

Cabinet

Tuesday 18 October 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 Dora Dixon-Fyle MBE
Councillor James McAsh

Councillor Darren Merrill
Councillor Catherine Rose
Councillor Martin Seaton

Portfolio

Leader of the Council
Deputy Leader and Cabinet Member for
Children, Young People, Education and
Refugees
Health and Wellbeing
Communities, Equalities and Finance
Community Safety
Climate Emergency and Sustainable
Development (maternity cover)
Council Homes and Homelessness
Leisure, Parks, Streets and Clean Air
Jobs, Business and Town Centres

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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Contact

Email: 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: 10 October 2022



Cabinet

Tuesday 18 October 2022
11.00 am

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

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
	MOBILE PHONES	
	Mobile phones should be turned off or put on silent during the course of the meeting.	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.	
3.	NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED	1 - 2
	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 12 October 2022.	
6.	MINUTES	3 - 27
	To approve as a correct record the minutes of the open section of the meeting held on 13 September 2022.	
7.	DEPUTATION REQUESTS	
	To consider any deputation requests. The deadline for the receipt of a deputation request is midnight Wednesday 12 October 2022.	
8.	SOUTHWARK'S RESPONSE TO THE COST OF LIVING CRISIS	28 - 64
	To note the impact of the cost of living crisis and what it means for residents of Southwark, the council's response and to approve an extension of the Southwark Council Cost of Living Fund funded by the Household Support Fund.	
9.	POLICY AND RESOURCES STRATEGY 2023-24 TO 2025-26 UPDATE	To follow
	To note, as necessary, any changes and/or progress following the financial remit report submitted in July 2022.	
10.	GATEWAY 1 CHILDREN'S RESIDENTIAL PROVISION - PROCUREMENT STRATEGY APPROVAL	65 - 100
	To approve the procurement strategy for the provision of children's residential care in Southwark as an in-house service, under the children and families Division of the council from August 2024.	
11.	PUPIL PLACE PLANNING REPORT FOR 2022	101 - 144
	To inform cabinet of current school place capacity and projection details.	
12.	THE HEALTH AND CARE BILL: IMPLICATIONS FOR SOUTHWARK COUNCIL	145 - 157
	To note the implications of the Health and Care Bill for Southwark Council and approve organisational responses to the bill.	

Item No.	Title	Page No.
13.	LOCAL DEVELOPMENT SCHEME 2022 - 2025	158 - 172
	To agree the Local Development Scheme for the timetable of planning policy documents.	
14.	GATEWAY 2 - CONTRACT AWARD APPROVAL - PARTNER & FINANCIAL PLAN FOR REDEVELOPMENT OF TUSTIN ESTATE	173 - 194
	To approve the award of the Tustin Estate Development Agreement contract (Phases 1-4).	
15.	CATOR STREET - APPROPRIATION FOR PLANNING PURPOSES	195 - 207
	To seek authority for the council to use its statutory powers to facilitate the delivery of new council housing.	
16.	RESPONSE TO THE HEALTH AND SOCIAL CARE SCRUTINY COMMISSION: DOMESTIC ABUSE IN FAMILIES	208 - 222
	To consider the responses to the recommendations in respect of the scrutiny commission report.	
17.	RESPONSE TO THE ENVIRONMENT SCRUTINY COMMISSION: ENERGY ENVIRONMENT	223 - 253
	To consider the responses to the recommendations in respect of the scrutiny commission report.	

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.”

Item No.

Title

Page No.

PART B - CLOSED BUSINESS

- 18. GATEWAY 2 - CONTRACT AWARD APPROVAL - PARTNER & FINANCIAL PLAN FOR REDEVELOPMENT OF TUSTIN ESTATE**

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

Date: 10 October 2022



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

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

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

DECISION MAKER

Name of decision maker: Cabinet

Date of meeting: 18 October 2022

LEAD OFFICER DETAILS

Name and contact details: Neil Kirby, Head of Regeneration South
Email: neil.kirby@southwark.gov.uk

DETAILS OF THE REPORT

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

Gateway 2 - Contract Award Approval - Partner & Financial Plan for redevelopment of Tustin Estate

To enter into a development agreement with a delivery partner (developer contractor) and approve the financial plan for delivery of the Tustin Estate Low Rise Redevelopment.

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

The next forward plan to be published will be the December 2022 plan. The decision cannot wait until the next cabinet meeting in December because the council need to award the contract before December, so that work can continue.

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

Notice of the report was included on the forward plan in line with the normal requirements but reference to a closed report being required was not included.

However, further to clarification, it became apparent that a closed report was required for the financial plan, hence the need for a closed report to cabinet.

Paula Thornton
For Proper Constitutional Officer
Dated: 10 October 2022



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 13 September 2022 at 11.30 am held 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 Dora Dixon-Fyle MBE
Councillor James McAsh
Councillor Darren Merrill
Councillor Catherine Rose
Councillor Martin Seaton

1. APOLOGIES

All members were present.

ANNOUNCEMENT IN RESPECT OF THE DEATH OF HER MAJESTY QUEEN ELIZABETH II

Members and all those present observed a minute's silence in memory of her late Majesty Queen Elizabeth II.

The leader extended Southwark borough's deepest condolences to the Royal Family at this difficult time. He explained how it was a huge honour for the borough to be host to Her Majesty the Queen on several occasions and her incredible seventy-year long service to public life and this country.

The chief executive provided an update on the arrangements and preparations taking place in Southwark for the forthcoming events and funeral.

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

The chair gave notice of the following late item:

- Item 20: Marie Curie – Safety Works and Resident Rehousing Offers.

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)

There were none.

6. MINUTES**RESOLVED:**

That the minutes of the meeting held on 18 July 2022 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

There were none.

8. POLICY AND RESOURCES STRATEGY: REVENUE MONITORING REPORT, INCLUDING TREASURY MANAGEMENT MONTH 4 2022-23**RESOLVED:**

1. That the adverse variance forecast for the general fund in 2022-23 be noted.
2. That it be noted that no additional COVID-19 funding has been made available to councils in 2022-23 and that all ongoing expenditure has been included within the forecast.

3. That the key adverse variations and budget pressures be noted:
 - (i) The dedicated schools grant (DSG) is forecasting an in-year pressure of £3.1m, in addition to the £21.7m accumulated deficit brought forward
 - (ii) The continuing budget pressures within children's social care
 - (iii) The emerging budget pressures in adult social care, mitigated by the use of resilience reserves
 - (iv) The continuing budget pressures on temporary accommodation.
4. That the ongoing inclement macro-economic environment, with inflation running above 10.1% and interest rates at their highest rates since 2009 be noted.
5. That it be noted that any pay settlement above the budgeted 2% will add pressure of £1.7m per percentage point (with 3% currently assumed in the month 4 forecast).
6. That the housing revenue account forecast for 2022-23 (Table 2, paragraphs 66-77 of the report) be noted.
7. That the treasury management activity undertaken in 2022-23 (paragraphs 81-88 of the report) be noted.
8. That the interdepartmental budget movements that exceed £250k, as shown in Appendix A of the report be approved (noting those under this threshold).

9. POLICY AND RESOURCES STRATEGY: CAPITAL MONITORING REPORT MONTH 4 2022-23

RESOLVED:

1. That the virements and variations to the general fund and housing investment capital programme as detailed in Appendix C and the new capital bids contained within this report and summarised at Appendix E of the report be approved.
2. That the significant funding requirement of £280m which needs to be identified for the general fund programme to be fully delivered over the remaining term of the programme, as detailed in Appendix A of the report be noted.
3. That the £2bn housing investment programme to be fully delivered over the

remaining term of the programme, as detailed in Appendix B of the report be noted.

4. That the significant contribution the capital programme is making towards the objectives of the council's climate change strategy (see paragraphs 17-18, 83-85, 120 of the report) be noted.
5. That the review of the entire capital programme cost estimates, profiles and priorities by the strategic director of finance and governance and the cabinet member for finance, democracy and digital which will be reported to council assembly in February 2023 be approved.

10. SOUTHWARK SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) STRATEGY 2022-25

RESOLVED:

That the special educational needs and disability (SEND) strategy 2022-25 as set out in Appendix 1 of the report be approved.

11. RESPONSE TO REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: REVIEW OF SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) PROVISION IN THE BOROUGH OF SOUTHWARK

RESOLVED:

That the response to the recommendations of the scrutiny commission on special education needs and disabilities (SEND) in the London Borough of Southwark be noted.

12. RESPONSE TO THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: ETHNICITY PAY GAP IN SOUTHWARK COUNCIL

RESOLVED:

1. That the recommendations made by the education and local economy scrutiny commission be noted.
2. That the response set out in the report be approved.
3. That commitment to closing the council's ethnicity pay gap, which has been included as a priority in the new Council Delivery Plan be reaffirmed.

13. RESPONSE TO THE SOUTHWARK HOUSING AND COMMUNITY ENGAGEMENT SCRUTINY COMMISSION - SOUTHWARK CONSTRUCTION CONSULTATION STRATEGY RESPONSE

RESOLVED:

1. That the assurance provided by the cabinet member for council homes and homelessness of his ongoing commitment for ensuring Southwark Construction has in place robust consultation and engagement strategies for all new homes to be delivered in the future programme with local residents, key stakeholders and any recognised bodies who work closely with the council to engage with/and represent local residents be accepted.
2. That it is accepted that Southwark Construction is aware of its duty of care to review its consultation strategy, to adopt best practice arising, from any legislative white papers.
3. That Southwark Construction will review its consultation strategy on an annual basis to see if and where adjustments need to be made to reflect the consultation requirements of its consultees.
4. That the planning department's role, as an independent body, which must fulfil its statutory obligations of consultation on all planning applications and scrutiny of such to ensure they meet with planning policy requirements irrespective of the developer being the council be noted.
5. That the limited resources and tools available to the then new homes development team, during the Covid 19 pandemic, for which the two case studies; Kingston estate and Brenchley Gardens estate were being consulted on during this time be accepted.
6. That that the level of engagement carried out on the two estates case studied and reported on at the meeting of 5 October 2021 were projects where hampered by the pandemic be recognised.
7. That it be noted that in giving residents a real say in how the new homes are managed in accordance to the Charter of Principle pledge will include:
 - We will work with residents on an area basis on options for involving you in the longer term management and upkeep of your home.
 - During all new homes consultation we will work with residents to improve localised issues such as reducing anti-social behaviour (ABS), improved gardens and accessibility, waste management, outside environmental improvements and play areas. This will ensure that new homes built provide long term benefits to the local community as well as meeting housing demand
 - We will always be receptive to engaging with our communities to consider

the creation of working groups and longer term management provision that retains residents at the heart of an improved community.

