Partnership) framework, which is in line with PCR 2015 (as amended). The Employers' Agent undertook a soft market exercise, which determined that lot 6 of the framework, would provide access to a number of appropriate contractors, whilst achieving the tight timeframes to get the contract awarded.
38. Due to the volatility of the current market, it may be necessary to adapt the proposed procurement route, should this be required officers will discuss this change with Lead Member for Council Homes & Homelessness and the Managing Director of Southwark Construction, with the final decision to be approved by the Strategic Director of Housing and Modernisation.

Identified risks for the procurement

39.

	Identified Risk	Likelihood	Risk Control
1	Insufficient interest from contractors.	Medium	Contractors will be approached prior to tendering a project to ascertain their interest.
2	Quality of submitted tender proposals do not meet the Councils expectations	Low	Officers will ensure that the project brief is comprehensive, clear and without ambiguity. The tender will also be rigorously assessed during the evaluation stage.
3	Cost proposed is in excess of budget and does not deliver value for money	Low	Officers have ensured that all necessary surveys have been undertaken and that a cost plan that identifies any associated risk is developed. A detailed specification will form part of the tender pack so that expectations are clearly identified.
4	Challenges to procurement outcome	Low	Officers will ensure a robust procurement process in line with

	Identified Risk	Likelihood	Risk Control
			PCR 2015 is followed and will liaise closely with the council's procurement and legal departments.
5	Contractors cease trading, goes into administration / liquidation	Medium	Officers will undertake financial and credit checks to ensure that only financially healthy companies progress. A performance bond / a parent company guarantee is considered and/or sought for each contract to mitigate this risk. Officers will review capacity and raise any concerns, and seek an appropriate route for managing this risk.
6	Impact of national/global events	Medium	<p>The construction market is currently very buoyant, however it is experiencing record inflation in terms of prices and rates, which is caused by a range of external factors including Brexit, Covid-19 and more recently increases in energy prices.</p> <p>This is likely to continue for the short to medium term and is likely to be impacted further by other emerging situations (e.g. Russia/Ukraine war).</p> <p>This is a risk that will need to be monitored.</p>

Key /Non Key decisions

40. This report deals with a key decision.

Policy framework implications

41. The new homes delivered through the Southwark Construction Programme are in line with the council's principles and vision for a new housing strategy which is aimed at increasing the availability, affordability and quality of homes in the borough.

42. This procurement exercise supports the council's Fairer Futures Commitment – A place to belong to. The new homes will play a key role in assisting the council achieving its target of building 11,000 new council homes by 2043.
43. These procurement exercises will also be subject to the Fairer Future Procurement Framework (FFPF). Each competitive tender process undertaken will ensure that the council is receiving value for money and delivering added social value.
44. The long term housing vision for the borough (sets a clear policy direction for the council that directly impacts the delivery of the new homes set out in this report. The vision comprises four overall principles:
- The council will use every tool at our disposal to increase the supply of all kinds of homes across Southwark.
 - The council will demand the highest standards of quality, making Southwark a place where you will not know whether you are visiting homes in private, housing association or council ownership.
 - The council will support and encourage all residents to take pride and responsibility in their homes and local areas.
 - The council will help vulnerable individuals and families to meet their housing needs and live as independently as possible.

Procurement project plan (Key decisions)

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	10/03/2022
DCRB Review Gateway 1	04/05/2022
CCRB Review Gateway 1	12/05/2022
Brief relevant cabinet member (over £100k)	11/05/2022
Notification of forthcoming decision - Cabinet	14/06/2022
Approval of Gateway 1: Procurement strategy report	21/06/2022
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	29/06/2022
Completion of tender documentation	25/05/2022
Publication of Find a Tender Service Notice	n/a
Publication of Opportunity on Contracts Finder	n/a
Closing date for receipt of expressions of interest	n/a
Completion of short-listing of applicants	n/a

Activity	Complete by:
Invitation to tender	30/06/2022
Closing date for return of tenders	21/10/2022
Completion of any clarification meetings/presentations/evaluation interviews	11/11/2022
Completion of evaluation of tenders	25/11/2022
Forward Plan (if Strategic Procurement) Gateway 2	16/05/2022
DCRB Review Gateway 2:	05/12/2023
CCRB Review Gateway 2:	08/12/2023
Notification of forthcoming decision - Cabinet	17/01/2023
Approval of Gateway 2: Contract Award Report	25/01/2023
End of scrutiny Call-in period and notification of implementation of Gateway 2 decision	02/02/2023
Debrief Notice and Standstill Period (if applicable)	09/02/2023
Contract award	16/02/2023
Add to Contract Register	02/03/2023
Place award notice on Find a Tender Service	02/03/2023
Place award notice on Contracts Finder	02/03/2023
Contract start	03/03/2023
Initial contract completion date	31/05/2028
Contract completion date – (if extension(s) exercised)	31/05/2028

45. To ensure that the project meets the GLA start on site deadline of September 2022, a demolition contractor is being procured, via a separate GW1. Whilst demolition works are being progressed the procurement of the main contractor will be progressed concurrently so that commencement of the main works overlaps with demolition works. This approach will ensure that the GLA's start on site definition is met and the allocation secured.

TUPE/Pensions implications

46. Not applicable.

Development of the tender documentation

47. The Southwark Construction Team has developed template tender documentation and the quality and pricing evaluation methodologies for the framework tender process.

48. Officers in the Southwark Construction Team will work with the Employers' Agent to include the scheme specific information within the tender packs.
49. Officers will develop the framework specific tender documentation in line with the framework guidance.
50. The tender packs, ITT questions and price/quality evaluation criteria will all be reviewed as part of a process with legal and procurement team prior to the tender commencing.
51. The tender documents will include:
 - a. Selection Questionnaire / Expression of Interest and guidance document (if required)
 - b. Instructions To Tenderers
 - c. Contract documents, amendments and terms and conditions
 - d. Employers Requirements
 - e. Scheme details including;
 - i. Site information
 - ii. Project drawings
 - iii. Project plan
 - iv. Relevant surveys & reports
 - f. Tender evaluation methodology
 - g. Contract Sum Analysis Template
 - h. Form of Tender and necessary undertakings and certificates
 - i. Compliance table

Advertising the contract

52. This opportunity will only be advertised to those contractors on the relevant lot in this framework.

Evaluation

53. Officers will follow the guidance and process set out in the framework document. Our legal team will reviewed the framework agreements to ensure that the council is interpreting them correctly.
54. The contract will be awarded on the basis of using a combined price/quality/social value ratio which takes into account the council's requirement to include social value evaluation for all procurements above £100,000. The ratio will be 55/35/10 which is in line with the framework rules. Any deviation from the intended 55/35/10 price/quality/social value ratio (which would be decided by the Managing Director of Southwark Construction on the basis of current market conditions, recent experience or framework requirements) will be highlighted in the Gateway 2 report.

Mini Competition

55. The quality assessment will be undertaken through the provision of method statements which will be used to evaluate applicants against the key quality criteria, for which there will be a minimum pass mark for each question.
56. The quality assessment will include a number of method statements based on the following criteria:
 - a. Delivery of the Scheme
 - b. Quality & Value for Money
 - c. Capacity & Resourcing
 - d. Health/Fire Safety
 - e. Project Specific Question
57. The social value assessment will be undertaken by a third party via the Social Value Portal. For each procurement tendered a number of Themes Outcomes and Measures (TOMS) will be selected that will reflect 10% of the estimated contract value.
58. For the price assessment the contractors will be asked to provide a detailed cost plan and contract sum, qualifying any provisional sums that are included.
59. The aspects of the financial submission will be weighted on the basis of maximum points awarded to the tenderer with the lowest price with each remaining tenderers' price will be awarded a score based on the percentage difference between their submission and that of the most competitive.
60. The submitted tenders will be evaluated and scored by a panel made up of:
 - a. Employers' Agent
 - b. Development Manager
 - c. Project Manager
 - d. Project Co-ordinator
61. The Employers' Agent, will submit a Tender and Value for Money Report, this will conclude that the highest scoring tenderer be recommended for award through a Gateway 2 to enable the contract to be entered into.

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

Community impact statement

62. The redevelopment proposals entails the demolition of 224 homes, which are no longer fit for purpose and beyond economic repair. The re-provision of new homes will be of a high quality and compliant with current statutory policies, requirements and regulations including fire safety and sustainability.

63. These will enable residents the option to return to the estate to permanent homes, which will afford them peace of mind. In addition to this, residents will enjoy homes of the same space standards of their previous homes or above in line with the terms set out in the Landlord Offer document.
64. The provision of half of the additional homes for council rent will address the housing need identified on the Ledbury Estate and provide homes for others across the borough with most need for safe and secure housing.
65. The wider Ledbury community will directly benefit from the re-provision of new and improved facilities, namely a new Tenants & Residents Association (T&RA) hall, which has been designed as the hub of the community, a new mixed use games area, currently predominantly used for football. Following feedback from younger residents, there will also be improvements made to the skate park area/BMX track located in Bird in Bush Park.
66. There will also be an increase in both the quantum and usability of green space on both development areas, as well as an increase in quantum and variety of play space. There will also be a series of small interventions across the estate to help integrate the new provision with the existing homes, such as an improvement to the Bromyard courtyard area.
67. All of the above is being designed with close engagement with members of the community as referred to in other sections of this report.

Equalities (including socio-economic) impact statement

68. The successful contractor will be required to adhere to the council's equality and diversity policies
69. The new genuinely affordable homes will be available to people on the council's housing waiting list. The council's equality and diversity policies will be adhered to during the letting process.

Health impact statement

70. The redevelopment of the Ledbury Towers is essential to address the structural and fire safety issues identified in 2017 resulting in the temporary rehousing of the vast majority of households.
71. The completion of the new homes will enable residents, who choose to return, the opportunity to return to energy efficient homes compliant with the latest policies and regulations.
72. Permanent homes will enable residents with health issues and those who may have been in homes that no longer suited their needs the opportunity to move to more suitable homes. This will have a positive health impact on all these households as this address both their physical and mental well-being.

73. The provision of new quality homes provides a positive impact on health inequalities, as the new homes will be designed to current quality and space standards that will contribute towards addressing health inequalities.
74. The proposals to increase the supply of genuinely affordable, good quality homes will benefit households in need from all Southwark communities, and will increase the housing options available for older people and people with disabilities.

Climate change implications

75. On 18 June 2019, the council's cabinet agreed the resolution passed by the council assembly on 27 March 2019 to "declare a Climate Emergency and do all it can to make the borough carbon neutral by 2030." The cabinet noted "that there are considerable financial savings to be made by 'going green', whether it be more energy efficient lighting, smart meters at council properties, or piloting energy generation schemes such as installing solar panels on council properties".
76. The government estimates that residential buildings account for 27% of Southwark's carbon emissions. The council's direct emissions account for 12% of the borough's emissions and council housing is the second largest contributor to carbon emissions at 14%.
77. In line with this, the proposed redevelopment will be designed to meet the highest energy and sustainability targets in line with both the council's and GLA policies. The energy strategy will follow the four step Energy Hierarchy outlined in the London Plan:
 - Be Lean: fabric first approach with low u-values and air permeability, high efficient lighting and mechanical ventilation to reduce energy demand
 - Be Clean: connection to the local South East London Combined Heat & Power (SELCHP) district heating network for low carbon heating and hot water supply to all uses in the development
 - Be Green: solar PV will be maximised in all available roof space
 - Be Seen: the development will incorporate a monitoring strategy to reduce the performance gap
78. Furthermore a Whole Life Cycle Assessment will be undertaken to ensure embodied carbon associated to the buildings construction is minimised as much as possible.
79. Through this strategy it is expected that the carbon reduction on site will be significantly above the London Plan minimum target of 35% reduction in regulated carbon dioxide emissions and the development will contribute to a low carbon future.
80. The tender packs and evaluation process will consider how we can ensure

that bidders have embedded climate change and the green agenda as part of their working practices and company philosophy, which in turn can be monitored and measured throughout the contract.

Social Value considerations

81. 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.
82. As set out above, bidders will be scored on the basis of their social value submission. The tender pack will set out appropriate and practical social value outcomes the council may be looking for on this project.

Economic considerations

83. The council is an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors engaged by the council to provide works or services within Southwark pay their staff at a minimum rate equivalent to the LLW rate. The 11,000 new homes programme is a strategically important undertaking for the council and its benefits are expected to be realised in a number of ways, including the recruitment of qualified staff, retention of staff and an improved service delivery to the council.
84. Following award, quality improvements and costs implications linked to the payment of LLW will be monitored as part of the contract review process.
85. It is acknowledged that the Fairer Future Framework requires one apprentice per £1m for contracts valued over £1m. Due to the value of this scheme the project team will aim to ask for what the project can reasonably accommodate and work in partnership with the contractor to provide a sustainable apprenticeship through this scheme.

Social considerations

86. The new housing will provide high quality affordable housing for local people in need of accommodation. The provision of half of the additional homes for council rent will address the housing need identified on the Ledbury Estate and provide homes for others across the borough with most need for safe and secure housing. The remainder will be made available to other households in need of accommodation from the council's housing register.
87. The new rented homes will be let at Council rent levels.

Environmental/Sustainability considerations

88. By investing in high quality, well designed buildings and estates the council aim to achieve positive impacts which will benefit the environment and increase the stock of environmentally friendly buildings within the borough.
89. As part of the design development process, there will be a requirement for environmental assessments to be completed, with a view to identifying what impact would be caused by any proposed development.

Plans for the monitoring and management of the contract

90. The council's contract register publishes the details of all contracts over £5,000 in value to meet the obligations of the Local Government Transparency Code. The Report Author must ensure that all appropriate details of this procurement are added to the contract register via the eProcurement System.
91. The project clienting, including the management and administration of the contractor appointments, will be run and resourced through the Southwark Construction Team in the Asset Management Division of the Housing & Modernisation Department. Performance of the consultant team will be subject to constant scrutiny and monthly formal review including reviews on cost, quality and programme. The officer client team will use a number of mechanisms for monitoring and controlling the financial and programme performance of the contract, including,
- Strategic cost plan, which will be regularly reviewed and updated
 - Monthly financial statements by the consultant
 - Monthly appraisals of progress against programme and monthly reports by the consultant
 - Tracking and chasing actions on critical issues
 - Periodic project team 'look ahead' workshops covering key phases of work and risks
 - Risk and issues log
92. Internal governance arrangements for the programme were reported to cabinet in December 2014. These confirmed that ultimate responsibility for

the overall programme resides with the Delivery Programme Board, chaired by the Strategic Director of Housing & Modernisation.

- 93. Annual contract monitoring report will be in line with CSOs.
- 94. The social value deliverables will be independently monitored and reported to council officers by the Social Value Portal.

Staffing/procurement implications

- 95. The staff resources deployed to this procurement is sufficient to meet the proposed timetable.
- 96. The project will be resourced by existing staff, within existing budgets.
- 97. Officer time relating to the management of this project is funded from the capital budgets for the individual projects.

Financial implications

- 98. This report is requesting approval for a procurement strategy, which does not in itself give rise to any financial implications. The estimated cost of this procurement exceeds the budget approved for the project, and so further consideration and budget approval may be required at GW2 before any contract award is made. This may impact on the delivery of other new build schemes to ensure the overall programme remains affordable to the council. Should the project proceed, it will be funded from resources supporting the council's Housing Investment Programme, including grant from the GLA and borrowing as appropriate.

Investment implications

- 99. The cost of this contract will be charged to the respective project cost programmed in the capital allocation for the Southwark Construction delivery budgeted within the council's housing investment programme.

Legal implications

- 100. Please see the legal concurrence of the Director of Law and Governance.

Consultation

- 101. Local residents have been and will continue to be consulted at each stage of the development as outlined in the charter of principles agreed by Cabinet.

Other implications or issues

- 102. None identified.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

103. This report seeks approval from cabinet for the procurement strategy outlined for new build works for Ledbury Estate with an approx. cost of £161m with a contract duration of up to six years commencing March 2023.
104. Cabinet should note that the use of third party framework is allowable under the Public Contract Regulations 2015 and the council contract standing orders.
105. Cabinet also notes the procurement is detailed in paragraphs 19 to 38 and 47 to 61, the risks are detailed in paragraph 39, the impact on equalities, health and climate change are detailed in paragraphs 68 to 80, social value is detailed in paragraphs 81 and 82, confirmation of the payment of LLW is detailed in paragraph 83, management and monitoring of the contract is detailed in paragraph 90 to 94.

Director of Law and Governance

106. This report seeks the approval of Cabinet to the procurement strategy for new build works at Ledbury Estate which is currently estimated at a cost of approximately £161m with a contract duration of up to six (6) years. Cabinet is required to note that this estimated costs is based upon current market conditions and may change over the coming months and will be updated accordingly should this happen.
111. As the value of the works is above the PCR 15 threshold for public works, this procurement is subject to the full tendering requirements of those regulations. As noted in paragraph 37 of this report, the council intends to undertake a procurement exercise via the Hyde Housing (National Framework Partnership) framework, which was procured in accordance with the PCR 2015. The procurement strategy proposes the carrying out of a mini- tendering exercise between suppliers who are parties to the Hyde Housing framework, as set out in this report, and which should enable a best value solution to be agreed with a preferred supplier.
112. Paragraph 38 of this report highlights that due to the volatility of the current market, it may be necessary to adapt the proposed procurement route and that should this be required, discussions will take place with the relevant cabinet member and the Managing Director of Southwark Construction, with the final decision to be approved by the Strategic Director of Housing and Modernisation.
113. The Cabinet's attention is drawn to the Public Sector Equality duty (PSED General Duty) under the Equality Act 2010, which requires public bodies to have regard, when making decisions, to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those

who do not share it. The Cabinet is specifically referred to the community, equalities (including socio-economic) and health impacts at paragraphs 62 to 74 setting out the consideration that has been given to equalities issues which should be considered when approving the recommendations in this report.

Strategic Director of Finance and Governance (H&M 22/011)

114. This report is requesting approval for a procurement strategy, which does not in itself give rise to any financial implications. The estimated cost of this procurement exceeds the budget approved for the project, and so further consideration and budget approval by Cabinet may be required before any contract award is made. This may impact on the delivery of other new build schemes to ensure the overall programme remains affordable to the council. Should the project proceed, it will be funded from resources supporting the council's Housing Investment Programme, including grant from the GLA and borrowing as appropriate.

Director of Exchequer (for housing contracts only)

115. Not applicable.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Ledbury Estate Towers - Future redevelopment update (Item 19)	Southwark Council, 160 Tooley Street	Paula Thornton 020 7525 4395
Link: https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=7017&Ver=4		

APPENDICES

No	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Darren Merrill, Council Homes and Homelessness	
Lead Officer	Stuart Davis, Managing Director of Southwark Construction	
Report Author	Patricia Lewin, Project Manager, Housing and Modernisation	
Version	Final	
Dated	27 May 2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
Director of Exchequer (for housing contracts only)	No	No
Cabinet Member	Yes	Yes
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		27 May 2022

Item No. 9.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Aylesbury Estate Phase 2B CPO	
Ward(s) or groups affected:		Faraday	
Cabinet Member:		Councillor Darren Merrill, Council Homes and Homelessness	

FOREWORD - COUNCILLOR MERRILL, CABINET MEMBER FOR COUNCIL HOMES AND HOMELESSNESS

This Cabinet report gives if required the authority for the council to use CPO powers to acquire the last of the leasehold properties on Phase 2B of the Aylesbury Estate. This will be done as a last resort to secure vacant possession so that the continuation of the delivery of 614 new homes can be achieved.

The blocks on this site are in need of significant investment in order to provide the high quality of housing we would want for our residents. The development requires vacant possession to enable the implementation of the plans agreed. The council will continue to work with the remaining leaseholders to come to a satisfactory outcome including making offers as set out in the report and giving the option of moving to the new council homes built on the footprint of the Estate which will be ready later this year, but as a last resort the council needs the powers to CPO to make sure this landmark regeneration continues in a timely manner and we get value for our residents.

RECOMMENDATIONS

1. That Cabinet notes the current position in relation to the delivery of new homes at Phase 2B of the Aylesbury Estate regeneration programme:
 - A planning application for the redevelopment of the site to provide 614 homes has been submitted by Notting Hill Genesis
 - Vacant possession of 297 properties has been achieved
 - The council has successfully acquired 46 leasehold properties by agreement and successfully rehoused 293 households on a secure tenancy.

2. That Cabinet notes that officers are continuing to negotiate with all 11 remaining leaseholders at Phase 2B with the intention to acquire these remaining interests by agreement.

3. That Cabinet notes that there is a compelling case for a Compulsory Purchase Order and resolves to make a Compulsory Purchase Order under Section 226 (1)(a) of the Town & Country Planning Act 1990 (“the 1990 Act”)

for all land and rights within the area of land identified within the plan at Appendix 2 for the purposes of securing the delivery of new homes on the site in line with the proposed planning consent (“the Scheme”) and thereby securing the continuation of the regeneration of the Aylesbury Estate in line with the adopted Aylesbury Area Action Plan.

4. The Director of Planning and Growth, in consultation with the Director of Housing, be authorised on behalf of the Council to :
 - Take all necessary steps to secure the making, confirmation and implementation of the CPO, including the publication and service of all notices and the presentation of the Council’s case at public inquiry should one be called
 - Acquire for planning purposes all interests in land and new rights within the CPO area as may be necessary to facilitate the Scheme, either by agreement or compulsorily, including entering into negotiations with any third parties for the acquisition of the land interests and/or for new rights over their land (as appropriate), the payment of compensation and dealing with any blight notices served in connection with the CPO
 - Approve agreements with land owners setting out the terms for the withdrawal of objections to the CPO, including where appropriate seeking the exclusion of land or new rights from the CPO or giving undertakings as to the enforcement of the terms of the CPO
 - Make any minor additions, deletions or amendments to the extent of the land to be included in the CPO as shown in Appendix 1 should the need arise, so as to include all interests in land and rights required to facilitate the construction, maintenance and use of the Scheme
 - Take all necessary actions in relation to any legal proceedings relating to the CPO, including defending or settling (as appropriate) any compensation claims referred to the Lands Chamber of the Upper Tribunal due to the making or implementation of the CPO, and to take all necessary steps in respect of any other legal proceedings that relate to the making, confirmation or implementation of the CPO
 - Appoint and/or retain such external professional advisors and consultants as are necessary to assist the Council in facilitating the Scheme, including in the promotion of the CPO and the settlement of any compensation claims.

5. That Cabinet notes the progress on acquiring leasehold interests as part of the Aylesbury regeneration programme.

BACKGROUND INFORMATION

6. The background to the redevelopment of the Aylesbury Estate has been covered extensively in previous reports but is summarised here for context.

7. Having spent a number of years investigating plans for refurbishing the estate, it became apparent that the extent and cost of works required to refurbish the estate to an acceptable standard would be prohibitive and would not overcome the fundamental design flaws of the layout of the

estate. The Council took the decision in 2005 to redevelop the estate.

8. In March 2007 the council undertook the preparation of the Aylesbury Area Action Plan to establish the policy framework for the redevelopment of the estate. The Aylesbury Area Action Plan (AAP) was adopted by the council in January 2010 following extensive public consultation and an Examination in Public in 2009. It is part of the statutory development plan and deals directly with the redevelopment of the Aylesbury Estate therefore its policies have significant weight in any decisions on applications in this area. As referred to in paragraph 41, the AAP has now been incorporated into the Southwark Plan. The Council has been successful in securing Compulsory Purchase Powers for three sites on Aylesbury Estate namely Phase 1a, Site 7 (developed by L&Q) and the First Development Site.
9. Having undertaken a competitive procurement process to secure a development partner for the delivery of the regeneration of the estate, the council appointed Notting Hill Housing Trust (now Notting Hill Genesis (NHG)) to bring forward the phased regeneration of the Aylesbury Estate, and a Development Partnership Agreement (DPA) between the Council and NHG was signed on 28 April 2014. Since that date a number of variations to the Development Partnership Agreement have been agreed in order to respond to changes in requirements or the condition of the Estate.
10. Following further consultation on the masterplan for the estate, applications were submitted by NHG for detailed planning permission (reference no. 14/AP/3843) for the redevelopment of the First Development Site (FDS) within the south west corner of the estate and for outline planning permission (reference no. 14/AP/3844) for the redevelopment of the wider estate, both in line with the requirements of the development plan and the aspirations of the AAP, and both were granted consent on 5th August 2015.
11. To date 408 homes have been completed by L&Q in Phase 1A and Site 7 developments on the former Aylesbury Estate. Works are on site to complete a further 581 Council homes on contracts A and B on the First Development Site together with a further 122 homes, a new Library, Health Centre and Early Years Centre on Plot 18. These new homes are scheduled to complete between Autumn 2022 and 2025.
12. The AAP showed that the next phase for development was Phase 2. This Phase covered the following blocks

Padbury
 Ravenstone
 241-471 Wendover
 Winslow
 Brockley House
 Wolverton
 1-240 Wendover

Since 2014, tenants and leaseholders from these blocks have had the opportunity to move to Site 7 and off estate developments and express an interest in moving to FDS A.

13. Due to changes in external funding for housing re-provision by the GLA and the Council view on the timescales for achieving vacant possession, the Council and Notting Hill Genesis agreed that it was practical to take forward the following blocks as Phase 2B as a sub phase.

Padbury
Ravenstone
241-471 Wendover
Winslow

In addition to these blocks, the development site includes the property of the former Foxcote House and 140 Albany Road which have both been acquired through negotiation and demolished.

14. Due to the physical condition of these blocks, it is not considered to be value for money to refurbish them, and redevelopment to provide modern efficient homes is the preferred option. Demolition of the blocks over the next five years is estimated to save the council £5.4m of investment.
15. Notting Hill Genesis have funding in place to redevelop the site subject to planning permission for 614 homes of which in accordance with the AAP 50% of the homes on a habitable room basis will be affordable. In addition the development will include two substantial areas of open space, a MUGA and commercial premises. A reserved matters planning application has been submitted with a start on site, subject to vacant possession, in Spring 2023.
16. Notting Hill Genesis will procure a contractor for this development through their contractor framework.
17. It is considered that this phase will bring about significant economic, social and environmental benefits, including improvements in the quality of homes on the Estate. The space standards and access to private space, which are in accordance with the New Southwark Plan, would significantly increase the amenity for local residents. A variety of housing types: houses, flats and maisonettes will be constructed to make an inter-generational neighbourhood that meet people's needs over time. Homes are designed to give views onto green open spaces to reduce opportunities for crime and antisocial behaviour. New homes will be built to zero carbon targets.
18. A condition of GLA grant funding for estate regeneration schemes is that a policy compliant resident ballot has taken place. Under the terms of the GLA guidance exemption from a ballot can be granted by the GLA in circumstances where planning permission was in place before the guidance was issued and there has been a programme of extensive community consultation. In 2018, the GLA granted this exemption to Notting Hill

Genesis for the Aylesbury regeneration programme. The Aylesbury Estate regeneration programme has been developed in accordance with the National Estate Regeneration Strategy.

19. The council policies for acquisition of leasehold properties in estate regeneration schemes has developed over the last 25 years. The current policies have been compared favourably with those of other London boroughs by an external expert at a public inquiry. Officers seek to secure vacant possession through negotiation over the market value of the property and pay compensation for homelessness and disturbance in line with legislation. Rehousing options available for resident leaseholders include a bespoke shared equity offer through a choice based system of properties across the Borough, as well as opportunities to purchase new homes on similar shared equity terms on new homes being delivered on the footprint of estate. Where affordability may prevent a leaseholder being able to afford the ongoing cost of ownership it may be that some leaseholders are able to be rehoused as a council tenant and rehousing as a council tenant. The use of CPO powers is a last resort in this process.
20. In January 2022, Cabinet agreed additional funding for leaseholder acquisition on the Aylesbury Estate. The cost of acquiring the existing leasehold homes in Phase 2B can be accommodated within that budget.
21. This report sets out the current position in relation to the delivery of the scheme.

KEY ISSUES FOR CONSIDERATION

The legislative framework for Compulsory Purchase Orders and the Crichel Down Rules

22. Under Section 226 of the Town and Country Planning Act 1990 a council can acquire land compulsorily for development and other planning purposes. An application for compulsory purchase is assessed against a series of criteria contained in the Guidance on Compulsory Purchase Process and the Crichel Down Rules published by the Department for Levelling Up, Housing and Communities (“the Guidance”). In relation to this application, in summary the Rules are satisfied as follows
 - a) There is a compelling case in the public interest

The regeneration of the Aylesbury Estate has been the focus of consultation and council strategy for over 20 years. The case has been examined at public at both planning and CPO inquiries. The redevelopment of this site will provide high quality housing, open spaces and commercial facilities which meet local and Borough needs.
 - b) The purposes of the CPO justify interfering with the human rights of those affected

It is acknowledged that compulsory purchase will interfere with the human rights of those affected. The council is seeking to mitigate the impact on human rights of those affected through the rehousing and acquisition policies which apply to tenants and leaseholders. These policies were reviewed and amended based on the experience of rehousing tenants and leaseholders in previous phases of the Aylesbury Estate regeneration.

- c) The acquiring authority must have a clear idea of how it intends to use the land which it is proposing to acquire

Outline planning permission for redeveloping the site is in place. Notting Hill Genesis have submitted a planning application to redevelop the order land.

- d) The acquiring authority must show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale

The development of the site is the next phase following on from the construction already underway on the First Development Site and Plot 18. Notting Hill Genesis have funding in place from internal resources and GLA grant to implement the scheme. It is anticipated that works on the site will complete by 2026.

- e) The scheme is unlikely to be blocked by any physical or legal impediments to implementation.

Subject to planning permission and securing vacant possession, the scheme is not impacted by any physical or legal impediments to implementation. The scheme is in accordance with local and regional planning policy.

The Scheme

23. In summary, the proposed development comprises the demolition of the existing buildings on site and construction of five buildings (known as Blocks 4A, 4B, 4C, 5A and 5C). The proposed building heights range from between five to 25 storeys, with the tallest element located on the corner of Albany Road and Thurlow Street, as a gateway building next to Burgess Park. Two new public spaces are proposed (Thurlow Square and Bagshot Park). The site will be connected through a network of tree-lined streets and the existing public realm will be enhanced through detailed landscaping proposals. A total of 4,030sqm of public realm is proposed.

24. A total of 614 residential units (1927 habitable rooms) is proposed within the unit mix below:

Proposed Accommodation Schedule

	Private		Social		Intermediate		Total	
	Unit No.	HR	Unit No.	HR	Unit No.	HR	Units	HR
1 Bed	159	318	28	56	31	62	218	436
2 Bed	199	597	47	180	46	138	292	915
3 bed	9	45	37	185	5	25	51	255
4 bed	-	-	50	300	-	-	50	300
5 bed	-	-	3	21	-	-	3	21
Total	367	960	165	742	82	225	614	1927

The residential accommodation provides:

- 49.8% private and 50.2% affordable units (by habitable room) with an affordable split of 76.7% social and 23.3% intermediate.
 - 33.5% 1-bedroom units, 47.6% 2-bedroom units, 8.3% 3-bedroom units, 8.1% 4-bedroom units and 0.5% 5-bedroom units.
 - 10.1% of units are wheelchair accessible (62 units).
 - 74% of units are dual aspect and there are no single aspect north facing units.
25. The residential units will be supported by the following:

Private and Communal Amenity:

Private amenity is provided through private rear gardens for ground floor homes and balconies for those at upper floors. A total of 3112.35 sqm of private amenity space will be provided throughout the site. Each proposed residential building will be served by a communal garden. Blocks 4B and 5C will also have a roof terrace and Block 5A will have an area of amenity on a podium. The total communal amenity provision is 4,275sqm.

Play Space:

A total of 3,205 sqm of play space is proposed in the form of three public play spaces (including a new Multi Use Games Area in Bagshot Park) as well as doorstep play in communal areas.

Car and Cycle Parking:

Car parking for wheelchair users and existing residents is provided on-street, within the Block 5A podium and within the Block 4A/D basement. A total of 79 spaces are provided, six of which are car club spaces.

1,092 cycle spaces are provided across the site, including 70 visitor cycle parking spaces. The cycle parking stands comprise a combination of sheffield stands, two-tier stands and spaces for cargo bikes.

Servicing:

Loading bays are located throughout the development, with five bays in total.

Refuse:

Each block will accommodate its own refuse storage within communal stores, which will include food storage and bulky waste storage. All refuse storage accords with the Southwark Waste Management Guidance Note for Residential Developments (2014).

26. The proposed development proposes circa 400 sqm (GIA) of flexible floorspace for commercial business and service uses (Class E) and local community and learning uses (Class F1/F2(a)(b)). This is located at the ground floor of Block 5A. Two non-residential units are proposed, one facing onto Thurlow Square and one wrapping around the corner onto Mina Road.
27. The delivery of Phase 2B Site within the programme is a key priority for the council as it will deliver key rehousing options for tenants and leaseholders on the later phases of the scheme thereby enabling vacant possession to be secured.
28. As set out above resident consultation took place on the AAAP and the masterplan for the Estate. Since July 2021, Notting Hill Genesis have been consulting on the detailed proposals for the site. The methods used include a Commonplace website, in person events at the market and on the Estate, youth workshops and consultation with groups such as the TRAs and Friends of Burgess Park. Over 3000 comments were received on the Commonplace site and over 60 surveys have been completed. There is considerable support for the proposals in particular the new open spaces and community facilities.
29. In accordance with the relevant legislation governing CPOs, the development proposal has the following benefits for the area
 - a) Economic

The proposals will provide a level of flexible commercial space. This will be available for local businesses and will therefore benefit the local economy. The building contract to implement these proposals will create a series of construction jobs and training opportunities targeted at the local community.
 - b) Social

The proposals will provide a large number of high quality homes for rent, sale and shared ownership. This will significantly improve the quality of housing accommodation available in the area. The proposals also create spaces for community and learning opportunities.

c) Environmental

The proposals will be serviced by a modern, efficient energy and heating system including the use of air source heat pumps and photo voltaic panels. The proposals provide amenity space, play space and landscaped open space.

Tenure Mix

30. The currently proposed scheme for the Phase 2B site includes a total of 614 mixed-tenure housing units comprising units for social rent, units for intermediate shared ownership and units for private sale. The tenure split is consistent with that required by the AAAP and NSP (50% affordable by habitable room).
31. Once completed, these units would provide further opportunities to rehouse existing secure tenants and resident leaseholders from later phases within the estate.

The Site

32. The extent of the Phase 2B Site is shown in the plan at Appendix 1. The Phase 2B Site comprises the residential blocks at Padbury, Ravenstone, Winslow and 241 -471 Wendover. The current occupation is as follows

Block	Total number of units	Number of secure tenants	Number of leaseholders	Number of temporary accommodation units	Void
Padbury	25	1	3	3	18
Ravenstone	81	3	2	16	60
241-471 Wendover	237	17	4	12	204
Winslow	30	2	2	11	15
Total	373	23	11	42	297

33. The council has already rehoused 293 secure tenants from these blocks and negotiated to acquire 46 leasehold properties in these blocks. Agreement is in place with a further 3 leasehold interests although 2 of these are held in probate which is delaying sale. Of the 46 leaseholders who have already moved, 18 were resident leaseholders of whom 1 moved to a council home, 3 moved to Notting Hill Genesis property off estate and 1 moved to Site 7.
34. The secure tenants and those in temporary accommodation in these blocks are prioritised under the Local Lettings Scheme for the new Council homes at FDS Contract A which are scheduled to complete between August and December 2022. Resident leaseholders in these blocks are being offered the opportunity of a new shared equity home in FDS Contract A.

Vacant Possession

35. While construction of the Phase 2B scheme can commence on land already within the council's control, full implementation of the scheme will require the council to achieve vacant possession of the blocks listed above to enable these buildings to be demolished and this land to be redeveloped as part of the scheme in line with the proposed planning application.
36. To date, the council has successfully rehoused a total of 293 of the 316 households on secure tenancies on the same basis and the council's Area Housing Office is continuing to work with the remaining households on a secure tenancy to facilitate their move to a new property. As with all tenants relocated from the Aylesbury Estate, all tenants relocated retain the option to return to new homes on the estate should they wish to do so.
37. The council has reached agreement with 3 of the remaining leaseholders and is continuing to seek to negotiate with all 8 remaining leaseholders where agreements have not been reached with the intention to acquire the remaining interests by agreement. The council's aspiration is to acquire all outstanding interests by agreement and thereby secure vacant possession of the block and complete the redevelopment of the site without the need to utilise its statutory compulsory purchase powers.
38. As further properties become vacant within the block, following successful rehousing of the remaining secure tenant households, or buy back of outstanding leaseholds, these properties will no longer be utilised for further lettings and will be held void until the block is fully vacant prior to its demolition. A total of 297 properties within the blocks are currently held void in this way.
39. The council has been seeking to acquire the leasehold interests since 2014 and a number of offers have been made to the majority of the leaseholders over this time. Three of the leaseholders have instructed lawyers to complete the negotiations with the Council. One of the leaseholders has accepted the Council's offer but is yet to instruct solicitors as they are still looking for a replacement property. Of the remaining 7 leaseholders, 5 have appointed surveyors to act on their behalf and discussions are ongoing, 1 is undertaking negotiations themselves, whilst 1 leaseholder, who is non-resident, has not engaged with the Council to date although an offer has been made.
40. The council is continuing to negotiate with the remaining leaseholders, however it is now considered necessary to promote a compulsory purchase order for the blocks comprising Padbury, Ravenstone, Winslow and 241-471 Wendover and associated land as identified in Appendix 1 in parallel with negotiations, as provided for in the Guidance on the use of Compulsory Purchase powers issued by the Department for Levelling Up, Housing and Communities. This will give further impetus to stalled negotiations and ultimately to provide certainty of acquiring all remaining interests required to ensure full vacant possession of these blocks within the timescale required by the construction programme for Aylesbury Estate regeneration

programme. It will ensure the redevelopment of the Phase 2B Site fully in line with the proposed scheme and thereby ensure delivery of new homes on the site to support the existing and incoming residents.

Policy framework implications

41. The local plan for the borough, the Southwark Plan 2022, was adopted in February 2022 and fully replaced the Aylesbury Area Action Plan 2010. The Southwark Plan 2022 includes policies specific to the Aylesbury Estate including the site allocation NSP01 for the Aylesbury Action Area Core. The site allocation sets out the site requirements, a minimum residential capacity of 4,200 homes (gross), the phasing plan for the site and reports on the delivery of homes and new community facilities so far.
42. The outline masterplan for the regeneration of the estate provides for new housing, open space and commercial properties in this location, within the site now referred to as Phase 2B. In determining the application for outline planning permission, the masterplan was assessed against the relevant development plan policies and guidance at that time, among which significant weight was attached to the policies of the Aylesbury Area Action Plan, and the principles of the masterplan were found to conform to the policy framework.
43. The outline planning permission was granted subject to a range of parameter plans in relation to the height, layout, open space provision, land use, basement area, access /circulation and phasing. In determining the reserved matters application, the detailed proposals for Phase 2B will again be assessed against the statutory development plan policies and guidance as well as against the parameters and specifications within the outline planning permission to ensure compliance with the policy framework and outline consent.
44. In developing proposals for the site, both Notting Hill Genesis and the council have had regard to policy H8C of the London Plan in determining the approach to retention of the existing buildings on the site.

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

Community impact statement

45. As set out in the detailed description of the scheme at paragraphs 23 to 26 the proposed redevelopment brings about significant benefits which together contribute to a significant increase in the social, economic and environmental well being of the site itself, the wider estate and the borough as a whole. The implementation of the scheme for Plot 18 will deliver a range of new community facilities which will support the new and existing residents.
46. The scheme will address the poor quality of existing physical environment. Existing buildings are of poor quality, using poor quality building materials,

employing outdated construction methods, severely in need of costly repair, and representing inefficient land use with a low density of residential accommodation. The site also comprises under-utilised spaces, reducing personal security and perceived safety, with the ground plane dominated by car-focussed uses, deterring the use of this space by local people.

47. The proposed redevelopment of the site will bring about a significant improvement of the physical environment within the site. It will deliver a broad range of open spaces, a MUGA and commercial space. The development will also provide new high-quality homes, contributing towards an increase in both the quantum and quality of residential accommodation on the site and contributing to corresponding improvements in the wider area. The homes that will be built will see significant improvement on the existing stock and will retain the spaciousness of the existing properties.
48. While these scheme benefits are significant and compelling they must however be weighed against any potential disbenefits. The council has given detailed consideration to the potential adverse impacts of bringing forward the proposed redevelopment and promoting the associated CPO. The primary potential area for direct adverse impacts arises from the requirement for households currently resident within the Site to be relocated outside of the Site in order to allow for the construction of the development in line with the existing planning consent. In the absence of council rehousing policies to enable affected residents to be able to stay in the local area this could give rise to a number of resulting adverse impacts such as disruption, unfamiliarity with a new area, difficulty maintaining access to local amenities, services and other social and cultural amenities. However, it is considered that the council's rehousing assistance and associated support and guidance enable these potential adverse impacts to be fully mitigated.
49. As outlined above, the land to be included in any CPO currently comprises blocks of 373 residential properties, of which 89 are presently occupied. It is considered that the adverse impacts on these households resulting from the scheme are mitigated as they would be rehoused through the council's regular rehousing processes by the time of implementation.
50. There are currently 23 households occupying a property on a secure tenancy. This tenants have priority rehousing status and the housing office are working with them to assist them with the rehousing process. Again it is considered that the adverse impact on these households resulting from the scheme are mitigated. They have been given priority status in bidding for alternative accommodation either within existing council stock or that of housing association partners. As this is a choice-based bidding system, tenants are able to exercise personal choice in the location of moves. This ensures the ability to remain within the local area should they wish to do so.
51. There are 11 leasehold interests remaining in the site. In line with Compulsory Purchase and Compensation guidelines set out by the Government, leaseholders receive market value for the purchase of their

property, plus a home loss payment of 10% for resident leaseholders, or 7.5% for non-resident leaseholders, as well as disturbance payment to cover the reasonable costs of moving, such as removals costs and fees. Even where purchasing properties by agreement, the council makes offers on this basis in recognition that this would be the basis for a purchase under a CPO.

52. While issues relating to the value of leasehold interests are not in themselves a consideration in promoting a CPO, it is acknowledged that there is a disparity in existing values on the estate and those in the surrounding areas which if unmitigated could present a barrier to resident leaseholders remaining in the area and continuing to access services, employment opportunities and community ties. The council has, therefore, put in place a range of rehousing options for resident leaseholders which, depending on the individuals' specific circumstances, can result in the offer of a council tenancy on a council-owned property, the purchase of a council property on either shared ownership (where rent is paid on the unowned portion) or shared equity (where no rent is paid on the unowned portion) terms, or the purchase of a housing association property on either shared ownership or shared equity terms. Such options provide the opportunity for existing residents to be able to choose to remain in the local area, should they wish to, and thereby mitigating any potential impacts on individuals' ability to continue to access local services and amenities resulting from the proposed CPO.
53. The council has sought to mitigate any disbenefits through a range of reasonable and proportionate measures focused on rehousing and compensation options, in order to realise the public benefits associated with the redevelopment. The council has given consideration to the potential disproportionate impacts that could potentially arise and has identified and implemented measures to mitigate such impacts as far as possible. It is therefore considered that there remains a compelling case in the public interest for the scheme to proceed and therefore for the council to promote a CPO for the site.

Equalities (including socio-economic) impact statement

54. Section 149 of the Equality Act 2010 lays out the Public Sector Equality Duty (PSED) which requires public bodies when taking decisions, to have due regard to the need to:
- a) Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
 - c) Foster good relations between those who share a relevant characteristic and those that do not share it.
55. The Council through a process of regular review has been considering the impact on all protected groups throughout the development of the Council's

proposals for all regeneration projects within the borough. This has led to the Council developing rehousing policies for leaseholders affected by regeneration proposals in the borough.

56. These have identified that the council has a range of measures in place to mitigate any potential impacts of regeneration proposals, including:
 - a) Rehousing policies through the Council which provide a range of local re-housing opportunities that enable residents to move locally (if they choose to do so) to a new home that meets the needs of their family and financial position.
 - b) A dedicated team of officers which supports both tenants and leaseholders through the rehousing process.
 - c) Providing support and guidance about a range of routes to all residents affected by regeneration but with particular focus on those that may be vulnerable or in need of additional support.
 - d) The development of new homes in the borough which will provide high quality homes to modern standards for residents in the borough to move to.

57. Therefore, the council considers that the potential impacts of the scheme are fully addressed through the operation of its rehousing policies and provision of dedicated support and guidance available through Council officers and local independent organisations that provide support and guidance to Aylesbury Estate residents.

58. Through the consultation process, the council has also sought to update its understanding of the makeup of individuals affected by the rehousing and process. The council will continue to monitor any resulting impacts. The council will also seek to update and expand upon this information throughout the ongoing process as it continues to discharge its public sector equality duty.

59. In addition, an Equality Health and Impact Assessment (EqIA) is being undertaken by the Council and completed by Mott McDonald to ensure the impacts of the re-development of the estate have been independently assessed.

60. It will identify differential or disproportionate effects, both positive and negative, on those with protected characteristics from the development proposals and sets out mitigation or enhancement measures that the council can put in place. It looks at these factors ahead of confirming decisions and policy. Relevant mitigation measures are identified and are embedded into the redevelopment programme.

61. The equalities impact assessment is being carried out in accordance with the Equality Act 2010 and the council's Public Sector Equality Duty and builds upon previous work already carried out by the Council.

62. The assessment will be shared with the consultants engaged to work on this programme to inform their resident engagement process alongside the council's.
63. The funding allocations proposed relate to the implementation of policies including leaseholder policy, local lettings policy and compulsory purchase activity for which separate Equality Health and Impact Assessments are completed.
64. The compulsory acquisition of land will interfere with Article 1 First Protocol Convention Rights. However Article 1 of the First Protocol allows such interference if it is in the public interest and in accordance with the law. The use of CPO powers as contemplated by this report is lawful in Article 1 terms provided that the Council strikes a fair balance between the public interest and the private rights of individuals which are protected by Article 1. It is also relevant that compensation is available to persons affected by compulsory acquisition in certain circumstances. It is considered that the compelling benefits of the Scheme in the public interest justify the interference with Article 1 rights in this case when weighed against the private rights of individuals.
65. As regards Article 6 Convention Rights, there are well established statutory procedures that will give all of those likely to be affected by a CPO the right to be notified and the opportunity to object. Any such objections may cause a public inquiry to be held where those objections can be heard. Compensation disputes can be referred for hearing by the Lands Chamber of the Upper Tribunal. For these reasons Article 6 is complied with.

Health impact statement

66. The health impacts of the policies that this funding relates to are addressed in the EqIAs referred to above.

Climate change implications

67. The redevelopment of the site will lead to the development of new homes which meet modern standards. The energy efficiency measures include:
- Thermally efficient, well insulated building fabric meeting the London Plan's 'Be Lean' target.
 - Communal Air Source Heat Pump, provides low CO2 emission heating and hot water source. With backup communal gas boiler providing for peak demand.
 - PV panels to provide on-site green electricity generation.
 - The risk of overheating is being minimised in anticipation of warm weather events.
 - Large sustainable urban drainage (SUDs) features such as a rainwater attenuation basin reduces pressure on mains drains.
 - The potential for existing site materials to be reused, and the potential to reduce embodied carbon emissions in new buildings is being

reviewed as part of the GLA's Circular Economy and Whole Life Carbon assessment requirements.

- A net increase in the site's biodiversity is being targeted as part of the GLA's sustainability.

68. In accordance with GLA guidance, the planning application assesses the carbon impact of demolishing the existing buildings on the site taking into account the level of building materials that can be recycled.

Resource implications

69. The acquisition process continues to be met within existing resources within the council, supplemented with external professional advice as required. This was set out in the report to Cabinet in January 2022 which approved the budget for acquisitions. This includes compensation payable to those affected by compulsory purchase, which is paid whether their property is acquired by agreement prior to the making of an order, or as a result of the order.

Legal implications

70. The report recommends that a compulsory purchase order is made under Section 226(1)(a) of the 1990 Act. The report of the Director of Law and Governance below sets out further detail of the legal implications of that recommendation.

Financial implications

71. A budget has been approved as part of the council's Housing Investment Programme for the costs of acquiring properties in the CPO area, including any legal proceedings and the use of professional advisors and consultants.

Consultation

72. Consultation is ongoing with all affected leaseholders and tenants. In addition discussions have taken place with the wider estate TRAs and the RSG.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

73. The purpose of this report is to recommend that the Council makes, and subject to confirmation, implements, a compulsory purchase order under section 226(1)(a) of the Town and Country Planning Act 1990.
74. Section 226(1)(a) of the 1990 Act gives local authorities the power to compulsorily acquire land in their area 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. The use of the power is limited by s226(1A) which provides that a local authority must not exercise the power unless they think that the development, redevelopment or improvement is likely to contribute to

the achievement of any one or more of three objects, namely the promotion or improvement of the economic, social or environmental well-being of their area.

75. Paragraph 29 sets out a summary of the economic, social and environmental well-being benefits the implementation of the scheme will bring to the area.
76. Appendix 2 provides further detail on the legal powers available to the Council in connection with the use of its CPO powers and the curbs on the use of those powers, further detail on the Human Rights and Equalities implications of the use of those powers, and detail of the CPO process, including the entitlement of affected parties to compensation.

Strategic Director of Finance and Governance (H&M 22/014)

77. The Strategic Director of Finance and Governance notes the current position in relation to the delivery of new homes at Phase 2B of the Aylesbury Estate regeneration programme and the recommendation to make a Compulsory Purchase Order to help secure the continuing redevelopment of the Aylesbury Estate as outlined in this report. As outlined in the financial implications section of this report, the estimated costs associated with the acquisition of properties in the CPO area are expected to be contained within the approved budget that exists for this scheme.

BACKGROUND DOCUMENTS

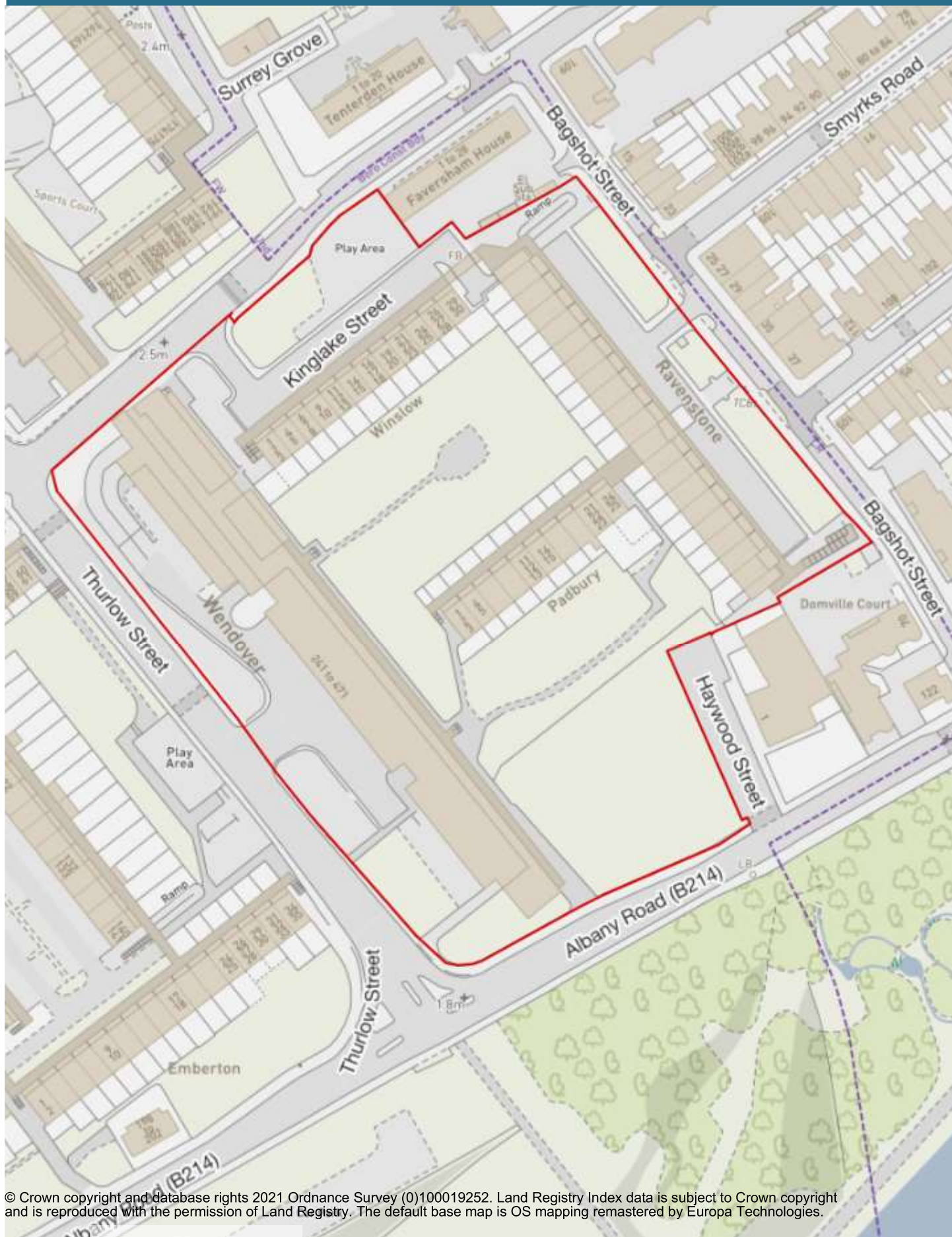
Background Papers	Held At	Contact
Aylesbury cabinet report January 2022	160 Tooley Street London SE1 2QH	Paula Thornton 020 7525 4395
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/documents/s104415/Report%20Future%20of%20Aylesbury%20Estate.pdf		

APPENDICES

No.	Title
Appendix 1	Site plan of Aylesbury Phase 2B
Appendix 2	Procedural and Legal Matters

AUDIT TRAIL

Cabinet Member	Councillor Darren Merrill, Council Housing and Homelessness	
Lead Officer	Michael Scorer, Strategic Director of Housing and Modernisation	
Report Author	Neil Kirby, Head of Regeneration South	
Version	Final	
Dated	1 June 2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	1 June 2022	



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APPENDIX TWO**Aylesbury Estate Phase 2B Compulsory Purchase Order
Procedural and Legal matters****Acquisition of Leasehold Interests**

1. The Council holds the freehold interest of all the land within the area shown edged red on the Plan at Appendix One. The site contains blocks of flats known as Padbury, Ravenstone, 241-471 Wendover and Winslow.
2. The Housing Act 1985 gives qualifying Council tenants the right to buy their homes. A number of residents within these blocks have purchased their homes under these provisions.
3. The Council can only repurchase these leases in the following circumstances:
 - where there is agreement with the leaseholder; *or*
 - following a confirmed compulsory purchase order.
4. The statutory compensation code provides that a leaseholder is entitled to the following compensation following a compulsory acquisition:
 - the market value of the interest acquired;
 - a home loss payment; this is 10% of the market value where the leaseholder lives at the property or 7½% of the market value where the leaseholder lives elsewhere; and
 - a disturbance payment to cover the leaseholder's reasonable costs arising as a direct and natural result of the compulsory acquisition, this might include removal costs, legal fees, surveyors fees and adaptation expenses.
5. Where an acquisition takes place by agreement ahead of the exercise of compulsory purchase powers the leaseholder is treated in the same way and with the same entitlement as would be the case if a compulsory purchase order had been made.

Outline of Compulsory Purchase Procedure*Resolution*

6. The Cabinet passes a resolution to make an Order. This is the purpose of this report.

Referencing

7. The Council assembles information that provides details of all owners, mortgagees, tenants and occupiers. This is to both identify what interests need to be acquired and who is entitled to receive a notification of the publication of the Order. This stage will enable the precise details of the Order areas to be determined. The boundaries shown edged red on the plan at Appendix One may need subtle amendment in the light of this and it is recommended that the Director of Planning and Growth, in consultation with

APPENDIX TWO

Aylesbury Estate Phase 2B Compulsory Purchase Order Procedural and Legal matters

the Director of Housing be given delegated authority to make minor adjustments to the order extents.

Resolving planning and finance

8. In considering an Order the confirming Minister needs to be confident that the proposals behind it are likely to come to fruition. In this connection s/he will need to be satisfied that there are no significant planning or financial obstacles that will frustrate it.

Making the Order

9. The Council makes the Order, to a prescribed format. A schedule accompanies the Order identifying ownership details of all land within it. A Statement of Reasons must also be prepared to accompany the Order. This is a critical document that may be challenged by objectors and therefore needs careful drafting.

Publication of the Order

10. The Council serves notice of making of the Order on all owners, mortgagees, tenants and occupiers affected by it. A notice of the making of the Order has to be published for two successive weeks in a local newspaper.
11. The notices will advise objections to it can be made to the relevant Government Minister and specify an address for this purpose. The Order is then passed to the Government Minister for confirmation.

Confirmation of the Order

12. The Order does not become effective unless confirmed by the Minister. Where there are objections to the Order they must be considered before confirmation. This is usually done by way of a public inquiry (which can take days or weeks) but can sometimes be dealt with by written representations.
13. After considering the objections [if there has been a public inquiry there will be an Inspector's Report] the Minister may confirm all or part, modify or reject the Order. If it is rejected that is the end of the process and the Council will need to revisit its plans.
14. Following confirmation of the Order or if applicable, modification, a notice advising of this must be published in the local newspaper and all leaseholders, tenants and occupiers should also have a notice served on them. A confirmed Order should be implemented within three years to retain its validity.

Taking Possession

15. This can be achieved by either Notice to Treat/Notice of Entry or by using General Vesting Declaration procedure. The latter is usually considered the most appropriate as it transfers both the right to possession and title of the land to the Council.

APPENDIX TWO

**Aylesbury Estate Phase 2B Compulsory Purchase Order
Procedural and Legal matters**

Power to make a Compulsory Purchase Order

16. Section 226 of the Town and Country Planning Act 1990 is the recommended enabling provision in this instance for the purpose of compulsorily acquiring the interests required to progress the implementation of the redevelopment of the site. The detailed application and use of this power is set out in paragraphs 17 - 25 below.

Legal Implications

17. Section 226(1)(a) of the Town and Country Planning Act 1990 (the Act) (as amended by section 99 of the Planning and Compulsory Purchase Act 2004) is the appropriate power in this instance to secure the compulsory acquisition of properties within this phase of the Aylesbury Estate redevelopment. Section 226(1)(a) enables authorities to exercise their compulsory purchase powers if they think that the land in question will:

"Facilitate the carrying out of development, redevelopment, or improvement on, or in relation to, the land being acquired and it is not certain that they will be able to acquire it by agreement."

18. The Council, in exercising its power under this Section must have regard to section 226(1A) which states:

"(1A) But a local authority must not exercise the power under paragraph (a) of subsection (1) unless they think that the development, re-development or improvement is 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."

19. It is considered that the use of this section is therefore most appropriate having regard to the Council's aspirations for the estate as a whole. The interests to be acquired by the Order are required in order to permit the redevelopment of the area to take place. The proposal also satisfies the "well being" element of the Act in that the redevelopment of this phase is clearly required in order to provide a better standard of accommodation for residents compared to its current state and to create a sustainable and diverse community, and the provision of new facilities which are able to meet the needs of the area. The new buildings will be constructed to higher environmental standards than can be achieved by refurbishing the existing

APPENDIX TWO

**Aylesbury Estate Phase 2B Compulsory Purchase Order
Procedural and Legal matters**

buildings. Thus the proposals will inevitably assist in promoting the social economic and environmental well being of the area.

20. Government Guidance on the use of CPO powers (Compulsory Purchase and the Crichel Down Rules – July 2019 –“the Guidance”) sets out the circumstances in which this power may be relied on by a local authority for the purposes of compulsorily acquiring land. It recognises that compulsory purchase powers under the Act provide an "important tool" to local authorities in assisting them to acquire and assemble land where it is necessary to help deliver social, environmental and economic change.
21. The Guidance acknowledges that CPO powers are intended as a last resort to secure land assembly for the implementation of projects, but that time may be lost if an authority waits for negotiations to break down before starting the process. Authorities may therefore plan a compulsory purchase timetable as a contingency measure and initiate formal procedures. This will also help to make the seriousness of the authority’s intentions clear from the outset, which might encourage more meaningful negotiations.
22. For the purposes of confirming a compulsory purchase order, the Guidance identifies considerations which will be taken into account by the Secretary of State in making such a decision.
23. In particular, if an acquiring authority does not have a clear idea of how it intends to use the land which it is proposing to acquire, and cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale, it will be difficult to show conclusively that the compulsory acquisition of the land included in the order is justified in the public interest, at any rate at the time of its making.
24. The Guidance also makes clear that compulsory purchase of land needs to be set within a clear strategic framework. The planning framework providing the justification for an order should be as detailed as possible and where development plan documents have been through the consultation processes but have not yet been examined or are awaiting the recommendations of the planning inspector, this will be given due weight.
25. However the Guidance recognises that it may not always be possible to wait until planning permission has been obtained.
26. As is already set out in this report, officers will continue to seek to negotiate the acquisition of interests by agreement rather than relying solely on the compulsory acquisition powers available. Section 120 of the Local Government Act 1972 contains wide powers for local authorities to acquire land by agreement for any of their statutory functions or for *‘the benefit, improvement or development of their area’*. Section 227 of the Town and Country Planning Act 1990 also enables a council to acquire land by agreement for facilitating the carrying out of development, redevelopment of improvement and for the social economic and environmental well being of the area. It is considered therefore that there are adequate powers available to the Council to secure outstanding interests in the land by Agreement.

APPENDIX TWO**Aylesbury Estate Phase 2B Compulsory Purchase Order
Procedural and Legal matters**

27. The initial stage of the compulsory purchase process will be to ensure that the Council correctly identifies all necessary interests in the Order land that need to be incorporated within the schedule of the Order. As the Council is the freeholder much of this information should be readily available. Nonetheless it is advised that formal requisitions for information should be served on all known owners, mortgagees and occupiers of each property to be subject to the Order pursuant to Section 5A of the Acquisition of Land Act 1980. It is important that the Council takes all reasonable steps to ensure that all interests are properly captured in the Order and are properly notified, the requisition for information is a means of ensuring the Council fulfils this.
28. In the event that the Order is confirmed, the next stage will be to vest all necessary title in the Council. In these circumstances as has already been mentioned, the best means of doing so will be way of the General Vesting Declaration Procedure. This is something that can be carried out by the Council's legal advisors as and when this stage is achieved.

Human Rights Considerations

29. The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights ("the Convention").
30. In proposing the Order the Council has duly considered the rights of property owners under the Convention, notably under the following Articles: *Article 1 of the First Protocol*. This protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the relevant national and international law.
31. The Council has also considered the rights contained within Article 8 of the convention, which protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in the interest of national security, public safety or the economic well being of the country.
32. In relation to these Convention rights the Council has been conscious of the need to strike a balance between the rights of the individual and the interest of the public. In light of the significant public benefit that would arise from the redevelopment of the Aylesbury Estate and the wider area it will be appropriate to make the Order, if the relevant leaseholder interests cannot be acquired by agreement. Objections can be made against the Order that will then have to be considered by the Secretary of State before he decides whether or not to confirm the Order.

Community Impact Statement

33. The effect of the negotiated acquisition or compulsory purchase order will be to dispossess persons of their rights in land. This is a necessary process to ensure the redevelopment of the Aylesbury Estate can proceed. This is considered acceptable where the proposals are in the public interest and where, as in this case, the advantages of redevelopment substantially outweigh the disadvantages to those dispossessed.

APPENDIX TWO**Aylesbury Estate Phase 2B Compulsory Purchase Order
Procedural and Legal matters**

34. The redevelopment of the Aylesbury Estate is considered to have benefits to the immediate community but also the Borough as a whole in that it will act as a catalyst to further investment. It is therefore necessary to balance the benefits that could be provided by the proposed scheme against the possible impact to those with an interest in the affected land. In carrying out this exercise a degree of proportionality should therefore be adopted. The Human Rights of these individuals have accordingly been considered and commented upon in this report.
35. The furtherance of the redevelopment will not negate the Council's Diversity and Equal Opportunities policies. Indeed in the long term it is anticipated the diversity of the area will be widened.
36. Section 149 of the Equality Act 2010 requires the Council to have due regard to the need to:
 - a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this 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.
37. The Council must, in order to comply with this Public Sector Equality Duty, take steps to ensure that it considers equalities issues throughout the compulsory purchase process and has due regard to its duties under the Equality Act.

Consultation

38. There has been extensive consultation with Aylesbury Estate residents [including tenants and leaseholders] at all stages of the development. Consultation will continue as the development proceeds.

Item No. 10.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Council Tax Rebate 2022	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Stephanie Cryan, Finance, Democracy and Digital	

FOREWORD – COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR FINANCE, DEMOCRACY AND DIGITAL

The Cost of Living crisis, following a decade of austerity and the impacts of the COVID pandemic and Brexit means that many of our residents are struggling to make ends meet. More and more we see people having to rely on foodbanks and making the awful decision to “eat or heat”, a choice that no one should be forced to make. As a council we have and continue to provide help and support to those who need it the most but to truly tackle the Cost of Living crisis it is clear that the Government needs to step up with a series of measures and help alleviate the impact of the crisis.

The Government has announced a council tax rebate scheme and has asked Councils to distribute this rebate to help households meet the cost of living crisis. This report sets out how the Council plans to do so.

The Council is happy to provide as much support as it can to Southwark households to help them meet the cost of living crisis. We are pleased that the Government has finally recognised the inadequacy of its initial response and the Council welcomes the Chancellor’s announcement of much greater support for households on 26th May. However, we also recognise the limitations of that new support. For our lowest-income households, it will do no more than restoring the cut to Universal Credit imposed by the Government in the autumn of last year.

Even after the latest package of Government measures, our lowest income households will still be much worse off than they were a year ago - and many face a real struggle this winter to heat their homes.

The Council Tax Rebate scheme is flawed in many respects. Questions such as how the Council can identify and pay rebates to the tens of thousands of households who do not pay their council tax by direct debit have not been fully thought through by the Government. The scheme will do nothing to help those households who rent privately where the council tax account is registered to the landlord, especially those who live in HMO’s or rent a room. We will actively

seek out these households to ensure they get the support they are entitled to working with our community partners as we do so.

There is a real risk that many households will miss out and the we will continue to lobby the Government for changes while doing our very best to pay rebates to eligible households quickly and to make the best use of all the Government grant funding.

Despite our reservations and the need to introduce more measures of support, more than fifty percent of eligible households have already received their rebate and we believe that Southwark was among the first councils in the country to start making payments. Tens of thousands of residents received their rebates in the second week of April.

Inspired by our Fairer Future values and in line with our manifesto commitments, we will provide the most support to the most vulnerable households on the lowest incomes. These include the lowest income pensioners and the lowest income families with children receiving free school meals. To further support this effort, the Council will top up the Government grant adding another thirty percent to the discretionary part of the scheme, stepping up to help those in need who have been failed by the Government.

RECOMMENDATIONS

1. That cabinet approves the allocation of the Government's Council Tax Rebate grant.
2. That cabinet delegates to the Strategic Director for Finance and Governance the responsibility to make future amendments to the application of the Council Tax Rebate policy following further review and consultation with the cabinet member for Finance, Democracy and Digital, and the deputy cabinet member for Financial Support.

BACKGROUND INFORMATION

3. This report outlines the council's implementation of the Government's Council Tax Rebate grant and is effective from the 1 April 2022.
4. On the 3 February 2022 the Government announced a £9.1billion support package called the Energy Bills Rebate to help households with rising energy bills.
5. This support includes:
 - £200 discount on energy bills for domestic electricity customers;
 - A £150 non-repayable rebate for households in England in council tax bands A – D, known as the Council Tax Rebate; and
 - £144 million of discretionary funding for billing authorities to support households who are in need but are not eligible for the Council Tax Rebate, known as the Discretionary Fund.

6. Southwark Council's Council Tax Rebate funding allocation including the Discretionary Fund is £17.4m. This report outlines how the council will implement the required £150 payment to eligible households and distribute the additional discretionary funding.

KEY ISSUES FOR CONSIDERATION

Policy framework implications

7. The objective of the Council Tax Rebate is to support households with the rising cost of bills in 2022-23 driven by increasing energy bills. These costs affect most households but are more likely to disproportionately affect those on lower incomes.
8. The Government has provided framework guidance on how Council Tax Rebate schemes are administered for the £150 rebate for eligible households (the 'main scheme') and the additional discretionary funding to support households who are in need but may not qualify for the main scheme.

Main Scheme

Eligibility

9. The Government expects billing authorities to provide a £150 one-off payment to a liable council tax payer (or an occupant where the property is exempt) where they occupy a property that meets all of the following criteria on the 1 April 2022:
 - It is valued in council tax bands A to D. This includes property that is valued in band E but has an alternative valuation band of band D, as a result of the disabled band reduction scheme;
 - It is someone's sole or main residence;
 - It is a chargeable dwelling, or in exemption classes N, S, U or W.
10. This means that:
 - Where the council is aware that the liable council tax payer for a chargeable dwelling does not occupy the property (for example in a House in Multiple Occupation or residential care home), no-one will be eligible for the rebate in relation to that property.
 - Where a property is in exemption classes N (other than HMOs for council tax purposes), S, U or W the occupant will be eligible for support.
 - A property that meets all the criteria, but has a nil council tax liability as a result of local council tax support, will be eligible.
 - A property that has no permanent resident and is someone's second home will not be eligible.
 - An unoccupied property (for the purposes of calculating council tax) will not be eligible.

11. Eligibility is determined based on the position at the end of the day on 1 April 2022. Where records relating to the liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 are retrospectively updated, councils are expected to take reasonable steps to pay or clawback payments.

Making payments

12. Payments are made directly from the council to eligible households. Only one £150 payment should be made under the core Council Tax Rebate per household, regardless of the number of occupants or liable parties.

13. There will be four methods of payments:

- 1) Automated payments where a live Direct Debit instruction is held:
 - a. An automatic payment will be made as early as possible in the 2022-23 financial year.
 - b. Where multiple residents of an eligible household are jointly and severally liable for council tax, and the council holds a live direct debit instruction for that household, the full £150 payment will be made to the Direct Debit account.
 - c. Where the name on the bank details does not match a liable party payment will be excluded from automated payments.
- 2) Application where a live Direct Debit instruction is not held
 - a. An online application process will be available for eligible households which are not in receipt of Council Tax Reduction (CTR).
 - b. The application will request bank details for the bank account the payment is requested to be paid into and will be verified.
- 3) Post Office Payout voucher for households receiving Council Tax Reduction
 - a. Households that receive support towards their council tax bills through CTR, including those that receive 100% support, and who do not pay by Direct Debit, will receive payment by Post Office Payout voucher.
 - b. There will be no application process, vouchers will be issued automatically to eligible households.
- 4) Credit to council tax accounts
 - a. Any eligible household that does not apply for a payment or does not redeem their Post Office Payout voucher will have £150 credited to their council tax account.
 - b. This option is only available to eligible households that do not claim their payment.

14. All payments must be made by the 30 September 2022.

The Discretionary Fund

15. The Government has provided additional funding to local authorities to provide support to residents who are not eligible under the terms of the core scheme, or to provide carefully targeted 'top-up' payments to the most vulnerable households in bands A – D.
16. Individual local authority calculations are based on a formula taking account of the number of CTR recipients in higher banded properties (E-H) in the local authority area and the locality's share under the latest Index of Multiple Deprivation.
17. Government guidance says that councils may determine locally how best to make use of this funding to support those suffering financial hardship as a result of the rising cost of living, and discretionary support does not have to be provided in relation to the position on 1 April 2022.
18. Allocations from the Discretionary Fund should be spent by 30 November 2022.
19. The council recognises that the major pressure on the budgets of all households during the period will be higher energy prices. The council also recognises that those on lowest incomes will find it most difficult to absorb those costs within their household budgets and will need most additional support to meet their most basic, essential, living costs during the period.
20. The council will use its allocation from the Government's Discretionary Fund to contribute to the costs of a new Southwark Council Cost of Living Fund (SCCOLF) this year (June – November 2022) and target support at three main groups:
 - Households who are not liable for council tax in homes banded A-D and ineligible for a rebate;
 - Low income households liable for council tax in homes banded E-H and ineligible for a rebate under the main scheme will receive a rebate *and* extra support.
 - Low income households liable for council tax in homes banded A-D and eligible for a rebate under the main scheme will receive extra support.
21. Appendix 1 outlines expected level of support. All those receiving discretionary rebate may expect to receive at least £150. Those on lowest incomes will receive more than £150, the exact value of additional amounts are to still be determined but are expected in the range £75 to £150 per household.
22. The council expects to provide awards and extra support through SCCOLF to about twenty-five thousand households.

23. The council will identify eligible households from Council Tax and other records and does not expect that households will need to apply for discretionary support through SCCOLF. Alternatively, households may receive a Discretionary Fund award following a referral by a community partner through the Southwark Community Support Alliance.
24. All Discretionary Fund payments will be made via Post Office Payout. An award letter with a unique barcode will be sent to eligible households address by first class post. This must be taken to a Post Office branch in order to claim and collect the award.
25. Eligible households may take the award letter and proof of ID to any Post Office to claim their rebate payment. A payment will be made only where the Post Office is satisfied with the evidence provided.

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

26. The design of the Council Tax Rebate policy is to have a positive impact on the most vulnerable groups in the community.
27. Higher costs of living have a disproportionate impact on lowest income and vulnerable households. With the change in the energy price cap those with the lowest income are on the least competitive tariffs. By providing direct payments and putting money into the pockets of residents this enables those households to prioritise the most urgent bills.
28. Whilst council tax data administration does not require the recording of protected characteristics under the Equality Act 2010 it is not anticipated that the support eligibility criteria disadvantages any individual.
29. The impact of COVID-19 and rising cost of living has had a disproportionate impact on low income households and especially on vulnerable groups, widening health inequalities.
30. Supporting vulnerable low-income households should have a positive impact on the health and wellbeing of Southwark residents. Much of excess winter mortality can be attributed to cold temperatures, and a significant proportion can be attributed to cold housing caused by fuel poverty. Cold homes can exacerbate pre-existing health conditions including cardiovascular, respiratory conditions and diabetes; low room temperatures are shown to contribute to mental health issues such as anxiety and depression in adults and young people.
31. There is a social gradient in fuel poverty with lower income households more likely to be at risk of fuel poverty than high income households. A grant approach promotes dignity in the administration of the Council Tax Rebate funding. Ensuring the awards reach residents swiftly is a primary concern.
32. Extra support will be available for any award recipients identified to have

mental or physical health conditions preventing them from accessing the funding via the usual collection method.

Climate change implications

33. As set out in council's Climate Change Strategy, climate change and inequalities are linked. The climate emergency is a social justice issue and the council's climate change policy aims to reduce inequality. The Council Tax Rebate scheme does this by providing support to those that can least afford the increase in utility bills and the impact of the changing climate.

Resource implications

34. The administration of payments will be absorbed within the existing Exchequer Services provision. The situation will be closely monitored and regularly reviewed to allow the policy to be flexible and adaptable to changes in demand.

Legal implications

35. Local authorities are required to prepare monthly monitoring related information, as well as a standalone reconciliation exercise in autumn 2022 providing details of eligible expenditure and certified by the authority's Section 151 officer.
36. Where fraud or error is identified, the council is expected to make reasonable efforts to recover the money. Where the council considers it appropriate to write off any debts as a result of fraud or error full details and reasoning to satisfy audit and assurance will be held on each case.

Financial implications

37. The cost of the Council Tax Rebate scheme is met by Government, paid via a section 31 grant under the Local Government Act 2003 and is payable for the costs incurred for the period 1 April 2022 – 30 September 2022.
38. The Government has allocated the council a Council Tax Rebate budget of £17,367,300 which was received on the 30 March 2022. This funding is made up of:
- Main scheme: £15,838,200
 - Discretionary Fund: £1,529,100
39. DLUHC will request monitoring related information on the scheme from early May 2022 on a monthly basis via the DELTA platform.
40. The funding for the main scheme must be spent by the 30 September 2022 and 30 November 2022 for the Discretionary Fund. Neither funding

can be carried forward for future use.

41. The grant allocation does not include administration costs. A separate new burdens funding has been provided to cover costs incurred administering the scheme. An initial funding budget of £176,376 has been received with an additional assessment being undertaken.

Consultation

42. There is no legal requirement for public consultation for intended use of the Council Tax Rebate funding and is a Government mandated scheme. Final grant determinations and guidance was not published until the 16 March 2022 so the strict timescales for delivery has left limited time for a full consultation.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

43. As stated, the objective of the Council Tax Rebate is to support households with the rising cost of bills in 2022-23 driven by increasing energy bills. These costs affect most households but are more likely to disproportionately affect those on lower incomes. This is lawful under section 1 of The Localism Act 2011.
44. The Government has provided framework guidance on how Council Tax Rebate schemes are administrated for to support households who are in need but may not qualify for the main scheme.

Strategic Director of Finance and Governance (F&G22/001)

45. The Strategic Director for Finance and Governance notes that this report seeks approval for the Council Tax Rebate grant policy and delegates responsibility to make future amendments to the application of the grant policy following consultation with the Cabinet Member.
46. The policy is in accordance with government guidance on how to administer the £150 rebate for eligible households (the 'main scheme') and the additional discretionary funding to support households who are in need but may not qualify for the main scheme.
47. The full cost of the Council Tax Rebate policy will be funded by Government grant. It is noted that a separate new burdens funding has been provided to cover costs incurred administering the scheme.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Support for energy bills – the council tax rebate 2022-23: billing authority guidance	Link (please copy and paste into browser): https://www.gov.uk/government/publications/the-council-tax-rebate-2022-23-billing-authority-guidance/support-for-energy-bills-the-council-tax-rebate-2022-23-billing-authority-guidance	

APPENDICES

No.	Title
Appendix 1	Table showing households eligible for Council Tax Rebates or discretionary support
Appendix 2	Council Tax Rebate policy

AUDIT TRAIL

Cabinet Member	Councillor Stephanie Cryan, Finance, Democracy and Digital	
Lead Officer	Dominic Cain, Director Exchequer Services	
Report Author	Eugene Nixon, Head of Strategy and Compliance, Exchequer Services	
Version	Final	
Dated	30 May 2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	30 May 2022	

APPENDIX 1

Table demonstrating which households will be eligible for Council Tax Rebates or other discretionary support with energy bills through the *Southwark Council Cost of Living Fund* (SCCOLF) between April 2022 and September 2022.

	CTAX Rebate award	SCCOLF	Total award value £ (estimate)	Recipients (estimate)
Households living in properties banded A-D for Council Tax and liable for Council Tax at that address on 1 April 2022 - Not vulnerable and - Not receiving CTR	£150	-	£150	75,000
Households living in properties banded A-D for Council Tax and liable for Council Tax at that address on 1 April 2022 - Vulnerable or - Receiving CTR	£150	Up to £150	£200 - £300	22,000
Households living in properties banded E-H for Council Tax and liable for Council Tax at that address on 1 April 2022 - Vulnerable or - Receiving CTR	£150	-	£150	2,300

	CTAX Rebate award	SCCOLF	Total award value £ (estimate)	Recipients (estimate)
Households living in properties banded A-D for Council Tax. Not liable for Council Tax at that address but responsible for energy bills <ul style="list-style-type: none"> - Not vulnerable or - Not receiving CTR 	£150	-	£150	2,000
Households living in properties banded A-D for Council Tax. Not liable for Council Tax at that address but responsible for energy bills. <ul style="list-style-type: none"> - Vulnerable and - Low income 	£150	Up to £150	£200 - £300	500

Southwark Council

Council Tax Rebate

Policy

Part 1 – Council Tax Rebate main scheme

**Part 2 – The Discretionary Scheme (Southwark
Council Cost of Living Fund 2022)**

Part 1 – Council Tax Rebate main scheme

1. Introduction

- 1.1. This part of the policy relates to the award of grants under the main Council Tax Rebate scheme and is effective from the 1 April 2022 to 30 September 2022.
- 1.2. On the 3 February 2022 the government announced a £9.1 billion support package called the Energy Bills Rebate to help households with rising energy bills in the first half of this year (2022/23). This support package includes a one off payment of £150 for households in England living in properties in Council Tax bands A – D, known as the *Council Tax Rebate*. Depending on how they pay Council Tax, some households will receive a payment automatically while others may have to apply (see part 3). This means that some households will receive their rebate more quickly than others but the Council expects that the great majority of eligible households will have received a rebate by June 2022 and that almost all those households who need to apply will have been invited to do so.
- 1.3. The objective of the Council Tax Rebate is to support households with the rising cost of living in 2022 driven by increasing energy bills. These costs affect most households but are more likely to disproportionately affect those on lower incomes. Government policy uses living in a property in a lower Council Tax band as a very rough proxy for lower income.
- 1.4. The scheme and its approaches to delivery and targeting low income households are novel and without precedent. The government has written to Councils confirming that rebate payments should be classed as “Local Welfare provision”.
- 1.5. The costs of Council Tax Rebate grants to eligible households will be met in full by the government. All funding paid to the council for the Council Tax Rebate will be passed on directly as one-off £150 grants to households that are eligible under the terms set out in this policy. All Council Tax Rebate grants will be paid as soon as possible from April 2022.
- 1.6. Later in 2022, the government will run a reconciliation exercise against actual council expenditure, as certified by the council’s Strategic Director for Finance & Governance (the chief finance officer). All payments within scope of the reconciliation process will need to have been made by 30 September 2022. Any over-funding of grant to the council will be required to be paid back to government and any under-funding will be settled with the council following the reconciliation.

1.7. The government has recognised that the implementation of this policy will place an additional administrative burden on the council. In accordance with the New Burdens doctrine, the government has conducted an assessment of the expected reasonable additional costs associated with the implementation of the policy and made a down payment of costs to the council.

2. Qualifying criteria for Council Tax Rebate

2.1. The council will provide a one-off £150 payment to a liable Council Tax payer where they occupy a property which meets all of the following criteria as at the 1 April 2022, subject to the conditions listed below being met:

2.2.1 The property is valued in Council Tax bands A to D. This includes property that is valued in band E but has an alternative valuation band of band D, as a result of the disabled band reduction scheme;

2.2.2 The property is someone's sole or main residence; and

2.2.3 It is a chargeable dwelling, or in exemption class N, S, U or W.

2.3 If the property that meets the criteria above but has a zero Council Tax bill the occupant will be eligible. For example, where the Council Tax bill is zero due to 100% Council Tax Reduction, or a student exemption.

2.4 Households that are not eligible include:

2.4.1 A property that has no permanent resident and is someone's second home;

2.4.2 An unoccupied property; and

2.4.3 Where the council is aware that the liable Council Tax payer for a chargeable dwelling does not occupy the property (for example in a House in Multiple Occupation or residential care home).

2.5 Eligibility is determined based on the position at the end of the day on 1 April 2022. Where the council has reason to believe that the information held about the valuation list, liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 is inaccurate, it will withhold the payment and take reasonable steps to determine the correct information.

2.6 Where records relating to the liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 are retrospectively updated, the council will take reasonable steps to pay or clawback payments.

2.7 Where the property band recorded on a valuation list is amended retrospectively to 1 April 2022, for example as a result of a successful appeal made to the Valuation Office Agency ('VOA') that concluded after this date, the council *is not* required to pay or clawback payments. The exception is where a property is a new build and awaiting an official banding from the VOA.

In these cases, eligibility will be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1 April 2022.

3. Payment Methods

3.1. Government guidance encourages Councils to establish a range of payment options for Council Tax Rebates through both the main scheme and the discretionary scheme (see Part 2) to provide support to eligible households in different circumstances. All payment options used for the rebate will enable the Council to:

- 3.1.1. Be satisfied that the person receiving the money is entitled to payment;
- 3.1.2. Keep an audit trail of the payments redeemed, when and by whom;
- 3.1.3. Prevent payments being redeemed after 30 September 2022; and
- 3.1.4. Be satisfied that the payment method selected is appropriate value for money when compared with other alternatives and adequately secure against fraud.

4. Payment of the Rebate (1) Households paying Council Tax by Direct Debit

4.1. Where the council holds a live Direct Debit Instruction for a liable Council Tax payer of an eligible household, the household will not normally need to apply. We will make an automatic payment as early as possible in the 2022 financial year, provided we are assured that the household is eligible and the bank details have been verified. The council expects to pay rebates to the vast majority of households eligible for an automatic payment by the end of April 2022.

4.2. Where multiple residents of an eligible household are jointly and severally liable for Council Tax, and the council holds a live Direct Debit Instruction for that household, the full £150 payment will be made to the Direct Debit account. We will make only one payment per property.

4.3. The council will exclude any households paying Council Tax by Direct Debit from automatic payment where the name on the bank details does not match the name of a liable party for Council Tax. In these cases the council will contact the liable party and invite them to apply. The council will exercise particular caution where Direct Debit details have been changed or newly provided since the scheme was announced on 3 February 2022.

5. Payment of the Rebate (2) Households in receipt of Council Tax Reduction

- 5.1. Households in receipt of Council Tax Reduction (CTR) on the 1 April 2022 and meeting the eligibility criteria, but not paying their Council Tax bill by Direct Debit, will receive payment by a Post Office Payout voucher.
- 5.2. Lowest income households are less likely to have a bank account, smartphone, other digital device, or digital skills. The Post Office Payout service is designed to meet the needs of lowest income households by offering a simple and secure method of payment. Post Office Payout is an existing council supplier and was used to provide grants through the Southwark Energy Support Fund last winter.
- 5.3. Households in receipt of CTR do not need to pass through the application route below (see part 6) because their ID and other information about the household will already have been checked and verified by the council and or the Department for Work and Pensions when they applied for CTR. Additionally, Post Office Payout does not require the recipient to have a bank account.
- 5.4. An award letter with a unique barcode will be sent to eligible households address by first class post. This must be taken to a Post Office branch in order to claim and collect the rebate.
- 5.5. Eligible households may take the award letter and proof of ID to any Post Office to claim their rebate payment. A payment will be made only where the Post Office is satisfied with the evidence provided.
- 5.6. Some residents will be unable to access a Post Office due to lack of mobility. They may ask a family member or friend to collect their payment by taking the award letter and ID of the person who is eligible to the Post Office. If an eligible resident is unable to arrange third party collection themselves, then the Southwark Community Hub can arrange collection.
- 5.7. Each award letter can only be used once. The letters have a one month validity period and cannot be used after the expiry date.
- 5.8. The award letter will confirm the value of the award and instructions on how to redeem it at the Post Office.
- 5.9. The council expects that award letters will sent in batches between May 2022 and July 2022. The latest expiry date will be in August 2022.

6. Payment of the rebate (3) All other households

- 6.1. Where the council does not hold live a Direct Debit Instruction for an eligible household, or where the household receives CTR, it will make all reasonable

efforts to contact the household as early as possible to make them aware of the scheme and invite them to make a claim through the application route.

- 6.2. The eligible household will receive an invitation to apply by email where the council holds a valid email address, or by letter sent by post.
- 6.3. Eligible households who need to apply will be invited to do so. The council expects to invite all eligible households to apply between the end of April 2022 and early July 2022 but this timetable is subject to change.
- 6.4. The volume of applications to be handled is exceptionally large and to ensure that the process is managed in an orderly fashion and avoid a risk of services being overwhelmed or long delays for applicants, the council will invite households to apply in order of postcode. This will be done numerically, starting with postcode district SE1 0## and with new batches of invitations sent to residents weekly throughout the period.
- 6.5. The invitation will include an explanation of how recipients can apply for their rebate. We expect that most residents will apply for a rebate online but those residents who cannot apply online will be offered an alternative option.
- 6.6. Applicants will be asked to provide the details of the bank account into which the award is to be paid. This must be the applicant's own bank account. Applicants are asked to self-certify that they are liable for Council Tax at the property, that they meet the eligibility criteria, and are claiming on behalf of the household.

7. Prepayment checks and fraud

- 7.1. All applications received will be subject to pre-payment checks so the council may satisfy itself that the person who is applying is entitled to payment and that the payment details provided belong to an entitled person and relate to the relevant address.
- 7.2. An applicant who provides false information or makes false representation in order to benefit from the Council Tax Rebate or Discretionary Fund may be guilty of fraud under the Fraud Act 2006.
- 7.3. Where pre-payment checks identify significant anomalies or other concerns, the council will contact the recipient asking for more information such as, for example, a copy of their bank statement or additional proof of ID. Where a bank statement or other evidence cannot be provided, an alternative payment method may be offered.
- 7.4. In some very exceptional circumstances it may be possible at this stage to pay a rebate to the bank account of a third party where the third party is freely

nominated by a person who is liable for Council Tax at the property and eligible for a rebate.

7.5. The Council will retain a record of all evidence provided as part of claims, and all pre-payment checks undertaken.

7.6. All payments must be made by 30 September 2022.

8. The Backstop: rebate award as a credit to Council Tax accounts

8.1. Government guidance states that councils have the authority to issue awards as a direct credit to Council Tax accounts, but only after eligible households have been provided with the option of direct payment.

8.2. Awards may be applied to eligible households as a £150 credit to Council Tax accounts in September 2022 where:

8.2.1. An application is not made after being invited to apply;

8.2.2. An application is not approved; or

8.2.3. A Post Office Payout award letter is not redeemed and expires.

8.3. Where a household that is eligible for support receives their rebate as a credit to their Council Tax account, the council will by default allocate the credit to the account for current year. However the council may also exercise reasonable discretion and allocate the credit in respect of a previous year where it is appropriate to do so.

9. Communications and use of personal data

9.1. The council is required to ensure that households are provided with clear and timely information about the Council Tax Rebate scheme.

9.2. The Council Tax (Demand Notices and Reduction Schemes) (England) (Amendment) Regulations 2022 came into force on 12 February 2022. To comply with those regulations, all Southwark Council Tax bills issued to households in respect of 1 April 2022 included the lines "*The Government is providing a £150 one-off Energy Bills Rebate for most households in Council Tax bands A-D*".