14. RESPONSE TO THE OVERVIEW AND SCRUTINY COMMITTEE: REVIEW OF REGENERATION IN THE BOROUGH OF SOUTHWARK

RESOLVED:

That the recommendations of the overview and scrutiny committee be noted and the response set out in Appendix 1 of the report be endorsed.

15. RESPONSE TO THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: PROCUREMENT, ACCESSIBILITY AND SOCIAL VALUE

RESOLVED:

That the response to the recommendations to the education and local economy scrutiny commission's report on procurement, accessibility and social value dated 14 June 2022 be noted and agreed.

16. RESPONSE TO THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: TOWN CENTRE ACTION PLAN - SOUTHWARK PIONEERS FUND

RESOLVED:

That the approach undertaken by the council in procuring providers for the Southwark Pioneers Fund (SPF) start-up and growth contracts be noted.

17. RESPONSE TO THE HOUSING AND COMMUNITY ENGAGEMENT SCRUTINY COMMISSION: LICENSING IN THE PRIVATE RENTED SECTOR IN THE BOROUGH OF SOUTHWARK

RESOLVED:

That the recommendations of the overview and scrutiny committee (paragraph 2 of the report) be welcomed and the response set out in the report be noted.

18. AUTHORISATION TO WRITE OFF UNRECOVERABLE EXPENDITURE FROM ACTION ON A DANGEROUS STRUCTURE DURING THE CHRISTMAS HOLIDAY PERIOD 2013 FOR CORELLI COURT

RESOLVED:

That approval be given for the write off of £348,000 of irrecoverable expenditure from action on a dangerous structure during the Christmas holiday period 2013 for Corelli Court, 316 Lynton road, SE1 5DD.

19. MOTIONS REFERRED FROM COUNCIL ASSEMBLY

RESOLVED:

Tackling the cost of living crisis

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

1. Council assembly notes that:
 - a. The people of our country and borough are facing a cost of living crisis, with inflation rising at the fastest rate for 40 years, and food and fuel costs spiralling. As a result, millions of families are struggling to make ends meet and facing impossible choices between heating, eating and paying their rent.
 - b. Ofgem are predicting that the number of households facing fuel poverty across the UK could double to 12 million next year. The price of food is also soaring, with the average price of pasta up by more than 50% since April 2021 and 94% of adults reporting that the price of their food shop has increased over the last month.
 - c. These spiralling costs follow a decade of Conservative and Liberal Democrat government policies that have cut the incomes of millions of families across the country, with almost 4 million children now living in poverty and national demand for foodbanks up 81% over the last five years. In our borough, the Southwark Foodbank supported almost 19,000 people in 2021 (of which 7,000 were children), a 289% increase from 2019/20.
 - d. Citizens Advice Southwark estimates that 31% of households in Southwark are in poverty, with the cost of living crisis likely to exacerbate this further. The council's revenues and benefits team has identified over 22,000 residents in need of financial support. Voluntary sector partners have also reported a rapid rise in the number of working people unable to make ends meet, as wages fail to keep up with the

cost of living.

- e. A recent Southwark Council Housing Residents' Working Party produced a report "Pulling at the Roots" which highlights the economic and financial impact of COVID on our council housing residents and made a number of helpful recommendations to support council tenants and homeowners in debt.
 - f. We have a strong voluntary and community sector in Southwark, with a community support alliance set up to ensure that residents who need help the most can get support from the sector and council. These organisations, however, have become inundated with residents facing challenges as a result of the cost of living crisis.
2. Council assembly also notes that:
- a. Since 2010, successive Liberal Democrat and Conservative governments have imposed austerity on the country, creating hardship and destitution on a scale not seen for decades.
 - b. This includes measures such as the benefit cap, the cap to the local housing allowance, child benefit caps, and a bedroom tax which the previous Liberal Democrat MP for Bermondsey and Old Southwark voted for 8 times.
 - c. It also includes the Conservative's and Liberal Democrat's failed economic policies, which have delivered the worst decade for wages our country has seen since the Napoleonic wars. Working families' pay is now falling by £1,300.
 - d. As a result, many of the gains made before 2010, including lifting 1 million children out of poverty, have sadly been reversed in the past decade.
 - e. That Rishi Sunak, who reportedly owns three homes in the UK, will receive £1,200 of help through the government's cost of living schemes, whilst many in Southwark with far greater needs will receive only £400. Analysis suggests that £620 million will go to people who own two or more homes.
3. Council assembly welcomes:
- a. Southwark Labour's success in maintaining the Southwark Emergency Support Scheme after the coalition government ended ring-fenced funding for Council Tax Support in 2013.
 - b. That Southwark Labour will support our most vulnerable households with over £5m of funding in the new Southwark Council Cost of Living Fund which brings together the Household Support Fund, the

Discretionary Council Tax Rebate Fund and the Council's own contribution of £471,000.

- c. The Mayor of London's announcement of a £43m warmer homes fund to further support residents.
 - d. The national Labour Party's successful campaign for a windfall tax on energy companies to fund support for people hit hardest by the cost of living crisis (resisted by the Conservatives for weeks, which led to the announcement of a package of measures announced on 26 May 2022).
4. Council Assembly also welcomes Southwark Labour's 10 point plan to tackle the cost of living crisis by:
- a. Creating of a new Cost of Living fund with over £5 million of critical funding that will support families who are struggling to make ends meet.
 - b. Launching a Southwark Energy Savers Service, so residents can access the best advice to keep gas and electricity bills down while prices continue to spiral.
 - c. Continuing our free healthy school meals provision for all primary and nursery school children and our holiday food programme for children during the summer period.
 - d. Making Southwark a Right to Food Borough. This means working with local businesses, community groups and schools to ensure everyone in Southwark has access to healthy, affordable food within a short walk of their home. Meanwhile the council will do all it can to campaign for the national action needed to end food poverty for good.
 - e. Delivering more homes at truly affordable rents. Building on our success starting 2,500 new council homes, by starting 1,000 more new council homes by 2026 and ensuring that new development delivers at least 35% truly affordable homes including at least 25% at social rents.
 - f. Strengthening Southwark's network of community-led hubs, continuing to invest in our local voluntary sector, including independent advice services, so wherever you live you can access free advice on money matters and find free local activities.
 - g. Helping reduce energy bills for residents with a commitment to making our council homes warmer and greener with better insulation and modern heating.
 - h. Creating a new Southwark Living Wage Unit to double the number of London Living Wage employers in our borough and make work pay for more of our residents.

- i. Delivering 2,000 new apprenticeships and 3,000 new training opportunities and free support to get a job for people who face the most barriers, so local people can take up careers in our borough's growth industries. We'll also create 250 paid internships for young people from the most disadvantaged backgrounds.
 - j. Keeping council tax low. Despite ongoing cuts to our budgets, we have kept council tax low and will continue to do so, only raising it to protect services for the most vulnerable.
5. Council Assembly also recognises that after a decade of Conservative and Liberal Democrat cuts to local government funding, the council does not have sufficient resources to alleviate the impact of the cost of living for every resident in need. Therefore council resolves to:
- a. Ask the Leader of the Council to write to the Chancellor of the Exchequer to demand:
 - i. An above inflation increase in the government's National Living Wage, to lift millions of people out of poverty
 - ii. A Great Homes Upgrade, to save on energy bills now and in the longer term by insulating millions of homes, whilst cutting carbon emissions too.
 - iii. A fair benefits system that ensure everyone in our country can afford the basics in life including enough food to eat, a warm home and a roof over their head. Including; reversing the Conservative Party's £20 cut to universal credit, ending the two child limit which now impacts nearly a million children and has forced many thousands families into poverty, and uplifting the Local Housing Allowance which is currently set so low that it does not cover the cost of renting a home in the private sector in Southwark.
 - iv. Better targeted approach to support people hardest hit by the cost of living crisis, rather than the Government's current system that disproportionately benefits second homeowners.
 - v. A new national industrial strategy, to ensure we buy, make and sell more in Britain. Ending the Conservative Party's failed economic policies that have delivered the worst decade for wages in two centuries and replacing them with a new national plan to invest in our industries and infrastructure to deliver good jobs and real social and environmental benefits. Including an ambitious green new deal.
 - vi. Increased investment in council house building and the building of other social rent homes, given the transformative impact of having a truly affordable home in lifting people out of poverty.
 - vii. Increased funding for all public bodies and services, so public sector workers, from the nurses to the refuse collectors, who have supported our country through the pandemic can receive a fair pay rise.

- b. Ask Cabinet to work with the Community Support Alliance and other voluntary and statutory partners in our borough to alleviate the cost of living crisis for residents and to lobby for the changes that the Government needs to make to ensure we can end this cost of living crisis.

Saving South London Buses

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

1. Council assembly notes that:
 - a. The current proposal to cut bus services by up to a fifth as a result of the Conservative government's financial decisions will have profoundly negative impacts on the residents of Southwark.
 - b. At a time where the use of buses is actually increasing in the UK, Investment in affordable and sustainable public transport is more important than ever:
 - i. Buses offer an affordable means of transport for vulnerable residents struggling with the cost of living crisis.
 - ii. Petrol has risen to over an average of £100 a tank meaning driving is no longer an affordable option for residents.
 - iii. Public transport offers a sustainable transport option for residents as we continue to tackle the climate emergency.
 - c. Reductions in bus services will increase the need for interchanges, making journeys more difficult for those with mobility issues, who heavily rely on direct routes for travel.
 - d. The reduction of night bus routes will adversely affect key workers across London and will have a negative impact on people's safety.
 - e. The Conservative party is imposing deep cuts to Transport for London's funding.
 - i. In 2015, they agreed to remove £1bn a year of government funding from TfL and since the pandemic they have forced through hundreds of millions of further cuts
 - ii. None of the £500m raised every year from Londoners paying Vehicle Excise Duty collected by central Government is used to fund TfL's maintenance of London's roads. Instead, London's roads are effectively being cross-subsidised from fare-paying bus and tube passengers.