9.3. Additionally all 2022 Council Tax bills included a government information pamphlet about the terms and implementation of the Council Tax Rebate. The pamphlet was included with bills because inclusion was a condition of the government grant provided to administer the rebate.

9.4. The council collects personal data for purpose of collecting Council Tax. For the purpose of data processing for Council Tax Rebates (discretionary rebates and

those paid under the main scheme) the council relies on the *Public Task* provision under data protection rules. The council is acting on a lawful basis “in the exercise of official authority” and to perform a specific task in the public interest that is set out in law.

10. Impact of Payments

10.1. All payments made under the Council Tax Rebate or Discretionary Fund (see part 2) are to be treated as local welfare provision and therefore will not be taken into account in the calculation of income related benefits or the council’s Council Tax Reduction scheme.

10.2. All payments made under the Council Tax Rebate main scheme or discretionary scheme are non-taxable. Recipients do not need to inform HMRC of the amounts received and those who are self-employed do not need to report the amounts on their self-assessment tax returns. As these payments are non-taxable they do not impact tax credits. Tax credits claimants do not need to report these payments as income to HMRC.

11. Calculation of award

11.1 Payments under this scheme are a one-off £150 payment to each qualifying household.

11.2 The scheme closes on the 30 September 2022. The council will not adjust, pay or recover awards where the property band recorded on the valuation list is amended retrospectively to 1 April 2022, for example as a result of a successful appeal made to the Valuation Office Agency (‘VOA’) that concluded after this date.

11.3 Eligibility for a Council Tax rebate is determined based on the position at the end of the day on 1 April 2022. Where the council has reason to believe that the information held about the valuation list, liable taxpayer(s) or residents’ circumstances in respect of 1 April 2022 is inaccurate, it will withhold the payment and take reasonable steps to determine the correct information.

12. Appeal process

12.1 Where a household is refused a rebate after applying, or does not receive a rebate to which it believes itself entitled, it may ask the council to review its decision or correct an error.

12.2 There is no right to appeal to an independent tribunal but the council will consider all requests to reconsider a decision or omission. In some circumstances, households refused support under the main scheme may be eligible for a rebate through the Discretionary Scheme.

Part 2 – The Discretionary Scheme (Southwark Council Cost of Living Fund 2022)

This part of the policy relates to the payment of rebates under the discretionary Council Tax Rebate scheme (known locally as the *Southwark Council Cost of Living Fund* – or SCCOLF) made between 1 June 2022 and 30 November 2022.

13. The government recognised that Council Tax billing authorities may also wish to provide support to other energy bill payers who are not eligible under the terms of the main scheme, or to provide carefully targeted ‘top-up’ payments to the most vulnerable households in bands A to D who are eligible under the main scheme.
14. The Government has provided every Council Tax billing authority in England with a share of a £144 million Discretionary Fund. Individual local authority calculations are based on a formula taking account of the number of CTR recipients in higher banded properties (E-H) in the local authority area and the locality’s share under the latest Index of Multiple Deprivation.
15. Government guidance says that councils may determine locally how best to make use of this funding to support those suffering financial hardship as a result of the rising cost of living. Discretionary support does not have to be provided in relation to the position on 1 April 2022. Allocations from the Discretionary Fund should be spent by 30 November 2022. Any remaining funding will be required to be repaid to government.
16. The council will use its allocation from the government’s Discretionary Fund to contribute to the costs of a new Southwark Council Cost of Living Fund (SCCOLF) this year (June – November 2022).
17. The council recognises that the major pressure on the budgets of all households during the period will be higher energy prices. The council also recognises that those on lowest incomes will find it most difficult to absorb those costs within their household budgets and will need most additional support to meet their most basic, essential, living costs during the period.
18. The council will use its allocation under the Discretionary Fund mainly to target support at three groups through the SCCOLF:
 - Low income households liable for Council Tax in homes banded E-H and ineligible for a rebate under the main scheme will receive a rebate *and* extra support.

- Low income households liable for Council Tax in homes banded A-D and eligible for a rebate under the main scheme will receive extra support.
 - Households who are not liable for Council Tax in homes banded A-D and ineligible for a rebate through the main scheme; but who pay energy bills for their home.
19. All those receiving discretionary rebate award may expect to receive at least £150. Those on lowest incomes will receive more than £150, the exact value of additional amounts are to still be determined but are expected in the range £75 to £150 per household.
 20. The council expects to provide awards and extra support through SCCOLF to approximately 22,000 households.
 21. The council will identify eligible households from Council Tax and other records and does not expect that households will need to apply for discretionary support through SCCOLF. Alternatively, households may receive a Discretionary Fund award following a referral by a community partner through the Southwark Community Support Alliance.
 22. All discretionary payments will be made via Post Office Payout, as per paragraphs 5.4 to 5.8 in the main scheme.
 23. Letters cannot be reissued where the expiry date for a replacement is after 30 November 2022. However, any household in urgent need of help to pay energy bills or to maintain a supply of energy to their home will be able to apply to the *Southwark Emergency Support Scheme (SESS)*
 24. The council expects to make full use of its £1.53m allocation from the Discretionary Fund. Where necessary, payments from the Discretionary Fund will be topped up from other government grants to help low income households pay for energy and other essentials during the period.
 25. Administration costs will be met by the government's New Burdens assessment as per paragraph 1.7.

Item No. 11.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Non-domestic Rates – COVID -19 Additional Relief Fund	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Stephanie Cryan, Finance, Democracy and Digital	

FOREWORD- COUNCILLOR STEPHANIE CRYAN CABINET MEMBER FOR FINANCE, DEMOCRACY AND DIGITAL

Since the beginning of the COVID pandemic, the council has provided support to local businesses through the work of its Local Economy team with the creation of a discretionary grant scheme for businesses, the distribution of Government and Council grants, and reductions to business rate bills.

Financial support to local businesses worth almost a quarter of a billion pounds has been distributed. That support has benefited thousands of local businesses, helping them through the pandemic, and helping to continue to trade and stay afloat. These businesses will make a vital contribution to the recovery of the local economy as restrictions are lifted. The council continues to offer support to local businesses through our business resilience support service.

Most of the financial support provided by the council went to businesses required to close or limit trading due to public health measures during the pandemic. However, we also know that many other businesses that were not forced to close did have to change the way they operated, or were adversely affected by the wider social and economic impacts of the pandemic. The Government has provided the council with new funding to provide additional business rate relief for these businesses.

As a former cabinet member for jobs, business and skills, I’m acutely aware of the importance of small businesses to the future of our local economy and our commitment to growing a good economy and keeping more wealth within our communities. These businesses hold out the greatest promise of long-term growth and of creating the good jobs we will need in the future. We have made a commitment to ensure that the council and other big institutions in Southwark buy more goods and services from local businesses, cooperatives, social enterprises and charities, including Black, Asian, minority ethnic and women led businesses. Our small businesses are at the heart of our economy,

This is why we will use the funding to provide additional relief equivalent to a 100% reduction in business rate bills in 2021/22 for all eligible small businesses. This relief will be provided automatically and eligible businesses will not need to apply, helping avoid any risk that eligible small businesses that pay business rates could miss out.

RECOMMENDATIONS

1. That cabinet approves the COVID – 19 Additional Relief Fund (CARF) policy set out within Appendix 1 as per the government's requirement to support those businesses affected by the pandemic but that were ineligible for existing support.
2. That cabinet delegates to the strategic director for finance and governance with the responsibility to make future amendments to the application of the COVID-19 Additional Relief Fund (CARF) policy following further review and consultation with the cabinet member for finance, democracy and digital.

BACKGROUND INFORMATION

3. This report outlines Southwark's implementation of the government's COVID – 19 Additional Relief Fund (CARF) funding and is effective from 1 April 2021.
4. On 25 March 2021 the Government announced a new COVID-19 Additional Relief Fund (CARF) of £1.5 billion, although full guidance was not published until December 2021. The fund is available to support those businesses affected by the pandemic but that are ineligible for existing COVID-19 support.
5. The support will be provided as a one-off relief on business rates accounts for the financial year 2021/22.

KEY ISSUES FOR CONSIDERATION

Policy implications

6. The primary principle of CARF is to support businesses that were affected by the COVID-19 pandemic but did not qualify for any of the existing COVID-19 business support schemes.
7. The government is not changing the legislation relating to the business rates reliefs available to properties. Instead, the government will reimburse local authorities where relief is granted using discretionary relief powers under section 47 of the Local Government Finance Act 1988.
8. There is no centrally prescribed scheme but the government has provided eligibility guidance. It is therefore for individual billing authorities to adopt a

local scheme and determine in each individual case whether, having regard to this guidance and their own local scheme, to grant relief under section 47.

9. Government guidance states local authorities must:
- Not award relief to businesses who for the same period of the relief either are or would have been eligible for the Extended Retail Discount (covering Retail, Hospitality and Leisure), the Nursery Discount or the Airport and Ground Operations Support Scheme (AGOSS);
 - Not award relief to a hereditament for a period when it is unoccupied (other than hereditaments which have become closed temporarily due to the government's advice on COVID-19, which should be treated as occupied for the purposes of this relief),
 - Direct their support towards businesses who have been adversely affected by the pandemic and have been unable to adequately adapt to that impact; and
 - Not grant relief to themselves, or a functional body, within the meaning of the Greater London Authority Act 1999 (such as Transport for London, Metropolitan Police, London Fire and Emergency Planning Authority etc).

The Southwark Scheme

10. Small businesses are both the foundation and the motor of Southwark's local economy. They are the largest number of businesses and the fastest growing. Small business growth, especially in the business-to-business sector, had been fastest in the north of the borough which forms part of the London CAZ (Central Activities Zone) before the pandemic. That sector has the greatest growth potential and contains the greatest promise to create the good jobs that the borough will need in the future. Regeneration, public transport improvements, and other factors have also driven growth in the number of such small businesses on the periphery of the CAZ - in Peckham, Rotherhithe, and Bermondsey for example.
11. These businesses were not mandated to close and nor were they directly affected by social distancing measures but many changed the way they operated and were affected by the wider social and economic impacts of the pandemic. Unlike businesses in the hospitality, retail, and leisure sectors, they were not eligible for financial support through COVID-19 business grants.

Eligibility

12. In recognition of the importance of small business sector to the future of the local economy and consistent with the aims of the Southwark Economic Strategy, the council will use funding available through CARF to provide all small businesses eligible for support with relief equivalent to 100% of business rates due for 2021/22.
13. Small businesses are defined as occupying a property with a rateable value of £50,999 and under.
14. Businesses that qualify for an award are those that:
 - Occupy a premises with a rateable value under £51,000
 - Were in occupation from the 1 April 2021 to 31 March 2022;
 - Had a business rates charge; and
 - Have not received relief from any previous scheme in 2021 (e.g. Extended Retail Relief, Nursery Relief).
15. In addition businesses will not qualify if:
 - They are a betting shop or financial service (e.g. banks, cash points, payday lenders);
 - They are a car park, parking space or advertising space;
 - There is a zero balance after the application of any discount/ relief; or
 - They are not within the rating system.
16. In some cases it may not be materially clear whether a business is eligible, so decisions on the award of relief to these businesses will be at the council's discretion.
17. Businesses that have already received grant payments that equal the maximum permitted subsidy allowances will not be eligible to receive funding.
18. Businesses that are in administration, insolvent or where a striking-off notice has been made, are not eligible for funding under this scheme.

How relief is calculated and awarded

19. CARF reliefs will be applied against the net liability after all other mandatory reliefs and other discretionary reliefs have been awarded. The amount of relief will be equal to the remaining net liability.
20. Subject to grant subsidy allowance limits, businesses will be entitled to receive relief for each eligible hereditament, so some businesses may receive more than one relief where they occupy multiple premises.

21. Relief awards will be applied automatically to accounts without the need for businesses to complete an application form.

Additional discretionary support

22. Additional discretionary support will be made available for businesses that under the main scheme do not automatically qualify for CARF awards if there is remaining funding available after all CARF relief awards under the main scheme are applied to qualifying business.
23. The remaining budget will be used to provide relief to those medium and larger businesses which occupy premises with a rateable value of up to £100,000 that have been affected by the COVID-19 pandemic and have not received any other relief.
24. Businesses that may receive support are those businesses with a rateable value of £51,000 and over but would otherwise meet the qualifying criteria for an automatic award, or small businesses that were not in occupation for the full 2021 financial year. However, this list is not exhaustive and cases will be assessed on their individual merits with consideration for any remaining budget, the level of impact COVID-19 had on the business and whether they are smaller local businesses providing economic stimulus to the borough.
25. If additional discretionary support can be provided businesses will need to complete an online application form to be considered for an award to evidence that they have been adversely affected by the COVID-19 pandemic and confirm that the business has not exceeded grant subsidy allowances.

Grant subsidy allowance and appeals

26. The EU State aid rules no longer apply to subsidies granted in the UK following the end of the transition period which end on the 31 December 2020. Providing discretionary relief is likely to amount to a subsidy. Any relief provided under CARF will need to comply with the UK's domestic and international subsidy obligations.
27. Subsidy allowances for this scheme are set by Government through the Small Amounts of Financial Assistance Allowance, the COVID-19 Additional Relief Fund Allowance and the COVID-19 Additional Relief Fund Further Allowance.
28. Award notifications will be issued upon award of CARF relief for each qualifying property, and will state that by accepting the relief the business confirms they are eligible and does not exceed grant subsidy allowance limits.

29. Businesses have the right to make an appeal if an application is refused. The appeal can be made in writing or online and must contain evidence to support the reasons for the appeal.

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

30. A public authority must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010; the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The CARF policy provides equality of access to grant payments, due to clear criteria for the award and consideration of all awards in the same timescales.
31. The CARF scheme provides economic support to local and small businesses that provide services to residents, helping provide economic stimulus to local communities.
32. Research has shown that the financial impact of the COVID-19 pandemic was disproportionately felt by Black, Asian and minority ethnic residents and widened health inequalities. During the COVID-19 pandemic BAME businesses experienced more difficulty accessing government support.
33. The council is able to pre identify all businesses that qualify for CARF support under the main scheme and discretionary support. By ensuring reliefs are automatically awarded without the need to apply removes barriers and ensures BAME businesses are not disadvantaged and will get the relief they are eligible for.

Climate change implications

34. As set out in the council's Climate Change Strategy, climate change and inequalities are linked. The climate emergency is a social justice issue and the council's climate change policy aims to reduce inequality and promote a low carbon economy.
35. Social justice and a just transition require us to tackle climate change in a way that reduces inequality and creates opportunities for people in the borough. The CARF scheme aids this by supporting local business to help sustain, create jobs and stimulate economic recovery.

Resource implications

36. The administration of grant payments will be absorbed within the existing Exchequer Services provision. The situation will be closely monitored and regularly reviewed to allow the policy to be flexible and adaptable to changes in demand.

Legal implications

37. The government is not changing the legislation relating to the business rates reliefs available to properties. Instead, the government will reimburse local authorities where relief is granted using discretionary relief powers under section 47 of the Local Government Finance Act 1988.
38. Local authorities must ensure the safe administration of CARF relief and that appropriate measures are put in place to mitigate against the risk of fraud and payment error.

Financial implications

39. The cost of CARF is met by government, paid via a Section 31 grant.
40. The government has allocated the council £18,562,689 which has been calculated based upon the estimated rateable value of the borough which falls within the scope of the fund, weighted for Gross Value Added (GVA) impacts of COVID-19 per sector.
41. The council will be asked to provide outturn data on the actual total cost of providing the relief via the NNDR3 forms for 2021/22. The loss of income resulting from the relief for each billing authority and major precepting authority will be reconciled against the on-account payments made over the course of the year and any difference will be paid or recovered.
42. The Department for Levelling Up, Housing and Communities will undertake a regular DELTA collection exercise. This will be used to monitor implementation progress. Billing authorities have been asked to ensure that they are able to monitor and report the take-up of the scheme at Parliamentary constituency level and local authority level, and by the Special Category code of the hereditaments.
43. The Government has commenced a New Burdens assessment and will make payment once this has concluded.

Consultation

44. There is no legal requirement for public consultation of the establishment of the council's CARF policy. The policy gives effect to government initiatives to support and issue business rates relief to businesses in Southwark that have been affected by the COVID-19 pandemic but have

not been eligible for any other support packages. The cost of the grant payments will be reimbursed by government and consultation has not been undertaken.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

45. The COVID – 19 Additional Relief Fund (CARF) scheme provides support for businesses due to the impact COVID-19. It is administered by local authorities. The scheme's eligibility criteria and the levels of payment set out are specified in national guidance and this report sets out the particulars of the scheme.
46. The decision is appropriately identified as a key decision under the council's constitution, which also provides for a decision of this nature to be taken by cabinet.
47. Cabinet are advised to give due consideration to the council's equality duties as addressed in the community impact statement in paragraphs 30 and 31. Cabinet are reminded of the public sector equality duty contained in the Equality Act 2010.

Strategic Director of Finance and Governance (F&G22/002)

48. The Strategic Director for Finance and Governance notes that this report seeks approval of the COVID – 19 Additional Relief Fund (CARF) policy and delegates responsibility to him, to make future amendments to the application of the policy.
49. The CARF policy is in accordance with Government eligibility guidance allowing allow councils to determine their own schemes. The council will provide all small businesses eligible for support with relief equivalent to 100% of business rates due for 2021/22. If there is any remaining budget, additional discretionary support will be made available to provide relief to those medium and larger businesses that have been affected by the COVID-19 pandemic and have not received any other relief
50. The full cost of the CARF policy will be funded by Government grant. It is noted that new burdens funding is to be assessed to cover costs incurred administering the scheme.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
COVID-19 Additional Relief Fund (CARF): local authority guidance	Link (please copy and paste into browser): https://www.gov.uk/government/publications/covid-19-additional-relief-fund-carf-local-authority-guidance	

APPENDICES

No.	Title
Appendix 1	COVID-9 Additional Relief Fund (CARF) policy

AUDIT TRAIL

Cabinet Member	Councillor Stephanie Cryan, Finance, Democracy and Digital	
Lead Officer	Dominic Cain, Director of Exchequer	
Report Author	Eugene Nixon, Head of Strategy and Compliance, Exchequer	
Version	Final	
Dated	1 June 2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		1 June 2022

Southwark Council

Non-domestic rates

COVID-19 Additional Relief Fund (CARF)

1. Introduction

- 1.1. This policy relates to the award of relief under the COVID-19 Additional Relief Fund (CARF) and is effective from the 1 April 2021 – 31 March 2022.
- 1.2. On 25 March 2021 the Government announced a new COVID-19 Additional Relief Fund (CARF) of £1.5 billion, although full guidance was not published until December 2021. The fund is available to support those businesses affected by the pandemic but that are ineligible for existing support linked to business rates.
- 1.3. The government is not changing the legislation relating to the business rates reliefs available to properties. Instead, the government will reimburse local authorities where relief is granted using discretionary relief powers under section 47 of the Local Government Finance Act 1988.
- 1.4. There is no centrally prescribed scheme but the government has provided eligibility guidance. The support will be provided as a one-off relief to business rates accounts for the financial year 2021/22 and billing authorities must:
 - 1.4.1. Not award relief to businesses who for the same period of the relief either are or would have been eligible for the Extended Retail Discount (covering Retail, Hospitality and Leisure), the Nursery Discount or the Airport and Ground Operations Support Scheme (AGOSS);
 - 1.4.2. Not award relief to a hereditament for a period when it is unoccupied (other than hereditaments which have become closed temporarily due to the government's advice on COVID-19, which should be treated as occupied for the purposes of this relief);
 - 1.4.3. Direct their support towards businesses who have been adversely affected by the pandemic and have been unable to adequately adapt to that impact; and
 - 1.4.4. Not grant relief to themselves, or a functional body, within the meaning of the Greater London Authority Act 1999 (such as Transport for London, Metropolitan Police, London Fire and Emergency Planning Authority etc)
- 1.5. It is therefore for individual billing authorities to adopt a local scheme and determine in each individual case whether, having regard to this guidance and their own local scheme, to grant relief under section 47.
- 1.6. The council's local CARF scheme is designed to target relief at small businesses that were affected by the COVID-19 pandemic but were ineligible for existing COVID-19 business support schemes. Small businesses are defined as those occupying a property with a rateable value of less than £51,000.
- 1.7. Small businesses are both the foundation and the motor of Southwark's local economy. They are the largest number of businesses and the fastest growing. Small business growth, especially in the business-to-business sector, had

been fastest in the north of the borough which forms part of the London CAZ (Central Activities Zone) before the pandemic. That sector has the greatest growth potential and contains the greatest promise to create the good jobs that the borough will need in the future.

1.8. These businesses were not required to but many changed the way they operated and were affected by the wider social and economic impacts of the pandemic. Unlike businesses in the hospitality, retail, and leisure sectors, they were not eligible for financial support through COVID-19 business grants or existing business rates reliefs.

2. Qualifying criteria

2.1. In order to be eligible for CARF relief, businesses must meet the following conditions:

- 2.1.1. Occupy a property with a rateable value less than £51,000;
- 2.1.2. Were in occupation from the 1 April 2021 – 31 March 2022;
- 2.1.3. Had a business rates charge; and
- 2.1.4. Have not received relief in 2021 through Extended Retail Discount and the Nursery Discount.

2.2. Businesses will not qualify if:

- 2.2.1. They occupy premises with a rateable value of £51,000 or above;
- 2.2.2. They were not in continuous occupation (other than closed temporarily due to government advice on COVID-19);
- 2.2.3. They are a betting shop or financial service (e.g. banks, cash points, payday lenders);
- 2.2.4. They are a car park, parking or advertising space;
- 2.2.5. There is a zero balance after the application of any discount/ relief;
- 2.2.6. They are not within the rating system;
- 2.2.7. They are in administration, insolvent or where a striking-off notice has been made; or
- 2.2.8. They have already received grant payments that equal the maximum permitted subsidy allowances.

2.3. In some circumstance it may not be materially clear whether a business falls into eligibility, so decisions on awarding relief to these businesses will be at the council's discretion.

2.4. Subject to grant subsidy allowance limits, businesses will be entitled to receive relief for each eligible hereditament, so some businesses may receive more than one relief if they occupied more than one eligible premises.

3. Calculation of award

3.1. The amount of relief awarded will be calculated against the net liability after all other reliefs/ discounts have been applied. The amount of relief will be equal to the remaining net liability.

3.2. Future rateable value changes, mergers or splits will only qualify for retrospective relief if confirmation of the change is received before 30 September 2022. After 1 October 2022 no CARF relief can be claimed for the 2021/22 year.

3.3. If the property rateable value changes, and is backdated to 1 April 2021, we will recalculate the amount of relief based on the new rateable value start date.

4. Notification of relief

4.1. CARF relief will be awarded to qualifying businesses without the need to apply.

4.2. The council will issue a notification of relief award. The notification will state that by accepting relief the business confirms they are eligible and does it had not exceeded grant subsidy allowance limits.

4.3. Should a business believe they are not eligible or there is a change in circumstances that may affect entitlement to relief they must notify the council.

5. Additional discretionary support

5.1. Additional discretionary support will be made available for businesses that do not automatically qualify for CARF awards if there is remaining funding available after all CARF relief awards are applied to qualifying business under paragraph 2.

5.2. Businesses that may receive support are those businesses with a rateable of £51,000 and over but would otherwise meet the qualifying criteria for an automatic award, or businesses that did occupy a premises for the full financial year. However, this list is not exhaustive and cases will be assessed on their individual merits with consideration for any remaining budget, the level of impact COVID-19 had on the business and whether they are smaller local businesses providing economic stimulus to the borough.

5.3. If there is funding available businesses will be invited to apply online to be considered for a discretionary award. Applications will be accepted for a set period and final decisions made after all applications received. The application form will ask businesses to evidence that they have been adversely affected by the COVID-19 pandemic and confirmation that the business has not exceeded grant subsidy levels.

6. Grant subsidy allowance

6.1. Providing CARF relief is likely to amount to a subsidy. Any relief provided under CARF will need to comply with the UK's domestic and international subsidy obligations.

6.2. On 4 March 2021 new subsidy allowances were established for COVID-19 business support schemes.

6.3. Grants under these 3 allowances can be combined for a potential total allowance of up to £10,935,000 (subject to exchange rates).

6.4. This scheme is covered by 3 subsidy allowances:

6.4.1. Small Amounts of Financial Assistance Allowance – businesses allowed up to £335,000 (subject to exchange rates) over any period of 3 years;

6.4.2. COVID-19 Business Grant Allowance – businesses allowed up to £1,600,000; and

6.4.3. COVID-19 Business Grant Special Allowance - if the business has reached its limits under the Small Amounts of Financial Assistance Allowance and COVID-19 Business Grant Allowance, it may be able to access a further allowance of funding under these scheme rules of up to £9,000,000, provided certain conditions are met.

6.5. Grants under these 3 allowances can be combined for a potential total allowance of up to £10,935,000.

7. Appeals process

7.1. Where an application for CARF relief is refused, any appeal against this decision must be via the online appeal form within 5 working days of the refusal letter being sent, together with evidence to support the reasons for the appeal.

7.2. The appeal will be considered by an officer who has not previously considered the application. The decision reached will be notified in writing within 10 working days.

Item No. 12.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Report of the Overview and Scrutiny Committee: Scrutiny Review of Regeneration in the Borough of Southwark	
Ward(s) or groups affected:		All	
From:		Overview and Scrutiny Committee	

RECOMMENDATIONS

1. That cabinet note the report from the overview and scrutiny committee in relation to the scrutiny review of regeneration in the borough of Southwark, Appendix A.
2. That cabinet request that the relevant cabinet member reports back to cabinet on the recommendations contained in the report of the overview and scrutiny committee within eight weeks.

BACKGROUND INFORMATION

3. The overview and scrutiny committee undertook a scrutiny review of regeneration in the borough of Southwark, drawing upon past community and developer experience to identify lessons learnt and to gain a better understanding of issues/areas where the council might want to consider making changes with a view to improving the experience of regeneration for residents and stakeholders in the borough.
4. The review was undertaken between October 2020 and March 2022.
5. The overview and scrutiny committee agreed its report for referral to cabinet at its meeting held on 2 March 2022. The final version of the report is attached as Appendix A.

KEY ISSUES FOR CONSIDERATION

6. The overview and scrutiny committee has made a number of recommendations to cabinet which are set out in the recommendations section of the scrutiny committees report (pages 13 to 21 of the report).
7. It is for cabinet to decide whether or not to accept the recommendations of the overview and scrutiny committee.

8. Overview and scrutiny procedure rule 15.3 requires cabinet to consider and provide a written response to the report within two months.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Overview and Scrutiny Committee Agendas and Minutes 2020/21 and 2021/22	Southwark Council Website	Everton Roberts 020 7525 7221
Link: https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeed=308		

APPENDICES

No.	Title
Appendix A	Scrutiny Review of Regeneration in the Borough of Southwark

AUDIT TRAIL

Lead Member	Councillor Ian Wingfield, Chair, Overview and Scrutiny Committee	
Lead Officer	Everton Roberts, Head of Scrutiny	
Report Author	Everton Roberts, Head of Scrutiny	
Version	Final	
Dated	31 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	31 May 2022	

Scrutiny Review of Regeneration in the borough of Southwark

Report of the Overview and Scrutiny Committee – March 2022

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Executive summary

This section summarises the committee's review of regeneration in Southwark, including recommendations of the committee.

The aim of the scrutiny review was to draw upon past community and developer experience to identify lessons to be learnt and gain a better understanding of issues/areas where the council might want to consider making changes with a view to improving the experience of regeneration for residents and stakeholders in the borough.

The review was undertaken between October 2020 and March 2022 and involved primarily evidence gathering sessions from those directly involved with the delivery of regeneration and recipients of previous regeneration schemes. Various community representatives and developers actively involved with the delivery of regeneration in the borough were approached to give evidence. The views of the then cabinet member responsible for regeneration, and chair of planning committee and associated officers was also obtained.

The themes/areas raised by the community presentations and developers were found to be around:

Co-ordination of support for businesses, Town Centre planning, employment and training opportunities locally, design of streets and their use, active participation of community and businesses in regeneration, consultation, need for transparency of the planning process and regeneration to the general public, a feeling that current residents not getting the benefit regeneration is supposed to bring, loss of social rented housing, displacement of independent traders, affordable housing and affordability of new homes, land values, viability of developments, demolition led-regeneration vs re-use, impact of regeneration construction on climate, need for increased pace of planning process, need for additional staff/dedicated resources for regeneration schemes, changed landscape in light of covid and need for more flexibility and less policy rigidity on planning consents to make schemes viable in a challenging environment, cost of the planning process.

Summary of recommendations

The proposed recommendations from the committee to cabinet are primarily based on the evidence received from the community representations and developers who took part in the scrutiny review.

The overview and scrutiny committee's recommendations are framed around the council reviewing its consultation procedures for major regeneration projects, the continued development of town centre based regeneration plans for the main town centres, strategically – the annual publication of income levels of the borough's population to obtain clear understanding around affordability of housing in the borough, a review of the affordable housing policy with a view to increase the level of affordable housing in regeneration schemes, embody core principals of recycling and reuse in regeneration plans, make clear the financial cost/benefit analysis of

regeneration schemes, evaluation of the opportunity area policies with comparison of Private sector developments vs local authority driven projects, guarantee displaced secure tenants the offer of secure tenancies on return to the locality, and leaseholders given options reflecting a fair market price pre-regeneration.

In addition the committee is recommending that for any future council estate regeneration, that the cabinet state that the first preferred option in all circumstances be to deliver such a programme as local authority homes, thus increasing social rented housing.

In relation to transport related aspects of regeneration, the improvement of the council's strategy for the implementation of better sustainable networks, and the promotion of healthy streets through more localised street space schemes.

The Committee's full recommendations are set out in Part 4 of this report.

Part 1: Introduction and background

Listed within the overview and scrutiny committee's terms of reference is the scrutiny of matters in respect of regeneration.

In October 2020 we commenced a scrutiny review exercise on the general approach of regeneration in the borough, with a view to getting a clearer understanding of resident and developer experience of regeneration, and hearing their suggestions on how the process in Southwark can be improved. Many of the views were expressed at a local area level, but we have sought to generalise them as issues that may apply to any area in the borough.

The local picture

1. There are a number of major regeneration schemes currently being undertaken in the borough, including, Canada Water, Elephant and Castle, Old Kent Road, along with a number of smaller regeneration initiatives, some of which are still in development.
2. The council has a dedicated web page 'Regeneration that works for all' which sets the background to the council's approach to regeneration and provides information where available, on the various Social Regeneration Charters which set out the specific opportunities and challenges, vision and priorities for social regeneration in a given area. The areas covered (or to be covered) are:

Canada Water / Old Kent Road / St Thomas Street / Borough and Bankside / Walworth / Bermondsey and The Blue / Camberwell / Peckham and Nunhead / Dulwich / Elephant and Castle.

<https://www.southwark.gov.uk/regeneration/regeneration-that-works-for-all>

3. The council adopted the Southwark Plan 2022 in February 2022. This is the council's statutory planning document. The Plan provides an overarching strategy for managing growth and development across the borough for the next 15 years. It sets out how the council will deliver further regeneration and wider improvements to the borough covering the period up to 2036.
4. The Plan has been the subject of extensive consultation and the findings of our scrutiny review exercise may well have already been factored into the final version of the Southwark Plan, and officer considerations when progressing regeneration. Through consideration of this report, it is hoped that the cabinet will be able to confirm that the issues/concerns raised in the scrutiny review have already been or are to be addressed.

Part 2: What we did

5. We held a series of listening exercises to hear the views and experience of various stakeholders and interest groups in the borough in respect of regeneration.

- [October 2020](#) meeting – The Committee received presentations from former Councillor Johnson Situ, the then cabinet member for climate emergency, planning and transport on the council's approach to regeneration, achievements and challenges and Councillor Martin Seaton, Chair of the Planning Committee who gave an overview of the planning process.
- [November 2020](#) and [February 2021](#) meetings – Heard from representatives of the Walworth Society, Living Bankside, 35% Campaign, SE5 Forum and Peckham Vision in connection with the community experience of regeneration in the borough based on past and current experience and their thoughts on how regeneration should be shaped for the future.
- [March 2021](#) meeting – Received presentations from some key developers involved with regeneration in the borough, British Land, Lendlease, Notting Hill Genesis and a Network Rail representative (covering Denmark Hill and Peckham Rye Station upgrades).
- [July 2021](#) meeting – Received presentations from Transport for London on transport infrastructure in relation to regeneration and the Head of Regeneration (Old Kent Road) on the Old Kent Road opportunity area.

Part 3: What we heard

Cabinet member for climate emergency, planning and transport / Chair of the Planning Committee

6. Our scrutiny review started with a presentation from former Councillor Johnson Situ, the then cabinet member for climate emergency, planning and transport. He gave the committee a brief overview of the council's reasons for undertaking regeneration, highlighting access to best quality standard of housing that is affordable and secure, opportunities for jobs, creation of good quality open spaces, access to good quality education in premises with good quality facilities, good quality libraries, and the key role planning and regeneration played in addressing health inequalities within society.
7. Former Councillor Situ also highlighted the need for affordable housing, workspaces to support SMEs and small businesses, open spaces in key opportunity areas, energy and carbon off-setting, the importance of developing strong relationships with the community, and engaging with communities at the earliest opportunity.
8. In respect of lessons learnt from previous regeneration activity, we heard about the need for winning the trust of communities, being transparent about viability assessments and the work the council does, and also being explicit about concerns with the policies the national government are putting forward.

9. We also heard about the challenges that will be faced over the next few years due to planning white paper that will make it more difficult to deliver genuine affordable housing, respond to the climate emergency, and for local communities to have their voice heard at planning meetings. Former Councillor Situ also highlighted the threat to delivering aims in respect of new jobs, affordable homes, investment in schools and public open spaces due to a system based on planning gain and a downturn in the economy.
10. We received an overview from Councillor Martin Seaton, Chair of the Planning Committee on the planning process. He explained that a key challenge for the Planning Committee was where to make compromises in order to deliver on the core policy area of affordable homes which have private amenity space and broadly fall in line with climate change policies. We were also informed of the council's new consultation policy which had made it easier to involve local people in the planning process and for them to understand the policies and potential implications of those policies.

Community Representations

11. In hearing from the local community representatives, a number of key themes came through around consultation, engagement, and a want for collaboration and active involving of local communities (including businesses) at an early stage around regeneration proposals, and the planning process. The issue of the loss of social housing in regeneration and the lack of affordability of 'Affordable Housing' was also raised. Also the need for support for local businesses impacted by regeneration.
12. Summarised below are the key points made by the community participants. The full detail of the different community presentations are attached at Appendix 2.

Walworth Society

- Key local low-cost food retail outlets under threat from the New Southwark Plan designations.
- Need for strong business voice and the co-ordination of support for the businesses (cited in the context of Walworth Road).
- Vital that a town centre plan for the future direction and day-to-day management is developed and delivered (cited in the context of Walworth Road).
- The need to ensure that regeneration improves employment and training opportunities locally, both as part of the regeneration schemes through creating employment, and also through opportunities to improve skills locally through mentoring and skills development.
- Streets and their purpose are changing with the response to the pandemic and the declaration of a Climate Emergency. Community seeking active

conversation about the design of the streets, and how they need to evolve especially in relation to car parking and landscaping before these are set in stone (cited in the context of First development site at Aylesbury Estate).

- Need for local groups to be able to participate actively with officers and councillors in developing a vision for, and contributing to the development and improvement of the area.

Suggestion/Requests

- a) Area plans and their development should be articulated and discussed widely,
- b) this should include the management and evolution of the area itself as a local town centre and,
- c) Transparency and communication of the allocation of S106 and CIL funds, and that these are clearly applied for the long-term benefits of communities across the local area, and in line with identified local needs.

Living Bankside

- Need for making the process for planning and regeneration much more transparent, accountable, and representative of the needs of Southwark residents.
- Acknowledgement of council officers and councillors having great relationships with local community, and in many areas works to the benefit of local residents, however sometimes it can feel that policy or the way that council officers or councillors are taking a direction doesn't necessarily meet with local need.
- Quality and depth of consultation with the community significant issue – need to look more at specific needs and what local residents want.
- Consultation missing protected characteristics – voices of people from BME, LGBT, or women, or on lower incomes are not necessarily always heard or their needs are not necessarily incorporated within wider plans or specific development proposals that come in an area. This may impact on sense of belonging and pride of place, and a lot of people feel that because they're not able to influence and impact change in their neighbourhood, feel the place is becoming something not for them.
- Detail in planning applications and the borough plan is most of the time missing, and only after planning permission has been granted are the details discussed and the original intention of what was to be achieved in terms of both by the council and by local residents isn't always met. Need for better mechanisms to be in place to achieve that detail.

- Things are being proposed or suggested in an area which are not necessarily wanted, better communication needed at early stages and detailed communication before planning proposals come forward.

35% Campaign

- Local residents and businesses not necessarily getting the benefits that a regeneration is supposed to bring.
- New homes promised to residents did not materialise.
- Leaseholders on estates receiving far too little compensation for the loss of their homes and many having to leave the borough to buy new homes as a result.
- Net loss of social rented housing.
- Displacement of independent traders mostly from BAME backgrounds, some have been relocated, but many have been given nowhere to go (Elephant and Castle).
- New homes being provided by regeneration are way beyond the means of those in the most acute housing need. Lack of social rent properties.
- Affordable homes, not the equivalent or proper replacement for the council and social rented housing lost.
- Not enough consideration is given to the resources of all kinds that the public sector puts into private developments, as well as the increases in land value that derive from planning approvals. Need for better accounting of this, with a view to establishing whether the borough is getting a good return for the money it is putting into regeneration.
- Concerned about the number of consented, but non-viable developments, in the Old Kent Rd Opportunity Area, amounting to about 5,000 consented homes, particularly in the light of doubt and delays to the Bakerloo Line Extension (BLE). These developments all include 35% affordable housing, but depend to a large degree on the BLE for the uplift in land values that will make them viable and deliverable.
- Concerned about how Southwark is monitoring the delivery of affordable housing in private developments and whether this is being done accurately.
- While Build to Rent (BtR) fulfils a market demand, it does not necessarily meet Southwark's housing need, as well as more established tenures. It

also provides less social rented housing than build to sell free-market housing (NSP Policy P4).

Suggestions

In the case of estate regeneration - examine the pressure decanting council estates puts on Southwark's housing waiting list. There used to be regular reports on this at around the time of the Heygate decant, but this no longer seems to be done, or at least we can find no reports that are publicly available.

Look at the use of Home Search for decanting tenants – while this allows secure tenants some limited choice of a replacement home, it is also stressful, tightly timetabled and requires almost immediate decisions from tenants who are not moving on their own volition.

Look at the practice of ending secure tenancies on estates once they are marked for demolition. While this minimises Southwark's rehousing obligations it can leave some long-term, but non-secure tenants, with no right to a newly built home. It also makes an estate a more transitory place to live and makes for less stable communities.

Look at the level of leaseholder compensation. While the options for leaseholders may have been incrementally improved over time, the fundamental problem of inadequate compensation in relation to the cost of new free market homes remains unresolved and from the leaseholders' point of view is iniquitous. The committee may also wish to look at the take up of the various leaseholder rehousing options and whether these options are presented to leaseholders in a fair way and, in particular, whether leaseholders are being deterred from taking up the equity loan option.

Look at Elephant Park. When completed, this will be 2,700 units, which is over 200 more units than was originally consented. The amount of affordable housing has been increased proportionately, but there has been no reassessment of the viability of the scheme and whether it could support a greater proportion of affordable housing.

Consider the extent of overseas sales; a substantial proportion of an earlier phase of Elephant Park was sold in Hong Kong and Singapore (South Gardens).

SE5 forum

- No engagement policy for community groups or a protocol for community involvement, so engagement is fractured or non-existent (Lambeth Forum Network cited as a comparison).

- No plans or protocol to inform local residents or other interested groups about significant work in local area. Need for agreed protocol for community engagement at the very beginning of any project, large or small, including when it alters course.
- No consultation mechanism at which Camberwell and its town centre, the historic nature and specific identity of the area is regularly considered and reviewed, or which enables the local community to contribute to the area vision due to the community council being replaced with a Multi Ward forum which splits Camberwell between Walworth and Champion Hill wards.

Suggestions/Requests

Designing out crime - consulting local police and safer neighbourhood team ward panels before making planning decisions.

Including businesses in the process of developing policy.

Taking action to find uses for long term empty spaces.

Incorporating the Camberwell identity when considering planning applications in the Town Centre.

Imposition of a condition on property developers at the planning stage that if the new retail spaces below modern developments are not rented within 2 years, they automatically become potential 'meanwhile' spaces that can be used for community uses at costs well below market value, or better as a gift to the community.

As the A202 is the main artery from Dover to the West End we would look for evidence that Southwark and TfL are enforcing restrictions on HGV's effectively through using cameras and new technology such as the scheme adopted by Islington Council.

Would like to see:

- A commitment to implement the many proposals by community groups.
- An effective mechanism to work with local groups on projects that they have suggested.

Peckham Vision

- Much community experience of 'regeneration' is that it is demolition-led with ineffective community engagement.
- Through a community-led approach seeing the facts on the ground about the existing buildings, their uses and their self regeneration potential for

the area, the community campaigns in each case succeeded in reversing proposed demolition of existing buildings.

- All development in the name of 'regeneration' must start with an audit of the facts on the ground before any redevelopment plans are ever begun, and verified with the local stakeholders.
- Carbon emissions from demolition and new construction are a significant contributor to the climate emergency. A reorientation away from demolition-led regeneration and a preference for re-use is essential for consistency with the climate emergency policies.
- The new Development Charter now requires a 'fact-based audit' of existing assets and uses for any planning application for redevelopment, but there is no guidance for its production or its role in the planning process. It needs to be used as a strong benchmark to ensure that the regeneration provides significant net benefits for the existing community. We would like to ask for your support for the collaborative creation of Council guidance in a Supplementary Planning Document (SPD) on how the fact based audit should be produced and its role in the planning process.

Suggestions/Requests

Affordable housing still unaffordable - the Council should bring together and publicise annually:

- the income levels of the population in the borough
- the range of sale prices and rent levels across the borough and
- A simple table showing the discrepancy between these.

The council should join with community groups and others to inform, educate and engage the public (organisations and residents) about the inadequacies of the demolition-led redevelopment approach, and the search for alternative solutions.

Across the borough local people voluntarily take up local issues as they arise, and develop links with each other and form important local networks. In many cases they have a longevity and continuity of local knowledge which can be very valuable for planning and regeneration. Need to develop ways to enable this to be accessible to policy makers. Key issue here is the working relationship between these local ward activists and their ward councillors.

Developers/Transport providers

13. In March and July 2021, we received presentations from some key developers involved with regeneration in the borough. British Land provided us with a presentation in connection with regeneration taking place in the Canada Water area, Lendlease provided us with a presentation on regeneration taking place at Elephant Park, Notting Hill Genesis provided a presentation on regeneration

being undertaken on and around the Aylesbury Estate, the Head of Regeneration (Old Kent Road) provided us with a presentation on the Old Kent Road opportunity area. We also heard from transport providers Network Rail (covering Denmark Hill and Peckham Rye Station upgrades) and Transport for London, in connection with role of transport infrastructure in regeneration.

14. We found the presentations and ensuing discussions very informative. Areas covered in our discussion were around:

- Efforts being made to reduce/eliminate the negative impacts of development on the climate and natural environment.
- Developers' general assessment of the central London housing market over the next 3 – 5 years in terms of prices for houses, offices and land, and how the Covid Pandemic and Brexit have altered their development plans, and impact of likely deterioration in house prices on genuinely affordable houses being built.
- Build quality and residual issues.
- Affordability of space rented out to businesses in railway station arches.
- How developers course correct for issues that arise during 10 -15 yearlong programmes (examples – cladding and changing environmental requirements).
- Embedding community ownership in large developments.
- How master plans can adapt to future transport investment or lack thereof, and how they will deal with thousands of new residents moving into Southwark.
- Engagement with local communities for successful regeneration.
- Feedback from developers working with Southwark as a local authority – taking into account the different stakeholders (cabinet members, planning officers, ward councillors etc.), and comparison with other local authorities.
- Delivery of housing and affordable housing in Old Kent Road opportunity area.
- Deliverability of Bakerloo Line Extension and whether there was a Plan B.

15. In receiving feedback from developers on working with Southwark, the following was highlighted as positives:

- The provision of local intelligence being vital to successfully managing and progressing projects.
- The council's ability to identify sources of funding to assist with moving projects forward (restoration of grade II listed Peckham Rye station façade was given as an example).
- The securing and partnering of local contributions from a variety of sources, including local authorities, to help persuade the government to release the majority of funding for projects (rail schemes cited as the example).
- The pace and delivery of schemes across the borough and helpfulness in unblocking issues where they arise.

16. We also received feedback from developers on areas where the council could possibly improve:

- A need to energise and increase the pace of the planning process (in some cases).
- A need to increase the number of planning lawyers and highways staff as these areas could become quite stretched due to volume of work.
- For major schemes, the setting up of a dedicated taskforce for a project where a number of officers from each department (e.g. transport, highways, legal, environment, planning teams) are tasked and dedicated for a certain period of the week to progress a particular project – increasing the speed of delivery.
- Changed landscape in light of Covid – Need for less policy rigidity and more flexibility over the next couple of years when officers negotiate deals and planning consent, due to viability now being extremely challenging (leisure, retail and office markets given as examples).
- Reviewing the cost of conducting planning in Southwark.