2. Council assembly further notes that:
 - a. Southwark is already poorly served by public transport, with much of the borough relying purely on buses for travel.
 - b. By May 2022, bus use had returned to 81% of pre-pandemic levels in Southwark, showing investment in our bus network is vital as we continue to recover.
 - c. 25% of the routes being cut entirely are routes that serve Southwark.
 - d. These cuts will completely withdraw four routes currently serving Southwark residents: routes 12, 45, 78 and 521.
 - e. The four routes set for withdrawal connect residents to London Bridge Hospital, Guy's Hospital, St Thomas's Hospital, Evelina Children's Hospital and King's College Hospital. The withdrawal of three of these routes will make it harder for people to access healthcare services.
 - f. A further 17 routes serving Southwark residents will be affected by the proposed cuts, which will lead to a reduced service across a borough already inadequately served by public transport.

3. Council assembly calls on the cabinet to:
 - a. Commission a robust detailed expert investigation on impacts of bus cuts in Southwark, the findings of which will form the basis of a Southwark response to TfL's proposals.
 - b. Campaign with the Mayor of London for the Conservative government to:
 - i. Agree a long term funding settlement for TfL that ensures there can be continued investment in sustainable and affordable public transport in London, including the funding necessary to maintain current bus routes, so TfL can immediately halt any plans to reduce bus services in London.
 - ii. Invest in maintaining and enhancing the existing public transport options, such as buses and step-free access at stations, that Londoners need.
 - iii. Invest in alternative public transport options for South London including a river-crossing at Rotherhithe, reopening Camberwell station and the Bakerloo Line extension.
 - c. Ask TfL to:
 - i. Explore all options to prevent the need for reductions to bus and other public transport services
 - ii. Hold public meetings before reducing the frequency of any bus routes.

- iii. Extend the length of the consultation until the end of the summer to reflect the potential severity of the proposed cuts and ensure as many voices are heard as possible.

Save Southwark Buses

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

1. Council assembly notes that:
 - a. Southwark is facing unprecedented and damaging cuts to its public transport. Across the city, seventy eight of London's bus routes will be affected by recent proposals, with seventeen of the affected routes serving our borough, representing 22% of the changes across the capital.
 - b. Of the sixteen routes to be cut in their entirety, four are in Southwark, representing one in four bus routes. These routes included the 12 bus, a much-loved bus route which many Southwark residents use to get to and from the West End.
 - c. These cuts to services make it harder for our residents to get around the city, make journeys longer and often more expensive.
 - d. Transport for London (TfL) is still recovering from the huge financial damage caused by the pandemic. It reports that, in the latest funding settlement, the Government is asking TfL to cut the bus network by 4% by 2025.
 - e. These cuts are a political choice, forced on TfL by a government making an active decision to level down our city. London is one of the only transport systems in the world that does not receive any significant regular subsidy from its national government. Moreover, London generates £500m of vehicle licensing excise money that goes straight to Government. This means that in recent years, over 70% of TfL costs have been paid for by fares.
 - f. These regressive cuts will affect many of our lowest income residents during the cost of living crisis, impacting shift workers, keyworkers and those who need to travel early or late in order to get to work. Hard working people who keep the city running will now need to break their journey and wait for multiple buses as they try to get to work, making their working day even longer.
 - g. Southeast London's public transport is already less well-served than other parts of London and has weathered previous cuts. Our small number of tube stations means buses are the backbone of our transport

network. If we are to build the homes and town centres people want and need, we have to have a public transport system that can serve them.

- h. Southwark Labour councillors have made a difference by creating pop up street stalls and supporting a local petition to Save Southwark Buses, however more can be done to put pressure on the Government to provide TfL with an adequate settlement that London needs in order to run an efficient public transport system, in line with other major cities across the world.
2. Council Assembly further notes the impact on key resident groups, including:
- a. Users with mobility issues who may struggle to use other forms of transport or may not have access to alternatives locally.
 - b. School communities, parents and carers who may struggle to get children to school without adequate local buses.
 - c. Women, as transport hubs have been highlighted as a potential risk of increased violence against women and girls, therefore increased interchanges pose greater risks.
 - d. Worsening health inequalities by making it more challenging for people without access to either a car or alternative forms of transport to and from hospital or doctor appointments. This is also likely to disproportionately affect older people for the same reasons.
 - e. People living in social housing or those in private rented accommodation already dealing with fuel poverty who are far less likely to be able to absorb any additional costs of having to take alternative routes.
 - f. Local businesses who heavily rely upon people getting across the borough to increase footfall on our high streets.
3. Council Assembly therefore resolves to:
- a. Continue to make the case to the Department for Transport for a better funding settlement for TfL on behalf of all Southwark residents, particularly those disadvantaged most by these changes.
 - b. Work with TfL to mitigate any changes to the Southwark bus network to ensure that disadvantaged groups in Southwark can still travel to and from work, school, town centres and key services.
 - c. Call for further engagement and meetings with key community groups in Southwark so TfL better understands the impact of the proposals put forward in Southwark.

A plan for Southwark's Housing Repairs

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

1. Council assembly notes that:
 - a. In 2010, an incoming Labour administration inherited one of the poorest standards of housing stock in London from the previous Liberal Democrat and Conservative administration. Only half of council homes met the decent homes standard, with 18,000 homes in disrepair.
 - b. By 2020 Southwark's labour run council had nearly doubled this number with 95% of homes meeting the decent homes standard.
 - c. In 2014, Labour also began a programme of replacing old kitchens and bathrooms in all our council homes. By 2020, more than 5,000 council homes were fitted with a new kitchen and/or bathroom.
2. Council also notes that:
 - a. The Covid-19 pandemic and nationwide lockdown had a severe impact on services.
 - b. Southwark is one of the largest council housing landlords in the country, therefore the proportional impact of the pandemic in terms of the number of repairs that were delayed (with officers not able to visit residents apart from essential repairs) was substantial. Residents report an average of 4,500 repairs requests per month.
 - c. Furthermore, the pandemic continues to affect repair staff, with staff testing positive for Covid (and therefore unavailable to visit residents).
 - d. That over £1 billion is required to fully decarbonise and replace inefficient heating systems and increase the insulation of homes to a modern energy efficient and low carbon standard.
 - e. The impact of the Conservative party's hard Brexit which has had a catastrophic impact on supply chains in the construction industry, with waiting times for many essential repairs materials having increased from days to months.
3. Council assembly thanks members of the repairs services for
 - a. the role they played getting support to vulnerable people during the peak of the pandemic, delivering food and support to thousands of Southwark residents

- b. the work they have done to clear the whole backlog of repairs from the pandemic, that had been accumulated during the period when non urgent repairs had to be suspended.
4. Council resolves to:
- a. Ask cabinet to bring forward the repairs improvement plan to ensure an effective and efficient repairs services, that gets repairs right first time
 - b. Ask cabinet to bring forward a housing asset management plan which aims to bring every council home up to a decent standard, including within this an updated damp and mould strategy.
 - c. Welcome the pilot of a dedicated repairs task team comprising of specialist operators such as electricians, wet traders and decorators, with the view to roll services out where they are effective in terms of value for money and efficiency of service.
 - d. Publish an updated damp and mould strategy and make the council's specialist leaks team permanent.
 - e. Implement the heat networks strategy which aims to replace old heating systems with new, reliable, affordable and greener alternatives. This forms part of the commitment to decarbonise council housing stock.
 - f. Ask Cabinet to lobby the Government for the national investment needed to deliver a Great Homes Upgrade to bring homes in the UK, including all council homes, up to a modern highly energy efficient and green standard, with upgraded insulation and low cost zero carbon heating.

Standing Up for Responsible Tax Conduct

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

1. Council Assembly notes that:
- a. The pressure on organisations to pay their fair share of tax has never been stronger.
 - b. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
 - c. Two thirds of people (66%) believe the Government and local councils should at least consider a company's ethics and how they pay their tax, as well as value for money and quality of service provided, when

awarding contracts to companies.

- d. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
 - e. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.
 - f. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.
 - g. That Southwark Labour have a nationally recognised track record on procurement which builds on the aims of this motion. Our Fairer Future Procurement policy ensures that companies must demonstrate social value through a range of measures including requiring companies to pay London Living Wage and excluding companies who break the law by blacklisting.
2. Council Assembly believes that:
- a. Paying tax is often presented as a burden, but it shouldn't be.
 - b. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
 - c. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
 - d. Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.
 - e. More action is needed, however, as current and proposed new UK procurement law significantly restricts councils' ability to either penalise poor tax conduct (as exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.
 - f. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

3. Council Assembly resolves to:
 - a. Approve the Councils for Fair Tax Declaration.
 - b. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
 - c. Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
 - d. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
 - e. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
 - f. Demand clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
 - g. Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
 - h. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.
 - i. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

Making Cycle Storage Accessible for All

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

1. Council assembly notes that:
 - a. Southwark needs more cycle storage
 - b. As we tackle the cost of living crisis and the climate emergency it is vital that we ensure cycling is accessible and affordable for all residents.
 - c. The Labour administration delivered over 500 cycle hangars since 2020. It has also already created 2,616 secure bike hangar spaces, the third highest of all London boroughs.