Part 4: Recommendations

In considering the evidence presented and following discussion, the overview and scrutiny committee recommend the following:

1. The Council should review its consultation procedures for major regeneration projects. The review should take on board the following aspects:
 - (i) Ensure before embarking on any regeneration exercise an audit of the current situation in a given locality as contained in the Council's Development Charter of the provision services, amenities, housing, transport, businesses, schools, GP surgeries, etc. This audit should be compiled and agreed with local community groups, tenants and residents associations, businesses and potential developers, and then incorporated into a Supplementary Planning Document (SPD).
 - (ii) Specifically the Council should be mindful and include at all times, the given needs of a locality, particularly in terms of the 9 protected characteristics in reducing inequalities and meeting housing need, and the impact a given scheme would have on the local residents sense of belonging and pride of place in an area.
 - (iii) Evolve a Community Consultation Framework similar to the Lambeth Council model and incorporating the Council's own initiatives such as the Local Development Study in Camberwell, to enable local residents, tenants and residents associations, businesses and community groups to comment on identifying concerns with a masterplan in terms of design, content or omission.

- (iv) Creating on-going consultative forums through the life of a regeneration project and the passed programming of works such as the Community Review Panel model on the Old Kent Road regeneration scheme.

Reasons:

Walworth Society

- *“Need for strong business voice and the co-ordination of support for the businesses.”*
- *“Need for local groups to be able to participate actively with officers and councillors in developing a vision for, and contributing to the development and improvement of the area.”*

Living Bankside

- *“Consultation missing protected characteristics – voices of people from BME, LGBT, or women, or on lower incomes are not necessarily always heard or their needs are not necessarily incorporated within wider plans or specific development proposals that come in an area. This may impact on sense of belonging and pride of place, and a lot of people feel that because they’re not able to influence and impact change in their neighbourhood, feel the place is becoming something not for them.”*
- *“Things are being proposed or suggested in an area which are not necessarily wanted, better communication needed at early stages and detailed communication before planning proposals come forward.”*

35% Campaign

- *“Displacement of independent traders mostly from BAME backgrounds, some have been relocated, but many have been given nowhere to go.”*

SE5 Forum

- *“No engagement policy for community groups or a protocol for community involvement, so engagement is fractured or non-existent (Lambeth Forum Network cited as a comparison).”*
- *“No plans or protocol to inform local residents or other interested groups about significant work in local area. Need for agreed protocol for community engagement at the very beginning of any project, large or small, including when it alters course.”*

Peckham Vision

- *“Much community experience of ‘regeneration’ is that it is demolition-led with ineffective community engagement.”*

- *“Through a community-led approach seeing the facts on the ground about the existing buildings, their uses and their self regeneration potential for the area, the community campaigns in each case succeeded in reversing proposed demolition of existing buildings.”*
- *“All development in the name of ‘regeneration’ must start with an audit of the facts on the ground before any redevelopment plans are ever begun, and verified with the local stakeholders.”*
- *“The new Development Charter now requires a ‘fact-based audit’ of existing assets and uses for any planning application for redevelopment. But there is no guidance for its production or its role in the planning process. It needs to be used as a strong benchmark to ensure that the regeneration provides significant net benefits for the existing community. We would like to ask for your support for the collaborative creation of Council guidance in a Supplementary Planning Document (SPD) on how the fact based audit should be produced and its role in the planning process.”*

Developers

- *“The provision of local intelligence being vital to successfully managing and progressing projects.”*
2. The Council should continue to develop town centre based regeneration plans for the main centres of Bermondsey, Borough, Camberwell, Dulwich, Peckham, Rotherhithe and Walworth that are regularly reviewed and recalibrated.

Reasons:

Walworth Society

- *“Vital that a town centre plan for the future direction and day-to-day management is developed and delivered.”*

SE5 Forum

- *“No consultation mechanism at which Camberwell and its town centre, the historic nature and specific identity of the area is regularly considered and reviewed, or which enables the local community to contribute to the area vision due to the community council being replaced with a Multi Ward forum which splits Camberwell between Walworth and Champion Hill wards.”*
3. In the implementation of regeneration schemes the Council should seek to adopt the following measures as good practice:
- (i) Be transparent and clear as to the objectives of the project in terms of the potential in realising residents and businesses aspirations for the locality and the Council’s own preferred outcomes.

- (ii) To promote the benefits of regeneration to a locality with the aim of evolving more integrated and sustainable communities in terms of good quality housing, job creation, apprenticeships, boosting the local economy, provision and improvement of local amenities (such as open spaces, green parks and trees, GP surgeries, schools, libraries, etc.), creating more socially diverse communities, improved educational attainment and facilities, increased community safety.
- (iii) Ensure that the liaison and communication with developers is maintained at all times and that the resultant planning applications are dealt with in an energised and timely manner.
- (iv) That the allocation of Section 106/CiL funds be transparent and linked to the long-term benefits of communities and meeting their needs across the locality.
- (v) The Council should provide a dedicated team linking all relevant services for each major regeneration scheme to ensure smooth progress and increased speed of delivery, together with more planning lawyers and highways staff to cover increased volumes of work.

Reasons:

Walworth Society

- *“The need to ensure that regeneration improves employment and training opportunities locally, both as part of the regeneration schemes through creating employment, and also through opportunities to improve skills locally through mentoring and skills development.”*
- *“There is transparency and communication of the allocation of S106 and CIL funds and that these are clearly applied for the long-term benefits of communities across the local area and in line with identified local needs.”*

Living Bankside

- *“Need for making the process for planning and regeneration much more transparent, accountable, and representative of the needs of Southwark residents.”*
- *“Acknowledgement of council officers and councillors having great relationships with local community, and in many areas works to the benefit of local residents, however sometimes it can feel that policy or the way that council officers or councillors are taking a direction, doesn't necessarily meet with local need.”*
- *“Detail in planning applications, and the borough plan, is most of the time missing and only after planning permission has been granted are the details discussed and the original intention of what was to be achieved in terms of*

both by the council and by local residents isn't always met. Need for better mechanisms to be in place to achieve that detail."

35% Campaign

- *"Local residents and businesses not necessarily getting the benefits that a regeneration is supposed to bring."*
- *"Across the borough local people voluntarily take up local issues as they arise, and develop links with each other and form important local networks. In many cases they have a longevity and continuity of local knowledge which can be very valuable for planning and regeneration. Need to develop ways to enable this to be accessible to policy makers. Key issue here is the working relationship between these local ward activists and their ward councillors."*

Developers

- *"The pace and delivery of schemes across the borough and helpfulness in unblocking issues where they arise."*
- *"A need to energise and increase the pace of the planning process (in some cases)."*
- *"A need to increase the number of planning lawyers and highways staff as these areas could become quite stretched due to volume of work."*
- *"For major schemes, the setting up of a dedicated taskforce for a project where a number of officers from each department (e.g. transport, highways, legal, environment, planning teams) are tasked and dedicated for a certain period of the week to progress a particular project – increasing the speed of delivery."*

4. Strategically the Council should seek to establish the following:

- (i) Publish annually income levels across the borough's population, the sales and rent levels across the borough and the discrepancy between them.
- (ii) A review of the affordable housing policy with a view to increasing the level of affordable housing in regeneration schemes to 50% (whilst retaining the social housing element of the council's affordable housing policy).
- (iii) Embody the core principles of recycling and reuse in all regeneration plans in line with meeting the Council's own objectives concerning climate change and sustainability. This investigation should focus on how to long-term fix many housing disrepair issues in existing stock in order to make conditions more suitable for tenants to stay in their properties.
- (iv) Spell out the financial cost/benefit analysis of any given regeneration scheme, not only concerning the loss of homes/businesses and number of

replacement homes/businesses, but also that the viability tests reflect the true increase in land value over time.

- (v) Undertake a cost benefit analysis that evaluates the opportunity area policies, and looks specifically at the comparison between large private sector opportunity projects being delivered, and longer term slower, but local authority driven projects being delivered. This piece of work be brought back through the scrutiny function once it is completed.
- (vi) Guarantee that displaced secure tenants are offered secure tenancies on return to the locality, and that leaseholders are given options reflecting a fair market price pre-regeneration.

Reasons:

35% Campaign

- *“Leaseholders on estates receiving far too little compensation for the loss of their homes and many having to leave the borough to buy new homes as a result.”*
- *“New homes being provided by regeneration are way beyond the means of those in the most acute housing need. Lack of social rent properties.”*
- *“Not enough consideration is given to the resources of all kinds that the public sector puts into private developments, as well as the increases in land value that derive from planning approvals. Need for better accounting of this, with a view to establishing whether the borough is getting a good return for the money it is putting into regeneration.”*
- *“In the case of estate regeneration - examine the pressure decanting council estates puts on Southwark’s housing waiting list. There used to be regular reports on this at around the time of the Heygate decant, but this no longer seems to be done, or at least we can find no reports that are publicly available.”*
- *“Look at the practice of ending secure tenancies on estates, once they are marked for demolition. While this minimises Southwark’s rehousing obligations it can leave some long-term, but non-secure tenants, with no right to a newly built home. It also makes an estate a more transitory place to live and makes for less stable communities.”*
- *“Look at the level of leaseholder compensation. While the options for leaseholders may have been incrementally improved over time, the fundamental problem of inadequate compensation in relation to the cost of new free market homes remains unresolved and from the leaseholders’ point of view is iniquitous. The committee may also wish to look at the take up of the various leaseholder rehousing options and whether these options are presented to leaseholders in a fair way and, in particular, whether leaseholders are being deterred from taking up the equity loan option.”*

- *“Look at Elephant Park. When completed, this will be 2,700 units, which is over 200 more units than was originally consented. The amount of affordable housing has been increased proportionately, but there has been no reassessment of the viability of the scheme and whether it could support a greater proportion of affordable housing.”*

Peckham Vision

- *“Carbon emissions from demolition and new construction are a significant contributor to the climate emergency. A reorientation away from demolition-led regeneration and a preference for re-use is essential for consistency with the climate emergency policies.”*
- *“Affordable housing still unaffordable - the Council should bring together and publicise annually:*
 - *the income levels of the population in the borough*
 - *the range of sale prices and rent levels across the borough and*
 - *A simple table showing the discrepancy between these.”*

Overview and scrutiny committee

- *In respect of 4(v) the council does not appear to have undertaken a cost benefit analysis of these policies. Southwark is a limited geographical space and only has so many plots of land that has potential to be developed. One of the routes that the council has gone down to tackle the housing crisis at speed is to set up opportunity areas for private sector development. One of the outcomes of that is that private sector development delivers less social homes because the funding model isn't there for high levels or 100% social homes building programmes.*
 - *What we want the council to understand is what has happened with these opportunity areas:*
 - *how many social homes will be delivered across all the different opportunity areas that exist, have been delivered or will be delivered;*
 - *what could have happened if the council had had a programme of buying that land and developing capital housing plots over a longer period of time.*
5. That the cabinet consider stating that in the instance of any council estate regeneration in the future, that the first preferred option in all circumstances be to deliver such a programme as local authority homes. If the council wishes to propose a partnership agreement with private or third sector organisations in future, then the cabinet must lay forth in a report why an in-house/council controlled regeneration is not possible, and any such report must be considered through the council's overview and scrutiny functions.

Reasons:

Overview and Scrutiny Committee

- *Much of the community evidence highlighted the difficulties of delivering regeneration schemes through partnership agreements. This is something the council has already learned from the taking of actions over the last 10 years, entering into regeneration partnership agreements out of necessity. Now that the council's financing arrangements have been changed, it is no longer pursuing that route, and this is reflected in the Borough Plan. This recommendation seeks to make clear in the council's decision making processes the priority that regeneration of any estates that do need programmes, is always delivered in house as the first option. **Note:** 'In house' in this context is meant as not being delivered in partnership with private or third sector organisations.*

35% Campaign

- *Net loss of social rented housing.*
- *New homes being provided by regeneration are way beyond the means of those in the most acute housing need. Lack of social rent properties.*
- *Affordable homes, not the equivalent or proper replacement for the council, and social rented housing lost.*

6. Specifically for transport related aspects of regeneration the Council should:

- (i) Develop and improve its strategy for the implementation of better sustainable networks whether large or small as a catalyst for regeneration in the borough.
- (ii) Seek to promote and introduce healthy streets through more localised street space schemes providing feeder links to create more of a community way in or out routes.

Reasons:

Walworth Society

- *"Streets and their purpose are changing with the response to the pandemic and the declaration of a Climate Emergency. Community seeking active conversation about the design of the streets, and how they need to evolve especially in relation to car parking and landscaping before these are set in stone."*

35% Campaign

- *“Concerned about the number of consented, but non-viable developments, in the Old Kent Rd Opportunity Area, amounting to about 5,000 consented homes, particularly in the light of doubt and delays to the Bakerloo Line Extension (BLE). These developments all include 35% affordable housing, but depend to a large degree on the BLE for the uplift in land values that will make them viable and deliverable.”*

Transport Providers

- *“New rail links can make parts of London viable places to attract major investments in new homes and create jobs. These high volume services provide the capacity to support major growth sustainably. The significant change in transport connectivity and perceived permanence of these investments increases developer confidence and lowers their risk.”*
- *“Ensuring safe and accessible walking and cycling facilities and delivering Healthy Streets to make the area accessible all for those who travel through, live, and spend time there.”*
- *“The [Bakerloo Line] extension would benefit existing and new communities & businesses by: • Offering a new direct, high frequency link into central London • Providing capacity for at least 60,000 extra journeys in both the morning and evening peak periods • Relieving congestion on roads, reducing CO2 emissions and air pollution • Significantly reducing journey times along the extension to central London • Providing an Underground train every two to three minutes between Lewisham and central London • Increasing the attractiveness and viability of developments, delivering new homes and jobs in south east London.”*
- *“Healthy Streets scheme proposed along the A2 Corridor, from East Street (north) to Ilderton Road (south) • To support the growth and provide pedestrian, cycle and public transport improvements along Old Kent Road • TfL is working with LB Southwark and GLA colleagues on the proposals and other measures to complement the improvements.”*

Acknowledgements

The Chair would like to thank all those individuals and organisations that attended sessions of the Committee to be interviewed and/or submitted evidence, and for their constructive comments and recommendations. In addition, the Chair would like to thank all those Councillors and Officers who participated in the Committee sessions and/or assisted in the drafting of the report.

Cllr Ian Wingfield

Chair, Overview and Scrutiny Committee

Appendix 1: List of invitees / contributors

Committee members

Councillor Ian Wingfield (Chair)
 Councillor Victor Chamberlain (Vice-Chair)
 Councillor Humaira Ali
 Councillor Peter Babudu
 Councillor Jack Buck
 Councillor Gavin Edwards
 Councillor Sarah King
 Councillor Margy Newens
 Councillor Victoria Olisa
 Councillor Anood Al-Samerai
 Councillor Maria Linforth-Hall
 Councillor Leanne Werner
 Martin Brecknell (Co-opted Member)
 Marcin Jagodzinski (Co-opted Member)

Councillor Dora Dixon-Fyle (Reserve Member)
 Councillor Richard Livingstone (Reserve Member)
 Councillor Sunny Lambe (Reserve Member)
 Councillor Jason Ochere (2020/21 municipal year)
 Councillor Jane Salmon (2020/21 municipal year)

Other Council contributors

Councillor Johnson Situ, former cabinet member for Climate Emergency, Planning and Transport
 Councillor Martin Seaton, Chair of the Planning Committee
 Colin Wilson, Head of Regeneration (Old Kent Road)
 Everton Roberts, Head of Scrutiny

Other contributors

Jeremy Leach, Walworth Society
 Amir Eden, Living Bankside
 Jerry Flynn, 35% campaign
 Barbara Pattinson, SE5 Forum
 Eileen Conn, Peckham Vision

Emma Cariaga, British Land
 Miles Price, British Land
 Kristy Lansdown, Lendlease
 Kelly Harris, Notting Hill Genesis
 Andrew Wood, Network Rail

Invited organisation that were unable to attend (or declined invitation)

Dulwich Society
Rotherhithe and Bermondsey Local History Society
Citizens UK
The Arch Company
Grosvenor - Developer
Berkeley Group - Developer

Appendix 2: Community Presentations

Walworth Society – Jeremy Leach

Southwark Council Overview and Scrutiny Committee: Regeneration in the borough (Past and Present) Submission from the Walworth Society – 9th November 2020

1. The characteristics of Walworth are that it is not an affluent area and retains some pockets of deprivation that were first identified in the Booth mapping of the late 19th Century. It is extremely diverse and benefits from a wide range of different communities and many people live in the large number of Southwark Council estates to the east and west of the Walworth Road. Car ownership levels are low. There are significant issues with public health most notably childhood obesity and people living with multiple long-term conditions.

The Walworth Road is the most walked to high street of any town centre in Southwark. If well-designed around people on foot, the Walworth Road is perfectly placed to benefit from the move to more locally centred living which may be one of the outcomes of the pandemic.

2. There has been a great deal of change across Walworth in the past few years with the redevelopment of the Heygate Estate and the redevelopment of Manor Place Depot. Ongoing is the redevelopment of the Aylesbury Estate, the continuing redevelopment at the E&C, and regeneration of the neighbouring Old Kent Road and the delivery of a large number of new Council homes across a number of sites.

3. The area has a strong sense of community with many active groups. There are also encouraging signs of partnerships initiated and facilitated by Southwark Council which major local developers working with community groups in the newly formed Walworth Group. Many of elements of the original aims of the Walworth Neighbourhood plan of an improved public realm, good walking and cycling links, increased greening, conservation of heritage and nurturing of local businesses are being delivered as part of other projects.

There are a large number of significant initiatives going on at present inc. the new Library and Heritage Centre and the Walworth Town Hall redevelopment which is about to go to planning committee in early December, the Walworth Heritage Action Zone flowing from the Walworth Road Conservation Area, the Walworth Low Emission Neighbourhood and Walworth Healthy Streets and delivery of new Council homes.

4. In our view, the priorities that touch on regeneration require a focus on the Walworth Road as a core local high street. The Walworth Rd has played a key role for local people during the pandemic. There are signs of the pressure it is under with the imminent closure of a number of shops such as Peacocks and Argos. The local low-cost food retail outlets are key and a number of them are under threat from the New Southwark Plan designations. These include Oli Stores - the 24/7 Turkish Stores, Iceland in NSP81 and Morrison's in NSP80. It would be extremely damaging if they were allowed to close for any period of time during redevelopment and, to avoid this,

the Walworth Society has proposed intensification of the uses of these sites rather than their wholesale redevelopment. The Walworth Road continues to lack a strong business voice with no body to co-ordinate support for the businesses and the strategy for East St remains unclear. It is vital that a town centre plan for the future direction and day-to-day management of the Walworth Rd is developed and delivered. Opportunities are being missed in the regeneration to enable sustainable freight and cargo and a sustainable freight hub should be required as part of the Morrison's site development.

5. There is a need to ensure that regeneration improves employment and training opportunities locally both as part of the regeneration schemes through creating employment and also through opportunities to improve skills locally through mentoring and skills development in both the E&C and OKR regenerations. A perfect example of this might be a) the businesses that work in the redeveloped Town Hall supporting local start-ups and businesses and the Higher Education Institutions in and around the E&C developing local training and upskilling programmes.

6. The key public realm infrastructure task in the medium term is design of the Walworth Road at its northern and southern ends where it remains a wide, fast and intimidating road that is out of place with the requirements of a pedestrian and cycle friendly high street. It is important that the northern end becomes a positive link between Walworth and the new Elephant and Castle Town Centre and that the public realm is improved to match the improvements that are occurring and are planned throughout the length of the road between Manor Place and Heygate Street. There has been large investment in the new library and heritage centre, Walworth Square and in due course the Walworth Town Hall but the four-lane road remains a barrier to people choosing to walk to the Elephant and Castle and it is not an attractive environment for these new and improved amenities and the thousands of new residents. In the south, the Walworth Road is wide from Liverpool Grove to John Ruskin St and remains a barrier to the economic success of the businesses in this section and is a poor environment for the thousands of existing and new residents on the redeveloped Aylesbury Estate who will seek to access public transport and this part of the Walworth Road.

While the quality of the built environment appears quite strong in the redevelopments that Southwark is guiding for example in Manor Place Depot, the First Development Site at the Aylesbury and the Council Homes, the public realm and streets are less so. The Manor Place Depot site is a very hard urban landscape for example. The ideas of streets and their purpose is changing with the response to the pandemic and the declaration of a Climate Emergency by Southwark Council. We would like to see an active conversation occurring about the design of the streets in the First Development Site at the Aylesbury and how they need to evolve especially in relation to car parking and landscaping before these are set in stone and cannot respond to these new and emerging perspectives.

7. We are keen to take part in further conversations on this issue and hope that this input is not just seen as a one-off. One of the issues that local groups face and hopefully the Walworth Group can start to address is the ability to participate actively with officers and Councillors in developing a vision for and contributing to the development and improvement of the Walworth area.

Regeneration has too often been something that is done to people and struggles to respond to the strong communities that are already here and their local knowledge (including the work that was done towards a Neighbourhood Plan). The development of the Walworth Group is encouraging BUT we would like to see this developed further and a) a plan for Walworth and its development is articulated and discussed widely, b) that this includes the management and evolution of the Walworth Road itself as our local town centre and c) that there is transparency and communication of the allocation of S106 and CIL funds and that these are clearly applied for the long-term benefits of communities across Walworth in line with identified local needs.

The Walworth Society – 9th November 2020

Living Bankside – Amir Eden

Overview and Scrutiny Committee – 9 November 2020

Scrutiny Review - Regeneration

Meeting transcript - (prepared as spokesperson did not submit presentation notes)

Amir Eden, Living Bankside

Good evening and thanks for the invitation also. So my name is Amir, I'm the Executive Chair of Living Bankside which is a charitable community organisation which represents and provides services to people living between London Eye and City Hall and down to about Ministry of Sound, so sort of the SE1 area and we've existed since 1995, so sort of the beginning of a lot of regeneration coming to Southwark and taking hold of Bankside and moving towards Bermondsey, and further down. I'm also a foster carer for Southwark, and a lawyer by trade.

In terms of regeneration, I just wanted to say first, I echo a lot of the things that have already been said, and they are very much similar issues that we have within the area that we serve. And just to add to those things, one of the things I wanted to mention first is, we submitted a paper in 2018 to cabinet which looks at a lot of the recommendations around making the process for planning and regeneration much more transparent, accountable, and representative of the needs of Southwark residents. And to add to that, the things I'd like to add is whilst lots of council officers and councillors have great relationships with the local community, in many areas it works to the benefit of local residents, sometimes it can feel that policy or the way that council officers or councillors are taking a direction, it doesn't necessarily meet with local need. So I think one of the things that has been a major issue, and I'm sure lots of people, and especially the people on the committee have heard, is consultation, and not the quantity of it, but more so the quality and the depth of consultation, and moving beyond a tick box exercise and looking more at specific needs, what kind of things do local residents want? Are they looking for a large supermarket do they want certain recreational activities, what kind of things do they want, and a lot of the time that is missed. And going back to the discussion that was had before this item around inequalities, a lot of the time, consultation misses protected characteristics, so people, perhaps that are BME, LGBT, or women, or on lower incomes, we find that those voices are not necessarily always heard or their needs are not necessarily incorporated within wider plans, but more importantly specific development proposals that come in an area. The other things that we find is that because of that, there is an impact on sense of belonging and pride of place, and a lot of people feel that because they're not able to influence and impact change in their neighbourhood that they feel the place is becoming something not for them, and perhaps for tourists or whatever else. In Borough and Bankside, we have very much a mixed community, you know,

we have lots and lots of businesses and we also have a large residential community made up of people that are freeholders, leaseholders, but also council tenants and Housing Association tenants, and whilst their needs are diverse and the area is diverse, in that we also see tourist attractions and tourists visiting, residents of the borough don't always feel that they're getting a say and they're getting their needs addressed because of this diverse and mixed neighbourhood. In terms of achievements and regeneration as a whole, our assessment is that whilst an overview of achievements have been achieved, so you could say schools have been built or perhaps facilities have been built or are going to be built, what we find is the detail in planning applications, the detail in the borough plan, is most of the time missing and it's always at a later stage after planning permission has been granted that the details are being discussed, and the original intention of what was to be achieved in terms of both by the council and by local residents isn't always met, and I think to be able to achieve the things that have been discussed by the previous speaker and what residents want, there needs to be better mechanisms in place to achieve that detail. Sometimes what we find is, which what I call is Whitehall thinking is, things are proposed or suggested in an area which are not necessarily wanted, for example, in Borough and Bankside, we always hear that officers have suggested that music venues are part of the development, and that isn't always something that the developer or local residents need or in fact local employees, and so I think there needs to be better communication at early stages and detailed communication before planning proposals are coming forward. I think that's most of what I want to say, the other bits have been mentioned by the previous speaker and no doubt whether the following speakers but also within our paper that we submitted in 2018 to cabinet.

35% Campaign – Jerry Flynn

O&S Committee

9 Nov 2020

Committee request - the committee will be particularly interested in hearing your views, based on past/current experience and how you think future regeneration projects should be shaped, along with any points around lessons to be learnt for the future? The chair intends to plan for 5 – 10 minutes presentation per invited community spokesperson, followed by questions.

Thank you chair for asking me to speak.

My experience of regeneration comes for living with my family on the Heygate estate and campaign work with the Elephant Amenity Network and the 35% Campaign.

Our campaign work largely consists of challenging Southwark, private developers and housing associations in their conduct of the borough's regenerations, taking account, in particular of the impact they have on local people. This has led us to participate in the many consultations, planning and policy making processes that regeneration involves, as well as various tribunals, inquiries and in the case of the Elephant and Castle shopping centre, mounting a legal challenge to the planning permission for the centre's redevelopment.

Overall, I would say that the experience of those most immediately affected by regenerations, those who live and work on regeneration sites, is not a happy one. They have lost their homes or workplaces, with all the upheaval and in some cases, trauma, that goes with that, without necessarily getting the benefits that a regeneration is supposed to bring, in the way of new homes or new work places. I would say that this is the story of the Heygate, the shopping centre, the Aylesbury and other regenerations, to a greater or lesser extent.

As far as the Heygate is concerned, the new homes that were promised the residents did not materialise and leaseholders on the estate received far too little compensation for the loss of their homes and many had to leave the borough to buy new homes as a result. The leaseholders on the Aylesbury will be in a similar position regarding compensation, and while the secure tenants there look as if they have more chance of getting new homes in the regeneration, both schemes will result in a net loss of social rented housing.

The committee will know that the Elephant and Castle shopping centre has just closed and this has displaced all the independent traders, who are nearly all from BAME backgrounds. Around 45 of these have been relocated, but many more have been given nowhere to go; Southwark and Delancey dispute the exact figures of those not relocated, but there is no doubt that the centre as a social hub for the various ethnic groups, and particularly the Latin American community, has disappeared.

We must also note the loss of the shopping centre's bingo hall. It was the second largest in the country and used by many older black and ethnic minority people. It provided the opportunity for companionship and had great social value, which is now

all entirely lost. It will not be replicated in the new development because it simply does not fit the profile for the new clientele Delancey is seeking to attract.

There are ongoing discussions with Southwark about establishing a small market for displaced traders, and we very much hope that this comes to fruition. Maintaining the Elephant as a social hub for the Latin and other ethnic minority communities should be a priority of the Elephant's regeneration.

Turning back to housing - most of the new homes being provided by the Elephant's regeneration are way beyond the means of those in the most acute housing need. While Elephant Park and the shopping centre redevelopment together will provide around 3,700 new homes, only 216 of these will be social rent. By way of comparison the Heygate had 1,200 council homes.

Around 700 'affordable homes' are also being built, other than social rent, but we would strongly argue that while these cost less to either rent or buy than free market homes, they are not the equivalent or a proper replacement for the council and social rented housing we have lost.

Generally speaking, we are not convinced by the rationale for regeneration. We do not believe that the best option for improved social housing is demolishing entire council estates or that private developers will somehow and almost inevitably create prosperity in a given area, if they are allowed to build what they want.

The Elephant shows the reality of regenerations - that the people who are already there are displaced and it is others coming to the area who benefit.

We think that a fundamental flaw in regeneration in Southwark and London is to treat development sites as blank sheets of paper, without due regard for the people living and working there already.

We also believe that not enough consideration is given to the resources of all kinds that the public sector puts into private developments, as well as the increases in land value that derive from planning approvals. There needs to be a better accounting of this, with a view to establishing whether the borough is getting a good return for the money it is putting into these regenerations.

Leaving this aside we can make some suggestions that the committee might like to pursue in its further examination of regenerations.

In the case of estate regeneration, the committee may wish to examine the pressure decanting council estates puts on Southwark's housing waiting list. There used to be

regular reports on this at around the time of the Heygate decant, but this no longer seems to be done, or at least we can find no reports that are publicly available.

You may also wish to look at the use of Home Search for decanting tenants – while this allows secure tenants some limited choice of a replacement home, it is also stressful, tightly timetabled and requires almost immediate decisions from tenants who are, after all, not moving of their own volition.

You may wish to look at the practice of ending secure tenancies on estates, once they are marked for demolition. While this minimises Southwark's rehousing obligations it can leave some long-term, but non-secure tenants, with no right to a newly built home. It also makes an estate a more transitory place to live and makes for less stable communities.

Another serious issue is the level of leaseholder compensation. While the options for leaseholders may have been incrementally improved over time, the fundamental problem of inadequate compensation in relation to the cost of new free market homes remains unresolved and from the leaseholders' point of view is iniquitous. The committee may also wish to look at the take up of the various leaseholder rehousing options and whether these options are presented to leaseholders in a fair way and, in particular, whether leaseholders are being deterred from taking up the equity loan option.

The committee may also wish to look at Elephant Park. When completed, this will be 2,700 units, which is over 200 more units than was originally consented. The amount of affordable housing has been increased proportionately, but there has been no reassessment of the viability of the scheme and whether it could support a greater proportion of affordable housing.

Developer Lendlease have also announced that 900 free-market units on Elephant Park will now be BtR, not for sale. This is allowed under the terms of the planning permission, but is nonetheless not what was presented to the planning committee for approval. While BtR fulfils a market demand, it does not necessarily meet Southwark's housing need, as well as more established tenures. It also provides less social rented housing than build to sell free-market housing (NSP Policy P4).

The conversion of the free-market units to BtR also raise a question as to how Southwark's share of any profit overage will be calculated and realised.

The committee may also wish to consider the extent of overseas sales; a substantial proportion of an earlier phase of Elephant Park was sold in Hong Kong and Singapore (South Gardens).

The committee may wish to examine the progress of the Aylesbury estate regeneration. The development is at least two years behind hand and the committee will be aware that Southwark has taken over the First Development Site from Notting Hill Genesis. We believe this raises a question about whether NHG are willing and able to deliver the remainder of the regeneration.

We are also concerned about the number of consented, but non-viable developments, in the Old Kent Rd Opportunity Area, amounting to about 5,000 consented homes,

particularly in the light of doubt and delays to the BLE. These developments all include 35% affordable housing, but depend to a large degree on the BLE for the uplift in land values that will make them viable and deliverable.

We also have more general concerns about the credibility and utility of viability assessments. We suspect that they do not reflect the true profitability of major schemes and that the schemes are therefore not delivering the maximum reasonable amount of affordable housing, particularly in the absence of late stage reviews.

In a similar vein we are concerned about how Southwark is monitoring the delivery of affordable housing in private developments and whether this is being done accurately. It is now 4 years since the Local Government Ombudsman ruled that Southwark did not have a proper system of monitoring affordable housing delivery and while much work appears to have been done by Southwark in digital public services and towards establishing an effective system of monitoring, it is not clear whether this system has been launched and is actually being used.

Jerry Flynn

35% Campaign

SE5 Forum – Barbara Pattinson

SE5 FORUM

FOR

CAMBERWELL

**Regeneration in the Borough (Past and Present) - Evidence to the Southwark Council
Overview and Scrutiny Committee**

9th November 2020

Community Engagement

I would like to start by saying I would not be here today were it not for Lambeth. Lambeth is a Co-operative Council that regularly and effectively engages with and financially and professionally supports local democracy through a network of local forums – Lambeth Forum Network. Southwark does not have a policy for community groups or a protocol for community involvement so engagement is fractured at best and non-existent at worst. A recent example is that after the excellent work done by Magda Bartosch on the Camberwell Good Growth Project she contacted us to let us know that she would be focused on Camberwell Station Road and suggested that if we wanted to know about the much wider Camberwell Good Growth work we could contact the officer responsible. The implication here is that there were no Southwark plans or protocol to inform SE5 Forum and presumably other interested groups about this significant work in Camberwell. This does not exhibit a readiness to seek and value grassroots input – there should be an agreed protocol for community engagement at the very beginning of any project large or small – never mind when it alters course. It could be argued that armed with contact details we could take the initiative here and approach the new officer but the principle of encouraging community involvement is not served. A protocol should be put in place.

To Make Matters Worse

We think that Camberwell has more than its fair share of complex issues and, sadly, Southwark has recently added to them. The NSP refers to Camberwell throughout but it fails to note that it has dissolved the Camberwell community council and the Multi Ward replacement splits Camberwell between Walworth and Champion Hill. This means that there is no consultation mechanism at which Camberwell and its town centre, the historic nature and specific identity of the area is regularly considered and reviewed, or which enables the local community to contribute to the area vision. We are not aware of any Camberwell councillor raising any objections to this sorry state of affairs. Let it be noted that we have somewhat overcome the negative impact of Camberwell's already being split between two local authorities due to the not inconsiderable support from Lambeth.

Uniqueness

Camberwell should be recognised and promoted by Southwark for the centre of excellence it is. SE5 Forum promotes Camberwell as a positive visitor and worker destination. We have a plethora of world class institutions - the South London Gallery (Joint Winner of Art Fund Museum of the Year 2020), Camberwell College of Arts, King's College Hospital, the Maudsley Hospital and the University of London Institute of Psychiatry, Psychology & Neuroscience. We think Camberwell punches above its weight and Southwark should celebrate this.

What is missing is a Village Hall.

Recent Regeneration Efforts That Have Served Camberwell well

The community led regeneration of the Leisure Centre is a valuable community resource Camberwell Green has been greatly improved but there are still issues with maintenance. The Valmar Trading Estate should contribute positively to Camberwell life.

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I will list a few examples of Potential Regeneration Projects

Camberwell town centre is where joined up thinking is needed most

- The police station and the considerable land it stands on presents a once in a lifetime opportunity to make the centre of Camberwell a world class community resource – don't let it default to dense housing with the usual minimal social provision.
- The ambitious Camberwell Lanes project contains many design issues that work against a sustainable development that we can be proud of for decades to come – this is worrying
- *The former Science and Technology Centre in Wilson Road should provide another opportunity for a community resource – what is happening there?*
- *The Camberwell Bunker site is an exciting initiative that Southwark is supporting.*
- *SE5 Forum is campaigning hard for Camberwell Station to re-open – Southwark business cards should reflect this.*
- *The Magistrates Court and environs should present some sort of gain – woefully little information about this is available.*
- Eyesores such as the old library site and the post office are a blight on the community – why has this been allowed to go on for so long?

Part of the process should be:

- Designing out crime - consulting local police and safer neighbourhood team ward panels before making planning decisions.
- Including businesses in the process of developing policy.
- Taking action to find uses for long term empty spaces
- Incorporating the Camberwell identity when considering planning applications in the Town Centre
- Imposition of a condition on property developers at the planning stage that if the new retail spaces below modern developments are not rented within 2 years, they automatically become potential 'meanwhile' spaces that can be

used for community uses at costs well below market value or - better - as a gift to the community. 2 years is a long time.

- As the A202 is the main artery from Dover to the West End we would look for evidence that Southwark and TfL are enforcing restrictions on HGV's effectively through using cameras and new technology such as the scheme adopted by Islington Council.

Past Regeneration Efforts That Do Not Serve Camberwell well

- Decades ago, Camberwell people were stunned by the banal design and low budget finishes of the Butterfly Walk shopping centre which definitely did not enhance the surrounding conservation areas. There are fears that this may happen again with the Camberwell Lanes initiative.
- In the town centre we have had to endure seemingly endless redesigns and road works with the most recent outcome being a minimally improved pedestrian experience with TfL announcing they delivered a 'cycle safety scheme'. Southwark is responsible for some of the roads here and should be working hard with TfL to deliver the ambitious scheme we were promised with the inclusion of social distancing improvements.
- Of course there have been improvements over the years but there is a history of **lost potential iconic** community assets – most notably for me are the Odeon Cinema (Lambeth side) and the Grand Surrey Canal – happily people are more aware of the danger of losing local heritage and beauty.

Page 2

What We Would Like to See

- A commitment to implement the many proposals by community groups
- An effective mechanism to work with local groups on projects that they have suggested such as:
 - Green walks linking Camberwell Green and Burgess Park, Brunswick Park
 - Noticeboards on the Green
 - Paving stones showing the art walks, green walks and black history walk developed by the local community so that they can be accessed by all
 - Distinctive Buildings -using the widely consulted identity and branding work carried out by the local community and incorporating the logos and palette in buildings and streetscape
 - Traffic Pollution mitigated somewhat by introducing carbon capturing features.
 - Space for street trees + plentiful seating and useful street furniture such as litter bins and post boxes
 - Southwark funding the promotion of Camberwell's High Street.

Barbara Pattinson
Chair
SE5 Forum for Camberwell



Working for a Better Camberwell

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Peckham Vision – Eileen Conn

Southwark Overview & Scrutiny Committee Tuesday 9th February 2021

My name is Eileen Conn. I live in Peckham. I have for many years coordinated the local action group Peckham Vision, where our focus is on town centre operations as well as planning, and the Southwark Planning Network (SPN), which links active people and groups across the borough to share information and give each other mutual support.

I am also an active member of Just Space which is a London networking group in relation to the London Plan. My contribution this evening comes from this grassroots experience.

I want to thank you for inviting us and other community groups to come and speak with you in this important scrutiny of regeneration in the borough.

I am going to cover three points this evening:

- First, the need to reorient regeneration from demolition-led redevelopment to reuse-led regeneration.
- Second, the need to break out of the straitjacket stopping us from building housing that people in the borough need.
- Third, the need to transform the relationship between the Council and community groups in relation to regeneration and redevelopment.

These are huge topics so this can be only a whistle stop tour but I would like to leave you with some useful points. I will be glad to follow up details as necessary afterwards.

1. REGENERATION, LED BY RE-USE

Much community experience of ‘regeneration’ is that it is demolition-led with ineffective community engagement, as with the Council plans for three large sites in the heart of Peckham town centre. The Peckham Multi Storey, Peckham Rye Station and Copeland Park sites all contained old buildings full of small enterprises. But the plans in each case one after the other over 15 years called for complete demolition and redevelopment for ‘regeneration’.

The community had to campaign long and hard against these destructive policies. As a result, through a community-led approach seeing the facts on the ground about the existing buildings, their uses and their self regeneration potential for the area, the community campaigns in each case succeeded in reversing them. It is a prime example of the potential for self regeneration without demolition and redevelopment, with beneficial effects beyond the individual sites concerned.

The lesson from this is that all development in the name of ‘regeneration’ must start with an audit of the facts on the ground before any redevelopment plans are ever begun, verified with the local stakeholders. Last year I wrote an essay on this as *inside-out development* at the

request of the Grosvenor Estate for their website, as a good example for their new Community Charter. The link is in the footnotes at the end.

I know from grassroots experiences across London that this demolition-led redevelopment approach to regeneration is the norm in the industry. For example in the Old Kent Road Opportunity Area, the drive has been to encourage the assembly of land irrespective of its current uses and occupiers, to enable major redevelopment.

In addition, carbon emissions from demolition and new construction are a significant contributor to the climate emergency. A reorientation away from demolition-led regeneration and a preference for re-use is essential for consistency with the climate emergency policies.

The new Development Charter now requires a 'fact-based audit' of existing assets and uses for any planning application for redevelopment. But there is no guidance for its production or its role in the planning process. It needs to be used as a strong benchmark to ensure that the regeneration provides significant net benefits for the existing community. We would like to ask for your support for the collaborative creation of Council guidance in a Supplementary Planning Document (SPD) on how the fact based audit should be produced and its role in the planning process.

2. BUILDING HOUSING THAT PEOPLE IN THE BOROUGH NEED

There is a calamitous crisis in housing in London. But this is a crisis of a particular kind, that is the lack of housing that most people can afford. To address this, planning policy has been for many years that new developments should provide a **minimum** of 35% 'affordable' housing. But this is failing to meet the need for housing, and the deficit gets worse. Some of the problems are:

- 35% seems usually to become a maximum, and even some of that can be unaffordable as 'affordability' can mean up to 80% of market rent. In new developments in London that is outside the means of most people.
- This means that a minimum of 65% of new developments given permission are **officially 'unaffordable'**.
- The figures showed a few years ago (2014) that only 5% of households in Southwark earned more than £46,000 a year. And yet to buy or rent at market levels needed in many cases well over that eg at around £100k and more a year income.
- Taking inflation into account, this still means that probably over 90% of local households can't buy or rent new housing. So it isn't meeting the housing need. So who is it for?
- The fact that 65% housing, given planning permission, is being **officially classed as 'unaffordable'**, shows something is seriously wrong and unsustainable.
- There is a very welcome move to increase the 35% minimum to 50%. But as the housing crisis is because the vast majority can't pay market rates for sale or rent, it is still unsustainable and unviable to give permission for 50% housing that is officially unaffordable. The upper limit on unaffordable new housing should be more like only 10-20%.

We all know that this is not easily within the powers of local councils to change overnight. But there are two actions I would ask the Committee to consider which may help move out of the straitjacket of current thinking. These are that the Council should:

- Bring together and publicise annually
 - the income levels of the population in the borough
 - the range of sale prices and rent levels across the borough and
 - a simple table showing the discrepancy between these.
- join with community groups and others to inform, educate and engage the public – organisations and residents - about the inadequacies of the demolition-led redevelopment approach, and the search for alternative solutions.

COUNCIL AND COMMUNITY WORKING TOGETHER FOR REGENERATION

Across the borough local people voluntarily take up local issues as they arise, and develop links with each other and form important local networks. In many cases they have a longevity and continuity of local knowledge which can be very valuable for planning and regeneration. We need to develop ways to enable this to be accessible to policy makers. One of the keys here is the working relationship between these local ward activists and their ward councillors.

I was interested to hear at the Committee's previous meeting with community representatives, Cllr Buck's comment about ward councillors and community groups working together at ward level before redevelopment plans get initiated. I strongly support this. We could think of it as the local ward network bringing together all those who take an interest in planning and regeneration and related matters. It could be a constructive way for local people to develop an organised way to work with each other and their ward councillors on any matters the Council formally wanted to consult the neighbourhood about.

I would be very glad to explain ways we could do this, and exchange thoughts with any councillors on this committee who are interested.

SUMMARY

My comments have suggested some thoughts for your consideration covering:

1. Collaborative creation of a Council SPD on the production and role of 'fact based audits' before regeneration.
2. Annual publication of borough figures for income levels, housing sale prices and rent levels, and the discrepancy between these.
3. Collaboration to inform, educate and engage the public about the inadequacies of the demolition-led redevelopment approach, and the search for alternatives.
4. Exploring my ideas about ward councillors and community groups working together at ward level on planning and regeneration.

Thank you

Eileen Conn MA (Oxon) MBE
9 February 2021

Peckham Vision co-ordinator and SPN co-ordination
<https://www.peckhamvision.org>
https://www.peckhamvision.org/wiki/Southwark_Planning_Network
 @peckhamvision - twitter, Facebook & Instagram
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 Woman of Influence for 2020 - The Planner

- * Southwark News - <https://bit.ly/2zUoHtD>
- * essay on *Inside out Development* - <https://bit.ly/30EQ7Ph>

 about Peckham Vision -

- * <https://www.copelandpark.com/blog/2020/01/15/peckham-vision-and-a-history-of-copeland-park/>

* Peckham Vision studio in the Bussey Building and shop in Holdrons Arcade will reopen when it is Covid-safe to do so.

Peckham Vision relies on voluntary contributions for its work as a local citizens action group. Our information is created by volunteers and made freely available for the community. But if you benefit from our work, we hope you will donate to our funds. You can do this through the home page of our website, or email us for bank details.

Item No. 13.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Cover report Energy Scrutiny Review Report	
Ward(s) or groups affected:		All	
From:		Environment Scrutiny Commission	

RECOMMENDATIONS

1. That the cabinet considers the recommendations in the Energy Scrutiny Review Report (Appendix A), as set out on page 10 of the report and request that the relevant cabinet member reports within eight weeks.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Environment Scrutiny Commission agenda and papers 2021/22 Link: https://moderngov.southwark.gov.uk/eListMeetings.aspx?Committeed=517	Scrutiny Team 160 Tooley Street London SE1 2QH	Julie Timbrell 020 7525 0514

APPENDICES

No.	Title
Appendix A	Energy Scrutiny Review Report - Scrutiny review report of the Environment Scrutiny Commission into Energy

AUDIT TRAIL

Lead Officer	Everton Roberts, Head of Overview and Scrutiny	
Report Author	Julie Timbrell, Project Manager , Scrutiny	
Version	Final	
Dated	30 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Governance	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		30 May 2022

APPENDIX A

Energy Scrutiny Review Report

Environment Scrutiny Commission

March 2022

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Executive summary

Reducing energy consumption and switching to renewables is becoming increasingly urgent as our understanding of the climate emergency grows and energy prices rise. Zero Carbon Britain estimates that we will need to switch to 100% renewable energy and reduce energy consumption by 60% in order to reach Zero Carbon before 2050.

The Review took as its starting point the Council's Climate Emergency Strategy published in June 2021, and considered five approaches to reducing energy consumption and carbon emissions:

- Reducing energy/carbon in construction
- Retrofitting and to reduce energy consumption in schools, social housing, private housing, and offices
- Energy from waste
- District Heating Networks
- Community Energy

Reducing energy in construction

New Homes

Southwark Council has taken some innovative steps in delivery of New Homes to high environmental standards, by leading the way in roof top development, and through use of cross-laminated timber.

A recent evaluation of our New Homes building programme identified a performance gap in the predicted vs actual carbon emitted by completed council homes. This is an industry wide problem. There are steps identified to address this problem by 2025; however, the Commission recommends these are brought forward to 2023 and tightened.

There is growing awareness that calculating 'embodied carbon' in construction is as important as calculating carbon emitted by a building in use; giving due consideration to both will be a growing imperative as energy efficiency improves through technological advances. 'Embodied carbon' is presently unregulated, although there are a growing number of industry standards; pressure is being brought to bear on the government to introduce regulation in this area.

The Council intends to use 'whole life carbon' assessment for larger schemes to measure and reduce carbon; the Commission would like to see this extended to all New Homes schemes.

The Commission would also like to see the Council ultimately deliver to Passivhaus standards, drastically reducing energy consumption (and fuel bills); the Commission recommends that a technical pathway is developed to achieve this more ambitious aim.

Planning policy

Southwark Council agreed a new Southwark Plan, a major strategic document, in February 2022. However, this plan is presently geared to delivering Net Zero carbon by 2050, rather than 2030 as set out in the Council's declaration of a Climate Emergency. There is an intention to upgrade the environmental and energy policies of the Southwark Plan in line with the 2030 target, through a planned Early Review. The Commission recommends that this is expedited and completed by February 2023.

Retrofitting and energy reduction: Schools, Social Housing, Private Housing, and Offices

Switching to renewables and reducing the energy consumption of our existing buildings will be key to tackling the Climate Emergency and fuel poverty. This can be partly be achieved through more efficient use of our existing energy and building infrastructure, through use of Smart Meter analysis and ensuring that Southwark's buildings use cost effective renewable energy wherever possible, and that LED bulbs are installed.

However, to achieve the more substantive changes required to reach net zero and tackle fuel poverty, there will need to be 'deep retrofits' of our existing buildings. Currently 20% of total UK carbon emissions come from our homes, whilst 80% of UK homes that will be in use in 2050 have been built already. Retrofit is, therefore, key to tackling climate breakdown.

All the retrofit professionals who gave evidence to the Commission emphasised the need for a 'Fabric First' approach i.e. the principle that heat loss prevention measures are installed before investing in low carbon energy generation. As well as saving on energy bills, addressing the fabric first will also increase the dwelling's suitability for low carbon heating, either immediately or in the future as finances allow.

Retrofitting is a fast growing industry with new British Standards and specialist roles, although available expertise lags a long way behind demand. Today's retrofit requires a planned phased approach to the whole building, considering the needs of the occupants, and must be delivered by a trained workforce. Passivhaus EnerPHit is one recognised programme that can be utilised by retrofitters.

Passivhaus EnerPHit standards lend themselves particularly well to implementation in horizontal or vertical blocks. This means many relatively modern buildings, such as residential housing blocks, some school buildings, and modern offices can be retrofitted to need little additional energy, that could all potentially be delivered by renewables, such as solar (PV) and heat pumps.

Some other building types, such as Victorian residential street properties and other older buildings, because of architectural and heritage characteristics, cannot be completely retrofitted cost-effectively, although it is possible to achieve significant energy savings.

Meanwhile, even though such buildings have limitations to their retrofit potential, demolishing them and replacing with newer designs will not achieve carbon savings, as there will be enormous amounts of carbon locked up in the building structure. It will usually make sense to retain and reuse as much of the existing structure as possible, particularly when a building has a cultural, heritage or architectural value.

Schools

The commission heard from two organisations working to reduce energy consumption in schools. The first, Energy Sparks, works with schools to reduce the energy expenditure of the existing estate using smart data, and engages children in this work through associated education materials. The second was RAFT (Retrofit Action for Tomorrow), which undertakes deep retrofits of school estates, reducing energy consumption by up to 75%. The Commission would encourage the Council to prioritise retrofitting the school estate and engage with these and/or other relevant organisations with a specialist practice in energy reduction and retrofit.

Housing

Southwark Council is the largest social landlord in London and the fourth largest nationally. Over 40% of all Southwark's housing is social housing. This is, therefore, an area that warrants considerable focus. A retrofit programme will require significant capital investment and officer time in planning and delivery.

The Climate Emergency Strategy lays out a broad brush action plan to decarbonize Southwark's housing, with an emphasis on the Council's estate. There are several council housing retrofit projects underway, including a Passivhaus pilot retrofit. However while there are pockets of encouraging practice there is no well-developed plan for a deep retrofit programme for Southwark Council's housing estate or beyond.

The Commission recommends the Council adds extra staff capacity in order to accelerate plans for a phased deep retrofit programme across the borough, utilising the new British Standards, making best use of available technology and funding opportunities, and becoming a system leader.

There are sources of government funding available to retrofit social housing, the most significant of which is the Social Housing Decarbonisation Fund (SHDF), which takes a 'Fabric First' approach. The GLA is also running several programs to support the retrofit of Social Housing and install low carbon heating, and the Council has made use of the latter to fund district heating networks. The scale of the investment required and the complexity of the funding arrangements (which will not cover all the capital) was noted as a challenge for the Council and other social housing providers, particularly small housing associations. The Commission takes the view that this is another reason to add staff capacity, as a relatively small investment in staff time can potentially unlock £millions in funding.

A significant challenge for social housing providers who have embarked on retrofit has been to engage tenants in the process. Those who had tried reported that 40 -

50% of tenants refused to agree to deep retrofit, partly because of the associated disruption. (Fabric First approaches go beyond the basics of loft insulation and double-glazing and normally involve internal / external wall insulation.) Peabody reported that it is now embarking on a co-creation approach with tenants, and the Commission encourages a similar approach in Southwark Council's buildings.

While retrofitting social housing is vital, it is important to factor in owner-occupiers and private renters who are the biggest group of fuel poor households by tenure. The Mayor of London's Warmer Homes programme addresses this need by offering free improvements to heating, insulation and ventilation for low income Londoners who are vulnerable to cold, as well as a variety of other schemes to increase use of renewables that are available to all Londoners. This all requires promotion to increase uptake.

Local capacity to deliver retrofit

The Passivhaus Trust highlighted the magnitude of the task of retrofitting our homes and the skills gap. Residents and businesses could potentially benefit from this growing retrofit economy by supporting the labour market to make the most of this opportunity. As such the Commission recommends that the Council looks at a partnership approach to build capacity (e.g. such as Cosy Homes Oxfordshire).

Leadership by the Council and Mayor of London

Both the Mayor of London and the Council have an important role to play in improving communication, integrating their programmes and acting as system leaders in order to scale up and deliver retrofitting at pace.

Waste and Energy

The Commission noted that a significant part of our current and future energy is predicted to come from waste, via incineration at South East London Combined Heat and Power (SELCHP). The Commission wished to examine the potential to use Anaerobic Digestion to produce energy.

The Council currently has an integrated contract for provision of waste management services with Veolia that operates under the Private Finance Initiative programme. This is a long term contract that expires in 2033, providing the Council with long-term cost certainty and stability. Inevitably, meanwhile, a long-term contract also brings reduced flexibility to undertake substantial changes.

Most of Southwark's unrecycled waste goes to Mechanical & Biological Treatment (MBT) for fuel use in Municipal Waste Incinerators within the Integrated Waste Management Facility in Devon Street, off the Old Kent Road, built by Veolia. Currently almost all of this MBT waste is then sent to SELCHP, a Municipal Waste Incinerator based in Lewisham and part owned by Veolia.

SELCHP told the Commission that its main purpose is to divert non-hazardous municipal waste from landfill and, as a by-product, to recover energy in the form of

steam for both the export of heat via a district heating network and as electricity for export to the National Grid.

SELCHP is regulated by the Environment Agency as an industrial installation, with an environment permit that controls operating methods and emissions. Exhaust gases from combustion of waste are subject to stringent pollution control measures; these pollutants are roughly analogous to those emitted during any combustion process, including traffic emissions.

The Commission briefly examined the environmental concerns associated with incinerators. These tend to be based firstly on the belief that the emissions represent a serious hazard to health, although impartial studies of modern incinerators have not supported this conclusion. However, whilst the risks to health are small they are, nevertheless, present. There is a small number of admissions to hospital every year associated with incinerators throughout London.

The second concern with incinerators is that they represent a blight on the local amenity value in terms of visual and traffic impacts. Officers highlighted to the Commission the fact that the only alternative to incinerators is landfill disposal. Landfill sites are considered substantially more damaging environmentally than incinerators and a worse blight on local amenity.

Over the longer term a significant reduction in overall waste and higher use of Anaerobic Digestion would be more in line with the Climate Emergency principle of a Circular Economy, than incineration.

There will be some scope to undertake waste minimization and increase recycling under our current contract, and Veolia undertakes a range of outreach and education programmes to encourage this. Currently, however, hardly any of the Council's collected waste is processed via Anaerobic Digestion and there is only limited AD processing in the London area.

Officers reported that implementing Anaerobic Digestion and increasing food collections is dependent on government plans being brought forward following a major review of the UK's national waste strategy. The resulting Environment Bill is expected to become law in 2022, bring associated government funding in its wake. The Commission considered that this would be a good point to revisit Southwark's waste strategy.

District Heating Networks

Southwark has several District Heating Networks in various stages of exploration and commissioning. The most advanced is a scheme using water source heat from the London aquifer to supply three council estates. The other advanced plan is to extend the existing District Heat Network using heat from SELCHP.

The Council has also commissioned some detailed research and modelling to explore the potential for implementing further District Heating Networks, using ground source and sewer source systems. Overall, the borough has very good geology from a ground source heating perspective.

Expanding the South East London Combined Heat and Power (SELCHP) District Heating Network (DHN)

The existing District Heating Network (DHN) currently provides heating and hot water to around 2,500 homes in Southwark. Expanding the network would enable SELCHP to export heat generated by the plant, much of which is unused. The current plan is to build a housing estate anchor load network and encourage new developments along the Old Kent Road to connect to this new network as each area is reached.

Both developers and expert advisors questioned this policy. New buildings can be built to highly energy efficient standards and the small amount of additional energy needed can be provided from renewables, such as solar and heat pumps, as well as micro local energy networks. It is also possible that some of the council estates that are due to be connected to SELCHP could better be retrofitted to EnerPHit Passivhaus standards, and then fitted with renewables, thus negating the need for a link to SELCHP.

While the overall vision of decarbonizing Southwark's heat networks does factor in retrofit, this is mainly later down the line, and is only predicted to contribute a carbon saving of 14% by 2030. This is not sufficiently ambitious or in line with the target for energy descent set out in the Zero Carbon Britain report, which recommends a 60% carbon saving, and the timing is later than the Fabric First approach recommended.

The Commission recommends that a retrofit assessment is done for each housing estate prior to connection to SELCHP in order to understand whether greater savings in energy costs and carbon emissions could be achieved through retrofit than through connection to SELCHP.

Rather than orientate the extended District Heating Network at properties that can be built or retrofitted to very low energy standards, supplemented by renewables, the Commission recommends instead that the Council consider prioritizing future connections to Southwark's buildings that cannot be cost-effectively completely retrofitted because of architectural or heritage characteristics. The Commission recommends exploring connection to such buildings, (including clusters of street properties, e.g. Victorian terraces) and considering the merits bringing these forward earlier.

Future proofing District Heating Networks for renewables

A District Heating Network at this scale is a significant investment, in line with ambitious civil engineering projects undertaken by local authorities of the 19th century. It therefore ought to be future proofed as much as possible to ensure that Southwark Council is not inadvertently locked into relying on waste as a fuel as we move towards a circular economy and waste management in line with that principle.

SELCHP DHN is potentially a low carbon source of energy that provides a very good intermediate source of energy as we move towards renewables – making good use of otherwise unused heat. Presently, however, while it is lower carbon it is not renewable, totally clean or fossil free, given that a significant amount of energy in

MBT fuel originates from products manufactured from oil. Furthermore, even if emissions are well controlled, they are not entirely risk free.

Another opportunity that ought to be explored is ensuring the SELCHP DHN has the potential to be repurposed by using other sources of ground rock and water source heat (given the borough's promising geology) and for solar heat to be included (given Southwark has significant untapped solar potential).

Community Energy

Community Energy has been organically growing in cities for several years, usually powered by volunteers using a Community Benefit Society (BenCom) model, whereby the capital is raised through a local stock offer to local residents, and funds are set aside to invest in social and environmental priorities, which are chosen locally, by the BenCom. Projects frequently use solar in cities to generate energy as this is one of the best sources of renewables in an urban environment.

SE24, the borough's most local Community Energy BenCom presented on its Community Energy projects in Southwark, with a particular focus on recent work in schools. Both PV and, more recently, LED projects have been delivered. SE24, like other Community Energy BenComs, is able to work with small and medium schemes, which may have limited commercial viability. SE24, in accordance with its mission to tackle fuel poverty, has also worked with other stakeholders to identify local need. Community Energy projects can deliver low carbon renewable energy, as well as mobilize enthusiasm for action to tackle the Climate Emergency.

Carbon Offset funds have been used to pump prime schemes in other local authorities, and this was also recommended for Southwark. SE24 advised that a £1 investment from funders can generate about £7 in other investment – from private investors, for example.

Southwark Council launched The Green Buildings Fund in October 2021 to utilize the carbon-offset funds collected from developers to meet net zero. This could be a potential source of funding for community energy; however, the funding criteria and application process have not yet been finalized. The Commission recommends this is expedited.

SE24 recommended that the Council focuses on delivering Community Energy in the school estate and, in particular, in the Primary School estate where the Council has most influence. Working with schools would entail promoting Community Energy – both solar and LED – to site owners from school leaders to governors. The biggest hurdle is legal, so standard leases approved by the Local Authority would very useful.

There is also a need for additional staff capacity to get Community Energy working across Southwark's estate, with input across various areas including liaison and legal, which would probably be equivalent to one Full Time Employee.

Summary of recommendations

Council New Homes

Recommendation one

Adopt Whole Life Carbon Assessment for all council New Homes, not only large scale schemes.

Recommendation two

The Council intends to adopt BSRIA soft landings for a 3 year period (with matching warranties and defects) to begin addressing the gap in energy performance in 2025. The Commission recommends:

- That this is brought that forward to 2022
- That the BSRIA soft landings research includes both energy demand reduction and carbon emission reduction data

Recommendation three

Develop a technical pathway to deliver to Passivhaus standards for all council New Homes.

Recommendation four

Continue to develop and promote the rooftop development approach to delivering council New Homes, as an innovative way to retain embodied carbon.

Council New Homes and external development

Recommendation five

The Council should explore further whether it can give greater support to initiatives that encourage or enable the use of timber and other low embodied carbon materials, including the use of cross-laminated timber in construction of all types of buildings.

Council planning policy

Recommendation 6

With regard to the Early Review of the Southwark Plan:

- Introduce a requirement within planning policies for new developments to measure whole life carbon emissions.
- Apply a policy similar to the London Plan Policy SI2 to all major developments.

- Where land owned by the local authority is to be developed, leased or sold, bids to be scored on whole life-cycle carbon efficiency.
- Support the use of natural (bio-based) materials by e.g. requiring timber frame construction in non-relevant buildings (as defined by building regulations).
- Require planning applications to report the efficiency of the structure in mass of material per m² e.g. using IStructE calculator.
- In Local Plans identify areas for future development where soil conditions do not require carbon intensive foundations, by conducting EN15978 / ISO 21930 compliant evaluations.
- Set minimum levels for the use of reused and recycled materials for public projects.

For more information, see ACAN and Carbon Neutral Cities Alliance publications

Recommendation 7

Complete the Early Review of energy and environmental policies in the Southwark Plan by February 2023, in line with the declaration of a Climate Emergency.

Schools – energy reduction and retrofit

Recommendation 8

Encourage uptake of School energy reduction and climate education programmes, through the appointment of a dedicated officer (see recommendation 22 under Community Energy).

Recommendation 9

Undertake a Retrofit assessment of Southwark's Primary School estate using PAS2030/5. Identify 5 exemplar schools willing to undertake a deep whole building retrofit and reach EnerPHit Passivhaus, where possible. Use the Green Building Fund to take this forward.

Recommendation 10

We would encourage council officers to engage with Energy Sparks and/or RAFT, and/or other relevant organisations with a specialist practice in energy reduction and retrofit.

Retention of buildings

Recommendation 11

The Commission would like to see the recommendations from the Planning and Environment Scrutiny Review report of 2021 on retaining existing buildings expedited

through the Early Review of the Southwark Plan and draw attention to the recommendation in the UK Green Buildings Net Zero Whole Life Carbon Roadmap to: 'Use planning reforms to prioritise reuse of existing buildings and assets, and disincentivise demolition and new build' and Architects Climate Action Network recommendation to 'Require planning permission for building demolition, and where demolition is proposed applicants to submit whole life carbon studies for both retrofitting and new-build options'.

Retrofitting homes and wider Council estate

Recommendation 12

Southwark ought to mirror Zero Carbon Britain's target of 60% energy descent, by undertaking a Fabric First insulation programme for our buildings, to reduce energy usage and enable renewable energy, where feasible, to meet the reduced demand.

Recommendation 13

Add extra staff capacity in order to:

- Survey and plan a phased retrofit programme for the Council estate utilising the new British Standards and making best use of available technology.
- We could encourage officers to consider CHROM software and / or IRT Surveys DREam methodology, and any other organisations with the right tools to facilitate a plan to retrofit the Council's estate.
- Join Mayor of London's Innovation Partnership as this provides a route to scale up retrofit and build local capacity.
- Enable Southwark's council estates, and both small and large Registered Providers (RP) of housing, to access the Social Housing Decarbonisation Fund, in line with the millions of pounds of inwards investment this could attract. Support for RPs could range from promotion of the fund and support available from BEIS/ Turner and Townsend all the way up to forming and leading consortium.
- Develop best practice in co-creation of retrofit with social housing tenants to support the Council and housing associations in delivery of their programmes.

Recommendation 14

Urgently build and train a local workforce with the capacity to retrofit at scale across Southwark. A possible model is Cosy Homes Oxfordshire, based on an organisation called Retrofit Works, which builds a network of local suppliers to deliver high quality retrofit.

Mayor of London**Recommendation 15**

The Mayor of London has several good schemes but these are hard to navigate. Accessibility would be helped by providing easy to read briefings aimed at the following cohorts: Councils, Social Housing providers, Private Landlords, Tenant and Owner Occupiers outlining the many programmes made available by the Mayor of London and further afield to enable people and organisations to make the most of what is on offer.

Waste**Recommendation 16**

The Environment Scrutiny Commission to undertake a waste strategy review, once the new measures, obligations and funding associated with the Environment Bill become clear.

District Heating Networks**Recommendation 17**

Review the requirement for developers in the Old Kent Road opportunity area to connect to SELCHP DHN as it maybe be more optimal to achieve zero carbon through micro local energy networks using renewables and demanding better operational carbon standards.

Recommendation 18

Ensure that only council estates that would not be better served by a deep retrofit and use of renewables are connected to SELCHP DHN. Evaluation must be made by conducting a comparison of carbon and capital expenditure, and projected eventual resident fuel bills to identify what would be the best value option.

Recommendation 19

Ensure as much as possible the eventual District Heat Network can be repurposed to use other sources of renewable energy including solar, if viable, and ground and water sources given the excellent geological prospects.

Recommendation 20

Investigate whether to prioritise future connections to the planned District Heating Network for properties (including clusters of street properties, e.g. Victorian terraces) that cannot be completely retrofitted because of architecture or heritage characteristics, and consider bringing these forward.

Recommendation 21

Consider how best to move towards a system of billing all residents for energy on the basis of their actual consumption. Any such system must adequately protect against fuel poverty, whilst encouraging all residents to avoid wasting energy

Community Energy

Recommendation 22

Directly employ or provide funding for a FTE staff member to deliver Community Energy potentially in collaboration with another borough. This person would:

- Communicate with schools leaders the benefits of Solar PV and LED Community Energy
- Link in with school Estate Officers to coordinate surveying of roofs to identify potential projects and timescales
- Link with TMOs and community organizations to facilitate Community Energy on housing estates in community buildings
- Develop and provide standardized legal documents for schools, community buildings and housing estates

Recommendation 23

Cabinet to expedite the agreeing and finalizing the funding criteria and the application process for The Green Building Fund, in order to enable the considerable Carbon Offsets in this fund to be allocated and used for deep retrofits.

Recommendation 24

The final funding criteria and application process for the Green Building Fund is set up to support Community Energy applications for PV and LED in schools, housing estates and community buildings, from BenComs.

Introduction

Reducing energy consumption and switching to renewables is becoming an increasingly urgent priority as the climate emergency escalates and energy prices rise.

Renewable energy and energy reduction have a crucial role to play in achieving net zero. If we are to maintain our modern lifestyles whilst meeting the Climate Emergency, Zero Carbon Britain estimates that we will need to switch to 100% renewable energy and reduce energy consumption by 60%.

Whilst the Commission's principle focus on these issues has been in the context of the Climate Emergency, geopolitical questions around provenance of fossil fuels are also currently coming under the spotlight and leading to further sharp escalation in world energy prices. Southwark Council, residents, businesses and public services are likely to be increasingly impacted by energy price volatility and resulting rises in operational costs and the cost of living. As always, the most vulnerable in our society will be most severely impacted and will need the most protection. Thus, the need for urgent action to facilitate a reduction in energy consumption in general and dependency on fossil fuels in particular has never been more pressing.

The Council agreed the Climate Emergency Strategy and associated action plan in July 2021, towards the beginning of the municipal year in which this Review was completed. This is taken as a starting point, with a view to laying down some pointers towards changes required to meet the Council's sustainable development objectives, with a particular focus on energy descent and a switch towards renewable energy.

Review aims

The Review builds on the work of previous iterations of the Environment Scrutiny Commission on Community Energy, with a view to plotting a path towards the Council's delivery of Community Energy projects in the borough.

As well as Community Energy, the Review looks at District Heating Networks in the pipeline, including the planned expansion of South East London Combined Heat and Power (SELCHP) District Heating Network (DHN), water source heat pumps, and potential for anaerobic digestion of Food Waste.

Alongside this, the Review considers how to reduce the carbon footprint of Southwark's estate and wider built environment through engagement with key stakeholders including architects, developers, social enterprises, landowners and social landlords with a particular focus on reducing energy consumption in construction and opportunities for retrofitting Southwark's existing homes, schools and offices.

Who the Commission took evidence from

Stakeholders

- Energy Sparks: Dr Claudia Towner, CEO and Programme Director
- SE24 Community Energy: Alan Jones, Chair and co-founder
- The Charter Schools Educational Trust
- Greater London Authority: Catherine Barber, Assistant Director, Environment and Energy - GLA energy presentation.
- Architect Climate Action Network: James Rixon and Sara Edmonds, Architects with a background in retrofit
- Passivhaus Trust: Jon Bootland, CEO
- British Land: Roger Madelin CBE Joint Head of Canada Water
- Peabody: Richard Ellis, Director of Sustainability
- Berkeley: Andrew Maunder, Development Manager; Chloe Young, Head of Development; Berkeley Homes NEL and Victoria Chater-Lea, sustainability advisor.
- Native Land: Felicity Masefield, Development Executive responsible for formulating the Native Land Sustainability Strategy
- Fabrix: Matthew Weaver, Corporate Investment Manager
- Dulwich Estate: Simone Crofton, Chief Executive
- G320 Smaller Housing Associations of London: Mark Jackson, Chief Executive of Lambeth and Southwark Housing Association
- Lend Lease: Ian Smith, Senior Public Affairs Manager
- Retrofit Action for Tomorrow (RAFT): Harry Paticas founder and managing director
- IRT Surveys: Stewart Little CEO
- SELCHP: Neil Brothers, Head of ERF Operations and Thomas Folliard, General Manager - SELCHP Energy Recovery Facility.
- Environment Agency officers responsible for regulating emissions from SELCHP: John Tollervey, Regulatory Officer EPR Compliance, EPR Installations, Kent, South London and East Sussex and Paul Bennett, Installations Team Leader, Kent South London and East Sussex.

Members

Councillor Helen Dennis, Cabinet Member for the Climate Emergency and Sustainable Development

Officers

- Paul Newman, Team Leader - Environmental Protection Team
- Tom Vosper, Strategic Project Manager
- Michael Greenhalf, Waste Contract & Strategy Manager
- Chris Page, Climate Emergency Director
- Juliet Seymour, Planning Policy Manager
- Stuart Davies, Director of New Homes
- Colin Wilson, Head of Regeneration , Old Kent Road

Reducing energy in construction

The Commission heard from the New Homes team in the Council and a range of large developers delivering new build schemes in Southwark. The developers outlined how they were seeking to reduce embodied carbon in construction, and scope 1, 2 and 3 emissions. (Scope 1, 2 and 3 emissions include those caused by the building, supply chain and building use over time.)

The Regulatory challenges were discussed. The lack of regulation of embodied carbon was highlighted as a gap, with high performing developers and the Council using a variety of tools to measure this in the absence of government stipulations. Organisations such Architects Climate Action Network (ACAN) and the UK Green Building Council (UKGBC) are campaigning for the regulation of embodied carbon over its lifecycle for new buildings and major refurbishments¹. ACAN drew the Commission's attention to the following principles to save carbon:

- 1 Build less: reuse existing buildings.
2. Build smart: using low carbon materials.
3. Build efficiently: use fewer resources, waste less.
4. Build circular: design for reuse & recycle
5. Build durable: design for longevity

The previous scrutiny review report on Planning and Environment, which was agreed earlier in the administrative year, recommended that embodied carbon be measured. The cabinet response to this in December set out an intention to consider this in the Early Review of the recently adopted Southwark Plan, which is due soon.

The ban on using cross-laminated structural timber in high-rise because of fire concerns was also discussed. Both the Council and the ACAN have made representations to government on this.

Council New Homes programme

¹ The recent report by UKGBC 'Net Zero Whole Life Carbon Roadmap' recommended that the government :

Introduce the regulation of embodied carbon for new buildings and major refurbishments:

- Mandatory measurement and reporting of Whole Life Carbon by 2023 for large buildings (>1,000m²) and residential developments (>10 dwellings).
- Minimum standards (limits) for Upfront Embodied Carbon by 2025 for more mature sectors (i.e. those with sufficient asset level benchmark data), with associated fiscal incentives and penalties.
- Minimum standards (limits) for Upfront Embodied Carbon by 2027 in all sectors.
- Final phase to introduce minimum standards for all size buildings (with a suitable minimum threshold) in all sectors by 2030.

Officers gave an overview of the Council's New Homes programme, which is responsible for delivering 11,000 new council homes by 2043. 2,500 of these homes will be built or started on site by May 2022. A recent review of the environmental standards delivered in existing New Homes schemes was carried out by expert consultants. The review highlighted a performance gap between projects' predicted CO2 emissions as designed vs actual CO2 emissions in operation, as well as the fact that there is no current monitoring of embodied carbon emissions. Officers told the Commission that the greatest initial impact on operational carbon emissions is to be achieved by reducing or eliminating this performance gap. Additionally, officers reported that the operational carbon element of new build development over a 60 year lifetime is relatively small (estimated circa 20% for energy use, operations and maintenance) in comparison to the embodied carbon of construction, particularly where extensive use of concrete and steel is made. Our understanding is that this statement applies to new developments that are designed to low operational energy standards.

The Council has a single small scale, low rise pilot that it estimated could deliver a 70% improvement in whole life carbon emissions (operational and embodied) by deploying the best technically and commercially available technologies, including Passivhaus operational standard and extensive use of timber structure to replace concrete and steel. The results of the study indicate that both Operational Carbon emissions and Embodied Carbon (Whole Life Carbon) emissions were substantially reduced (although not reduced to Net Zero Carbon through on-site measures, so carbon offsetting will still be needed). A performance comparable to (Royal Institute of British Architects) RIBA 2030 Whole Life Carbon targets is forecast to be achieved for Retrofit and Redevelopment options.

Going forward the Council's New Homes vision is to reduce operational and embodied carbon, as well as carbon produced in the construction process. This will be done through a number of measures, including adopting Whole Life Carbon Assessment on all large scale developments (greater than 150 units), which addresses both operational and embodied carbon performance, and by deploying the (Building Services Research and Information Association) BSRIA "soft landings" methodology to improve operational performance. The following Whole Life Carbon targets have been adopted for New Homes:

- Low Rise (<18m tall) 300 kg/CO2e/m2 (RIBA sustainable outcome target for domestic properties, 2030)
- High Rise (>18m tall) 450 kg/CO2e/m2 (RIBA sustainable outcome target for domestic properties, 2025)

These correspond with the RIBA sustainable outcome targets for domestic properties by 2030 and 2025 respectively.

Officers told the Commission that no New Homes project ought to require retrofit, that renewable energy is being installed during construction and that low carbon natural materials will be used. Residents will be supported to optimize their new low carbon homes, which operate differently from traditional homes. There will also be an evaluation of the higher comfort and lower fuels bills to evidence the social value of going Net Zero Carbon. Officers told the Commission that the Council is developing partnerships and a supply chain to deliver this vision.

Low carbon developments

Exemplar projects were showcased by developers. At the high end is a 15 unit Passivhaus scheme delivered by Lend Lease, and a reduced carbon scheme (both embodied and emitting) at Canada Water being delivered by British Land. Here a new form of earth friendly cement is being used and Canada Water uses Local Heat Networks, which recycle heat from offices and residential blocks. In general, the Canada Water development will not use gas, with the exception of the swimming pool where this can be replaced in the future.

The Passivhaus Trust reported on a number of schemes coming online in London and across the UK, and the associated costs and incentives. Currently, local authorities and other social housing providers tend to be the main clients. The Scottish Futures Trust incentivises building to Passivhaus standards. With every iteration of Passivhaus schools and social housing, the construction costs have reduced, depending on size, with improvements in learning and the supply chain: the first generation tends to be 15-25% more expensive to construct, the second generation 10-12% more expensive and the third generation just 4-8% more expensive than alternatives. Lend Lease and other developers said there is tentative evidence of the private sector demanding Passivhaus buildings with increasing awareness of the ecological emergency and the potential for energy price hikes. If the market starts to demand Passivhaus, this would significantly increase supply and reduce costs.

Sharing good practice in construction was discussed with several developers indicating that they already work in partnership and there was a readiness by some to open their books to share information on costs and expertise in delivering low carbon development.

Further steps by the Council

The role of planning committees in demanding better environmental standards was discussed and a comparison made with members insisting on affordable housing at committee stage driving better practice.

Council New Homes:**Recommendation one**

Adopt Whole Life Carbon Assessment for all council New Homes, not only large-scale schemes.

Recommendation two

The Council intends to adopt BSRIA soft landings for a 3 year period (with matching warranties and defects) to begin addressing the gap in energy performance in 2025. The Commission recommends:

- That this is brought that forward to 2022
- That the BSRIA soft landings research includes both energy demand reduction and carbon emission reduction data

Recommendation three

Develop a technical pathway to deliver to Passivhaus standards for all council New Homes

Recommendation four

Continue to develop and promote the rooftop development approach to delivering council New Homes, as an innovative way to retain embodied carbon

Council New Homes and external development:**Recommendation five**

Support initiatives that encourage or enable the use of timber and other low embodied carbon materials in construction, including the use of cross-laminated timber.

Recommendation 6**With regard to the Early Review of the Southwark Plan:**

- Introduce a requirement within planning policies for new developments to measure whole life carbon emissions.
- Apply a policy similar to the London Plan Policy SI2 to all major developments.
- Where land owned by the local authority is to be developed, leased or sold, bids to be scored on whole life-cycle carbon efficiency.
- Support the use of natural (bio – based) materials by e.g.: requiring timber frame construction in non-relevant buildings (as defined by building regulations).

- Require planning applications to report the efficiency of the structure in mass of material per m² e.g.: using IStructE calculator.
- In Local Plans identify areas for future development where soil conditions do not require carbon intensive foundations, by conducting EN15978 / ISO 21930 compliant evaluations.
- Set minimum levels for the use of reused and recycled materials for public projects.

For more information, see ACAN and Carbon Neutral Cities Alliance publications

²

Recommendation 7

Complete the Early Review of energy and environmental policies in the Southwark Plan by February 2023, in line with the declaration of a Climate Emergency

Retrofitting and energy reduction: Schools, Social Housing, Private Housing, and Offices

Switching to renewables and reducing the energy consumption of our existing buildings will be key to tackling the Climate Emergency, as well fuel poverty.

This can partly be achieved through more efficient use of our existing energy and building infrastructure, through use of Smart Meter analysis and ensuring that Southwark's buildings use cost effective renewable energy suppliers wherever possible, and that LED bulbs are installed.

However, to achieve the more substantive changes required to reach net zero and tackle fuel poverty, there will need to be 'deep retrofits' of our existing buildings. Architects from ACAN told us that 20% of total UK emissions come from our homes, whilst 80% of UK homes that will be in use in 2050 have been built already. Retrofit is, therefore, key to tackling climate breakdown.

The UK Green Building Council recent publication 'Net Zero Whole Life Carbon Roadmap' that was launched at COP26 and provided to the Commission urged action:

'Improving the energy efficiency of our existing homes is a fundamental element of the UK's Net Zero 2050 pathway, linked to a transition from fossil fuel heating to zero carbon heating technologies, with a significant role for heat-pumps.'

² For more detail refer to ACAN's full report The Carbon Footprint Of Construction https://www.architectscan.org/_files/ugd/b22203_c17af553402146638e9bc877101630f3.pdf and "Carbon Neutral Cities Alliance & Bionova Ltd (2020) "City Policy Framework for Dramatically Reducing Embodied Carbon"

There can therefore be no further delay in embarking on a national programme of home retrofit, transforming UK housing to make it efficient, warm and cheaper to heat whilst phasing out fossil fuel heating.'

Retrofit approach and industry standards

Retrofit aims

Retrofit specialist Architects from ACAN told us that retrofit is not just about reducing carbon emissions. A best practice retrofit should:

- Reduce fuel bills
- Improve health and wellbeing

Retrofit at scale would also generate significant employment opportunities and stimulate the economy.

Fabric First

All the retrofit professionals who gave evidence to the Commission emphasised a 'Fabric First' approach, i.e. the principle that heat loss prevention measures are installed before investing in low carbon energy generation. This is also the approach of the £billion government funding coming on stream - the Social Housing Decarbonisation Fund - which states:

As well as benefiting the comfort, health and wellbeing of tenants, and helping to save money on energy bills, a fabric first approach can help to maximise the dwelling's suitability for low carbon heating, either now or in the future³.

IRT Surveys advised the Commission that regardless of sector and solution there should be measures to reduce a building's heat and energy loss first, and only then clean energy installed.

British Standards PAS 2035 / 2030

Retrofit is a fast growing industry with new British Standards and specialist roles.

These standards and roles have been introduced in part to address past problems, where mediocre or poorly designed retrofits have, on occasion, caused problems with moisture, inadequate ventilation, and inadvertently locked in carbon. The new methodology is a planned, phased, whole-building approach delivered by a trained workforce, which considers the needs of the occupants. The new British Standards for Retrofitting are:

³ See 'Social Housing Decarbonisation Fund: questions and answers' , point 26
[.https://www.gov.uk/government/publications/social-housing-decarbonisation-fund/social-housing-decarbonisation-fund-questions-and-answers](https://www.gov.uk/government/publications/social-housing-decarbonisation-fund/social-housing-decarbonisation-fund-questions-and-answers)

- PAS 2035 - Retrofitting dwellings for improved energy efficiency – Specification and guidance
- PAS 2030 - Specification for the installation of energy efficiency measures

The implementation of British Standards and roles is being supported by training programmes. PAS2035 standards introduce and set the skills for five new roles – Retrofit Advisor, Retrofit Assessor, Retrofit Co-ordinator, Retrofit Designer, and Retrofit Evaluator – in addition to the existing role of Retrofit Installer.



Figure 1 The Retrofit Academy CIC

Passivhaus EnerPHit

Passivhaus is another recognised programme that can be utilised by both new builds and retrofits. It has rigorous performance standards and testing. EnerPHit is a slightly less stringent standard for retrofit, where the existing architecture and associated conservation issues mean that meeting Passivhaus Standard is not possible. Retrofits to EnerPHit standard will deliver energy efficiency improvements of 90% and above, which is higher than many new builds.

Retrofit by building type.

Retrofitting our buildings presents a huge challenge, as even the majority of new buildings will need to be retrofitted.

Passivhaus EnerPHit standards lend themselves in particular to implementation in horizontal or vertical blocks. This means many relatively modern buildings, such as residential housing blocks, some school buildings, and recent offices can be retrofitted to need little additional heat energy, that could all potentially be delivered by renewables, such as PV panels and heat pumps.

Some other building types, such as Victorian residential street properties, and other older buildings, because of the architectural and heritage characteristics, cannot be completely retrofitted cost-effectively, although it is possible to make significant energy savings.

Meanwhile, even though such buildings have limitations on retrofit potential, demolishing them and replacing with newer designs will not achieve carbon savings, as there will be enormous amounts of carbon locked up in the building structure. It will usually make sense to retain and reuse as much of the existing structure as possible, particularly when a building is of cultural, heritage or architectural value.

Schools

School energy reduction

In October, the Commission heard from Energy Sparks, a charity which provides an online energy analysis tool and energy education programme specifically designed to help primary and secondary schools reduce their electricity and gas consumption through the analysis of smart meter data.

The programme engages children in exercises to identify energy savings. The Commission heard that schools reduced energy consumption by up to 30% (with the actual saving depending on how well the school managed its energy use before joining Energy Sparks, and on their building and estate infrastructure).

Energy Sparks can work with any school and have worked with Local Authority schools, Academies and Independent Schools.

School Retrofit

The Commission heard from RAFT (Retrofit Action for Tomorrow) which has carried out a deep retrofit of several schools in south London (Lewisham) using around £300,000 worth of funds from the Public Sector Decarbonisation Fund. Using a Passivhaus EnerPHit approach there is potential to reduce energy consumption by 90%, depending on the typology of school buildings. Schools have typically reduced energy consumption by 75%.

Schools often have a mix of building types – from Victorian and older to more modern – as well as a series of refurbishment programs over the years. Therefore, these complex projects can demand a variety of technical solutions.

The RAFT programme combines educational work on understanding how to improve both energy efficiency and air quality in the classroom: high levels of CO₂ typical of poorly ventilated classrooms have a detrimental effect on learning. Good quality retrofit will improve both energy efficiency and air quality.

Previous projects in schools in Lewisham have often been in response to local interest and championed by RAFT.

RAFT suggested a strategic approach for Southwark, where the Council could initially identify five schools of different building type to be exemplars for a larger roll out.

Recommendation 8

Encourage uptake of School energy reduction and climate education programmes, through the appointment of a dedicated officer (see recommendation 22 under Community Energy).

Recommendation 9

Undertake a Retrofit assessment of Southwark's Primary School estate using PAS2030/5. Identify 5 exemplar schools willing to undertake a deep whole building retrofit and reach EnerPHit Passivhaus, where possible. Use the Green Building Fund to take this forward.

Recommendation 10

We would encourage Council officers to engage with Energy Sparks and/or RAFT, and/or other relevant organisations with a specialist practice in energy reduction and retrofit.

Social Housing

Southwark Council is the largest social landlord in London and the fourth largest nationally, with over 37,000 properties and 16,700 leaseholders. A further 17,000 homes are owned by housing associations. Over 40% of all Southwark's housing is social housing.

Funding

There are sources of government funding available to retrofit social housing, the most significant of which is the Social Housing Decarbonisation Fund (SHDF), which takes a 'Fabric First' approach.

The GLA is running several programmes to support the retrofit of Social Housing, including the Retrofit Accelerator for the whole of the UK, funded by The Department for Business, Energy and Industrial Strategy (BEIS), delivered by Turner and Townsend, to enable councils and other housing providers to access the SHDF.

Housing providers have to form a consortium to access the SHDF, and in the first phase, this has had to be led by a local authority, although this may not be true for further rounds. Although Southwark Council is due to receive funding from this round for a council estate, no consortiums were formed with other housing providers.

There is a related Innovation Fund, which is open to London boroughs, however, it was reported that Southwark has not yet applied to be part of this. Officer capacity to engage and the cost benefit analysis for applying for funds was raised as a concern during the Commission's roundtable discussion. The GLA representative made the case that participation can pave the way for government funding that can potentially offer millions of pounds to the Council and social housing retrofitting programmes.

The next round of funding through the SHDF is likely to offer between £10,000 – 15,000 per eligible home (which has to be matched by one third), which could generate significant funds for retrofit of social housing, reducing carbon emissions and bills.

The Council has made use of other funds offered by the Mayor of London, including those aimed at delivering District Heating Networks.

Members made the case that the Council is one of the biggest deliverers of rooftop builds in Europe, in order to extend housing provision. As this makes use of embodied carbon in existing housing it is an environmentally sound approach, yet none of the Mayor of London's funding programmes dovetail with this method.

Council homes

The Climate Emergency Strategy lays out a broad-brush action plan to decarbonise Southwark's housing, with an emphasis on the Council estate. There are several council house retrofit projects underway, including a Passivhaus pilot retrofit. The Council has also made use of various funding pots for a number of estate retrofit projects.

While there are pockets of encouraging practice, there is no well-developed plan for a deep retrofit programme for Southwark's council housing estate, or beyond. Officers have indicated that they are still in the discovery phase, with various strands of research, survey and scoping work underway in order to plan out a housing retrofit programme.

There are several schemes to enable this provided by the Mayor of London and commercially. Back in 2019 the Community Energy report recommended the Mayor of London's 'London Homes Energy Efficiency Programme' (LHEEP) and that the Council uses this to plan energy efficiency on estates and assist project planning the transition towards renewables, where feasible. This was not followed up, however, Cabinet did respond to say it was considering purchasing the Carbon Reduction Options for Housing Managers (CROHM) software, a stock assessment tool used by large-scale landlords for designing and implementing strategic retrofit programmes for their housing stock. As yet no funding had been identified for this. During the review the Commission heard from IRT Surveys who undertake data driven surveys informed by thermal imagery, providing retrofit plans for local authorities and other

housing providers, using their cloud hosted DREam software. Their process also facilitates access to public and private capital funding, and links to supply chains.

Housing Association retrofit

Small housing Registered Providers told the Commission that they are only just getting to grips with the climate and ecological emergency and the concept of retrofitting. The scale of the funding gap, knowledge gap, and the challenge of overcoming the bureaucratic hurdles to access funding are considerable. The Mayor of London's Social Housing Retrofit Accelerator, funded by BEIS, is well placed to help, as this programme will offer technical advice and support to social housing providers to help them bid for the government's SHDF. Small RPs are often not aware of funding available; there is more work to be done on this.

Peabody, a much larger housing association, is further on in the journey with several retrofit projects in place. Peabody has employed a funding broker to help access funding, given the complexity of the task.

Engaging tenants

A significant challenge for Peabody has been to engage tenants with retrofit as around 40% have refused, partly because of the disruption. Fabric First approaches go beyond traditional approaches of loft and double-glazing and can involve internal / external wall insulation. They are now embarking on a co-creation approach with tenants. IRT Survey said that tenant engagement has been an issue for their schemes, with a refusal rate of around 50%.

There are resources available to help engage tenants in the journey including research by the Carbon Coop, and the possibility for tenants to visit Passivhaus retrofit projects to experience the comfort that can be achieved.

Architects involved in delivering retrofit, the Passivhaus Trust and New Homes team all flagged up the importance of factoring in education, as using a retrofit or new build highly insulated house is different from using a traditional home.

Private accommodation

Owner-occupiers and private renters are the biggest group of fuel poor households by tenure. Older people, single parents and households with someone with a disability are particularly vulnerable.

The Mayor of London's Warmer Homes programme addresses this need by offering free heating, insulation and ventilation improvements for low income Londoners who are vulnerable to cold. This £4.95m programme funded by the Mayor of London is available for owner-occupiers or private rented tenants, with grants of up to £5,500 available.

Landlords and rented accommodation

The Climate Emergency Strategy aims to use the rental scheme to stipulate that an EPC C certificate must be obtained.

Owner-occupiers

There are a number of government schemes and Mayor of London schemes to support private homeowners. Alongside the Warmer Homes initiative, there is a solar buying scheme.