- d. A comprehensive exercise has been undertaken by the council to identify many more residents who require cycle storage, with a website where people can request new cycle hangars.
 - e. Local ward councillors have access to funding streams such as Local Community Infra Structure Levy, Cleaner Greener Safer funds and Devolved Highways Funding which they can prioritise to deliver more cycle hangars. Wards with Liberal Democrat councillors delivered the lowest level of cycle hangars since 2020.
 - f. That the Labour administration's investment in cycle hangars and cycle lanes has led to Southwark having one of the highest cycling rates in London
 - g. That the council plans to bring cycle hangar provision in-house, meaning that we can roll out more at a faster pace.
2. Council assembly calls on cabinet to:
- a. Make Southwark a Cycle Friendly Borough by:
 - i. Offering free cycle lessons for all Southwark residents
 - ii. Doubling the number of cycle hangars so you can store your bike close to your home, stations and in town centres.
 - iii. Rolling out more segregated cycle lanes,
 - iv. Extending cycle hire
 - v. Creating new ways for residents on low incomes to access an affordable bike.
 - vi. work with local communities to design safer, greener and healthier streets for walking and cycling, including safer junctions and crossing.
 - vii. ensure no group is left behind as we change all our streets for the better. Ensuring older and younger people, women and our Black, Asian and minority ethnic communities all have a full say, so we design streets that works for everyone.
 - b. Identify and collaborate with local and London-wide organisations (such as Transport for London and Business Improvement Districts) to improve cycle storage provisions.

Equal Pavements Pledge

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

- 1. This Council notes:

- a. the campaign of Transport for All calling on councils and transport authorities to sign an Equal Pavements Pledge (appended below)
 - b. 95 per cent of roads are the responsibility of London boroughs and only 5 per cent belong to the TfL network.
 - c. the majority of disabled people polled recently by Transport for All are worried that streets remain inaccessible with many streets still lacking even dropped kerbs to enable level access along pavements or to cross the street.
 - d. disabled people are concerned at the risk of further barriers being presented – either from the way in which changes to streets are delivered, or from al-fresco dining being delivered without consideration for the need for clear access on pavements.
 - e. Islington’s people-friendly pavements programme, created following feedback from local people and engagement with a range of organisations representing disabled people in Islington, including Disability Action in Islington and Transport for All
 - f. That people-friendly pavements is a key element of the people-friendly streets programme and will help the Council make Islington a better place for all
 - g. The programme will include measures such as footway repaving, additional dropped kerbs and street clutter removal, and more
 - h. That our borough continues to need investment and progress in making pavements fully accessible.
2. This Council notes that the Transport for All Equal Pavements Pledge outlines a need to:
- a. Listen to disabled people, and act
 - b. Keep pavements clear
 - c. Cut pavement clutter
 - d. Reduce the impact of waste removal
 - e. Audit pavements and install dropped kerbs where they are missing
 - f. Protect blue badge parking, with relocation kept to a minimum
 - g. Work with disabled experts, committing to co-production of schemes.

3. This Council resolves to:
 - a. support the Transport for All Equal Pavements Pledge
 - b. engage directly with organisations representing people with specific accessibility requirements
 - c. call upon the Mayor of London through Transport for London (TfL) to respond to the Equal Pavements pledge with a comprehensive programme of support to boroughs to be delivered in this current term
 - d. Call on central Government to fully fund TfL to support London Boroughs to deliver people-friendly Equal Pavements.

Patients not Passports

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

1. Council Assembly notes that:
 - a. The NHS was established after the Second World War at a time when there were high numbers of refugees and displaced people and general social chaos. It was founded on the principle of being free to everyone who needed it, regardless of their ability to pay, but has now become part of the Hostile Environment.
 - b. The Government is demanding that NHS Trusts check patients' ID before giving them treatment. If they don't have the right documents, they are forced to pay. If patients get into debt their details are sent by the Trust to the Home Office, creating fears about visa status or immigration claims and deterring many people from accessing healthcare.
 - c. This policy has had a devastating impact on those who are unable to pay, such as those from the Windrush generation. The impact of the hostile environment on migrants has become even more acute during the Covid-19 pandemic, particularly as it is known there is a higher mortality rate in Black, Asian and Minority Ethnic communities.
2. Council Assembly notes the impact of this system which:
 - a. embeds racial profiling because people have their entitlement to care challenged on the basis of their appearance, their name or their accent;
 - b. discourages those who are often already vulnerable from seeking help, including women needing maternity care, and their children;

- c. normalises discrimination in institutions that are set up to care for the most vulnerable.
3. Council Assembly resolves to:
- a. Work with Lambeth and Southwark Patients Not Passports campaign to raise awareness of migrant charging in the NHS and the climate of fear that surrounds it
 - b. Write to every GP surgery in Southwark to ask them to become a Safe Surgery to improve migrants' access to healthcare
 - a) Work with our hospitals to support migrant rights and access to healthcare.

The closure of St Francesca Cabrini Primary School

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

1. Council Assembly notes:
- a. That St Francesca Cabrini Primary School is a brilliant local school in Peckham Rye ward which has served our local community for over 100 years.
 - b. That the Missionary Sisters of the Sacred Heart of Jesus have made the decision to leave London and the UK and as a result are withdrawing their sponsorship of the school from September 2023.
 - c. That like many Southwark and London schools, the school has seen declining pupil numbers in recent years. This means the school's financial viability is increasingly difficult.
 - d. That the school's governing body has explored with both the London Borough of Southwark and the Archdiocese of Southwark merging with another school on the school site. However, this proved not to be possible as the land and buildings are not owned by the Archdiocese or Southwark Council and the nearest other Roman Catholic School is some distance away.
 - e. That ward councillors, parents and the wider community were therefore saddened to learn the governing body is now consulting on a proposal to close the school from September 2023.
2. Council Assembly recognises the excellent support that council officers and the Cabinet Member for Children and Schools have already offered to the school and school community as they navigate this very difficult process.

3. Council Assembly calls on the Council to:
 - a. Continue to work closely with the school and governing body to explore all possible options that might allow the school to stay open and ensure its future financial viability.
 - b. Continue to explore with the Archdiocese of Southwark all possible options for amalgamation with other schools across the area including exploring whether any Catholic secondary or specialised provision could be offered at the site.
 - c. Ensure that the children at the school remain the absolute priority during this unsettling time and, if the proposal to close moves forward, ensure that the Council offers all possible support to children and families as they transition to other schools.
 - d. Additionally ensure that the pre-school children and families that have been allocated Reception places at the school for September 2022 have all information available to them as they make decisions about what might be best for their children given the school's uncertain future.
 - e. Should the proposal move forward, work closely with the Archdiocese to offer support and assistance to staff to find new employment. Given the location of the school this should include working with neighbouring local authorities to ensure all staff are fully aware of vacancies within local schools.

20. MARIE CURIE - SAFETY WORKS AND RESIDENT REHOUSING OFFERS

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept this item as urgent as the decision ensured that attention was paid to the situation in Marie Curie House, and confirmed the council's commitment to the works going forward. The report also demonstrated to everyone consulted and that comments were being taken into account in a timely and accessible manner.

RESOLVED:

1. That the detailed ongoing resident engagement to date be noted and the Marie Curie Resident Project Group (comprising resident volunteers that meets at key stages), be thanked for their continued work to date.
2. That the outcome of the independent review of fire safety at Marie Curie be noted.
3. That the progress on the rehousing of the tenants within Southwark be noted.

4. That the progress on the programme of works to be undertaken be noted.
5. That officers be instructed report in March 2023 on the progress on the works to Marie Curie house, delivering the recommendations of the independent review and reviewing the works undertaken at Lakanal to review whether any additional works to Marie Curie house are required at Lakanal.

21. FAIRER, GREENER, SAFER SOUTHWARK - COUNCIL DELIVERY PLAN 2022-2026

RESOLVED:

1. That the proposed Council Delivery Plan 2022-2026 (attached as Appendix 1 of the report) be agreed.
2. That officers be instructed to work with cabinet members to develop detailed performance schedules for the Council Delivery Plan.
3. That the proposed arrangements for monitoring and reporting on progress against the Council Delivery Plan, as noted in paragraphs 7 to 10 of the report be agreed.

EXCLUSION OF THE PRESS AND PUBLIC

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

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

22. MINUTES

RESOLVED:

That the minutes of the closed meeting held on 18 July 2022 be approved as a correct record and signed by the chair.

The meeting end at 1.10pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, THURSDAY 22 SEPTEMBER 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: 18 October 2022	Meeting Name: Cabinet
Report title:		Southwark's response to the cost of living crisis	
Ward(s) or groups affected:		All wards	
Cabinet Member:		Councillor Stephanie Cryan, Communities, Equalities and Finance	

FOREWORD - COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR COMMUNITIES, EQUALITIES AND FINANCE

The definition of crisis is – a time of intense difficulty or danger, and this is exactly the situation in the UK with the cost of living crisis. Inflation is spiraling with the fastest rises seen in over 40 years, interest rates are set to increase even further, and with energy bills set to increase even further over the winter many of our residents will have to make a choice that no one should ever have to make, the choice of whether to eat or to heat their homes. In the 5th largest economy in the world this is incomprehensible and highlights the stark inequalities amongst the richest and the poorest in society.

As an administration, supporting our residents through the cost of living crisis is our top priority. The greatest impact falls on low income families, who spend more of their income on rising energy and food costs. We know that the most vulnerable will feel the impact most sharply but the crisis will effect most residents in some way.

This report sets out the work that has been and is currently being carried out across all council departments to help tackle the cost of living crisis. It also sets out our future commitments to our residents through four key strands:

Help Paying Bills.
Warmer, Greener Homes
Right to Food
More, better jobs.

Through these four strands we will work to ensure that real and tangible support for residents is available.

I want to thank all of the Voluntary and Community Sector organisations who are supporting their communities, whether through food banks and pantries, advice services or offering a warm space and a hot meal. It is vital that our work through the Community Support Alliance focuses on the support that can be provided to those most impacted by the cost of living crisis. We will be holding a cost of living Summit in the autumn to further strengthen our partnerships with the VCS and

our Anchor Institutions, working together to tackle the crisis.

We will use every power we have to support households across Southwark as we face this incredibly difficult time. We will do this through our Council Delivery Plan building a fairer, greener, safer borough. Tackling the cost of living crisis and the growing inequalities in our communities.

RECOMMENDATIONS

1. That the impact of the cost of living crisis, what it means for residents of Southwark and the council's ongoing approach to support residents be noted.
2. To note the council's £2.73m Household Support Fund allocation for the period 1 October 2022 – 31 March 2023.
3. To approve the Southwark Council Cost of Living Fund funded by the Household Support Fund for the period October 2022 – March 2023.

BACKGROUND INFORMATION

4. This report provides an update to cabinet on the council's plan to tackle the cost of living crisis. The approach consists of four strands:
 - **Help paying bills** - Extension of the Southwark Council cost of Living fund to provide £2.7m of support;
 - **Warmer, greener homes** – 1,000 new homes by 2026 supplied by green energy systems reducing energy costs;
 - **Right to food** - Free school meal programme to provide school holiday food and development of a Right to Food action plan to improve access to healthy, affordable food; and
 - **More better jobs** – 2,000 apprenticeships and 3,000 training opportunities and London's first 'Living Wage Borough'.
5. Starting last year, we have seen soaring energy prices drive historically high levels of inflation, already reaching double digits and expected to increase further this winter.
6. Those rising prices have far outstripped household incomes, whether made up of earnings, pensions or benefits. All Southwark households are affected by rising energy prices and higher inflation but some households are affected more than others.
7. The greatest impacts fall on those on lowest incomes who spend far more of their income on energy, food and other essentials than higher income groups. Those on low incomes already spend more than twice as much of their income on essentials than higher income households.

8. Additionally, it is the prices of the things on which lower incomes already spend more that are rising fastest – not just energy, but basic foodstuffs and other essentials. Higher income households can reorganise their budgets to meet the increased cost of living and reduce discretionary spending. Lower income households who are already “just about managing” and sometimes at the edge of destitution will find it much more difficult to do so. Without extra support these households are much more likely to be forced to reduce their consumption of essentials, putting their health and well-being at greater risk.
9. At least one in five households in some Southwark wards are in the bottom income deciles for Great Britain, for example, Old Kent Road and Camberwell Green. Those wards also include the biggest proportions of residents claiming working age benefits (Universal Credit). However, it should also be noted that almost half of those claiming Universal Credit in those wards are in work and that many of those at greater risk of energy insecurity this winter are in work, on low earnings, and not claiming or eligible for benefits.
10. It is rising energy prices that cause greatest concern as we enter the autumn and winter period. That is when households use most energy, almost twice as much as during the spring and summer. As energy costs rise even higher from October 2022 lower income households will be at greatest risk, especially those who will get less government support.
11. Many households were already living in fuel poverty even before the current crisis. According to the latest government statistics, more than one in ten of all Southwark households experience energy insecurity, rising to more than 15% in some parts of the borough, including Camberwell Green (15.4%) and Nunhead & Queen's Road (15.2%) the wards with the highest number of households experiencing energy insecurity or fuel poverty.
12. The council is mindful of what fuel poverty means and we think especially of those who use prepayment meters to pay for energy, pay more for their energy as a result and cannot spread their energy costs over the whole year. Based on government statistics and recent survey results, we estimate that more than one in five of all LBS households, rising to almost half of lowest income households, pay for some or all of their home energy using a prepayment meter.
13. Sadly, cutting back on heating has been a common response to rising energy bills. Cold homes can exacerbate a range of health problems including respiratory and circulatory conditions and increase the risk of poor mental health. Estimates suggest that some 10% of excess winter deaths are directly attributable to fuel poverty.

KEY ISSUES FOR CONSIDERATION

The council's early response (October 2021 – March 2022)

14. Inflation has been increasing since the middle of last year but 1 October 2021 may be regarded as a symbolic start date for the cost of living crisis.
15. From the end of September 2021 the government had closed the furlough scheme and ended other measures introduced to support the incomes of low income households during the pandemic, most notably the £20 a week Universal Credit uplift. The withdrawal of the uplift reduced the incomes of tens of thousands of the lowest income Southwark households at a stroke, this disproportionately affected single persons, working age households who saw their incomes after housing costs fall by more than 10%.
16. The withdrawal of the UC uplift was widely opposed by charities, think tanks, and local authorities, including the council. The effect of the withdrawal was to reduce the real incomes of those reliant on working-age benefits to the level of the late 1970s.
17. From the 1 October 2021 the statutory energy price cap rose by 12%. This was due to rising global energy prices. Households using prepayment meters to pay for energy, which are usually lower income households, faced an even bigger increase.
18. The government created a £421m Household Support Fund for councils in England to provide support for vulnerable households during the autumn and winter of 2021/22. The council's allocation was £2.74m and that funding had to be used between October 2021 and the end of March 2022.
19. The council decided that its top priority would be to provide direct support with energy bills to vulnerable low income households during the winter.
20. A new Southwark Energy Support Fund was created in the autumn of 2021 that would eventually provide support worth more than £1.2m to 20,000 low income households who paid for energy for their home. The effect of the support was to compensate low income households for most of the increase in energy costs they would face in the winter. Most support went to households affected by the withdrawal of the £20 a week uplift and those living in energy inefficient homes. Lowest income pension age households also received support. Most households receiving support through the Southwark Energy Support Fund were identified from locally administered benefit or local welfare data and support was provided to household automatically with no requirement to apply.
21. Aware that some vulnerable households were outside the benefit system and not known to the council, another route to support from the energy support fund was created. Community partners, including churches, foodbanks, tenant and resident associations and advice providers, could identify vulnerable households in need and refer them to the council quickly

and easily without a formal means-test. Sixteen community partners took part, making almost one thousand referrals by the time the fund closed at the end of March 2022. Almost 700 of the households referred received support. Referrals were refused only where the household referred did not live in Southwark or had already received a payment through the fund.

22. The council used the remainder of the fund to continue to provide holiday Free School Meals for eligible children attending Southwark schools at the autumn half-term, Christmas holiday, February half-term and Easter holidays. Fourteen thousand children benefited each receiving support worth more than £100.
23. Additionally, the council promoted take up of the Warm Home Discount scheme among eligible low income households of working age. The scheme is mandated by the government and delivered by all energy suppliers. Each energy supplier sets its own criteria for access to a £140 discount for low income, working age bill payers. Low income pension-age households receive a discount to their winter energy bills automatically. Data for the scheme in previous years showed that low income working age households in London were less likely to get support than low income households in other parts of Great Britain.
24. The council wrote to more than 20,000 low income working age households in autumn 2021 urging them to apply for a Warm Home Discount. The letter explained why they could be eligible for a discount and set out contact information for all the major energy suppliers' schemes.
25. Another way for households to reduce their energy bills is to reduce consumption of energy safely by taking steps to improve the energy efficiency of their home. Many homes in Southwark have a low energy efficiency rating. Poor insulation and energy inefficiency are most common in housing built in the early part of the twentieth century or earlier. Mainly for this reason, privately owned, or rented homes are more likely to be energy inefficient than council or other social housing. Living in an energy inefficient home is a significant contributing factor to fuel poverty when combined with low income.
26. In the last ten years government funding to improve the energy efficiency of the country's housing stock has been cut even though the UK has some of the oldest and least energy efficient housing in Europe. Limited funding is available and in London is distributed through the Greater London Authority and Mayor of London. Funding and other support with home energy efficiency improvements is usually limited to those on low incomes.
27. Earlier this year, the council used data to identify more than 500 low income households living in energy inefficient homes and eligible for support from the Warm Homes Advisory Service and or GLA Warmer Homes. Households were contacted by direct mail and urged to take advantage of the help available, ranging from simple energy advice to grants worth up to £25,000. Early feedback from the GLA is that take up of its offer in

Southwark has been among the highest in London.

April 2022 – September 2022

28. From April 2022, the statutory energy price cap rose again by more than 50% driving up household energy bills to historically unprecedented levels, almost £2,000 per year for an average household.
29. More than 40,000 households in Southwark reliant on the state pension or other benefits for all or part of their income received an increase of just 3.1% from April. By the summer annual inflation (CPI) had reached 10% and prices were rising more than twice as fast as earnings. Food prices were rising faster than overall inflation reaching an annualised rate of more than 12% by September, with the cost of basic foodstuffs such as milk, eggs, and cooking oil rising even faster.
30. Households urgently needed support and the council responded to that demand in two ways during spring and summer this year:

Energy Rebates (or Council Tax Rebates)

31. The council would disburse support through the government Energy Rebate scheme (sometimes called Council Tax Rebates) to more than 100,000 eligible households as quickly as possible. We would also do everything we could to ensure that the extra money went into the pockets of households to help them pay higher bills.
32. Under the rules set by Government, payments could not be made until after the first week of April. The council made first payments before Easter with rebates reaching the bank accounts of 40,000 households on the 8 or 9 April 2022. Thousands more had received rebates by the end of the month.
33. According to official government statistics, more eligible residents in Southwark had received a payment by the end of April than in any other inner London borough. This was despite the fact that a relatively small number of eligible Southwark council tax payers pay their council tax by Direct Debit and where the council has bank account details that enable a payment to be made by automatic bank transfer.
34. By the end of June 2022 more than 80% of eligible households had received a payment, more than in any other inner London borough. By the end of September 2022 over 103,000 rebates had been awarded to 100% of eligible households.

Southwark Council Cost of Living Fund (part 1)

35. As approved by Cabinet on the 15 June 2022, the council created a Southwark Council Cost of Living Fund (SCCOLF) worth £5m to provide vulnerable households with extra income support to help them pay for higher energy and food bills during the spring and summer.

36. The fund was formed mostly of government grants but also included a contribution from the council of about £500,000.
37. Support through the new fund would be targeted at the lowest income households reliant on state pensions and benefits for income, with extra support for low income families with children. Eligible households would be identified from council data and would receive support automatically without a requirement to apply. Support would be paid to the recipient's bank account wherever possible but most would receive support in the form of a Post Office Payout voucher redeemable for cash at any Post Office.
38. More than 30,000 low income households received a one off payment of £120 in July or August 2022. Households who had missed out on an Energy Rebate or Council Tax Rebate because they were not eligible under the rules of the Government scheme received an extra £150 bringing the value of their one off payment to £270.
39. More than 14,000 children eligible for Free School Meals and attending Southwark schools received holiday Free School Meals during the summer half-term and main summer holidays. That support was worth more than £100 per child and delivered by schools.
40. Additionally, children transferring to a Southwark secondary school this September and eligible for a School Uniform Grant of £45 have received a top-up to that grant from the cost of living fund worth £55. This increases the total value of the grant to £100 for more than 1,000 children and provided direct support totalling £60,000.
41. Finally, households facing an emergency and unable to meet the cost of fuel energy or other essentials could apply to the council's local welfare assistance scheme Southwark Emergency Support Scheme.