Offices and non-domestic buildings

The UK Green Building Council's recent publication 'Net Zero Whole Life Carbon Roadmap' finds that non-domestic building stock currently represents approximately 20% of Built Environment carbon emissions, and that the pace of deployment of energy efficiency measures has been slow in this sector.

The Commission heard from Fabrix, who have a specialism in retrofit of heritage buildings and repurposing offices. They pointed out that the embodied carbon of a building is huge, and even though a retrofit of an existing building may result in a lower EPC than a new build, a good retrofit can significantly reduce energy consumption and extend the life of a building, and embodied carbon, by 40- 50 years, alongside preserving heritage value. Around 70% of a building's lifetime carbon is contained in the fabric of the building.

The Planning and Environment Scrutiny Review report of 2021 made recommendations on retaining existing buildings as presently the Southwark Plan does not go far enough on this issue. The Cabinet response outlined an intention to consider this in the Early Review of the Southwark Plan.

Recommendation 11

The Commission would like to see the recommendations from the Planning and Environment Scrutiny Review report of 2021 on retaining existing buildings expedited through the Early Review of the Southwark Plan and draw attention to the recommendation in the UK Green Buildings Net Zero Whole Life Carbon Roadmap to: *'Use planning reforms to prioritise reuse of existing buildings and assets, and disincentivise demolition and new build' and Architects Climate Action Network to 'Require planning permission for building demolition, and where demolition is proposed applicants to submit whole life carbon studies for both retrofitting and new-build options'*⁴.

⁴ See <https://www.architectscan.org/embodiedcarbon>

Retrofit and the local economy

The Passivhaus Trust emphasised the magnitude of the task of retrofitting our homes and the skills gap. Its website highlights that, with 27 million homes to retrofit in the UK, retrofit of one home must be completed every 35 seconds between 2020 and 2050, requiring a workforce of 2 million people!

Southwark residents and businesses could potentially benefit from this growing retrofit economy by supporting the labour market to make the most of this opportunity. We will certainly need to build capacity to deliver the work required, and at pace.

Recommendation 12

Southwark ought to mirror Zero Carbon Britain's target of 60% energy descent, by undertaking a Fabric First insulation programme for our buildings, to reduce energy usage and enable renewable energy, where feasible, to meet the reduced demand.

Recommendation 13

Add extra staff capacity in order to:

- Survey and plan a phased retrofit programme for the Council estate utilising the new British Standards and making best use of available technology.
- Consider CHROM software and / or IRT Surveys DREAm methodology, and any other organisations with the right tools to facilitate a plan to retrofit the Council's estate.
- Join Mayor of London's Innovation Partnership as this provides a route to scale up retrofit and build local capacity.
- Enable Southwark's council estates, and both small and large Registered Providers (RP) of housing, to access the Social Housing Decarbonisation Fund, in line with the millions of pounds of inwards investment this could attract. Support for RPs could range from promotion of the fund and support available from BEIS/ Turner and Townsend all the way up to forming and leading consortium.
- Develop best practice in co-creation of retrofit with social housing tenants to support Council and housing associations in delivery of their programmes.

Recommendation 14

Urgently build and train a local workforce with the capacity to retrofit at scale across Southwark. A possible model is Cosy Homes Oxfordshire, based on an organisation called Retrofit Works, which builds a network of local suppliers to deliver high quality retrofit.

Mayor of London**Recommendation 15**

The Mayor of London has several good schemes but these are hard to navigate. Accessibility would be helped by providing easy to read briefings aimed at the following cohorts: Councils, Social Housing providers, Private Landlords, Tenant and Owner Occupiers outlining the many programmes made available by the Mayor of London and further afield to enable people and organisations to make the most of what is on offer.

Waste and Energy

The Commission looked at waste in some depth as, currently, a significant part of our current and future energy demand is predicted to be met by waste via incineration at the South East London Combined Heat and Power facility (SELCHP). The Commission wished to examine the potential to increase Anaerobic Digestion to produce energy. The Commission also examined the wider health and environmental impacts of our waste treatment and, in particular, the impact of incineration on air quality.

Waste contracting arrangements

The Council currently has an integrated contract for provision of waste management services with Veolia that operates under the Private Finance Initiative programme. This is a long-term contract that expires in 2033. The programme resulted in the construction of the Integrated Waste Management Facility in Devon Street, off the Old Kent Road, to provide local waste treatment facilities for Southwark's waste, which became operational in 2012. The long-term contract gives the Council long term cost certainty and stability, whilst the downside is the reduced flexibility to undertake substantial changes. The facility includes:

- Recycling Centre.
- Transfer station where waste can be aggregated into bulk quantities for transport to other processing destinations if it cannot be treated within the facility. This includes food and garden wastes.
- Material Recycling Facility (MRF) – where mixed dry recyclable materials are sorted into separate material types, before being sent in bulk to processors for re-manufacture.
- Mechanical & Biological Treatment (MBT) plant – where mixed general waste (including food waste) is bio-stabilised to produce a dry fibre material for use as a secondary fuel, generating both heat and electrical energy. Most of this goes to SELCHP, as discussed below.

Food, organic waste and Anaerobic Digestion

Of the total 142,000 households in Southwark, roughly half (mostly kerbside properties) benefit from an organic waste collection service. The Council's approach is to segregate food waste by collecting it from properties where participation is highest, whilst treating waste to minimise environmental impacts and avoiding landfill.

In May 2019, the Council and Veolia began operating a pilot project for collection of food waste from blocks of flats. This initially included roughly 7,500 properties, and has since expanded to include nearly 15,000 properties. Participation was voluntary, and blocks of flats were only included in the service where there was some indication of active support and enthusiasm from property managers and/or residents within the block. The Commission noted that many residents are keen to increase food waste collection.

Tonnage information since the project commencement date shows that the average level of participation over this period is 0.44 kg per household per week – around 14% of all food waste that these households are estimated to produce. This suggests that most residents do not regularly use the service, and the capture rate of food waste is very low, despite the availability of the service. The remaining 86% of food waste is disposed of by residents using the general waste bins, which is treated in the MBT as normal to produce a fuel.

Officers said that implementing Anaerobic Digestion is dependent on government plans being brought forward, including a policy and legal framework and funding. The government has consulted on plans for a major review of the UK's national waste strategy, and the resulting Environment Bill is expected to become law during 2022 with a range of new measures and obligations for councils. One element that is expected to become mandatory is the provision of a food waste collection service for all households (and for businesses through their commercial waste collections). The timetable is not known with any certainty, although an indication was given in the consultation that the expected implementation date would be between 2023 and 2031, depending on the contractual arrangements that councils currently have in place. The government has announced a significant funding package as part of the strategy review.

Officers told the Commission that if the Council jumps ahead of government policy with expansion of food waste collections or scaling up Anaerobic Digestion then the costs will fall solely on the Council. It is, therefore, likely that the borough will achieve greater carbon savings from investing in other carbon saving measures until government policy is updated.

Currently there is only limited capacity for Anaerobic Digestion (AD) processing in the London area and, other than a small amount of commercial waste collected by a third party subcontractor and processed in East London, none of the Council's

collected waste is processed via Anaerobic Digestion. In the medium term (3-5 years) a significant increase in Anaerobic Digestion processing capacity is expected to be built through the normal operation of market forces, but the choices are currently very constrained, with an increasing level of demand and limited supply.

Mechanical & Biological Treatment (MBT) for fuel use in Municipal Waste Incinerators (MWIs)

Under the terms of the contract, the residual waste is treated in the Mechanical & Biological Treatment facility within the plant at Devon Street, with some recyclables extracted, to produce a range of solid fuels to be used for energy generation. Some of these fuels are used in industrial processes such as cement kilns, but most are used for energy generation in Municipal Waste Incinerators (MWIs)

Currently, most of the output fuel from Southwark's waste is sent to SELCHP, a Municipal Waste Incinerator (MWI), although this is not a requirement of the contract. Veolia may choose to use any other suitably regulated facility to recover energy from this waste, and about 25% of Southwark's fuel outputs are combusted in other facilities (which are similar in nature to SELCHP, although not generally as energy efficient) elsewhere in the UK.

Making changes to our waste practices and longer-term strategy

It is unlikely that the Council could realistically change the current residual waste management arrangements significantly until after the current Waste PFI contract expires in 2033.

In any event, the Council should actively seek to reduce the amount of residual waste generated by both waste minimisation, and increased recycling of waste by producers, including ultimately implementing Anaerobic Digestion. This would have the effect of reducing the environmental impacts of the Council's waste, and maximising the recovery of value from waste through a more 'circular economy' approach – which would be consistent with the principles of the Climate Emergency Strategy and associated action plan.

There will be some scope to undertake waste minimisation and increase recycling under our current contract, and Veolia undertakes a range of outreach and education programmes to encourage this. It is unclear whether there would be scope to make more fundamental changes, including implementation of Anaerobic Digestion, within the current arrangements.

There will, however, be further scope and obligations to collect food waste, and potential opportunities to introduce Anaerobic Digestion, once the legislation and associated funding is in place. The Commission considered that this would be a good point to revisit Southwark's waste strategy.

Recommendation 16

The Environment Scrutiny Commission to undertake a waste strategy review, once the new measures, obligations and funding associated with the Environment Bill become clear.

District Heating Networks

Southwark has several District Heating Networks in various stages of exploration and commissioning. The most advanced is a scheme using water source heat from the London aquifer to supply three council estates. The other advanced plan is to extend the present District Heat Network using heat from the (SELCHP) Municipal Waste Incinerators (MWIs) to supply several council estates and the Old Kent Road opportunity area.

The Council has also commissioned some detailed research and modelling to explore the potential for implementing further District Heating Networks, using open and closed loop ground source systems and sewer source systems.

Heat charging

The Council now has a legal duty to install heat meters in new builds, major renovations and all other situations when viable. Viability is defined by a Cost Effectiveness Test.

Officers told the Commission that most tenants in the borough pay a flat rate for domestic heating regardless of consumption. This spreads the cost of high and low consumers and helps to protect the most vulnerable. However, it does not encourage energy efficient and carbon saving behaviour or allow residents to make savings through life-style choices. Moving to a system of energy meters while protecting the most vulnerable and avoiding unintended consequences will be an important operational development.

The Council needs to define its policy and direction regarding tariffs, including determining whether this will be by borough, estate or household, and developing charging and payment plans accordingly.

Water source heat pump projects

The Council has investigated five sites to install water source heat pumps to supply the Council's housing estates, using the London aquifer as the water source. Installation at Consort, Newington and Wyndham estates was found to be both technically and economically viable at this time.

Carbon savings are projected to be 3,848 tonnes CO₂ per year.

Three pumps will be installed. Works have progressed well with all bore holes drilled, tested and finalised and all heat pumps installed. Commissioning should be

completed by November 2021 at Consort and Wyndham and in early 2022 at Newington.

Funding for capital cost

Funding for the water source heat pump projects comes from a Mayor's Energy Efficiency Fund (MEEF) loan, which will be repaid over the lifetime of the heat pumps with income from the Renewable Heat Incentive (RHI).

The above grants mean homeowners will not be charged. There are other sources of funding for similar projects being considered. Ensuring that leaseholders do not incur unmanageable capital costs is a key consideration.

Potential for further water and ground source heating

Overall, the borough has very good geology from a ground source heating perspective and a few opportunities where sewer source heating might be worth pursuing. The map below outlines the best opportunities for low carbon heat to pursue in different parts of the borough.

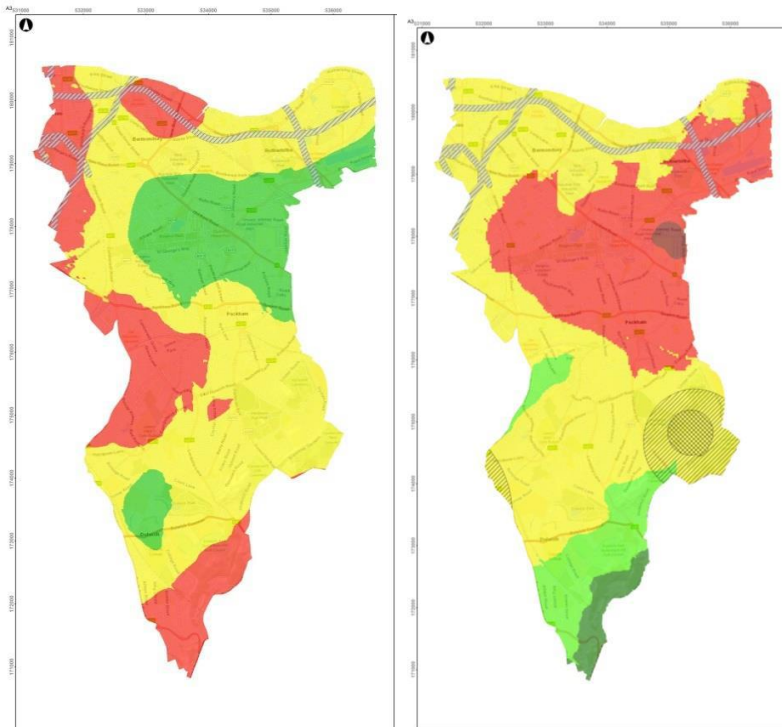


Figure 2 – Closed loop GSHP potential (left); Open loop GSHP potential (right). Red represents the highest potential

South East London Combined Heat and Power (SELCHP)

South East London Combined Heat and Power SELCHP is based in Lewisham, off Surrey Canal Road, London SE14 5RS. It is a Municipal Waste Incinerator (MWI) that takes waste to burn from several sources, including Southwark.

SELCHP is a public and private sector joint venture between Veolia (50% share), iCON Infrastructure (49.78% share), LB Greenwich (0.074% share), LB Lewisham (0.074% share) and RL Design Solutions (0.074% share).

Southwark Council has a contract with Veolia to treat waste. This contract includes MBT waste that is incinerated at SELCHP.

SELCHP told the Commission that the main purpose of its activity is to divert non-hazardous municipal waste from landfill and, as a by-product, to recover energy in the form of steam for both the export of heat via a district heating network and as electricity for export to the National Grid. The current District Heating Network (DHN) provides heating and hot water to around 2,500 homes in Southwark, using SELCHP.

Expansion

The Council is planning to expand this provision. Expanding the network would enable SELCHP to export existing heat generated by the plant, much of which is unused. This heat is generated anyway and so utilising it to heat buildings is more efficient than simply allowing it to escape.

Cabinet is yet to make a final decision on SELCHP, however a report to Cabinet concluded that increasing the utilisation of waste heat from SELCHP is a significant opportunity for Southwark's heat networks in the medium and long term. SELCHP expansion is shortly to enter commercial viability testing, with the Council receiving commercial proposals from Veolia at the end of 2021. These will then be appraised by the Council (with external support as necessary) to reach agreement on terms.

Phase One of the expanded heat networks will enable schemes within the Old Kent Road regeneration area to connect and Phase Two will provide heating to existing estates.

The estates currently being considered for connection (shown in red in Figure 3) are Brimington, Acorn, Cossall, Leontine, Neville, Hoyland, Pelican (Heron & Crane), Sceaux Gardens, North Peckham. This list equates to 2,928 properties. In addition, there is potential for the Tustin Estate and Ledbury Estate to connect as and when final decisions on these projects are reached as they are on or near to the planned heat network route.

The projected carbon saving from switching the Council's housing networks to SELCHP heat is 9,800 tonnes of CO₂ per year. Figure 3 shows the current expected network route, though this is subject to change.

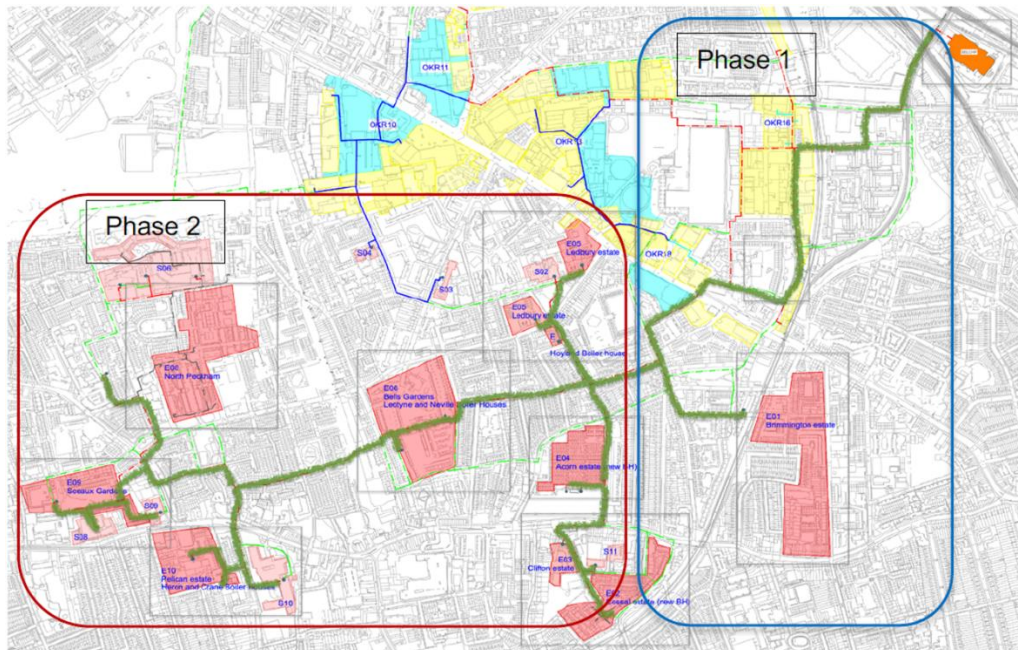


Figure 3 – expected network route

Low Carbon?

Officers told the Commission that expansion of the District Heating Network would seek to recover more of this wasted heat, and use it within a heat main to provide heat and hot water to more homes and/or businesses. Capturing and using this energy would reduce demand for energy generated by combustion of fossil fuels (e.g. individual gas boilers), by making use of heat that would otherwise be wasted. This expansion would not increase the amount or type of waste combusted by the facility, nor would it affect the emissions. The impact would be only to recover heat that would otherwise be lost to the atmosphere.

Utilising SELCHP heat is, therefore, considered low carbon as it captures and uses energy that would otherwise be wasted and so this can be substituted for combustion of fossil fuels. A Cabinet report found that the system also operates with a very low carbon factor of around 58 grams of CO₂ per kWh of heat compared to around 250 grams of CO₂ per kWh of heat for a gas boiler. Meanwhile, the Commission concluded that whilst swapping out gas boilers and replacing with SELCHP as a source of heating reduces carbon emissions, connection to SELCHP does not reduce carbon emissions for new homes that would not have (or need) a gas boiler in the first place, or for buildings better served by a deep retrofit.

Air Pollution

SELCHP is regulated by the Environment Agency as an industrial installation, with an environment permit that controls operating methods and emissions. Exhaust gases from combustion of waste are subject to stringent pollution control measures, and details of emissions are published on SELCHP's [website](#).

The permit sets conditions and limits for a range of pollutants, including nitrogen oxides, hydrogen chloride, sulphur compounds, organic carbon compounds etc. These pollutants are roughly analogous to those emitted during any combustion process, including traffic emissions. However, while emissions from SELCHP may contain many similar pollutants to traffic emissions, the main difference is obviously that traffic levels vary throughout the day as they are from mobile sources, whereas SELCHP is a fixed source of emissions around the clock.

The Environment Agency gave evidence to the Commission on the performance of SELCHP. The facility's performance is rated B. This performance is considered good for a complex industrial facility as even minor incidents preclude scoring the perfect A rating. In SELCHP's case the A rating was missed because of a loss of data for a few days and the marginal breaching of an emissions limit, although it was reported that these had negligible material impact. Environment officers reported that there is a process to monitor and assess problems and then identify remedial actions, and that SELCHP is very good at addressing issues when they arise.

The Commission heard that concerns around incinerators tend to be based on the following factors:

- The belief that the emissions represent a serious hazard to health. (Impartial studies of modern incinerators have not supported this conclusion)
- That the presence of incinerators in communities represent a blight on the local amenity value in terms of visual and traffic impacts

Part of the underlying argument is that incinerators tend to be located in areas of higher deprivation, with any impacts of incineration representing a greater impact on the poorest communities. There is no doubt that this is factually true, and it is also true of almost all industrial facilities. The poorest communities are often located closer to areas of industrial development, which are considered suitable in planning terms for location of MWIs and other industrial installations. This is the result of both land and development costs and the planning process.

Officers highlighted to the Commission the fact that the only alternative to incinerators is landfill disposal. Landfill sites are considered substantially more damaging environmentally than MWIs, and are *also* located in areas of higher deprivation. Officers noted the practical reality that choices on waste recovery and disposal must be made from limited options – with MWIs generally being seen as the 'least bad' of the realistically available options for managing general waste.

There are a number of authoritative studies on the impacts of MWIs on air quality and health. The Commission was referred to a recent report commissioned by the [GLA](#) in 2020, which reviewed recent evidence. This suggests '*that well-managed modern EfW/MSWIs are unlikely to pose a significant health risk (i.e. cancer, non-cancer, pregnancy, birth and neonatal health) in the UK under the current stringent regulatory regime.*'

The Commission discussed past protests by Friends of the Earth at SELCHP. SELCHP representatives said that these were focused on dioxin, which is no longer a problem. This stance is corroborated by the GLA report, which finds:

'there is limited evidence of an association of proximity to older incinerators, or exposure to dioxins, with sarcoma and lymphoma risk in other countries, the very substantial decrease in dioxin emissions from EfW/MSWIs over recent years is likely to make these risks negligible for populations currently living in the vicinity of modern, well-controlled plants in the UK. It is important to point out that stack emissions from modern MSWIs are much reduced compared to old generation plants'.

Though the risks to health are small they are nevertheless present. The GLA report quantified the health effects associated with emissions of nitrogen oxides and fine particulate matter from five facilities in London, including SELCHP, using established risk factors. The east of London is most affected, and west of London much less so. The report estimated 15 deaths per annum in London that are attributable to emissions from the EfW / MSWI facilities, and these are predicted to occur within just nine boroughs (Havering, Croydon, Bexley, Bromley, Greenwich, Barking and Dagenham, Redbridge, Lewisham, and Southwark). In Southwark this is estimated at 0-1 a year. Annual respiratory hospital admissions per year attributable to PM10 from the five facilities are estimated to be 8-12 per year, and likewise annual cardiovascular hospital admissions per year from the same cause are 8-12 per year⁵.

These emissions and health impacts need to be considered in the context of their comparison with levels of emissions and health impacts associated with the burning of gas. These were not quantified by the Commission. Nor were more critical voices on incineration from organisations such as Friends of the Earth considered. Further investigation could be carried out in this field if and when a Waste review is undertaken by a future Environment Scrutiny Commission.

Costs

Veolia and the Council are currently embarking on a commercialisation process and when this is complete the costs will be better understood⁶. Officers said that it is hoped, however, that the project can be delivered with a combination of government grants and a Veolia corporate loan so that no capital contribution will be required from the Council. Veolia and the Council have already applied to HNIP for both commercialisation and construction phase funding.

SELCHP recipients

⁵ Pg. 20- 23 Health Effects due to Emissions from Energy from Waste Plant in London
May 2020

⁶ Officers indicated that £632m will be needed to add domestic heating systems to the SELCHP network in a report to the 29
November 2021 meeting

The current plan is to build a housing estate anchor load network and encourage new developments along the Old Kent Road to connect to the new network as each area is reached.

The Old Kent Road opportunity area requires new developments to connect to the SELCHP DHN, however, Joseph Homes⁷ evidence to the Commission questioned if this is appropriate given the insulation standards of new builds and costs to residents. British Land also commented that while several years ago developments such as Kings Cross, which used Combined Heat and Power (CHP), were considered at the leading edge, Canada Water will now utilise Local Energy Networks, and these may be more appropriate than CHP for new development.

The other recipients are council estates, which will need to be retrofitted for heating (to switch away from gas) to enable connection to the DHN.

The Biscuit Factory in Bermondsey, a mixed-use development, already has an independent connection to SELCHP.

The Commission enquired if other properties could be added, including residential Victorian street properties. SELCHP advised that it is expensive to connect to individual properties.

The cost of connecting street properties was not quantified, however, a GLA Commissioned report in 2016, *Connecting Existing Buildings to District Heating Networks, Technical Report*, did quantify this, comparing the cost of connection with the cost of retrofit and factored in energy prices. The report was commissioned in order to investigate the type of buildings that later generations of DHNs might serve, assuming that earlier generations would be connected to new builds and council estates for logistical reasons, in line with current SELCHP DHN expansion plans.

This report found that:

'The cost to connect existing gas centrally heated domestic buildings was found to vary from £66/m² to £87/m² equating to between £4,600 and £6,800 per unit, based on the architectures assessed. For commercial buildings this varied from £15/m² to £82/m². The cost to connect existing electrically heated buildings was higher, ranging from £112/m² to £141/m² for domestic buildings, equating to between £7,700 and £11,000 per unit. For commercial buildings this varied from £30/m² to £191/m². By comparison, the cost to undertake an energy efficiency retrofit to allow efficiency solid walled dwelling was estimated to be £106/m² to £159/m². This works would involve meeting Part L1B insulation standards for improved U-values, new windows and halving air infiltration on hard-to-treat dwellings. Going deeper, a retrofit with Passivhaus U-values, halved infiltration and triple glazing was found to be up to £354/m²⁸.

The report went on to identify the properties that would be most cost effective to connect:

The properties found to be the most cost effective in relation to connecting to district heating networks were low and medium efficiency electrically heated high-rise flats, low-rise flats and houses, as well as large offices which are electrically heated. These types of buildings

⁷ via email

⁸ Connecting Existing Buildings to District Heating Networks. Technical Report
14 December 2016

represent 8.7% (330,000) of existing buildings in London. The LSOAs with the highest densities of these properties can be found in Tower Hamlets, Westminster, Hammersmith & Fulham and Southwark. These boroughs are relatively central suggesting that the greatest opportunities for retrofitting these types of buildings for connection to district heating are in the denser, more central London boroughs.

Properties found to be of medium cost effectiveness for district heating include low and medium efficiency gas heated high and low rise flats, houses and large retail buildings. Collectively the properties falling into the high and medium cost effective categories represent up to 81.7% of the stock (3,100,000 buildings). Areas with the highest density of medium cost effective buildings include Tower Hamlets, Westminster, Hounslow, Southwark, Islington and Wandsworth.'

The report then went on to examine how this would shift if gas prices rose , concluding that if gas prices rose by 50% - the current situation in 2022 - then the whole life cost of DHNs becomes more viable as district heating retail prices can increase. The report went on to note that further scenarios to improve cost effectiveness include reductions in capital cost driven from the market, or policy driven e.g. supported by additional funding leveraged through Carbon offset payments, ECO or other grants.

Integrating SELCHP and District Heating Networks with retrofit and the switch to 100% renewables over time.

SELCHP is potentially a low carbon source of energy that provides a very good intermediate source of energy as we move towards renewables – making good use of otherwise unused heat. Presently, however, while it is lower carbon than gas, it is not renewable, totally clean or fossil free, given that a significant amount of energy in MBT fuel originates from products produced from oil and even if the emissions are well controlled they do pose a risk to health, albeit very small .

Heat pumps utilising heat from the London aquifer, sewage, or rock geology though can be considered as renewable, fossil free and clean. There are significant opportunities here for future District Heat Networks.

The evidence the Commission received on retrofit and linking building with low carbon / renewable energy was that insulation and reducing heat and energy loss and consumption ought to come first, and then alternative sources of energy deployed to meet the reduced demand.

The recent Cabinet report on heat networks compared other sources of energy with heating networks and the counterfactual of business as usual. However, it did not compare and contrast with retrofit of estates to EnerPHit Passivhaus standards, where possible. The overall vision of decarbonising Southwark's heat networks does factor in retrofit, mainly later down the line, predicting this will bring about a 14% saving by 2030:

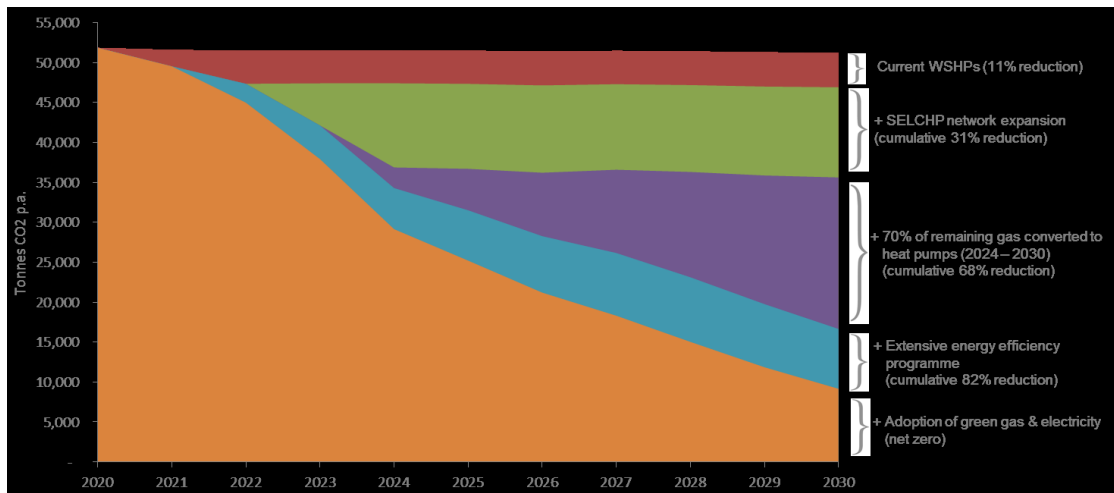


Figure 4 Heat Network seminar to councillors 27/07/21

The amount predicted to be saved through retrofit is thus not sufficiently ambitious or in line with the target of 60% energy descent set out in the Zero Carbon Britain report, which recommends a Fabric First approach. With rapidly escalating energy prices, energy saving will deliver increasingly significant financial rewards.

The Commission recommends that a retrofit assessment is done for each housing estate prior to connection to SELCHP in order to understand whether greater cost/carbon savings could be achieved through retrofit than through connection to SELCHP. When calculating carbon saved the embedded carbon cost of connection to the District Heating Network must be included, alongside savings from operational carbon.

The current Council focus for District Heating Networks has been the Old Kent Road opportunity area and council estates, and while this may well still make sense in the short to medium term, longer term there will be opportunities to provide heat to those properties that cannot be retrofitted to advanced standards. Connection to such properties – whether or not under direct Council control – ought to be explored.

Commission members commented that a DHN at this scale is a significant investment, in line with ambitious civil engineering projects undertaken by local authorities of the 19th century. It therefore ought to be future proofed as much as possible to ensure that Southwark is not inadvertently locked into relying on waste as a fuel as we move towards a circular economy and waste management in line with that principle. Another opportunity that ought to be explored is ensuring the SELCHP DHN has the potential to be repurposed to use other sources of ground rock and water source heat, given the promising geology, and for solar heat to be included, given that the Cabinet report noted that some countries have managed to successfully integrate solar thermal collectors into their heat network infrastructure. Southwark has significant untapped solar potential.

Recommendation 17

Review the requirement for developers in the Old Kent Road opportunity area to connect to SELCHP DHN as it maybe be more optimal to achieve zero carbon

through micro local energy networks using renewables and demanding better operational carbon standards.

Recommendation 18

Ensure that only council estates that would not be better served by a deep retrofit and use of renewables are connected to SELCHP DHN. Evaluation must be made by conducting a comparison of carbon and capital expenditure, and projected eventual resident fuel bills to identify what would be the best value option.

Recommendation 19

Ensure as much as possible the eventual District Heat Network can be repurposed to use other sources of renewable energy including solar, if viable, and ground and water sources given the excellent geological prospects.

Recommendation 20

Investigate whether to prioritise future connections to the planned District Heating Network for properties (including clusters of street properties, e.g. Victorian terraces) that cannot be completely retrofitted because of architectural or heritage characteristics, and consider bringing these forward.

Recommendation 21

Consider how best to move towards a system of billing all residents for energy on the basis of their actual consumption. Any such system must adequately protect against fuel poverty, whilst encouraging all residents to avoid wasting energy.

Community Energy

Previous scrutiny work on Community Energy

The review started with a summary of previous scrutiny commissions' work on Community Energy, with a report completed June 2019, and further work tracking this in subsequent iterations of the Environment Scrutiny Commission.

Previous Commissions had focused on the most common, tried and tested form of Community Energy, which is solar (PV) delivered by a Community Energy Community Benefit Society (BenCom) working in partnership with housing estate tenants, schools and community buildings. Three Ben Coms are active in and around Southwark: South East London Community Energy (SELCE), SE24, and Repowering London.

Community Energy has been organically growing in cities in recent years, usually powered by volunteers using a BenCom model, whereby the capital is raised through a local stock offer to local residents, and funds are set aside to invest in social and environmental priorities, which are chosen locally by the BenCom. Projects frequently use solar in cities to generate energy as this is one of the best sources of renewables in an urban environment.

Historically these have generated an income by providing electricity to the communal areas of the project and by selling electricity to the grid at preferential rates or Feed in Tariffs (FiT). (FiTs ended in April 2019.) Under this arrangement solar array projects with the right aspect have been able to generate sufficient funds to pay back the capital costs and leave a surplus to invest in social benefits; often these are about reduction of energy use and focused on residents in fuel poverty.

The demise of the Feed in Tariffs (FiT) in 2019 has meant that the funding for PV projects is more challenging, particularly estate based projects. The previous Community Energy scrutiny report had tracked a Council pilot of Community Energy on three council estates, which had looked at the viability of different projects utilising mainly PV on roofs. An external technical evaluation had concluded that with the end of the FiT the PV projects put forward were not viable on these estates and LED lighting projects would work better.

Given the enthusiasm of residents for the pilot projects, and the wider benefits of Community Energy, the Scrutiny Commission in 2019 encouraged the Council to continue to work with TMOs and TRAs to explore Community Energy through the Great Estates programme, in partnership with local Community Energy Ben Coms, and to link these with emerging financing opportunities, such as the development and roll-out of electric vehicle charging points, battery storage and local electrical grids.

The Community Energy scrutiny review report in 2019, and subsequent work by later Commissions, also concluded that schools and community buildings remain a good fit for solar based Community Energy projects, as the daytime consumption of electricity matches energy generation. Carbon Offset funds have been used to pump prime schemes in other local authorities, and this was also recommended for Southwark.

SE24 and Charter Schools Educational Trust evidence to the Commission

SE24, the borough's most local BenCom, presented on Community Energy projects in Southwark, with a particular focus on recent work in schools. A recent project had been funded through a community share offer and capital funding from the Mayor of London's London Community Energy Fund grant. Past projects had utilized the FiT but as this was no longer available more recent projects have been larger and relied more on the site uptake of energy. Both PV and more recently LED projects have been delivered.

SE24, like other Community Energy initiatives, is able to work with small and medium schemes which are less commercially viable. SE24 told the Commission that it brings experience gathered over the last decade plus local knowledge and relationships in the community, which means it is able to engage with stakeholders and knows where the local need is for community benefit projects, e.g. tackling fuel poverty.

SE24 said it is important that the Council understands what Community Energy can do in terms of action to deliver low carbon and renewable energy, as well as mobilize enthusiasm for action to tackle the Climate Emergency. It said that the current references to Community Energy in the Climate Action Plan are quite tenuous and it is unclear where the funding might come from. SE24 told the Commission that Carbon Offsets are potentially a good source of funding and even a small amount of the £2million plus in the fund, and approximately £5million⁹ in the pipeline, would help. SE24 advised that a £1 investment from funders can generate about £7 in other investment – from private investors, for example.

Southwark Council launched The Green Buildings Fund in October 2021 to utilize the carbon-offset funds collected from developers to meet net zero. This may be a potential source of funds as it will focus on delivering key carbon reduction projects, including the decarbonisation and retrofitting of community buildings, schools and council housing. The funding criteria for offsetting projects has not yet been finalized. Once it is finalized it will be published on the Council's website with the relevant guidance and application form.¹⁰

SE24 recommended the Council focus on delivering Community Energy in the school estate and, in particular, in the Primary School estate where the Council has most influence. There are around 39 Local Authority primary schools. Working with schools would entail promoting Community Energy, both solar and LED projects, to site owners from school leaders to governors. The biggest hurdle is legal so standard leases approved by the Local Authority would very useful. Encouragement from the Council to work with Community Energy Ben Coms would also be very helpful.

The [GLA Solar Map](#) can be used to map school sites, which is useful, alongside School Estate Officers who can assist with surveying, as they will know the condition of the roof. Some sites will become viable if installation of solar is scheduled to coincide with required roofing works/replacement.

There is also a need for additional staff capacity to get Community Energy working on the Southwark school estate, with input across various areas including liaison and legal, which would probably be equivalent to one Full Time Employee. SE24 advised that collaboration with another local authority could help if they have existing capacity.

The Charter Schools Educational Trust made a submission that echoed these points. It was stated that support around the legal aspects, advertising the community fund,

⁹ As of 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 . See point 21.

¹⁰ See point 38 page 9 https:

//modern.gov.southwark.gov.uk/documents/s102256/Report%20Green%20Buildings%20fund.pdf

and support making applications would be gratefully received by schools within the borough.

Recommendation 22

Directly employ or provide funding for a FTE staff member to deliver Community Energy potentially in collaboration with another borough. This person would:

- Communicate with schools leaders the benefits of Solar PV and LED Community Energy
- Link in with school Estate Officers to coordinate surveying of roofs to identify potential projects and timescales
- Link with TMOs and community organizations to facilitate Community Energy on housing estates in community buildings
- Develop and provide standardized legal documents for schools, community buildings and housing estates

Recommendation 23

Cabinet to expedite the agreeing and finalizing the funding criteria and the application process for The Green Building Fund, in order to enable the considerable Carbon Offsets in this fund to be allocated and used for deep retrofits.

Recommendation 24

The final funding criteria and application process for the Green Building Fund is set up to support Community Energy applications for PV and LED in schools, housing estates and community buildings from BenComs.

Item No. 14.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Cover report for Domestic Abuse in Families Scrutiny Review Report	
Ward(s) or groups affected:		All	
From:		Health and Social Care Scrutiny Commission	

RECOMMENDATIONS

1. That the cabinet considers the recommendations in the report (Domestic Abuse in Families Scrutiny Review Report, Appendix A), as set out on page 3 of the report and request that the relevant cabinet member reports back within eight weeks.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Health and Social Care Scrutiny Commission agenda and papers 2021/22	Scrutiny Team 160 Tooley Street London SE1 2QH	Julie Timbrell 020 7525 0514
Web link: https://modern.gov.southwark.gov.uk/ieListMeetings.aspx?CId=519&Year=0		

APPENDICES

No.	Title
Appendix A	Domestic Abuse in Families Scrutiny Review Report of the Health & Social Care Commission

AUDIT TRAIL

Lead Officer	Everton Roberts, Head of Overview and Scrutiny	
Report Author	Julie Timbrell, Project Manager, Scrutiny	
Version	Final	
Dated	30 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Governance	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	30 May 2022	

APPENDIX A

Domestic Abuse in Families Scrutiny Review Report

**Health and Social Care Scrutiny
Commission**

April 2022

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• Early focus on preventative work to prevent cycles of abuse, protect children and support mothers	Page 6
• Work with Perpetrators and fathers	Page 7

Summary of recommendations

Recommendation one

Extend work with young people and families, including children acting out under 16, and ensure this includes time and capacity to engage with safeguarding partners.

Recommendation two

Invest in Early Help, focusing on the first 1000 days in particular, to work to protect children at this developmentally important moment.

Recommendation three

Extend therapeutic support for children and adult victims/survivors.

Recommendation four

Support schools and the youth service to develop programmes that help young people to develop positive relationship skills and identify harmful behaviour, in order to keep themselves and others safe.

Recommendation five

Ensure that statutory services have the same expectations of fathers as mothers and they are held to the same standard of accountability.

Recommendation six

Provide more support to women to develop autonomy and agency over safety.

Recommendation seven

Commission courses and soft engagement programmes aimed at boys, men and fathers in particular, which promotes the importance of being a father, creating a safe environment for mothers and children, and which enables better conflict resolution and relationship skill. To enable maximum reach the Commission recommends that these are rolled out in Universal services as well as targeted services.

Recommendation eight

Consider implementing the DRIVE programme locally to work with perpetrators.

Safeguarding Board:

Recommendation nine

Increase opportunities for partnership communication between stakeholders to promote connectivity of services.

Recommendation ten

Pay special attention in the safeguarding partnership to the development of preventative work and follow up community work with perpetrators.

Introduction

Definition of Domestic Abuse

Domestic Abuse (DA) is defined as any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of sex, gender or sexual orientation. The abuse can include, but is not limited to psychological, physical, sexual, financial, and emotional.

Background

In August, the Health and Social Care Commission completed a review, spanning two years, on 'Mental Health Inequalities of Black, Asian and Minority Ethnic Children and Young People'. This highlighted that Domestic Abuse had risen across the board during the pandemic and was a significant risk factor for poor mental health in all children and young people. As a result the commission decided to delve further and particularly hear from partners and community groups during the remainder of the administrative year, in order to undertake a mini review focused on Domestic Abuse in families.

Review aims

Southwark has above average levels of DA offences (police recorded) when compared to overall levels in London. Since the start of the pandemic there has been a significant increase in demand for Domestic Abuse services and an increase in Domestic Abuse reports to the police. The commission set out to look at responses from the Council, community partners and national government to the rise in Domestic Abuse during Covid-19 lockdowns, and what steps could be taken to reduce and mitigate demand.

The commission decided to look further at children acting out as a report from Oxford and Manchester Universities - received while conducting the previous review - suggested that child to parent violence had also significantly increased during lockdown. This found that the number of child to parent violent episodes increased by 70%, and that 69% of practitioners surveyed said they had seen an increase in referrals for child to parent violence. The Commission set out to understand how the police, including specialised services, are responding holistically to children, young people and families where violence is occurring.

There has been a renewed emphasis on work with Perpetrators of Domestic Abuse, with central government undertaking to publish a perpetrator strategy, as part of the wider domestic abuse strategy, within 12 months of Royal Assent of the Domestic Abuse Act 2021. The Commission decided to understand how the council and partners are working with Perpetrators of Domestic Violence locally.

Lastly the commission undertook to examine and improve how partners are working together to assist and protect victims and reduce offending.

Approach

Scrutiny has a unique convening power, and this was used to good effect through bringing partners together for roundtable discussion at the Commission meeting on 2 February 2022. Evidence received from this session, both written and verbal, forms the basis of this report.

Themes

Domestic abuse in Families and preventative work with children and young people

The police told the Commission that around 24% of Domestic Abuse offending is Familial.

Since the start of the pandemic in 2020 there has been a slight increase in abuse by parents and a 50% increase of abuse by sons:

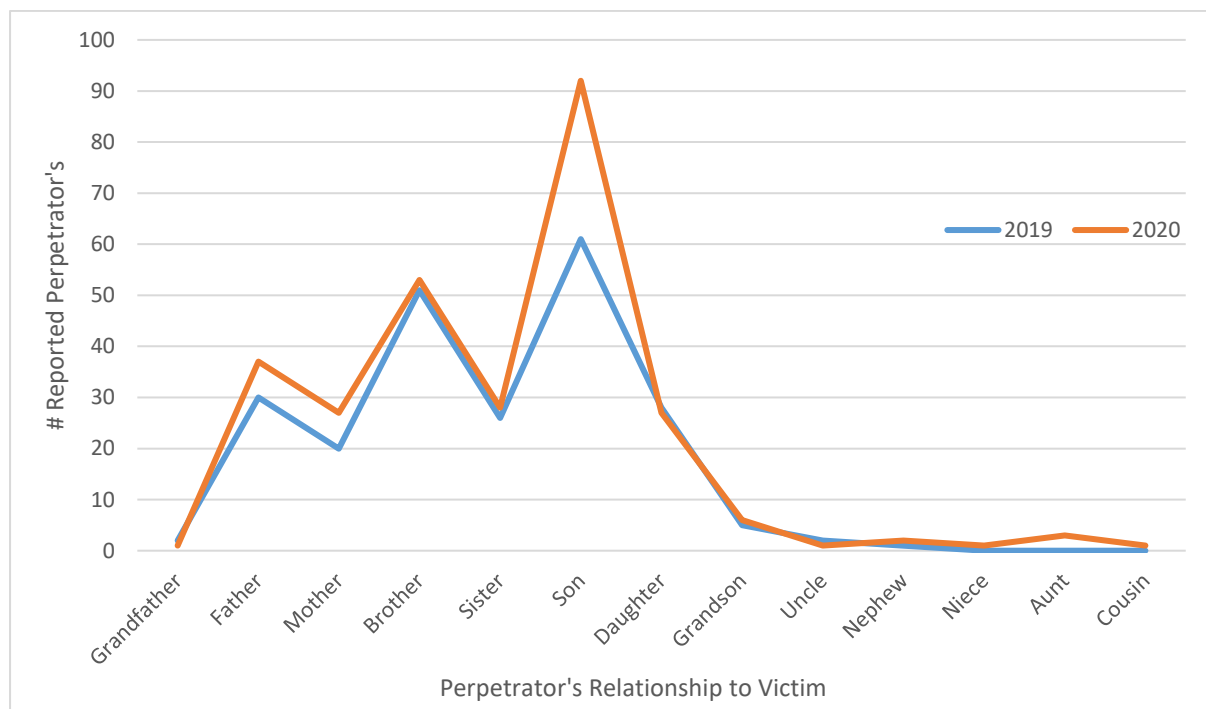


Figure one: presentation to the Commission by the police at the meeting held on 2 February 2022

The council commissions YUVA, a service for young people using or experiencing violence in close relationships. YUVA told the commission that they work with young people aged 11 – 18 years old, or up to 25 if special needs are present, to support families and attempt to prevent further perpetrator behaviour later down the line. There is a 10 week programme for young people, and an 8 week programme for

parents. They told the commission that the families they work with are often complex, with children with special needs including Autistic Spectrum Disorder. The service finds it tougher to engage with fathers, and often it is mothers who are most involved.

Presently YUVA work in Southwark two days a week. They would like to increase this and to be more connected to the wider partnership. Other partners endorsed the benefit of more work with children and young people in Southwark.

The commission heard that sons acting out can trigger mothers, where Domestic Abuse is present, and this is an area that needs focus.

Recommendation one

Extend work with young people and families, including children acting out under 16, and ensure this includes time and capacity to engage with safeguarding partners.

Early focus on preventative work to prevent cycles of abuse, protect children and support mothers

The partners who gave evidence all emphasised the negative impact Domestic Abuse has children, and how the children's sense of safety is profoundly impacted by Domestic Abuse and that a Trauma Informed response is needed.

Being a victim or witnessing Domestic Abuse is an Adverse Childhood Experience that has the potential to negatively impact on children's mental and physical health throughout their life course.

The Commission's attention was drawn to the importance of Early Family Help and the [First 1000 Days](#) recommendations, a report by the Health & Social Care Select Committee, which addresses interventions to address this crucially important time period in a child's life; from conception through to age 2.

Early Intervention was mentioned by all the partners, with a general view that services tended to respond to crisis rather than sufficiently focus on prevention.

Solace provide therapeutic support for children and victims / survivors, but think that more ought to be offered.

Councillor Maria Linforth–Hall, Director of Su Mano Amiga, and member of the commission spoke about Su Mano Amiga's work with the Latin American community and Domestic Abuse. She said issues in the Latin American community include language barriers and a macho male culture. During the first lockdown phones calls went up dramatically, however calls are now back down to the former rate. She voiced concern about children who were stuck in situations where parents are fighting, and the interventions the organisation deliver are particularly focused on children's wellbeing.

Councillor Leanne Werner; Deputy Cabinet Member for Domestic Abuse, spoke about how the new Domestic Abuse Bill is focused on breaking the cycle of violence and recognition that children need to be seen as victims not just witness .

She highlighted the work of a previous scrutiny review on Violence Against Women and Girls and the importance that young people had given to relationship skills education. Young people said that they highly valued well delivered relationship programmes in schools, which developed emotional and social literacy, better conflict resolution skills, and the ability for girls and women to identify and address abuse and harmful behaviours and keep themselves safe. Most young people wanted more of this by trained practitioners.

There is good practice in specialist providers of these courses in schools, as well as the youth service and family support work that could be built upon, as well as content in courses deliver by Solace and the Probation services.

Recommendation two

Invest in Early Help, focusing on the first 1000 days in particular, to work to protect children at this developmentally important moment.

Recommendation three

Extend therapeutic support for children and adult victims/survivors.

Recommendation four

Support schools and the youth service to develop programmes that help young people to develop positive relationship skills and identify harmful behaviour, in order to keep themselves and others safe.

Work with Perpetrators and fathers

The Probation Service and Solace gave an overview of their structured programmes with Perpetrators. These work with Perpetrators to find better ways of dealing with conflict and difficult emotions, and are effective, for those who are willing to engage. The Building Better Relationships course delivered by the Probation Service looks at how to manage feelings and behaviour. It is a training programme over 5 and a half months. The course is aimed at adult male perpetrators convicted of an Intimate Partner Violence (IPV) related offence against a female partner, who present with a moderate or high risk of committing future IPV offences. There is also partner link workers who support and to look at the risk to the partners in a relationship with Perpetrator participants on the programme. Solace deliver a similar programme.

Solace and the Probation Service both emphasised the importance of these Perpetrator programmes being located in the community. A recent three borough research programme, that Solace has been engaged with, had found that connectivity between services was very important for effectiveness.

Colin Fitzgerald, who leads on Solace perpetrator programme, emphasised that the system needs to make the same demands of mothers as we make of fathers, as currently this is not symmetrical in social services. Changing this would increase the accountability of fathers and also signal to fathers their importance. He said that often fathers do not appreciate the negative impact their abuse of the mother has on

their children, and that understanding this can be a trigger for change. He referenced the work of Dr David Mandel, and his 'Safe and Together' approach. Dr Mandel stresses the importance of higher expectations of men as parents.

This theme was echoed by Nicole Hooper, Deputy Manager, Bede House who agreed there was not an equal level of accountability for male perpetrators and fathers, commenting that mothers get monitored and flagged if a father attends, but there is little consequence of men. She felt the emphasis ought to be 'safe mother, safe children'.

Bede House also added that services ought to encourage more autonomy and agency in women when they devise safety plans, as women will often act compliant to service providers.

Dr Mantel has written:

Adult domestic violence survivors, instead of being treated with compassion and support, consistent with their situation, are met with blame and a "failure to protect" mentality. Domestic violence perpetrators as parents are all but ignored by systems. Responses to these families are not always child-centered, which means child safety, stability, nurturance and healing from trauma would be the guiding principles of our interventions.

What is the result of all this? Children are being removed unnecessarily. Adult domestic violence survivors are fearful to reach out for assistance for fear of being blamed as mothers. Domestic violence perpetrators are able take advantage of gaps in the system to increase their power over their partner and children.

The current "failure to protect" paradigm is not working. But Safe & Together works. By applying a perpetrator pattern-based approach, Safe & Together changes every aspect of child welfare domestic violence policy and practice.

Our work is grounded in the idea that, latent in child welfare systems, is the potential to be a powerful ally to adults and children harmed by a domestic violence perpetrator's behaviors. Systems are most effective when they say to the adult survivor, "We want to help you and your children be safer and healthier. Tell us what we can do to help."

Jenny Brennan, Assistant Director Family Early Help & Youth Justice spoke about the challenge of finding a model to work with fathers which enables them to stay engaged as parents while keep children and families safe. The service want fathers to parent their children, however the Assistant Director said there is a need to engage fathers and get them to change their behaviours, and provide effective support for fathers who are not suitable for the DVIP programme either owing to lack of acceptance of domestic abuse behaviour, or who are unable to engage with the 26 weeks. She suggested a targeted engagement programme could build on the work currently undertaken by the fathers group work programme.

The Commission considered a report from DRIVE, which has as its strapline 'We need to stop asking why she doesn't leave and start asking why he doesn't stop'. There work with Perpetrators combines behaviour change programme, diversionary

support, and disruption (if perpetrators do not engage), as well ongoing support for survivors / victims.

The Drive Pilot Model

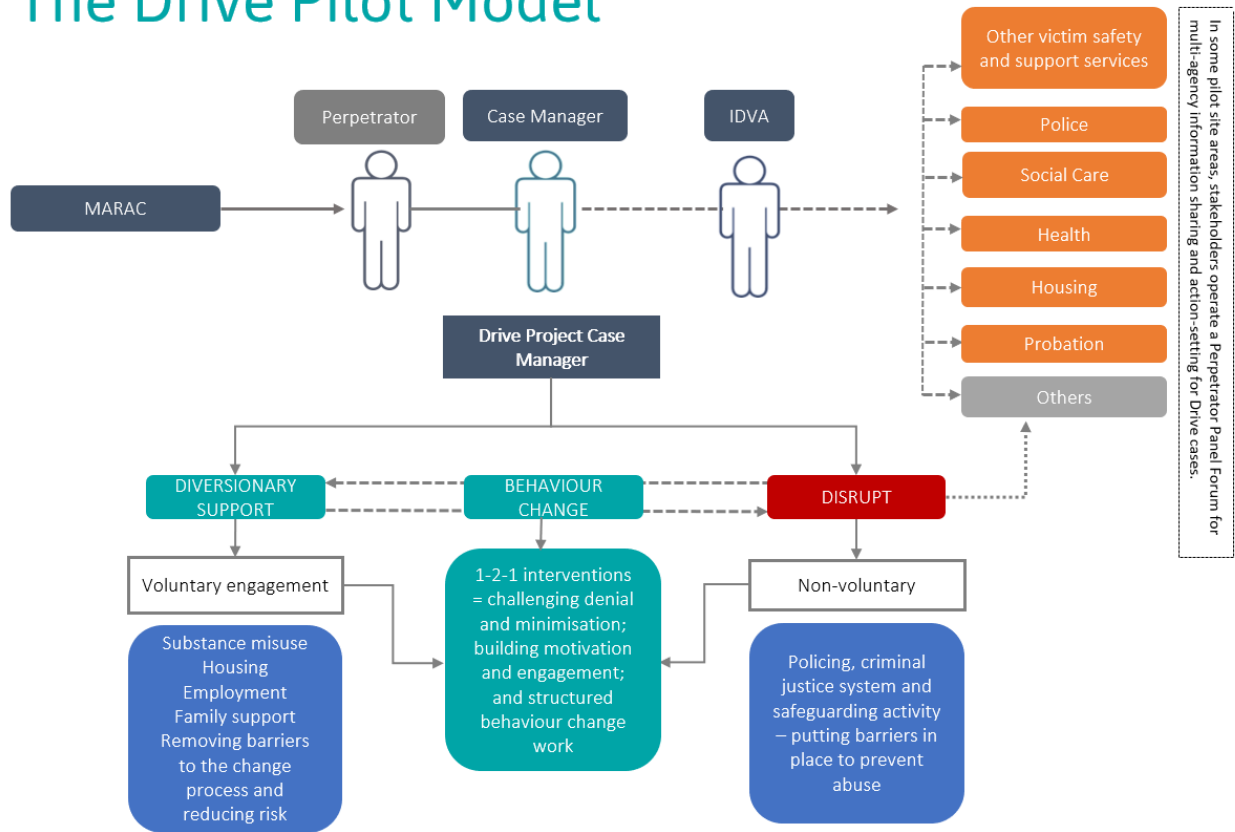


Figure two: The Drive Intervention¹.

The Drive Project launched in April 2016 and was piloted in three areas across England and Wales (Essex, South Wales and West Sussex) from 2016-2019. During this time it underwent a three-year independent evaluation conducted by the University of Bristol. The University of Bristol concluded that Drive reduces abuse and the risk Perpetrators pose.

The Commission discussed the value of the council providing relationship coaching, conflict resolution training, as well as the wider opportunities to raise awareness of consequences of abuse in society to change the culture.

The Commission noted that while the Domestic Abuse committed by men is more common, repeated and serious², this does not mean all Perpetrators are male, and

¹ Source: Bristol University Evaluation of the Drive Project– A Three-year Pilot to Address High-risk, High-harm Perpetrators of Domestic Abuse, Jan 2020, Executive Summary, pg. 5

² "There are important differences between male violence against women and female violence against men, namely the amount, severity and impact. Women experience higher rates of repeated victimisation and are much more likely to be seriously hurt (Walby & Towers, 2017; Walby & Allen, 2004) or killed than male victims of domestic abuse (ONS, 2020A; ONS, 2020B). Further to that, women are more likely to experience higher levels of fear and are more likely to be subjected to

this must be born in mind when delivering equitable services; men are also victims / survivors of abuse and women are also Perpetrators.

Mankind, who focus on male victims/ survivors have highlighted that:

The Office for National Statistics figures show every year that one in the three victims of domestic abuse are male equating to 757,000 men (1.561m women).

- *One in 6-7 men and one in 4 women will be a victim of domestic abuse in their lifetime.*
- *Only 4.4% of victims of domestic abuse being supporting by local domestic services are men according to SafeLives data. This highlights how few men are being supported for local domestic abuse services*

Council:

Recommendation five

Ensure that statutory services have the same expectations of fathers as mothers and they are held to the same standard of accountability.

Recommendation six

Provide more support to women to develop autonomy and agency over safety.

Recommendation seven

Commission courses and soft engagement programmes aimed at boys, men and fathers in particular, which promotes the importance of being a father , creating a safe environment for mothers and children, and which enables better conflict resolution and relationship skill . To enable maximum reach the Commission recommends that these are rolled out in Universal services as well as targeted services.

Recommendation eight

Consider implementing the DRIVE programme locally to work with perpetrators.

Safeguarding Board:

Domestic Abuse is a joint priority across the Southwark Safeguarding Children Partnership (SSCP) and Southwark Safeguarding Adult Board (SSAB) and a task and finish group has been established.

Recommendation nine

coercive and controlling behaviours (Dobash & Dobash, 2004; Hester, 2013; Myhill, 2015; Myhill, 2017).

Domestic abuse perpetrated by men against women is rooted in women's unequal status in society and is part of the wider social problem of male violence against women and girls. We found in our research with the University of Bristol that sexism and misogyny set the scene for male abusive partners' coercive and controlling behaviours."

Increase opportunities for partnership communication between stakeholders to promote connectivity of services

Recommendation ten

Pay special attention in the safeguarding partnership to the development of preventative work and follow up community work with perpetrators.

Item No. 15.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Report of the Housing and Community Engagement Scrutiny Commission: New council homes on existing estates in the Borough of Southwark	
Ward(s) or groups affected:		All	
From:		Housing and Community Engagement Scrutiny Commission	

RECOMMENDATIONS

1. That cabinet note the recommendations from the housing and community engagement scrutiny commission arising from the scrutiny review of new council homes on existing estates in the Borough of Southwark, paragraphs 7 to 12.
2. That cabinet request that the relevant cabinet member reports back to cabinet on the recommendations within eight weeks.

BACKGROUND INFORMATION

3. At its meeting on 5 October 2021 the housing and community engagement scrutiny commission received a report from the Director of New Homes, and Development Manager, Housing and Modernisation Department on New council homes on existing estates as a case study 1 on Brenchley Gardens Estate. The commission also received addresses from the Cabinet member for Council Homes and Homelessness, councillors of Peckham Rye Ward and representatives of the Tenant Management Organisation (TMO), and Tenants and Residents Association (TRA).
4. At its meeting on 15 December 2021 the housing and community engagement scrutiny commission received the case study 2 on Kingston estate from the Cabinet member for Council Homes and Homelessness, Development Manager, Head of Development, and Director of New homes, Housing and Modernisation Department.
5. At its meeting on 7 February 2022 the commission received addresses from a resident of the Kingston estate and the Ward councillor for the area of Kingston estate on the consultation issues during the development project.

6. The commission considered and agreed the set of recommendations at its meeting on 24 March 2022. The rationale and commission recommendations are set out in paragraphs 7 to 12.

KEY ISSUES FOR CONSIDERATION

Set out below are the recommendations of the housing and community engagement scrutiny commission.

7. The addresses from Ward councillors and TRA representatives indicated that there are inaccuracies in the report for Brenchley Gardens submitted to the scrutiny commission and it also failed to acknowledge the poor handling of the consultation processes. It is important for the council's housing officers to understand the nature and function of a scrutiny review, the role of scrutiny is to be a critical friend. The reports produced for scrutiny need to be a complete and accurate record of the issues, events and timelines. It is based on the provision of this information that scrutiny can identify areas of concern and prepare recommendations for improvements to future consultation processes.

Recommendation 1 - Given the issues with the written report provided to the Housing and Community Engagement Scrutiny Commission on 5 October 2021, the Cabinet member takes steps to ensure all officers in housing understand the function of scrutiny and the importance of providing a full and accurate assessment of where things may have gone wrong, for lessons to be learned for the future.

8. It is clear that there is a need for better visibility on new housing development projects being launched, better communication and consultation processes especially with key local stakeholders. It is important that such communications, consultations and discussions are carried out early in the project to ensure perspectives of residents, ward councillors, Tenant Management organisations (TMOs') and Tenants and Residents Associations (TRAs') are considered. Given the challenges faced during the pandemic with door to door consultation and in person engagement with the community at project steering groups, it is also important to have robust digital modes of consultation in place through webinars and online meetings.

Recommendation 2 - Cabinet member asks officers to build early discussions with key local stakeholders into the new homes process including arranging webinars or online meetings where ward councillors, TMOs and TRAs can explain their perspective on new housing projects, and how councillors seek to input into these.

9. The Southwark Group of Tenants Organisation (SGTO) addressed the cabinet meeting on 7 December 2021 and in its speech outlined the issues residents faced with consultation processes for new homes development in Southwark. The council needs to consider resident consent with the help of

meaningful and genuine early engagement processes. The council also needs to consider the potential impact of construction work especially in rooftop-developments and in fill sites. It is important that the council give due consideration to incorporate all the principles of the SGTO Consultation Charter into the Council's own consultation protocols.

Recommendation 3 - The Cabinet should give due consideration to incorporating the principles of the Southwark Group of Tenants Organisation (SGTO) consultation charter into its own consultation protocols.

10. Effective engagement and consultation are key to a successful new homes development project especially on existing estates where roof-top developments, in-fill sites and loss of green spaces are being proposed. It is also important that the council ensure proper representation of councillors, officers, architects and residents at council led project meetings. The council also is responsible to communicate any changes in the proposed housing developments in a clear and efficient manner to key local stakeholders during the project duration, this is a major area of concern evidenced in these case studies of developments on estates.

Recommendation 4 - The Cabinet member asks officers to implement a consultation protocol which prioritises clear, consistent and timely communications for all development projects where the council is building on existing estates. This protocol should take account of recommendations made in the SGTO consultation Charter.

11. In the case study of the new homes development at Kingston estate there were issues of engagement with the TRA due to geographical proximity and also that it covered other estates of Nelson and Portland. The views and opinions of residents of Kingston estate were not accurately represented. It is in the council's best interest that residents of specific estates are thoroughly consulted without completely depending on TRAs or TMOs for feedback.

Recommendation 5 - The Cabinet member should ensure that the protocol on consultation makes clear that it is the council's project team who is responsible for consultation with all residents and that TMOs and TRAs are important bodies to consult, but they are not a replacement or proxy for all residents.

12. It is important for the council to cater to all residents with varying abilities and preferences to access and submit feedback to consultations. The council needs to ensure that alternative routes of communication and dissemination of information takes place seamlessly throughout the community. In order to achieve maximum visibility it is important that door to door knocking, distributing leaflets, notice boards, telephone feedback, letters and invitation to project meetings are carried out during the consultation processes. The 'commonplace' consultation website has been a major concern amongst residents and TRA representatives due to issues

of accessibility, security certificate technical issues, wordings and format of the questions and overall reliability, it is important that commonplace is reviewed as a primary online tool for resident consultation.

Recommendation 6 - The Cabinet member should review consultation practice to ensure there is always an easily available non-digital alternative route for residents to find out about proposals and contribute their views. The Cabinet member should also review the effectiveness and reliability of Commonplace as a tool for engagement.

13. It is for the cabinet to decide whether or not to accept the scrutiny commission's recommendations.
14. Overview and scrutiny procedure rule 15.3 requires the cabinet to consider and provide a written response to the report within two months.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Housing and Community Engagement Scrutiny Commission agenda and minutes- 5 October 2021	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=551&MId=7028&Ver=4 (see item 5)		
Housing and Community Engagement Scrutiny Commission agenda and minutes- 15 December 2021	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=551&MId=7238&Ver=4 (see item 5)		
Housing and Community Engagement Scrutiny Commission agenda and minutes- 7 February 2021	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=551&MId=7030&Ver=4 (see item 5)		
Housing and Community Engagement Scrutiny Commission agenda and minutes- 24 March 2022	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=551&MId=7031&Ver=4 (see item 6)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Member	Councillor Gavin Edwards, Chair, Housing and Community Engagement Scrutiny Commission	
Lead Officer	Everton Roberts, Head of Scrutiny	
Report Author	Amit Alva, Scrutiny Officer	
Version	Final	
Dated	30 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	30 May 2022	

Item No. 16.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Report of the Housing and Community Engagement Scrutiny Commission: Licencing in the private rented sector	
Ward(s) or groups affected:		All	
From:		Housing and Community Engagement Scrutiny Commission	

RECOMMENDATIONS

1. That cabinet note the recommendations from the housing and community engagement scrutiny commission arising from the scrutiny review of licencing in the private rented sector, paragraphs 6 to 10.
2. That cabinet request that the relevant cabinet member reports back to cabinet on the recommendations within eight weeks.

BACKGROUND INFORMATION

3. At its meeting on 23 November 2021 the housing and community engagement scrutiny commission received a report from Cabinet member for a Safer Cleaner Borough on private rented housing. The commission also received a presentation from the Private Sector Housing Enforcement Manager, and Director of Environment and Leisure on private rented housing, including licencing and the renter’s union.
4. At the same meeting the commission asked questions and had discussions around the evidence base for phase of the new pilot scheme, previous licencing scheme running from 2016 to 2020, and classification of properties in different designations, assessments, non-compliance and appeals process of the Gold Standard Charter.
5. The commission considered and agreed the set of recommendations at its meeting on 24 March 2022. The rationale and commission recommendations are set out in paragraphs 6 to 10.

KEY ISSUES FOR CONSIDERATION

Set out below are the recommendations of the housing and community engagement scrutiny commission.

6. It would add great value to this new pilot scheme under the Gold Standard

Charter to use the properties in the previous private rented scheme (2016 - 2020) as an evidence base. The council needs to ensure that the properties covered under the previous scheme are not at a detriment. An assessment of the impact of the areas that are now out of legislation and not included in the 20% for this new pilot scheme needs to be carried out, it is critical to ensure conditions have not deteriorated in such properties affecting the welfare of the renters.

Recommendation 1 - The Cabinet Member asks officers to carry out an assessment of the impact on the private rented sector which once fell under regulation (between 2016 and 2020) but is now outside of regulation. The Cabinet should also review whether housing conditions have deteriorated as a result of this and also develop a roadmap to bring further wards within the scope of the new Private Rented Sector (PRS) scheme, particularly those areas covered by the 2016-2020 regulations.

7. In light of the recent influx of refugees from Ukraine and other parts of the world who are trying to escape war and terror from oppressive and fascist regimes, it is urgent that the council includes landlords that offer affordable housing to refugees under their new licencing scheme, giving them a reduction in the licencing fee as an incentive as proposed under the Gold Standard Charter.

Recommendation 2 - Landlords who apply for the current “gold standard” license receive a reduction in their fee as an incentive. The Cabinet Member should extend this incentive to landlords who offer affordable housing to refugees arriving in the borough. This recommendation is clearly of a more urgent nature because of recent tragic developments in Ukraine.

8. It is important that the council look at empty homes with regards to length of time and reasons for vacancy such as demise of occupants, it would be financially beneficial for the council to follow-up with landlords of empty homes.

Recommendation 3 - The Cabinet Member considers extending landlord licencing to cover inhabitable homes that have been empty for more than three months. Some elements will not be relevant to them but extension of those elements which could help tackle negative environmental impacts and discourage landlords from leaving homes empty.

9. In order to ensure the successful delivery of phase one and phase two of the pilot licencing scheme, it's imperative that thorough testing of the processes is carried out in phase one. Therefore, it's crucial to have additional resources to carry out the required tasks especially with regards to environmental health officers in housing enforcement. The council should also strive to provide better customer experience for landlords through online applications.

Recommendation 4 - During our scrutiny of this issue it became clear that

shortages of, and difficulties recruiting environmental health officers in housing enforcement was a risk to Southwark's plans for extending licencing. The Cabinet Member should work with the Leader and Cabinet colleagues to investigate what steps could be taken via the council's HR processes to strengthen Southwark's recruitment in this area.

10. Given the climate emergency it would also add value to include the energy efficiency of private rented homes in the licencing scheme.

Recommendation 5 - The Cabinet member considers that the rental properties having a higher ranking on their energy performance certificate receive a reduction in their licencing fees to encourage landlords to improve energy efficiencies of their properties.

11. It is for the cabinet to decide whether or not to accept the scrutiny commission's recommendations.
12. Overview and scrutiny procedure rule 15.3 requires the cabinet to consider and provide a written response to the report within two months.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Housing and Community Engagement Scrutiny Commission agenda and minutes- 23 November 2021	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=551&MId=7029&Ver=4 (see item 5)		
Housing and Community Engagement Scrutiny Commission agenda and minutes- 24 March 2022	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=551&MId=7031&Ver=4 (see item 7)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Member	Councillor Gavin Edwards, Chair, Housing and Community Engagement Scrutiny Commission		
Lead Officer	Everton Roberts, Head of Scrutiny		
Report Author	Amit Alva, Scrutiny Officer		
Version	Final		
Dated	30 May 2022		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
	Officer Title	Comments Sought	Comments Included
	Director of Law and Governance	No	No
	Strategic Director of Finance and Governance	No	No
	Cabinet Member	No	No
	Date final report sent to Constitutional Team		30 May 2022

Item No. 17.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Report of the Education and Local Economy Scrutiny Commission: Special Educational Needs and Disabilities (SEND) provision in the Borough of Southwark	
Ward(s) or groups affected:		All	
From:		Education and Local Economy Scrutiny Commission	

RECOMMENDATIONS

1. That cabinet note the recommendations from the education and local economy scrutiny commission arising from the scrutiny review of the Special Educational Needs and Disabilities (SEND) provision in the Borough of Southwark, paragraphs 11 to 15.
2. That the cabinet considers the recommendations from the education and local economy scrutiny commission and request that the relevant cabinet member reports back to cabinet within eight weeks.

BACKGROUND INFORMATION

3. At its meeting on 29 September 2021 the education and local economy scrutiny commission received a presentation from the Director of London South Teaching School Hub, and Head of Inclusion, Special Educational Needs Co-ordinator (SENCo), Charles Dickens Primary School on the different kinds of SEND provisions. The commission also received a report from the Director of Education, Southwark Council on SEND provisions in Southwark. The report highlighted key challenges such as the growing and continuous rise in SEND entitlement for families of children with SEND and the funding constraints in the sector. The commission was also addressed by a SEND operator and practitioner on communication issues between Southwark Council and the parents of children with SEND.
4. At the same meeting the commission learned about the implementation of SEND provisions through Universal, Targeted and Specialist ways which is based on areas of need such as Cognition and Learning, Communication and Interaction, Social, emotional and mental health and lastly Sensory/Physical. The commission asked questions and had discussions on co-ordination between the Council, external agencies and schools to provide specialist support, barriers to provisions such as

shortage of expertise and equality of access to SEND provisions across families that lack expertise.

5. At its meeting on 16 November 2021 the commission heard from a parent of a child with SEND. The parent is also the Chair of Southwark Independent Voice (SIV), a parent-led volunteer organisation working to share information and resources to improve the life of individuals with SEND living in Southwark. The address involved an account of the parent's experiences with her child suffering from Autism and Attention Deficit Hyperactivity Disorder (ADHD). The commission learnt that the parent had to travel longer distances with her child to schools further away due to changing educational settings every 12 months. The commission asked questions and had discussions around communication with parents, training needs for teachers, spreading awareness, non-functional areas of SEND system and Education and Health Care Plan (EHCP) acceptance levels.
6. At the same meeting the commission heard from Executive Head teacher, Spa Education Trust who gave an introduction to Spa Schools and its specialist services. In addition the commission also learnt about the increasing need for schools for children with special needs, special needs colleges for young adults, training of secondary school teachers and provisions for children whose needs are not severe enough to qualify for an EHCP. The commission asked questions and had discussions around the following topics, admission selection criteria, funding, work experience for young adults, challenges faced by parents during the pandemic, support for mainstream schools when compared to academies, and transition of young people upon completion of special needs school.
7. Furthermore, at the same meeting the commission received a written report from Assistant Director, SEND Southwark Council on Overview of SEND processes. The report looked at the complexities of SEND processes, provisions for children in National Health Service (NHS) community-based paediatric referrals and Southwark's Local Offer. The commission asked questions for a written response around the following topics; analysis of 2015-2019 data with regards to drop in performance of children admitted to specialist schools, changes in methods of assessments leading to poor performance, 14% increase from 2018 in school referrals at Sunshine House community paediatric services, EHC plans process and refusals including timelines and targets, low levels of secondary schools admission among children with SEND and Southwark Council strategy on increasing SEND places in the Borough's schools.
8. At its meeting on 1 February 2022 the commission received a report from the Assistant Director, SEND, Southwark Council on starting primary and secondary schools through SEND and the EHCP journey map for parents and their children with special needs. The commission also received written responses to questions raised at its meeting on 16 November 2021 (paragraph 7).

9. At the same meeting the commission asked questions and had discussions around the following topics; timeline for publishing the new SEND strategy, capacity to meet increase in SEND requirements in the next few years, SENCo role in EHCP, volume of EHCP applications, expediting the EHCP process, Influx of students from other boroughs in Southwark Special Schools, ADHD diagnoses cases and referrals, Children from Southwark admitted to out of Borough independently maintained specialist schools, EHCP appeals process and Home schooling and examinations.
10. The commission considered and agreed the recommendations at its meeting on 8 March 2022. The rationale and commission recommendations are set out in paragraphs 11 to 15.

KEY ISSUES FOR CONSIDERATION

Set out below are the recommendations of the education and local economy scrutiny commission.

11. It is evidenced in addresses to the commission by education experts from London South Teaching School Hub and Charles Dickens Primary School that there are barriers to high-quality SEND provision which mainly revolved around lack of funding, specialist support and access to external services. SEND provision needs to be mainly focused on developing proactive strategies to develop expertise by supporting and engaging with the schools in need, whilst also encouraging and incentivising them to work collaboratively with evidence-informed practice. The best practices in SEND provision is composed of creating positive and supportive environments and holistic understanding of pupil needs by engaging with their families. It is important that the council understand and act on the need for better quality training plans in mainstream schools as evidenced by parent (Chair, SIV) of a child with SEND; autistic children often do not get identified as special needs due to their ability to speak and often continue to be nurtured by primary schools until they are no more than 2 years behind and/or behavioural changes occur such as meltdown, tendencies to self-harm and suicides especially in girls.

Recommendation 1 - The Commission notes the increased acuteness of the needs of children in Southwark being diagnosed with SEND needs. The Commission supports the Council's plans to continue to increase the levels of provision available within the borough to improve both the quality of experience for children with SEND needs, and the cost effectiveness of the provisions. *The Commission recommends that before the new SEND strategy is finalised, the Council explore routes to supporting mainstream schools in improving the quality of training plans for their SEND provision, including Continuous Professional Development for staff.* The Commission identified varying levels of confidence and competence in schools across Southwark which will likely affect the ability of schools to identify and provide the necessary support to children who may have limited SEND needs that do not meet the threshold for receiving an

Education, Health and Care Plan (EHC Plan), but that would greatly benefit from early identification and support.

12. The implementation of the central government mandate on an Integrated Care System (ICS) that covers how local authorities work with NHS and partner agencies should take into account the challenges that are a mixture of practicality between different systems, processes and work cultures. It is important for the council to review and agree processes to resolve the inherent structural and cultural differences in the way parts of the NHS and Council operate for eg. Evening working and the inability of the health colleagues to attend this commission's meetings. The commission received and reviewed written information from health colleagues, however it would have been more beneficial to scrutiny if they attended in person as a means of gaining more valuable input to discussions and collaborative working.

Recommendation 2 - The Commission notes that from 1 July 2022 Southwark Council and specifically Southwark Clinical Commissioning Group (CCG) which is now a part of South East London (SEL CCG) are due to implement an integrated care system (ICS) in line with Government guidance, entailing joined up care for people across the Council, NHS and other partners with systems and governance arrangements aligned.

The Commission recommends that the respective senior responsible officers (SROs), including but not limited to Genette Laws (Director of Commissioning, Children's and Adults Services, Southwark Council) and Dr Robert Davidson (GP Clinical Lead for Southwark, SEL CCG Governing Body) prioritise, in addition to the core requirements of ICSs:

- i) Setting out clear processes for sharing respective organisational "ways of working", given the distinct culture and practices of each organisation*
 - ii) Agreeing processes for participation in shared education-related scrutiny and improvement processes, given the challenges of securing participation of health colleagues in out-of-hours scrutiny during this Commission's investigations*
13. It is evidenced by addresses of parents of children with SEND and Head teachers that the Autism diagnoses are predominantly better at nursery levels, in comparison there are only four resource bases in primary schools for children with Autism, and the Autism outreach team is stretched for resources making them unable to provide better support. The commission acknowledges the Council's initiatives and successes with Autism such as working with SIV on developing a new four stage strategy including an Autism strategy chaired by heads of Special schools and Southwark having the lowest waiting times in Autism when compared nationally. However, the Commission's early work identified some concern amongst schools and Council officers that the Council's strong record of early diagnosis and information provision applies unequally across SEND

needs especially those that may require more specialist health and mental health led diagnoses, it is important that the council look at early diagnosis and support of ADHD.

Recommendation 3 - The Commission notes the Council's successes in improving early diagnosis of autism. *The Commission recommends that the Council works more closely with health colleagues to provide earlier diagnoses of other relevant SEND needs where assessment has historically been health and mental health led. In particular, the Commission recommends the Council looks at whether under the new ICS, there should be an attempt to improve early diagnosis and early support of ADHD.*

14. The commission in its findings on reviewing EHCP processes has noted that parents of children with SEND that have been recently diagnosed and/or are relatively inexperienced with the criteria and process of an EHCP are often unsuccessful. EHCP acceptance is mainly dependent on the child's academic performance, a good academic performance would mean the child would not usually qualify for an EHCP in spite of having special needs. EHCP tribunal appeals costs range from £9000 to £15000 which can cause financial difficulties for parents. It is important that the council ensure that there is clear guidance, information and support for parents about an EHCP assessment, the guidance should also signpost parents to other avenues of support and expertise for SEND.

Recommendation 4 - *The Commission recommends that the Council's information and guidance makes it clearer to parents and carers when an EHC Plan assessment may be necessary.* This will give a better indication of the likelihood that a child with certain characteristics is going to be eligible. The Commission is concerned that current guidance risks giving parents and carers misleading guidance regarding their child's likely eligibility and limited information about support available in the absence of an EHC Plan.

15. The commission acknowledges the successes of the Council's Southwark Information Advice and Support Team (SIAS) in providing SEND support for parents and carers. The commission also notes that Southwark leads nationally with some of the lowest waiting times in SEND support and EHCP assessments. However, the commission during its work has observed the impact on parents and carers and their inability to care for their child especially when behavioural changes occur such as meltdown, self-harm and suicidal tendencies, furthermore the financial pressure on schools to fund appropriate support before EHCP funding is available.

Recommendation 5 - The Commission strongly supports the Council's commitment to providing early stage support and information, advice and guidance for parents and carers who are concerned that their child may have SEND needs. The Commission also acknowledges that Southwark has some of the lowest waiting times nationally with regards to SEND and EHC Plan assessments. *The Commission recommends that the Council*

explores shortening the average timescale for SEND diagnosis from the current, statutorily required, 20-week target. Whilst the Commission appreciates that there can be some support for children during the assessment period, the Commission notes the impact of this lengthy period on parents and carers, and on the ability to provide the best possible early support and schools to fund appropriate support before EHC Plan funding is forthcoming.

16. It is for the cabinet to decide whether or not to accept the scrutiny commission's recommendations.
17. Overview and scrutiny procedure rule 15.3 requires the cabinet to consider and provide a written response to the report within two months.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Education and Local Economy Scrutiny Commission agenda and minutes- 29 September 2021	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=550&MIId=7009&Ver=4 (see item 5)		
Education and Local Economy Scrutiny Commission agenda and minutes- 16 November 2021	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=550&MIId=7010&Ver=4 (see item 5)		
Education and Local Economy Scrutiny Commission agenda and minutes- 1 February 2022	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=550&MIId=7011&Ver=4 (see item 5)		
Education and Local Economy Scrutiny Commission agenda and minutes- 8 March 2022	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=550&MIId=7012&Ver=4 (see item 7)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Member	Councillor Peter Babudu, Chair, Education and Local Economy Scrutiny Commission	
Lead Officer	Everton Roberts, Head of Scrutiny	
Report Author	Amit Alva, Scrutiny Officer	
Version	Final	
Dated	30 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	30 May 2022	

Item No. 18.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Report of the Education and Local Economy Scrutiny Commission: Growing Ethnic Minority Pay Gap	
Ward(s) or groups affected:		All	
From:		Education and Local Economy Scrutiny Commission	

RECOMMENDATIONS

1. That cabinet note the recommendation from the education and local economy scrutiny commission arising from the scrutiny review of the growing ethnic minority pay gap, paragraph 6.
2. That cabinet request that the relevant cabinet member reports back to cabinet on the recommendation within eight weeks.

BACKGROUND INFORMATION

3. At its meeting on 1 February 2022 the education and local economy scrutiny commission received responses from Head of HR, Southwark Council to questions emailed prior to the meeting on the growing ethnic minority pay gap within the council, which had increased to 14.7%. The responses provided an insight into the reasons for the pay gap, future plans to close the gap and timeline to meet the objectives in closing the gap.
4. At the same meeting the commission asked questions and had discussions around Black, Asian and Ethnic minority background job applications for senior management posts such as the upcoming Chief Executive of Southwark Council, high number of black and ethnic minority colleagues in education and social care, retention rates, apprenticeship monies and talent management strategies.
5. The commission considered and agreed the recommendation at its meeting on 1 February 2022. The rationale and commission recommendation is set out in paragraph 6.

KEY ISSUES FOR CONSIDERATION

Set out below is the recommendation of the education and local economy scrutiny commission.

6. It is important that the council take steps to close the ethnic minority pay gap, this means that Southwark council needs to increase recruitment and investment in Black, Asian and ethnic minority colleagues. It is noted that there is a new strategy in place wherein council departments are to produce action plans by 31 December 2022. However, it is also noted that the formal responsibility to deliver these plans is split between two separate cabinet member portfolios, monitoring the workforce and equality & diversity. If these plans are to be best delivered by the timelines set there is a need to clearly delineate the responsibility for closing the ethnic minority pay gap and also ensuring that other pay gaps (principally the gender pay gap) do not follow a similar trend, this responsibility would be best served by the Leader of the Council.

Recommendation - The Commission notes the continued problem of a growing and substantial ethnic minority pay gap. The Commission acknowledges that the Council has plans in place to develop plans to address this issue and its various drivers. To ensure that we reverse the growing trend of the ethnic minority pay gap, the Commission recommends that the Leader of the Council takes formal responsibility for closing the growing ethnic minority pay gap in the Council, and ensuring that other pay gaps (principally the gender pay gap) do not follow a similar trend.

7. It is for the cabinet to decide whether or not to accept the scrutiny commission's recommendation.
8. Overview and scrutiny procedure rule 15.3 requires the cabinet to consider and provide a written response to the report within two months.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Education and Local Economy Scrutiny Commission agenda and minutes- 1 February 2022	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=550&MIId=7011&Ver=4 (see item 9)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Member	Councillor Peter Babudu, Chair, Education and Local Economy Scrutiny Commission	
Lead Officer	Everton Roberts, Head of Scrutiny	
Report Author	Amit Alva, Scrutiny Officer	
Version	Final	
Dated	30 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	30 May 2022	

Item No. 19.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Report of the Education and Local Economy Scrutiny Commission: Procurement: Accessibility and Social Value	
Ward(s) or groups affected:		All	
From:		Education and Local Economy Scrutiny Commission	

RECOMMENDATIONS

1. That cabinet note the recommendations from the education and local economy scrutiny commission arising from the update on scrutiny review of procurement: accessibility and social value, paragraphs 6, 7 and 8.
2. That cabinet request that the relevant cabinet member reports back to cabinet on the recommendations within eight weeks.

BACKGROUND INFORMATION

3. At its meeting on 1 February 2022 the education and local economy scrutiny commission received an update on scrutiny recommendations to Cabinet made in 2020-2021 council year from the Director of Law and Governance on procurement: accessibility and social value. The update also included a brief overview of the fairer future procurement framework wherein there is a commitment to closing the ethnic minority pay gap, incorporating the climate change strategy, staff training and recruitment, developing a contract management toolkit, inclusions of the residential care charter, modern slavery charter and a sustainable food strategy in procurement.
4. At the same meeting the commission asked questions and had discussions around basic contract monitoring, staff recruitment in procurement, challenges of the Social Value Act, apprenticeships and a centralised corporate reporting board.
5. The commission considered and agreed the set of recommendations at its meetings on 1 February 2022 and 8 March 2022. The rationale and commission recommendations are set out in paragraphs 6, 7 and 8.

KEY ISSUES FOR CONSIDERATION

Set out below are the recommendations of the education and local

economy scrutiny commission.

6. It is important that the council's plans to deliver the objectives of the Fairer Future Procurement Framework are tracked in terms of progress and implementation. The council needs to ensure that plans for additional recruitment of staff in the procurement team is approached by exploring new non-pecuniary routes, flexible working and other benefits are now also offered in the private sector procurement jobs due to the pandemic. The council should also look to target recruiting staff from the pool of procurement jobs created during the test and trace activity, as the need for skilled staff elsewhere in this area has been on the decline.

Recommendation 1 - The Commission notes continued challenges in centrally understanding adherence to and performance against our Fairer Future Procurement Framework. The Commission recommends that the Council maintains its commitment to recruiting additional staff in the procurement team who can help address the known issues with tracking performance against, and implementation of the Fairer Future Procurement Framework. The Commission supports exploring further non-pecuniary routes to attracting new staff in this area and notes that as Test and Trace activity winds down there may be less demand elsewhere for staff with the requisite skills to deliver this role.

7. On apprenticeships, it is important that the council look to be more ambitious and increase its target to more than 1 apprentice per £1 million in contract value, while this might not be possible in some cases where contracts are for six months, more needs to be done for the benefit of young people in Southwark by working with local merchants and businesses to maximise the social value of contracts.

Recommendation 2 - The Commission recommends Paragraph 55 of the Fairer Futures Procurement Framework is updated to reflect that:

- i. A blanket target of 1 apprentice per £1 million in contract value will in many cases not be sufficiently ambitious.
 - ii Provide specific, more ambitious targets in areas where more apprenticeships can be supported per unit of contract value.
8. Following the update to the commission on the scrutiny review to cabinet from the council year 2020-2021, clarifying where the current social value of 15% is applied to in contracts; higher social value percentages in the council's strategic goals would help to drive the climate change agenda by building environment friendly council houses, thus increasing competition amongst developers. Increase in social value would also aid local businesses in the post-pandemic recovery.

Recommendation 3 - The commission recommends that the council revisit the percentages allocated to social value and consider raising them in the face of an existential threat of the pandemic to many local businesses and

the declared climate emergency.

9. It is for the cabinet to decide whether or not to accept the scrutiny commission's recommendations.
10. Overview and scrutiny procedure rule 15.3 requires the cabinet to consider and provide a written response to the report within two months.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Education and Local Economy Scrutiny Commission agenda and minutes- 1 February 2022	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=550&MId=7011&Ver=4 (see item 9)		
Education and Local Economy Scrutiny Commission agenda and minutes- 8 March 2022	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=550&MId=7012&Ver=4 (see item 8)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Member	Councillor Peter Babudu, Chair, Education and Local Economy Scrutiny Commission	
Lead Officer	Everton Roberts, Head of Scrutiny	
Report Author	Amit Alva, Scrutiny Officer	
Version	Final	
Dated	30 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
	Officer Title	Comments Sought
	Director of Law and Governance	No
	Strategic Director of Finance and Governance	No
	Cabinet Member	No
	Date final report sent to Constitutional Team	30 May 2022

Item No. 20.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Report of the Education and Local Economy Scrutiny Commission: Town Centre Action Plan – Southwark Pioneers Fund	
Ward(s) or groups affected:		All	
From:		Education and Local Economy Scrutiny Commission	

RECOMMENDATIONS

1. That cabinet note the recommendation from the education and local economy scrutiny commission arising from the scrutiny review of town centre action plan: Southwark Pioneers Fund, paragraph 6.
2. That cabinet request that the relevant cabinet member reports back to cabinet on the recommendation within eight weeks.

BACKGROUND INFORMATION

3. At its meeting on 8 March 2022 the education and local economy scrutiny commission received a detailed report from the Cabinet member for Jobs, Business and Town Centres, and the Principal Strategy Officer on the town centre action plan which is the overarching strategy in revitalising Southwark’s town centres and high streets. The report discussed regeneration projects under the High Street Challenge Initiatives previously known as the High Street Recovery Fund. The report also covered sustainable transport businesses, night time economy plan and improvements to public safety.
4. At the same meeting the commission also heard in detail on the Southwark Pioneers Fund and its different programmes, start-up programme, growth programme, green programme and social and community programme. The commission also learnt about the impact these programmes will have in revitalising the local economy over a four year period.
5. The commission considered and agreed the recommendation at its meeting on 8 March 2022. The rationale and commission recommendation is set out in paragraph 6.

KEY ISSUES FOR CONSIDERATION

Set out below is the recommendation of the education and local economy

scrutiny commission.