Policy framework implications

42. By summer 2022, it was clear that the cost of living crisis would not be short lived and that the autumn and winter of 2022/23 would be particularly difficult months for many Southwark households and not just those on the lowest income and reliant on benefits.
43. In August 2022, the independent energy regulator Ofgem announced that the statutory energy price cap would increase to more than £3,500 per year for a household with average energy consumption. Ofgem also announced that the cap would have to be reviewed again three months later due to extreme volatility in global energy markets. Independent analysts forecast that the energy price cap could rise to £4,000 - £5,000 per year in January 2023. The government has since announced a price cap of £2,500 for 2 years, although this is still an increase on the previous £1,971.

44. As was the case in April 2022, it is likely next year that those on the lowest incomes that rely on welfare benefits will not see an uplift in line with increasing inflation, increasing the potential impacts of the cost of living growing at a faster rate than incomes. The council has concluded that the risks to residents were so grave that a more comprehensive and longer term response to the crisis would be required.
45. The approach comprises four strands:
- Help paying bills
 - Warmer, greener homes
 - Right to food and
 - More better jobs.

1) Help Paying Bills:

Extension of the Southwark Cost of Living Fund to deliver £2.7m of support to low income households and creation of a new Southwark Energy Advice Service

46. Between May and September 2022 the government announced a series of packages of support for households subsidising energy bills for all households that pay for energy and providing targeted income support for low income, disabled, and pension age households.
47. Full details of the extra government support that will benefit all Southwark households who pay for energy this autumn and winter are set out in appendix A.
48. The additional support from government will provide most protection for some groups this winter, especially middle to higher income households and low income pension age households receiving means tested benefits.
49. The additional government support will provide some protection for pension age households not claiming means tested benefits and low income working age households receiving means tested benefits. In some cases that support will not be enough to ensure that households will be able to sustain consumption of energy and other essentials at the same level as last winter, or to prevent more households from falling into fuel poverty.
50. The additional government support will provide least protection for low income working age households where someone is in work but do not receive means tested benefits; and low income households that include a person with a disability and who do not receive means tested benefits. We think the risks are heightened for single person households who live alone

and pay for energy bills for their home and for those who live in energy inefficient homes.

51. In addition to direct support to households on the 22 September 2022 the Department for Work and Pensions confirmed allocations for English local authorities for a third round of the Household Support Fund for the period 1 October 2022 – 31 March 2023.
52. Southwark Council's funding allocation is £2.73m. Full guidance is yet to be published but Household Support Fund schemes are for local authorities to design at their discretion within government guidelines.
53. The objective of the Household Support Fund is to provide support to vulnerable households in most need of support this autumn and winter.
54. The council will concentrate its efforts to help with bills this winter on those households who are less well protected by Government support, especially the most vulnerable.
55. Help with bills will take two main forms:
 - (1) Direct income support to households identified as being in greatest need.

The council will create a new Southwark Council Cost of Living Fund (part 2) October 2022 – March 2023 funded by the latest Household Support Fund grant payment. We will create a community referral pathway to the Cost of Living Fund so that VCS and other partners may refer vulnerable households in need quickly and easily.

- (2) Encouraging households to claim means-tested benefits that will not only increase their income but guarantee access to additional government support this winter.

The council launched a campaign to encourage and where necessary support low income pension-age households to claim Pension Credit in the summer. The campaign will continue throughout this winter helping more households gain access to extra government support.

From this autumn, the council will adopt a new Low Income Families Tracker (LIFT) using existing data to identify working age households who may be entitled to benefits or other forms of financial support. LIFT will also use existing data to identify households who are most affected by government welfare reforms such as the benefit cap or two child limit, those at greatest risk of falling into crisis, and those who would be better off if they switched to other benefits.

All take up and income maximisation efforts will be supported by newly available DWP data. The council has lobbied government for more access to DWP for several years. More data is being provided by government but we still need more data to help us target local support most effectively. The council will continue to lobby for increased access to national social security data for Southwark residents.

56. The council is carrying out a comprehensive review of its local welfare assistance scheme, the Southwark Energy Support Scheme (SESS), including renaming the service to the Southwark Council Cost of Living Fund (SCCOLF).
57. Matters being considered as part of that review include potential temporary policy changes to help more households avoid fuel or food poverty this winter.
58. Last year SESS provided the following support for low income households reliant on welfare benefits:

	Eligibility	Support provided	Level of support
Emergency Support	Facing a crisis, emergency or disaster and in receipt of welfare benefits	White goods, furniture, bedding, kitchen equipment, food and fuel support	£464k support provided
Hardship Fund	Household debt and in receipt of certain welfare benefits	Cash payment	£27,000 cash support
Income maximisation	Low income households	Assessment of household finances, Welfare Benefit advice, support with claim application. Either by home visit, in-office appointment or over the phone.	£1.9m of income generation

59. Part of the council's ten point plan to tackle the cost of living crisis is its commitment to the fairer future promise to "keep council tax low". The authority has been able to maintain the ninth lowest level of council tax in London and it remains below the charge it would have been if CPI had been applied each year since 2010/11.

60. The Council Tax Reduction Scheme continues to provide support for the lowest income families. Despite fiscal challenges the council continues to maintain the same level of support since the localised schemes replaced council tax benefit in 2013 making it one of the most generous scheme in London. Last year £23m of council tax support was provided to those on low incomes, on average £1,300 of bill support is provided for a band D property under the scheme.
61. Service charge and major works bills can be a significant financial pressure for homeowners, particularly those that are on low or fixed incomes.
62. To support homeowners the council offers payment options outside of lease terms as standard. Leaseholders are able to pay their service charges via monthly instalments interest free and any debt on costs incurred can be paid back over the remainder of the financial year rather as a lump sum.
63. To help homeowners with major works bills the council offers interest free instalments for up to 3 years for resident leaseholders, extended to 4 year for larger bills over £7,200, and service charge loans at low interest rates for longer term payment plans.
64. Further homeowner support and signposting to support services is included with every annual bill. This includes council funded leaseholder advice provided by Citizen Advice Southwark, the council's Local Support team and MySouthwark Homeowners service.
65. Demand for advice services remains high, increased with the impact of the COVID-19 pandemic, and is anticipated to increase further as the cost of living crisis continues, particularly with the rising cost of energy.
66. To meet the expected demand the council will be supporting the creation of a Southwark Energy Advice Service, and is a commitment in the draft Council Delivery Plan – autumn 2022.
67. Approval for the creation of the new service is currently being sought.
68. The service will include:
 - Face to face advice plus a dedicated telephone line
 - Referring eligible clients to sources of support such as energy suppliers' hardship funds and the GLA's Warmer Home Scheme and
 - Signposting clients to sources of online information such as the Energy Saving Trust and national Citizens Advice.
69. This service will target in particular people who struggle to access energy advice, those experiencing issues with energy suppliers, private rented sector tenants and private landlords to improve energy efficiency of

homes.

70. It is anticipated that the service will launch from the 1 December 2022.
71. Strengthening Southwark's network of community-led hubs, including continuing to invest in the local voluntary sector is key in providing cost of living support to residents wherever they live in the borough.
72. The current main council advice contracts are being extended. Citizen Advice Southwark provide advice on welfare benefits, debt, housing, employment, immigration and consumer matters including energy advice. Southwark Law Centre provides specialist legal advice and casework for those unable to afford a lawyer, in the areas of welfare benefits, housing, employment and immigration.
73. These are free services that are available to all who live or work in the borough.

2) Warmer Greener Homes:

1,000 new homes by 2026 supplied by green energy systems reducing energy costs and fuel poverty

74. The council is building new warmer, greener homes and improving the energy efficiency of its existing homes.
75. Our new build programme is continuing to deliver the truly affordable housing which our residents desperately need. Having successfully met our target of starting or delivering 2,500 new council homes by May 2022, we are now focusing on starting 1,000 more by 2026. Any new development we build is made up of at least 35% truly affordable homes, with at least 25% being new council homes. We are working on a range of developments across the borough that will provide the variety of homes that we need, including family-sized homes, homes which are suitable for our elderly residents, and accommodation for our key workers that will meet the demand in certain areas.
76. 42% of our new homes that are currently under construction will be supplied by 100% green energy systems, and will not rely on fossil fuel energy. Going forwards, these figures will improve even further as we phase out new homes reliant on fossil fuels, meaning all new homes will use alternative energy sources such as ground or air source heat pumps.
77. 96% of council schemes with planning consents and 97% of schemes in pre-planning have been designed with low energy provision and maximising thermal efficiency. These environmentally sustainable methods are less costly to operate, so will bring financial benefits for our residents. These green energy systems, used in conjunction with the highly insulated, thermally efficient buildings that are part of our design standards, will create a significant reduction in day-to-day living costs for

our residents. Fuel poverty will be significantly lessened if not eradicated by these measures, and this will only continue to improve as our design standards and build quality progress.

78. To improve the energy efficiency of our existing stock, we are currently developing our bid for the Social Housing Decarbonisation Fund, focusing on 500 street properties in the Nunhead and Peckham areas. These are among the Southwark neighbourhoods where issues of fuel poverty are known to be greatest though generally low levels of energy efficiency are a greater issue in older private sector housing than in Council or other social housing.
79. We will know the outcome of the bid by January 2023. If the bid is successful, the energy efficiency of all 500 properties will increase to at least C on completion of the work, meeting national energy efficiency standards. We will pay particularly close attention to low income households though, for this bid, household income does not form part of the formal criteria.
80. We have also partnered with the energy company Warmfront to access ECO3 funding, installing new insulation in 200 properties across the borough in recent months. The Council will pursue options to access further similar funding.
81. On Heat Networks, we have a major strategy in place to invest and improve our district heating systems which, over time, should increase their energy efficiency. However, mindful of the potential impacts of consumption based charging for lower income households, we are seeking views from all residents on the draft policy. We have already shaped the policy to minimise as far as possible fuel poverty impacts - for example, ruling out pre-payment options and looking to spread charges over the whole year to smooth summer/winter fluctuations in consumption.
82. All new major works incorporate energy efficiency measures at the design stage. Two damp and mould pilots are running at the Kingswood Estate in the south and at the Aylton Estate in the north. The pilot on Kingswood Estate used the Switchee system with 14 devices installed across 12 selected blocks which were identified as part of the damp investigations and feasibility studies carried out. The monitoring is now complete and full specifications of work have been drafted for external wall insulation and ventilation upgrades. These works will improve the energy efficiency of the properties and the improved ventilation will reduce the risk of condensation and mould. The Specialist Services Team within the Repairs Services is using the learning and information from these pilots to develop a comprehensive damp and mould strategy which will feed into ongoing work around energy efficiency and improving health outcomes for our residents.
83. A significant proportion of Southwark's residents live in the private rented sector. We will continue to take targeted appropriate enforcement action

against poor performing landlords to ensure repairs are undertaken to help tenants keep warm and that properties meet the minimum energy efficient standards.