6. Local businesses and entrepreneurs in the start-up and growth programmes would need a diverse range of support elements, from office spaces to online visibility and marketing. It is important for the council to ensure that the framework developed to support these business is diverse enough to meet their needs in different business sectors and at various levels of its development, it is unlikely that such needs could be met by a single provider. The council needs to develop a framework that doesn't follow a one-size fits all approach also considering the diverse needs of social businesses and green initiatives.

Recommendation 1 - The Commission recommends that the Council develops a framework of business support providers for both the Start-up and Growth programme to best serve the diversity of need amongst Southwark's entrepreneurs and social businesses. A single provider for either programme is likely to struggle to effectively serve entrepreneurs at different stages, from very diverse backgrounds and in very different sectors.

7. It is for the cabinet to decide whether or not to accept the scrutiny commission's recommendation.
8. Overview and scrutiny procedure rule 15.3 requires the cabinet to consider and provide a written response to the report within two months.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Education and Local Economy Scrutiny Commission agenda and minutes- 8 March 2022	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=550&MId=7012&Ver=4 (see item 6)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Member	Councillor Peter Babudu, Chair, Education and Local Economy Scrutiny Commission		
Lead Officer	Everton Roberts, Head of Scrutiny		
Report Author	Amit Alva, Scrutiny Officer		
Version	Final		
Dated	30 May 2022		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
	Officer Title	Comments Sought	Comments Included
	Director of Law and Governance	No	No
	Strategic Director of Finance and Governance	No	No
	Cabinet Member	No	No
	Date final report sent to Constitutional Team		30 May 2022

Item No. 21.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Motions Referred from Council Assembly	
Ward(s) or groups affected:		All	
From:		Council Assembly	

RECOMMENDATION

1. That the cabinet considers the motions set out in the appendices attached to the report.

BACKGROUND INFORMATION

2. Council assembly at its meeting on 23 March 2022 agreed several motions and these stand referred to the cabinet for consideration.
3. The cabinet is requested to consider the motions referred to it. Any proposals in a motion are treated as a recommendation only. When considering a motion, cabinet can decide to:
 - Note the motion; *or*
 - Agree the motion in its entirety, *or*
 - Amend the motion; *or*
 - Reject the motion.

KEY ISSUES FOR CONSIDERATION

4. In accordance with council assembly procedure rule 2.10.6, the attached motions were referred to the cabinet.
5. The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and to the cabinet for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis.
6. Any key issues, such as policy, community impact or funding implications are included in the advice from the relevant chief officer.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council agenda	Report on the council's website	Virginia Wynn-Jones Constitutional Team 020 7525 7055
Link: Agenda for Council Assembly on Wednesday 23 March 2022, 7.00 pm - Southwark Council		

APPENDICES

Number	Title
Appendix 1	For a Fairer, Greener, Safer Borough
Appendix 2	Royal Mail
Appendix 3	Council-supported events and the Bermondsey Carnival
Appendix 4	Right to Food
Appendix 5	Tamil Heritage Month
Appendix 6	Southwark's support for Ukraine
Appendix 7	Making Borough and Bankside and St George's fairer, greener and safer
Appendix 8	Making Bermondsey fairer, greener and safer
Appendix 9	Making Surrey Docks fairer, greener and safer

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional and Member Services	
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer	
Version	Final	
Dated	9 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Finance and Governance	No	No
Director of Law and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		9 May 2022

APPENDIX 1**For a Fairer, Greener, Safer Borough**

1. Council Assembly welcomes the huge progress that the council has made since Labour came to power in 2010, delivering a fairer, greener and safer future for all, building on Southwark Labour's vision for the borough. This includes:
 - a. Supporting 12,000 people into work since 2010, including 5,500 people supported into work since 2018 despite the significant challenge posed by the pandemic.
 - b. Creating 4,000 apprenticeships, the most of any London borough in the UK.
 - c. Halving the council's carbon emissions since 2018, delivering on a climate strategy independently ranked in the top 2 of 32 London boroughs.
 - d. Delivering on our pledge to plant over 10,000 trees
 - e. Achieving Green Flag status for 22 additional parks since 2010
 - f. On track to build and start 2,500 new council homes by May since 2014 and agreed a new Southwark Plan which will deliver 40,000 new homes by 2036.
 - g. Improving our schools so that 95% are now ranked good or outstanding by OFSTED.
 - h. Guaranteed an education, training or employment opportunity for every young person leaving our care
 - i. Provided a free mental health drop in service for all children and young people
 - j. Opened five new libraries since 2010.
 - k. Retained the eighth lowest council tax in London.

2. Council Assembly also notes that the Council has been on your side supporting residents through the Covid-19 pandemic through some of the most challenging times local government has faced in recent years. This has included:
 - a. Supporting over 73,000 vulnerable residents through Covid
 - b. Distributing over £250m of grants and business rate relief to local businesses
 - c. Helping 450 rough sleepers into emergency accommodation
 - d. Getting £20m of support to community groups to tackle the impact of Covid
 - e. Providing 1,700 laptops to school children who needed them the most.

3. Council Assembly notes its appreciation to officers, our voluntary and community groups, local businesses, statutory partners such as the NHS and the Police and, importantly, residents and local resident groups for the role that they have played in these achievements, and for the role that

they will play in ensuring another decade of improvements for the people of Southwark.

4. Council Assembly notes that this has been achieved despite the Liberal Democrats' and Conservatives' opposition to progress which has included:
 - a. Overseeing an austerity programme in government which has seen the Council's funding from central government cut by two thirds in real terms since 2010
 - b. Failing to recognise the huge improvements to council services since 2010 despite significantly higher levels of funding for local government under the previous Labour government
 - c. Abstaining on funding for a new anti-social behaviour taskforce and support for residents to tackle the cost of living crisis in this year's Budget
 - d. Failing to acknowledge the hard work and dedication of the council's frontline workers who have done an incredible job continuing to deliver services throughout the pandemic.

5. Council Assembly therefore notes that only Southwark Labour can be trusted to deliver for residents, while the Southwark Liberal Democrats will only let residents down. It therefore resolves to call upon cabinet to bring forward a substantial policy programme including a refreshed Borough Plan for the next four years that will include Southwark Labour's plan to deliver a fairer, greener and safer future for residents including:
 - a. Achieve a stronger economy building upon Southwark Labour's achievement of creating good jobs. The new Borough Plan should look to create more jobs and apprenticeships in high growth industries that can give back to our borough and our planet, and put in place measures to support Southwark's high streets
 - b. Tackle the climate emergency, cutting carbon emissions again with greener buildings, more parks, nature sites, cycle hangers and electric vehicle charging points to maintain momentum in making Southwark carbon neutral by 2030
 - c. Deliver safer streets and estates investing £2m in a taskforce to tackle anti-social behaviour hotspots, upgrade street lighting across the borough and install more CCTV cameras
 - d. Build more council homes and deliver more homes of different tenures for the benefit of all Southwark residents
 - e. Support our families by tackling health inequalities, particularly through mental health challenges.

6. Although this represents an ambitious set of pledges for Southwark, Council Assembly acknowledges that more can be achieved with greater financial resources. Therefore, Council Assembly also resolves to campaign for a fairer financial settlement from central government that does not ignore the wide disparities that still exist in London, with those on the lowest incomes more likely to suffer from health problems, squalid

living conditions with no prospect of owning their own home and often insecure employment in the form of zero hour contracts.

7. Council Assembly also acknowledges that the cost of living crisis is having a significant impact on our residents' finances, with a pronounced impact on those on the lowest incomes. Government has compounded these issues by cutting Universal Credit by £20 a week for those most in need of government support, as well as increasing national insurance which will hit people on the lowest incomes. Council Assembly therefore calls upon Cabinet to:
 - a. Set up a cost of living fund to support Southwark's most vulnerable residents
 - b. Support the national Labour Party's plan for a more comprehensive package of measures and sustain a campaign for more support for the borough's residents.
8. Levelling up has also been described as a key pillar of the government's strategy to tackle inequality, however in reality there is very little for London boroughs, where the gap between rich and poor is the largest. Council Assembly acknowledges that the Council has made great improvements including lowering health disparities across the borough, building 2,500 new council homes since 2014 and cutting the council's carbon emissions since 2018, however without government support it will be impossible for the council to close the gap completely. Therefore, council assembly calls upon cabinet to write to the Secretary of State for Levelling Up, Housing and Communities expressing its support for the London Councils position that states that levelling up the UK does not mean levelling down London, and campaign for a fair share of the levelling up fund.

APPENDIX 2**Royal Mail**

1. Council assembly notes that:
 - a. The SE22 sorting office was closed on September 17 2018, despite opposition from residents, ward councillors and the local MP, which has significantly impacted the quality of service received in Dulwich.
 - b. Royal Mail provides an essential service to residents throughout the borough, however residents have experienced significant disruption to their post service with letters arriving up to six weeks later than normal.
 - c. This has had a significant negative impact on residents, risking them missing important mail such as NHS appointments, benefits and pensions letters.
 - d. Covid-19 has exacerbated these delays to the service, and despite the challenges Royal Mail staff have faced as a result of the pandemic it appears that contingency plans have not been put in place, leaving residents without regular mail. It is also clear from the closure of the Sylvester Road office in 2018 that these issues predate the pandemic.
 - e. The Communication Workers' Union (CWU) has reported that 'managerial capacity issues' are in part to blame for service issues.
 - f. Royal Mail workers have worked exceptionally hard in difficult circumstances to keep services running.
2. Council assembly further notes that:
 - a. Despite ward councillors' and the local MP's efforts and discussions with Royal Mail, there has been no action taken to improve the service. This was compounded during the Christmas period when chaos at the sorting office meant that people were receiving post sent before Christmas well into the New Year.
 - b. That Royal Mail was part-privatised in 2013 with Liberal Democrat MP Vince Cable as the Minister overseeing the privatisation, and fully privatised in 2015. Royal Mail finances since have deteriorated, leading to 2,000 job losses by June 2020 with a further 700 job losses announced. This has only exacerbated the issues that Southwark residents have been facing.
 - c. Furthermore, the Liberal Democrats in coalition with the Conservatives botched the privatisation with the Business, Innovation and Skills committee reporting that this cost the taxpayer approximately £1bn. A private Royal Mail has gone on to asset strip,

with the sale of Sylvester Road amongst many others with no regard to the impact this has had on service users.

3. Council assembly therefore resolves to:
 - a. Lobby Royal Mail to reopen a delivery office in the SE22 area.
 - b. Campaign to bring Royal Mail back into public ownership, with the Leader writing to the Chancellor to this effect.

APPENDIX 3**Council-supported events and the Bermondsey Carnival**

1. Council assembly notes that:
 - a. Southwark, like many parts of the world, has suffered from the Covid-19 pandemic with social activity and outdoor leisure severely limited in recent years.
 - b. In the last decade Southwark has developed into one of London's most vibrant and innovative locations for cultural and event activity.
 - c. The Council has faced significant cuts to its funding, with two thirds of government grants cut from the council's budget by successive Liberal Democrat and Conservative governments, leading to difficult decisions having to be made.
 - d. Despite financial and Covid-related challenges, the council continues to support an exciting series of free events, which take place throughout the year. From 2018 to 2022, the council supported 5,500 cultural events.
 - e. The commitments made in the 2021-22 Borough Plan that all event grant funding programmes deliver on Southwark Stands Together commitments and to ensure that 100% of funding for events is proportionately reflective of the demographic make-up of the borough.
 - f. Welcomes the establishment of the Cultural Celebrations Fund to encourage and promote community engagement and cohesion around the borough. The fund replaced the regular support of a small number of events with open access grants available to all community event organisers. Almost 30,000 people attended events across the borough in 2021-22.
 - g. Progress has been made to date, most notably that 27% of the 2021-22 funded event organisers through the Cultural Celebrations Fund came from Black, Asian and minority ethnic backgrounds, sharing 35% of the total grant funding but acknowledges there is more to do to ensure that funding is fully reflective of our population.
 - h. It takes a huge amount of effort from organisers and officers to ensure that events can happen in a way that remains respectful to local residents, and council assembly thanks everyone involved to ensure these events can happen.
2. Council assembly calls on cabinet to:

- a. Explore ways in which revenue from events can be maximised whilst causing minimal disruption to local residents so that more community events and activities can be funded.
- b. Publish a full list of events that receive funding from the council so that residents can see the diversity of events being funded.
- c. Continue to work to support community events across our borough and ensure a range of events are supported.

Right to Food

1. Council assembly notes that:
 - a. We are seeing a crisis of food poverty borne out of political choices and systemic failings from successive governments since austerity began in 2010;
 - b. Food poverty should never be seen as inevitable, and notes that from 1997 to 2010 poverty reduced significantly (for instance the Institute for Fiscal Studies notes that the number of children in relative poverty fell by over 1.1 million from 1997-2010), showing that with sufficient political willpower these issues can be tackled;
 - c. After a decade of government-imposed austerity, child poverty and hunger has increased significantly, and led to a precarious situation for many, even before the pandemic struck;
 - d. The pandemic has exacerbated problems and pushed more people into food poverty, with perhaps the worst yet to come. We know that in Southwark:
 - i. over 10,000 children are currently eligible for Free School Meals and therefore at risk of going hungry during the school holidays, with this number rising; and
 - ii. foodbank use in Southwark has increased four-fold since March 2020 when the coronavirus crisis took hold
 - e. The Government cut Universal Credit by £20 per week, which came into effect in October 2021 and has had a significant impact, noting the following:
 - i. the Joseph Rowntree Foundation - a charity which researches poverty - states millions of households will face an income loss equivalent to £1,040 a year;
 - ii. the charity Citizens Advice has warned that a third of people on Universal Credit will end up in debt due to the reduction, which will inevitably lead to more people being reliant on food banks; and the 5-week wait for Universal Credit impacts people's ability to pay bills and buy food, and believes that this wait is wholly unjustifiable and should be scrapped;
 - f. Tackling food poverty requires a borough-wide effort, across the Council and public services, the voluntary and community sector, communities and business, with a long term, structural approach to find lasting solutions and that, as such, the Council should continue to build on and update its borough-wide Food Access Plan
2. Council assembly notes the work that has already been done, including:

- a. A Food Security action plan has brought together the statutory and voluntary community sectors. The Southwark Food Action Alliance (SFAA) are focused on improving access to support for people with food insecurity, improve education and learning about sustainable food and improved access to healthy and affordable food for all.
 - b. Supported the development of community fridge, pantry and neighbourhood food models to help provide more dignity and community food resilience.
 - c. Implemented completing cultural foods audits which help ensure the cultural appropriateness of food provided by hubs
 - d. Implemented a Good Food retail programme that works with convenience stores to improve their healthy, culturally appropriate affordable food offer.
 - e. Supported over 16,000 children through food security interventions,
 - f. Offered food vouchers to families of all free school meal eligible children, delivering 162,674 meals to over 4,000 children, taking action in advance of the government's shameful U-turn on free school meals during Covid.
 - g. Provided over 29,500 food parcels to those who needed them the most during the pandemic.
 - h. As a result of Covid, refreshed and extended our current Food Security action plan until April 2022, prioritising resilience, access to affordable food and sustainability.
 - i. Being recognised as a Sustainable Food Place and developed a sustainable food strategy to replace current food security strategy post April 2022
 - j. Working collaboratively with over 60 organisations locally.
3. Council assembly therefore resolves to:
- a. Give its support to The Right to Food campaign, a national campaign which argues that the 11 million people in food poverty should be central to this strategy, and that 'Right to Food 'should be enshrined into law - clarifying government's obligations on food poverty and introducing legal avenues to hold government bodies accountable for violations.
 - b. Call for the Unite and Co-op backed 'Right to Food' to be incorporated into the National Food Strategy as well as call for a reversal to the £20 cut to universal credit, and asks the Leader of the Council to write to the Government to make this case.

- c. Build upon its action plan to increase household food security to ensure that no household goes hungry.

Tamil Heritage Month

1. Council assembly observes that:
 - a. The London Assembly in December unanimously passed a motion declaring support for Tamil Heritage Month in January.
 - b. Multiple councils celebrate the Tamil community. Harrow Council declared January Tamil Heritage Month in 2020. While, Kingston Council unveiled a plaque dedicated to its twin city, Jaffna in northern Sri Lanka, earlier this year.
 - c. January is significant for the Tamil community as it is also when they celebrate their Harvest Festival, Pongal.
 - d. The Tamil community has made an incredible contribution to the UK. The London Assembly has quoted estimates that 15,000 Tamil doctors, nurses and front-line health professionals work for NHS England. Many of them will have risked their safety by working during the covid-19 pandemic.
 - e. The community has also played a part in a range of fields such as in education and in the business sector. Their role in our society is evident in Southwark, as well.
 - f. Tamil people have encountered devastating violence outside of Britain. This includes the Sri Lankan civil conflict for which the UN opened an investigation into for alleged war crimes.
2. Council assembly resolves to:
 - a. Recognise the contribution of this community by declaring January as Tamil Heritage Month in the borough of Southwark for future years.

Southwark's support for Ukraine

1. Council assembly strongly condemns Russia's invasion of Ukraine, and expresses our solidarity with the people of Ukraine. Council assembly:
 - a. Notes that over 1 million Ukrainians have been forced to leave the country fleeing the conflict, and that those people who have remained in the country are facing a humanitarian crisis.
 - b. Stands in solidarity with Ukraine and the Ukrainian people against Putin's illegal invasion, their friends and relatives here in Southwark, as well as Russian citizens who are bravely protesting against the war despite the serious risk to their own lives and safety.
 - c. Notes Southwark's commitment to being a borough of sanctuary, and that the council has a proud record of supporting refugees fleeing from Afghanistan, Syria and many other conflicts, helping them to settle in the borough.
 - d. Thanks Southwark residents and organisations who have already made generous donations to support Ukrainian refugees.

2. Council assembly also notes that there is much more the government can and should do, including:
 - a. A humanitarian response to the refugee crisis by opening more routes for Ukrainian nationals to come to the UK, equivalent to those already offered by other European countries.
 - b. Working with local authorities to adequately resource and plan for the potential resettlement of people from Ukraine in order to provide crucial services for refugees including access to housing, employment, education, social care and mental health support.
 - c. Continuing to send crucial aid to Ukraine.
 - d. Making sure that oligarchs in the UK who are linked to the Putin regime have their assets seized before they have the opportunity to sell them.

3. Council assembly therefore calls on the cabinet to:
 - a. Support Ukrainian refugees, working in collaboration with the local voluntary and community sector as part of the council's pledge as a borough of sanctuary for those fleeing conflict.
 - b. Lobby the government to do more to open safe routes for refugees fleeing Ukraine to come to the UK, and to provide resources for councils to support refugees
 - c. Use the council's channels to promote information and resources to support Ukrainian residents and anyone impacted by the conflict, and signpost how residents can help with the effort.

APPENDIX 7**Making Borough and Bankside and St George's fairer, greener and safer**

1. Council Assembly observes that the Labour administration has delivered a fairer, greener and safer future for Borough and Bankside and St George's by:
 - a. Spending £350,617 of the administration's Cleaner, Greener, Safer money supporting 49 projects on Borough and Bankside and £227,331 on 31 projects in St George's.
 - b. Delivering 74 new council homes in the area despite the sparsity of available council-owned land so that more families can live in the borough they call home.
 - c. Finding shelter for people sleeping rough by the Imperial War Museum over Christmas 2019, as part of the Council's success in rehousing over 300 rough sleepers into long-term homes.
 - d. Installing a permanent memorial to the London Bridge and Borough Market terror attack victims.
 - e. During Covid-19 lockdowns, distributed food to residents and arranged collections of prescriptions from pharmacies as part of the council's effort to help over 73,000 vulnerable residents through the Covid pandemic.
 - f. Using CGS money to invest in 34 gardening projects and create 10 cycle hangers across the two wards.
 - g. Supporting residents suffering from the impacts of noise on their homes, such as those generated from busking, licensing and construction activities, working collaboratively to mitigate the impact of noise pollution on residents.
 - h. Supported the opening of a pop up LGBT+ cultural space in Bankside
 - i. Installing 8 bike hangars in St George's and 7 bike hangers in Borough and Bankside, ensuring that Borough and Bankside residents benefit from two new cycleways with three more due to be completed by May 2022.
 - j. A new school street for Charles Dickens Primary School and Charlotte Sharman Foundation Primary School.
 - k. Supporting the Central School of Ballet to move to Bankside.
 - l. Working with the University of the Arts London (UAL) to secure a permanent home for them at Elephant and Castle.

- m. Using CIL funding to support a revamp of Marlborough Sports Gardens.
2. To maintain momentum following the good progress already made, Council Assembly therefore calls upon Cabinet to:
- a. Invest over £60m to create a new Northern Line station at Elephant & Castle as part of a 21st century transport hub.
 - b. Continue to lobby for the Bakerloo Line extension so that Borough and Bankside is better connected.
 - c. Campaign for an improved and accessible Elephant and Castle train station
 - d. Complete the build of a permanent LGBTQ+ cultural space at Bankside Yard.
 - e. Ensure that Borough and Bankside and St George's benefits from Southwark Labour's pledge to create more good jobs, cut the council's carbon emission by half, make our streets and estates safer, build more homes local people can afford and support our most vulnerable residents.

Making Bermondsey fairer, greener and safer

1. Council Assembly observes that the Labour administration has delivered a fairer, greener and safer future for Bermondsey by:
 - a. Spending £1,272,373 of the administration's Cleaner, Greener, Safer money supporting 154 projects in Bermondsey.
 - b. Delivering 624 new council homes despite the sparsity of council-owned land in Bermondsey to ensure that more families can live in the borough they call home.
 - c. Tackling air pollution on the congested Jamaica Road by delivering Cycleway 4 and investing in cycle hire stands and greenery on the road.
 - d. Renewing street lighting and improved road safety.
 - e. Securing over £2m to transform the Blue in South Bermondsey, upgrading the market and securing a new multi arts centre.
 - f. Using CGS money to invest in 45 gardening projects and create 33 cycle hangers across Bermondsey.
 - g. Delivering new homes in Welsford Street in South Bermondsey with 10 family houses. Also delivering Cherry Gardens School on site with 26 new council homes.
 - h. Working in partnership with Leathermarket JMB in London Bridge and West Bermondsey to deliver 27 new homes at Marklake Court.
 - i. Delivering a new community space and home for our Southwark Young Advisers at 231 Old Kent Road.
 - j. Installed rooftop solar at Ellen Brown Children's Centre as part of delivering our Climate Emergency Strategy.
2. To maintain momentum following the good progress already made, Council Assembly therefore calls upon Cabinet to:
 - a. Deliver major improvements to Guy's Park
 - b. Upgrade Bermondsey Spa Gardens adventure playground with new play equipment.
 - c. Work with residents to deliver major improvements to the Abbeyfield Estate.

- d. Work with the Mayor of London to upgrade South Bermondsey station.
- a) Ensure that Bermondsey benefits from Southwark Labour's pledge to create more good jobs, cut the council's carbon emission by half, make our streets and estates safer, build more homes local people can afford and support our most vulnerable residents.

Making Surrey Docks fairer, greener and safer

1. Council Assembly observes that the Labour administration has delivered a fairer, greener and safer future for Surrey Docks by:
 - a. Spending £467,585 of Cleaner, Greener, Safer money supporting 34 projects in Surrey Docks.
 - b. Improving access to full fibre broadband in Rotherhithe, working with providers to extend full fibre to all council estates, and securing new partnership with Openreach to further upgrade full fibre broadband across the Pensisula.
 - c. Supporting local residents with training through the Southwark Construction Skills centre, through its new homes at Canada Water.
 - d. Delivering 3 new bike hangars in Surrey Docks with 2 more completed by May 2022.
 - e. Ensuring that Surrey Docks residents benefit from Quietway 14 and linking Surrey Docks in with the Rotherhithe to Peckham cycleway.
 - f. Delivering more council housing in Surrey Docks including 8 homes at Fisher Close, 16 at Salter Road, 19 at Danny McCarthy House and 71 at Canada Water K1 site all bought through section 106 commitments.
 - g. Using £500,000 of CIL money to refurbish community buildings at the Surrey Docks Farm.
 - h. Allocating £3m to fund improvement works to South Docks Marina, working with berth-holders and the local community to develop the boatyard and marina into a centre of excellence.
2. To maintain momentum following the good progress already made, Council Assembly therefore calls upon Cabinet to:
 - a. Open a new leisure centre at Canada Water and campaign for a pedestrian and cyclist river crossing.
 - b. Create a brand new park within a short walk from Surrey Docks that residents can enjoy.
 - c. Ensure that Surrey Docks benefits from Southwark Labour's pledge to create more good jobs, cut the council's carbon emission by half, make our streets and estates safer, build more homes local people can afford and support our most vulnerable residents.

Item No. 22.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Appointments to Outside Bodies 2022-23	
Ward(s) or groups affected:		Not applicable	
From:		Proper Constitutional Officer	

RECOMMENDATION

1. That the cabinet consider and agree appointments to the outside bodies listed in Appendix A of the report for the 2022-23 municipal year.

BACKGROUND INFORMATION

2. Each year the council makes appointments/nominates individuals to outside bodies.
3. Details of all the nominations received for the bodies listed in Appendix A will be published in advance of the cabinet meeting on 14 June 2022.

KEY ISSUES FOR CONSIDERATION

Appointments to outside bodies

4. It is for the cabinet to affiliate to and appoint representatives to outside bodies where such appointments are a function of the cabinet.
5. Attached as Appendix A is a list of the outside bodies the cabinet are being recommended to consider appointing to for the 2022-23 municipal year.

Legal implications

6. Appointments to some of the outside bodies may carry risk both corporately and to the individuals appointed. Standards committee at its meeting on 9 November 2011 approved 'Guidance to Members who serve on Outside Bodies' which is intended to help councillors understand their duties when appointed to outside bodies, and how to handle conflicts of interest that may arise. The guidance is available in the Library on the council website.

Consultation

7. The political group whips have been consulted on the issues contained in the report and have been invited to submit nominations.

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

8. The council is being invited to make nominations to various outside bodies.

Equalities (including socio-economic) impact statement

9. There are no specific implications arising.

Health impact statement

10. There are no specific implications arising.

Climate change implications

11. There are no specific implications arising.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix A	Appointments to outside bodies 2022-23

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional and Member Services	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	31 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	No	No
Strategic Director of Finance and Governance	No	No
Date final report sent to Constitutional Team		31 May 2022

APPENDIX A

APPOINTMENTS TO OUTSIDE BODIES 2022-23

Name	Purpose	No. of places	Notes
Better Bankside Board	To improve the quality of the Bankside environment, further develop the potential draw of the area, increase the sense of security and ensure that better and sustainable maintenance and management arrangements are put in place.	1	(Regeneration function) Councillor or officer.
Blue Bermondsey BID Board	<p>To help tackle street crime and anti-social behaviour.</p> <p>To offer access to free recycling services to local businesses.</p> <p>To engage the local community to report on areas of grime to ensure streets stay clean.</p> <p>To work with local business support organisations to try and get local people into jobs.</p> <p>To work with local schools to get young people involved in apprenticeships and works schemes.</p>	1	(Community safety function)
Board of Southwark College Corporation	The college offers a range of provision including short courses, higher education and apprenticeships. The	1	(Job and skills function)

Name	Purpose	No. of places	Notes
	governance of the college is headed by a Corporation Board.		
Browning Estate Management Association	To oversee the management/running of Browning Estate with its own independent budget.	1	(Housing function)
Canada Water Consultative Forum	The forum is responsible for advising on the overall direction of development proposals and ensuring public awareness and involvement in the development proposals.	4	(Regeneration function)
Capital Letters (Boroughs' Representative Body (BRB))	Working in partnership to solve the homelessness crisis across the Capital creatively, innovatively, collaboratively and relentlessly.	1	(Housing function) Tends to be cabinet member (although no requirement)
Central London Forward	To provide a cross-sector 'voice for central London'. It operates at a strategic level, seeking to influence policy makers on matters of mutual interest to the communities and businesses of central London.	1	(Regeneration function) Must be the Leader of the Council.
Centre for Literacy in Primary Education	Professional development and family learning centre. Provides a range of education support, advisory and direct delivery services to schools and families throughout Southwark.	1	(Education function)
Cross River Board	To deliver cross-borough regeneration initiatives	1	(Regeneration function)

Name	Purpose	No. of places	Notes
	north and south of the River Thames in the London Boroughs of Southwark and Lambeth, the Corporation of London and the City of Westminster.		Usually the leader or cabinet member for regeneration.
Crystal Palace Community Development Trust	Trust set up to oversee the development of the Crystal Palace area.	1	(Regeneration function)
Greencoats Studios (UAL, Wilson Road) Steering Group	<p>To provide high-level oversight of Greencoats Studios (educational hub under UAL Institute of Creative Computing, plus incubator workspace) and delivery against SLA aims and outputs, including community programme, community free use of space, community resource scheme & lettings approach.</p> <p>Attendance at and input to Steering Group meetings.</p>	1/2	Education and community function
Groundwork London, Local Authority Strategic Input Board	<p>The Local Authority Strategic Input Board enables Local Authorities to shape the strategic direction of Groundwork within Local Authorities by:</p> <ul style="list-style-type: none"> • Advising Groundwork on the regeneration needs of local communities. • Providing input to 	1	(Regeneration function)

Name	Purpose	No. of places	Notes
	<p>the development process for projects and programmes.</p> <ul style="list-style-type: none"> • Developing and maintaining close relationships with elected members and officers of local authorities. • Developing relationships with other key local partners. 		
<p>Guys and St Thomas NHS Foundation (Council of Governors)</p>	<p>To advise the trust on how it carries out its work so that it is consistent with the needs of the members and wider community.</p> <p>The governors:</p> <ul style="list-style-type: none"> • help the trust to carry out its duties in ways that meet with NHS values and the terms agreed with Monitor, the independent regulator for NHS Foundation Trusts • advise the trust on its longer term strategy • provide advice and support to the Board of Directors, who are responsible for the overall management of the trust. 	1	(Health function)
<p>Kings College Hospital NHS (Council of Governors)</p>	<p>Their vision is to become a fundamentally new kind of hospital built around patient need, offering patients the highest quality of care,</p>	1	(Health function)

Name	Purpose	No. of places	Notes
	and to deliver this as part of a joined-up and well-managed healthcare system, built in partnership with GPs and other healthcare providers.		
London Bridge Improvement District BID	<p>The BID works with partners and 350+ business members, with a vision to make London Bridge one of the most sustainable, culturally innovative and compelling places for business and tourism in the world to create:</p> <ul style="list-style-type: none"> • A Great Place to Work and Visit • An Environmentally Focused Business District • A Thriving Community. 	1	Regeneration function (cabinet member)
London Road Safety Council (LRSC)	To reduce the number of road accident casualties within Greater London and provide a means of communication relating to road accident prevention between London local authorities, central government and other organisations.	2	(Community safety function) Up to two elected members and an officer from road safety education.
London Youth Games Limited	The London Youth Games Limited organise the annual London Youth Games on behalf of the London boroughs. It is a non-profit making company owned and guaranteed by the London boroughs and the City of London	1	(Leisure function) One representative and one deputy.

Name	Purpose	No. of places	Notes
	Corporation.		
Millwall For All	<p>The objectives of Millwall for All are:</p> <ul style="list-style-type: none"> • To promote equality and diversity in football and other sports at amateur and professional • To promote awareness of equality and diversity in primary schools in Lewisham and Southwark • To develop active programmes and partnerships designed to promote equality and diversity in football and build community cohesion • To raise funds for equalities programmes • To represent the boroughs of Lewisham and Southwark on equalities and diversity in football • To publicise the work being done by Millwall Football Club to tackle racism and promote equalities and community cohesion. 	1	(Equalities and Diversity function)
Newable Limited (formerly Greater London	To assist, promote, encourage and secure the physical and economic development	1	(Regeneration function) Does not have to be a councillor.

Name	Purpose	No. of places	Notes
Enterprise Limited)	and regeneration of the whole or any part of Greater London.		
North Southwark Environment Trust	<p>The preservation and conservation of the environment for the benefit of the public, including the promotion of energy efficiency and efficient methods of disposing of waste.</p> <p>The provision of facilities for education, recreation or other leisure time occupation, in the interests of improving the conditions of life of the inhabitants covered by the area of benefit.</p>	1	<p>(Environment function)</p> <p>Does not have to be a councillor.</p> <p>The area of benefit covered by the trust is north of the roads known as Camberwell New Road, Camberwell Church Street, Peckham Road, Peckham High Street and Queens Road.</p>
Oru Space (20-22 Lordship Lane) Steering Group	<p>To provide high-level oversight of Oru Space (Co-work space & Wellness Hub) and delivery against SLA aims and outputs, including business support and community events use.</p> <p>Attendance at and input to Steering Group meetings.</p> <p>Quarterly meetings.</p>	1/2	Economic and community function
Peckham Levels Steering Group	To provide high-level oversight of Peckham Levels (cultural event space, workspace and creative studios) and delivery against SLA aims and outputs, including oversight of community use of event space, community	1/2	Cultural and community function

Name	Purpose	No. of places	Notes
	resource scheme and community investment fund, lettings and supported space.		
Peckham Palms Steering Group	To provide high-level oversight of Peckham Palms (Hair & beauty and retail arcade plus workspace) and delivery against SLA aims and outputs, including business support and community events.	1/2	Cultural and community function
Potters Fields Park Management Trust	Potters Fields Park Management Trust leases the park for events, functions and other activities in order to provide funds for maintenance, and to develop programmes which educate and engage with the community.	2	(Leisure function) Does not have to be a councillor.
Plastic Free East Dulwich	Working to make East Dulwich a plastic free community with Surfers against Sewage, focusing on working with and engaging local council, community groups, businesses of single-use plastics in the local environment.	1	Ward councillor
Plastic Free Peckham	Working to make Peckham a plastic free community with Surfers against Sewage, focusing on working with and engaging local council, community groups, businesses of single-use plastics in the local environment.	1	Ward councillor

Name	Purpose	No. of places	Notes
Shared ICT Services Joint Committee	<ul style="list-style-type: none"> • Oversee implementation and delivery of the shared ICT service • Sets key strategic direction and associated activities • Act as arbiter where there is a conflict in either direction or priority of each council • Those matters for which is identified as responsible for under the Inter-Authority Agreement for the three way shared ICT service. 	2	(IT function)
South Bank and Waterloo Partnership (previously South Bank Partnership)	Engagement with South Bank employers groups, local MPs and community organisations in North Lambeth and Southwark (Bankside).	4	(Arts and culture function) One representative and local ward councillors.
South Bank Business Improvement District Ltd	The South Bank BID Board consists of representatives of local organisations and employers within the South Bank area. The board represents the interests of over 160 organisations within the South Bank BID and aims to improve the quality of the area to make South Bank one of the prime areas in the country in which to do business.	2	(Regeneration function) Cabinet member and ward councillor

Name	Purpose	No. of places	Notes
South Bermondsey Big Local Partnership Steering Group	The Partnership informs and guides the development and delivery of the BIG Local programme for South Bermondsey and Old Kent Road wards.	2	(Community engagement function) Currently one Old Kent Road and one South Bermondsey ward councillor.
South London Gallery Trustee Limited	To act as trustees and director of South London Gallery Trustee Ltd (the sole trustee of the South London Fine Art Gallery and Library Trust), which operates the South London Gallery as a public contemporary art gallery. Southwark Council is a major funder of the gallery but trustees must act solely in the best interests of the charity and are responsible for controlling the management and administration of the charity in line with the governing document.	3	(Arts and culture function)
South London and Maudsley (SLaM) NHS Trust Members Council	To support the board of directors in setting the longer-term vision for the trust and to influence proposals to make changes to services and to act in a way that is consistent with NHS principles and values and the terms of the trust's authorisation.	1	(Health function)
Southwark and Lambeth Archaeological Excavation committee (SLAEC)	SLAEC is an advisory body established to promote archaeological work in Southwark and to advance the knowledge of the history	1	(Leisure function) One representative and one deputy.

Name	Purpose	No. of places	Notes
	of Southwark and Lambeth by archaeological investigation.		
Southwark Construction Skills Centre ("the Centre")	<p>To work together in the delivery of the Southwark Construction Skills Centre ("the Centre").</p> <ul style="list-style-type: none"> • Establish a centre of construction training excellence for the local construction industry • Deliver high quality construction skills training • Inspire local school age children to pursue a career in the construction industry • Provide pathways into employment in the construction industry for local people, by increasing the employment and training opportunities in the sector for the borough's residents, as well as helping the local construction industry meet their skills needs • Provide a visible 'front door' to enable local people to find new skills and employment opportunities within the construction sector. 	1	<p>(Regeneration/ employment and education function)</p> <p>Cabinet or deputy cabinet member</p>
Safer Neighbourhood Board	<p>The role and purpose of the Safer Neighbourhood Board is:</p>	1	<p>(Community safety function)</p>

Name	Purpose	No. of places	Notes
(Southwark)	<p>to ensure communities are more closely involved in crime reduction and prevention;</p> <p>to have a broad remit to reflect M.O.P.A.C's (Mayor Office for Policing and Crime) broader responsibilities;</p> <p>to have greater reach in community involvement;</p> <p>to achieve greater coherence between different engagement mechanisms and;</p> <p>to make more efficient use of resources to deliver value for money and target funds at tackling issues of local concern and crime prevention.</p>		Cabinet member with community safety portfolio
WeAreWaterloo BID (Business Improvement District)	<p>To create a safer and more pleasant trading environment for businesses and to promote the area to bring in more visitors, whilst maintaining its individuality and unique character.</p>	1	<p>(Regeneration function)</p> <p>Usually a ward councillor (St. George's).</p>

Item No. .23.	Classification: Open	Date: 14 June 2022	Meeting Name: Cabinet
Report title:		Nominations to Panels, Boards and Forums 2022-23	
Ward(s) or groups affected:		Not applicable	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

1. That the cabinet agrees the allocation of places to the panels, boards and forums set out in Appendix A of the report for the 2022-23 municipal year and nominates members accordingly.

BACKGROUND INFORMATION

2. It is for the cabinet to agree the allocation of places to panels, boards and forums in connection with the functions that are the responsibility of the cabinet.
3. Details of all the nominations received for the panels, boards and forums listed in Appendix A will be published in advance of the cabinet meeting on 14 June 2022.

KEY ISSUES FOR CONSIDERATION

Proportionality

4. Appendix A sets out the detail of those, panels, boards and forums for which nominations are required for the 2022-23 municipal year. There is no requirement that appointments to panels, boards and forums are proportionate and in the past, where the allocation of seats has been proportionate, this has been done by local agreement.
5. There is no requirement that a seat allocated to a particular group can only be filled by a member of that group. Therefore, groups have the discretion to allocate seats as they wish, including to a member of another group or an individual councillor.

Establishment of new bodies

6. Members may wish to establish new bodies or recommend that officers look into changing the status of existing bodies. In relation to the creation of new bodies, Members will need to:

- (i) agree new terms of reference
- (ii) agree the membership and allocation of places
- (iii) consider whether to appoint the chair and vice-chair.

Consultation

7. The political group whips have been consulted on the issues contained in the report and have been invited to submit nominations.

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

Community impact statement

8. The council is being invited to make nominations to various panels, boards and forums.

Equalities (including socio-economic) impact statement

9. There are no specific implications arising.

Health impact statement

10. There are no specific implications arising.

Climate change implications

11. There are no specific implications arising.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix A	Nominations to Panels, Boards and Forums 2022-23

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional and Member Services	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	31 May 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES/CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Governance	No	No
Strategic Director of Finance and Governance	No	No
Date final report sent to Constitutional Team		31 May 2022

APPENDIX A

NOMINATIONS TO PANELS, BOARDS AND FORUMS 2022-23

JOINT PARTNERSHIP PANEL (TRADE-UNION CONSULTATION)

Summary of Functions	Status	Membership	Politically Proportionate
To provide a member-level trade union consultation forum for dialogue on corporate policy issues and corporate proposals affecting the workforce.	Non statutory	2 Councillors, Human Resources Director, Chief officer team representative, plus accredited Branch Secretaries of Unison, GMB and Unite.	Not applicable (N/a)

Allocation 2020-21	Proposed Allocation 2022-23	Council Appointment	Comments
2 representatives from the cabinet. In 2021-22 the cabinet members were the leader of the council and cabinet member responsible for human resources.	2 representatives from the cabinet	2 Councillors	None

HOMEOWNERS SERVICE CHARGE ARBITRATION TRIBUNAL

Summary of Functions	Status	Membership	Politically Proportionate
To resolve homeowner service charge disputes from 2014-15 onwards.	Non statutory	1 Independent chairperson 1 Leaseholder representative 1 Councillor (from pool) 1 Independent legal representative	N/a

Allocation 2021-22	Proposed Allocation 2022-23	Council Appointment	Comments
Unlimited	Unlimited	Members to act as pool	Cabinet members are not able to be members of the panel.

TENANCY AND LEASEHOLD ARBITRATION TRIBUNALS

Summary of Functions	Status	Membership	Politically Proportionate
<p>To resolve certain disputes between secure tenants and the council (landlord) arising from a breach within the terms of the Tenancy Agreement.</p> <p>To resolve disputes between Southwark Right to Buy applicants, Southwark Council leaseholders and Residential Freeholders who pay a service charge to Southwark Council.</p>	Non statutory	1 Independent chairperson 1 Tenant or Leaseholder representative 1 Councillor (from pool)	N/a

Allocation 2021-22	Proposed Allocation 2022-23	Council Appointment	Comments
Unlimited.	Unlimited	Members to act as a pool	Cabinet members are not able to be members of the panel.

SOUTHWARK SAFEGUARDING ADULTS BOARD

Summary of Functions	Status	Membership	Politically Proportionate
The purpose of the Board is to ensure that adults can live a life free from abuse and neglect.	Statutory	Senior managers from different services and agencies including independent and voluntary sector	N/a

Allocation 2021-22	Proposed Allocation 2021-23	Council Appointment	Comments
Deputy Leader and Cabinet Member for Children, Young People and Education and Cabinet Member for Public Health and Community Safety	Deputy Leader and Cabinet Member for Children, Young People and Education and Cabinet Member for Public Health and Community Safety	2	

SOUTHWARK SAFEGUARDING CHILDREN'S BOARD

Summary of Functions	Status	Membership	Politically Proportionate
<p>To promote and safeguard the welfare of children.</p> <p>To engage in activities that safeguard all children and aim to identify and prevent maltreatment or impairment of health or development.</p> <p>To ensure that children are growing up in circumstances consistent with safe and effective care.</p> <p>To lead and co-ordinate proactive work that aims to target particular groups and to arrange for responsive work to protect children who are suffering, or likely to suffer significant harm.</p>	Statutory	Senior managers from different services and agencies including independent and voluntary sector.	N/a

Allocation 2021-22	Proposed Allocation 2022-23	Council Appointment	Comments
Deputy Leader and Cabinet Member for Children, Young People and Education and Cabinet Member for Public Health and Community Safety	Deputy Leader and Cabinet Member for Children, Young People and Education and Cabinet Member for Public Health and Community Safety	2	

STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

Summary of Functions	Status	Membership	Politically Proportionate
To review the existing provision of Religious Education and consider whether any changes need to be made in the agreed syllabus or in support offered to schools. To monitor the provision of the daily collective worship and to consider any action to improve such provision.	Statutory	4 Councillors Plus representatives of local faith groups and Teachers Associations	N/a

Allocation 2021-22	Proposed Allocation 2022-23	Council Appointment	Comments
Labour – 3 Liberal Democrats – 1	Labour – 3 Liberal Democrats – 1	4 Councillors	

SOUTHWARK TENANT MANAGEMENT ORGANISATION COMMITTEE

Summary of Functions	Status	Membership	Politically Proportionate
To discuss with representatives of TMO's issues of mutual interest.	Statutory	4 Councillors TMO Representatives Cabinet Member for Housing Management and Modernisation	N/a

Allocation 2021-22	Proposed Allocation 2022-23	Council Appointment	Comments
Labour – 3 Liberal Democrats – 1	Labour – 3 Liberal Democrat – 1	4 Councillors and Cabinet Member with responsibility for Housing	

CABINET AGENDA DISTRIBUTION LIST (OPEN)**MUNICIPAL YEAR 2022-23**

NOTE: Original held by Constitutional Team; all amendments/queries to
Paula.thornton@southwark.gov.uk

Name	No of copies	Name	No of copies
Members (paper copies)		Chief Officer Team	
Kieron Williams	1	Althea Loderick	1
Jasmine Ali	1	Duncan Whitfield	1
Members - electronic Versions (no hard copy)		David Quirke-Thornton	1
Evelyn Akoto		Michael Scorer	1
Helen Dennis		Caroline Bruce	1
Dora Dixon-Fyle MBE		Officers	
Stephanie Cryan		Doreen Forrester-Brown	1
Alice Macdonald		Norman Coombe	1
Darren Merrill		Ian Young	1
Catherine Rose		Others	
Martin Seaton		Louise Neilan	1
Ian Wingfield		Paula Thornton, Constitutional Officer	6
Irina Von Wiese		Total: 17	
Suzanne Abachor		Dated: 25 May 2022	
Victor Chamberlain			
Ellie Cumbo			
Jon Hartley			
Laura Johnson			
Sunny Lambe			
Margy Newens			
Jason Ochere			
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Group Offices - electronic			
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