84. We are also working towards the Council Delivery Plan commitment to introduce licensing of private rented properties specifically to address fuel poor poverty in this sector.
85. We recognise the challenges most social landlords are facing in dealing with fuel poor households and energy inefficient housing stock. Through the council's Fuel Poverty Partnership group one of our aims to work with this sector through positive engagement.

3) A right to food:

Extension of free school meal programme to provide school holiday food support and development of a Right to Food action plan to improve access to healthy, affordable food.

Free Healthy School Meals

86. Universal primary school lunch in Southwark contributes significantly to family food security. The council's Free Healthy School Meals (FHSM) grant has been a universal offer and council commitment since September 2013 for all primary school students in Key Stage 2, supplementing the central government-funded Universal Infant Free School Meals (UIFSM) and the statutory Government funded means-tested Free School Meals (FSM) programme.
87. In June, we increased the price paid to primary schools per FHSM to £2.41 from £1.90, from September 2022 to bring parity with UIFSM funding. The increase will also enable schools to pay catering staff the London Living Wage and support schools and caterers with rising costs protecting the FHSM offer.
88. Alongside the FHSM grant, the School Meals Transformation Programme is strengthening Southwark's school food system and oversight, ensuring FHSM continue to offer high quality and value for money. The programme is an incremental £1.2m joint investment between Southwark Council and the public health charity, Impact on Urban Health.
89. Since autumn 2021, Southwark Council has set aside a portion of the central government Household Support Fund (HSF) for all primary and secondary pupils who are entitled to FSM. During the school holidays each pupil received £3.00 per weekday to spend on a healthy lunch, administered through schools.

Food and Fun holiday programme

90. An extensive and well-received Holiday Activities and Food (HAF)

programme has been developed in Southwark. The Food and Fun programme, funded by the Department for Education, provides healthy food and activities for school aged children and families experiencing hardship including those who are entitled to benefits-related free school meals and those with no recourse to public funds.

91. The programme aims are to support children and families:
- To eat more healthily and for children to be more active during the school holidays and
 - To participate in enriching activities which support the development of personal skills such as resilience, character building and wellbeing.
92. Activities ran during the Easter, summer and winter school holidays and will continue. All children attending received a healthy meal and snack each day and a recipe-kit box over the holiday period so they can cook nutritious meals at home.

Right to Food Borough

93. Work is taking place to make Southwark a right to food borough. A Right to Food action plan is being developed to ensure that council policies bring residents closer to benefitting from the Right to Food. The Public Health team have provided funding to Southwark Food Action Alliance to develop a strong food partnership in the borough, linking community groups with statutory partners and businesses, with the aim of improving access to healthy, affordable food. Coordination in Walworth and on the Kingswood Estate has also been commissioned to strengthen ties between food organisations at the local level, with plans to develop a similar model in SE16.
94. The council will be sending a letter to the national government lobbying for the Right to Food to be enshrined in law.

Finding support

95. A “Worrying About Money” leaflet and app has been produced in partnership with Citizens Advice, the Independent Food Aid Network and the Southwark Food Action Alliance. This is an easy-to-use guide that helps residents find the right advice and support in Southwark, including support to maximise their income and access debt advice.
96. A cross-council team including officers from Children’s & Adults, Exchequer Services and Public Health have designed a guide and information webinar on sources of support in Southwark. This summarises many of the schemes and support available to residents of the borough including financial support from the government and council, advice services (including income maximisation), food and fuel initiatives and charitable grants.

97. To date the information webinar has been delivered to over 300 partners and colleagues from across the council, local NHS, VCS, faith organisations, TRAs and schools. Two further sessions are scheduled for October 2022. The accompanying guide has been distributed to over 500 internal and external staff and volunteers. Feedback has been received from over 50 recipients, with average ratings of 4.6 out of 5 for usability, relevance and delivery of the guide and information webinar:

“The session was very informative and provided with masses of organisations / options to support local residents - thanks for collating all this info in a very helpful guide” Senior Social Worker, A&E Kings College Hospital

“Excellent session, please do more and we will use the guide with users and part of our duty systems” Head of Service, Southwark Council

“Extremely helpful session. Southwark is coming together to again to tackle the latest crisis” Time Broker, VCS partner organization

98. A copy of the guide is included at Appendix B.

4) More better jobs:

2,000 new apprenticeships and 3,000 new training opportunities, creation of Southwark Works hub and London’s first ‘Living Wage Borough’.

99. Supporting residents into jobs and apprenticeships, and equipping them with the skills they need to access better career opportunities, is a crucial part of the councils approach to tackling poverty and addressing the cost of living crisis. As part of the new Council Delivery Plan, the council has committed to delivering 2,000 new apprenticeships and 3,000 new training opportunities and provide free support to get a job for people who face the most barriers. We have also committed to create 250 paid internships for young people from the most disadvantaged backgrounds.
100. Any Southwark resident seeking work, or who is already in work but is seeking better paid and more secure work, can access the support they need through Southwark Works. Based in the Southwark Works hub office on the Walworth Road, the service comprises a range of specialist provision with a particular focus on supporting those with the most complex barriers to employment, including people with physical and mental health conditions, disabilities, vulnerable young people including care leavers, and people at risk of homelessness.
101. The council also works closely with employers to improve pay and working conditions and actively champions good work and payment of the London Living Wage. Southwark was London’s first ‘Living Wage Borough’ and works closely with employers and the voluntary sector to

increase the number of employers who pay the LLW through the implementation of a borough-wide Living Wage Action Plan. To further build on this work, the new Council Delivery Plan includes a commitment to creating a new Southwark Living Wage Unit and double the number of London Living Wage employers in our borough.

102. The council also provides advice and guidance to business on the impact of the cost of living crisis and inflationary pressures which are of real concern to employers across the borough. Advice and guidance for business is available on the council website and the council works closely with the GLA to provide support for businesses impacted by the cost of living crisis. The imminent launch of the Southwark Pioneers Fund will provide financial assistance for businesses looking to establish or grow during this challenging period, and the new Thriving High Streets Fund will also have a specific focus on the impact of the cost of living crisis on our town centres. As more detail on government support is made available, details will be communicated directly to our business community through our regular business e-newsletter which goes out to over 11,000 subscribers.

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

103. This report sets out the council's response to the cost of living crisis and the various approaches adopted. Community, equalities and health impacts of those individual approaches will be provided in separate decision making reports where necessary.
104. This report notes the additional Household Support Fund allocation for this to be used to extend the Southwark Council Cost of Living Fund (SCCOLF) to March 2023.
105. There will be a positive impact on the most vulnerable groups in the community by extending SCCOLF.
106. 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 grants and putting money into the pockets of residents this enables those households to prioritise the most urgent bills.
107. Extensive modelling was carried out during the first phase of SCCOLF using the Housing Benefit and Council Tax Reduction databases, including DWP data via the Universal Credit data share. Further modelling by utilising the Low Income Family Tracker database will allow us to better understand the make-up of low income households in the borough taking due regard to the public sector equality duty by understanding how those with protected characteristics are impacted.
108. Research has shown that the financial impact of the COVID-19 pandemic was disproportionality felt by Black, Asian and minority ethnic residents,

older people and those with disabilities. SCCOLF by supporting those on the lowest incomes, as well as those not in receipt of welfare benefits but 'just about managing' is designed to target those that have felt the biggest impact of COVID-19 on household incomes.

109. The impact of COVID-19 has had a disproportionate impact on low income households and especially on vulnerable groups, widening health inequalities.
110. Any proposed new service delivery will be considered with due regard to the public sector duty as set out in the Equality Act 2010 to ensure there is no disproportionate impact on groups or communities defined by the protected characteristics within that act.

Climate change implications

111. Climate change implications on individual approaches to the cost of living crisis set out in this report will be considered in their appropriate decision making reports.
112. 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 use of the HSF to extend SCCOLF does this by providing support to those that can least afford the increase in utility bills and the impact of the changing climate.
113. The fund supports the wider aims of the council in respect of food security and fuel poverty. The decision to use SCCOLF to support low- income and vulnerable households in fuel poverty or at greater risk of fuel poverty this winter is consistent with the council's Economic Renewal Plan and Climate Change Strategy. It is currently estimated that about one in five of the households eligible for support occupy energy inefficient homes (EPC rating of D or lower).

Resource implications

114. The administration of the extended SCCOLF will be absorbed within the existing Exchequer Services provision. The situation will be closely monitored and regularly reviewed to allow resource to be flexible and adaptable to changes in demand.

Legal implications

115. The Household Support Fund (HSF) grant that supports SCCOLF will be provided as a section 31 grant under the Local Government Act 2003.
116. In line with previous rounds of funding it is expected that local authorities will be required to prepare a Statement of Grant Usage to be submitted to

the DWP, providing details of eligible expenditure and certified by the authority's Section 151 officer.

117. Previous HSF allocations have required the council to provide a Progress Report and Management Information Return with the Statement of Grant Usage.
118. The HSF scheme and funding is classed as a local welfare provision and as a result under the memorandum of understanding with the DWP allows the use of social security data to identify eligible households as per the scheme's criteria.

Financial implications

119. The cost of the HSF 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 October 2022 – 31 March 2023.
120. The Government has provided a draft allocation to the council of £2,734,366. Final guidance is still not available but it is expected in line with previous rounds of funding that it will be payable in arrears based on a Statement of Grant Usage and a monitoring return in January 2023 and April 2023.
121. It is anticipated funding must be spent or committed before the 31 March 2023 and cannot be carried forward for future use.
122. The draft grant allocation includes reasonable administration costs and no separate new burdens funding is being provided to cover costs incurred administering the fund.
123. There will be weekly reviews of redemption levels and referrals as part of the Community Referral Pathway over the course of the scheme period to ensure no budget overspend, or in a case of a surplus to consider additional support mechanisms.

Consultation

124. There is no legal requirement for public consultation for intended use of the HSF. Final guidance has not been published at the time of this report's submission.
125. The council continues to consult with other local authorities through multiple channels including forums arranged by London Councils. Authorities exchange views on policy direction and potential scheme options, sharing both knowledge and best practice.
126. Consultation with support organisations has been ongoing, and will continue as the energy support grants are distributed through the Community Referral Pathway.

127. Proposals for the referral pathway have been presented to the community organisations that were recruited as part of the Southwark Energy Support Scheme that ran from January 2022 – March 2022. Community Southwark has also supported the council by inviting its members to provide expression of interest in the widening and further development of the scheme. Feedback and ongoing discussions with community support agencies will further contribute toward overall scheme design and delivery.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

128. This report sets out a range of measures that the council has adopted and intends to bring forward in order to tackle the cost of living crisis. These measures include the use of the Government's Housing Support Fund grant of £2.73m for October 2022- March 2023 for inclusion in the Southwark Council Cost of Living Fund. This is being provided in accordance with section 31 Local Government Act 2003, on the basis that the council has discretion on how to spend it in accordance with certain parameters. Final guidance on the current grant round is awaited but previous guidance issued in relation to the grant has made it clear that the expectation is that it should primarily be used to support households in the most need, particularly those including children and pensioners, who would otherwise struggle with energy bills, food and water bills. The report sets out how the funds are being distributed to support such vulnerable households in the Borough.
129. The establishment of this fund is an executive function of the Council which can be considered by the cabinet in accordance with the Local Government Act 2000 and Part 3B of the council's Constitution.
130. Other measures referred to in the report have either already been agreed and are in place or are in the process of being worked up and will be confirmed in due course.
45. The cabinet will need to ensure that the public sector equality duty in section 149 Equality Act 2010 is considered i.e. to have due regard to the need to eliminate discrimination, advance equality of opportunity, and to foster good relations between people with protected characteristics and others. Reference is made to the impact of the cost of living crisis on those with protected characteristics in the "Community, equalities (including socio-economic) and health impacts" section, and how the measures referred to in this report will seek to alleviate adverse impacts. Cabinet should take account of this in considering this report.

Strategic Director of Finance and Governance

131. The Strategic Director of Finance and Governance notes the council's

Household Support Fund draft allocation of £2.73m for the period 1 October 2022 – 31 March 2023, with the recommendation that this should be used to extend the Southwark Council Cost of Living Fund.

132. The Strategic Director of Finance and Governance notes that the council will target its efforts to support those most in need. In order to achieve this, the council will review the operation of the Southwark Emergency Support Scheme to ensure that more vulnerable households avoid fuel and food poverty.
133. The full cost of the scheme will be funded by the Household Support Grant and will be monitored on a weekly basis to ensure no budget overspend, or in a case of a surplus to consider additional support mechanisms.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Tax Rebate 2022	160 Tooley Street, London, SE1 2QH	
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/documents/s107260/Report%20Council%20Tax%20rebate.pdf		

APPENDICES

No.	Title
Appendix 1	Summary of Government response to the Cost of Living Crisis
Appendix 2	Cost of Living – Guide to Support in Southwark

AUDIT TRAIL

Cabinet Member	Councillor Stephanie Cryan, Communities, Equalities and Finance	
Lead Officer	Duncan Whitfield, Strategic Director of Finance and Governance	
Report Author	Dominic Cain, Director Exchequer Services	
Version	Final	
Dated	7 October 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
List other officers here		
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	7 October 2022	

APPENDIX A

Summary of Government response to the Cost of Living Crisis

During the winter of 2021/22 and the spring and early summer of 2022, the Government effectively delegated responsibility for getting extra income support to vulnerable households affected by the cost of living crisis to local authorities.

By September 2022, the Council had disbursed almost £25m in extra income support to Southwark households in the calendar year to date. Those payments were made mostly to lower income households including those reliant on means-tested benefit in the absence of direct income support from the Government.

The first support paid directly to households by the Government took the form of the first instalment of the **Cost of Living Payment** (£325 / £650) announced in May. It was paid to low income households (claiming means-tested benefits) between July and September.

Most Government support (subsidies and income support) will be provided this autumn and winter. This support means that the great majority of households will be able to maintain their energy usage this winter at the same level as last winter.

- **The Energy Price Guarantee.** All households that pay for energy will have their energy costs capped at an average of £2,500 per year for two years from the start of October 2022. **The Energy Price Guarantee** is by far the largest Government intervention to support households and will cost an estimated £100 billion over two years. We estimate that this subsidy will benefit more than 140,000 Southwark households living in a home where they pay for energy this winter.

The Energy Price Guarantee means that an average household will be paying half as much for their energy this winter as they would without this Government intervention, but will still have to pay twice as much for their energy this winter as last winter.

However, the Government is providing additional subsidies and income support for all households that pay for energy and additional targeted support for vulnerable households this winter.

- **The Energy Bill Support Scheme.** All households that pay for electricity for their home will receive a further rebate on their energy bills of £400 this winter (paid in six monthly instalments of £66 between October 2022 and March 2023). We estimate that more than 140,000 Southwark households living in a home where they pay for energy will benefit from this subsidy. The Energy Bill Support Scheme is funded by Government but will be delivered by the energy suppliers. It will significantly reduce the gap between what households pay for energy this winter compared with what they paid for energy last winter.
- **Cost of Living Payment.** Low income households of all ages reliant on means tested benefits for all or part of their income will receive extra support

worth £325 this winter in the form of the second instalment of the Government's Cost of Living Payment. This will be paid to the recipient's bank account in the autumn. We estimate that more than 40,000 LBS households will receive a Cost of Living payment. This payment will significantly reduce the gap between what this very low income cohort of households pay for energy this winter compared with what they paid last winter.

- **Pensioner Cost of Living Payment.** Pension age households will receive an extra £300 this winter. The extra £300 will top up the Winter Fuel Payment from the £200 or £300 per eligible household paid every year to £500 or £600 this year. About 12,000 LBS pension-age households will receive a Pensioner Cost of Living Payment this winter, payable in November or December. This payment will close the gap between the cost of energy bills this winter and last winter for most pension-age households with about average energy consumption.
- **Disability Cost of Living Payment.** Households receiving non-means tested disability benefits will receive an extra £150 in the form of a Disability Cost of Living Payment payable in September or October 2022.

These forms of support are not mutually exclusive. We estimate that all households that pay for energy and that have average energy consumption will receive support worth £1,000 this autumn and winter.

A low income pension household receiving means tested benefits and where someone in the household also receives a disability benefit will receive energy support this winter worth £1,775.

Cost of living crisis:

A guide to some of the support available in Southwark

Second Edition - September 2022



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The information contained within this handout was checked for accuracy in September 2022. Please call ahead/ check websites before visiting services or sign-posting other people to them.

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Finding support

If you, or someone you are supporting is struggling financially, there are lots of organisations in Southwark that can help.

The information below can help you find the best advice and support service for the issues you are experiencing.

‘Worrying about money’ leaflet & website

An easy-to-use leaflet and interactive online guide that can help you find the right advice and support in Southwark, including support to maximise your income or access debt advice.

Printed/ PDF leaflets available in English and Spanish.

Online guide available in more than 10 languages!

Online version
available in
10+ languages!

Visit www.worryingaboutmoney.co.uk/southwark

Download printable PDF here <https://ifanuk.org/southwark-cash-first-print>

Request printed leaflets: Administration@CitizensAdviceSouthwark.org.uk

Southwark Community Support Alliance

A joint initiative between Southwark Council, local charities and local NHS (including GP practices). The Community Support Alliance can help you find the right support in Southwark as well as providing essential support such as emergency food parcels and links to trusted food banks.

Online referral form*: https://forms.southwark.gov.uk/showform.asp?fm_fid=1972

Email: CommunitySupportAlliance@southwark.gov.uk

Tel*: 0207 5255 000 (press option 3, followed by option 1)

*Please note: the Community Support Alliance was established during the Covid-19 pandemic to help people that were not able to leave their homes. Information on the website or automated phone message may still refer to Covid-19 support but please be advised that you *can* access support from the alliance for a broader range of issues.

Local Support Team

The Local Support Team is part of Southwark Council. They can support disabled, vulnerable or older adults to maximise their income by:

- conducting a benefits check
- assisting with any welfare benefit applications and claims for Council Tax discounts/exemptions
- signposting to other agencies and Council departments
- offering home visits and outreach appointments if you can't leave home

The team also administers the Southwark Emergency Support Scheme and Hardship Fund.

Local Support Referral Form:

https://forms.southwark.gov.uk/ShowForm.asp?fm_fid=1417

Website: <http://www.southwark.gov.uk/benefits-and-support>

Email: Localsupport@southwark.gov.uk

Phone: 0207 525 2434

Food (and essentials)

Southwark Food Action Alliance (SFAA)

Southwark Food Action Alliance is a group of local organisations that care about good food for all in the borough. Many of its members provide food support to Southwark residents.

The SFAA website has information on low-cost recipes and maps showing where you can learn to grow food and where food support services are located in Southwark.

Some food support services are only for specific groups, such as older adults so do check who the service is for before visiting.

Go to www.southwarkfoodactionalliance.co.uk for more information

Food pantries

Food pantries are membership food shops that can make your money go further. Members can access subsidised groceries including fresh fruit and vegetables and family favourites to stock up the cupboard and fridge.

Locations	Cost	Opening	Contact
Peckham Pantry , St. Luke's Church, Chandler Way, SE15 6DT	£4.50 per shop for groceries to the value of £15.	Weds 11am–2pm	Contact Temi Okudiya on 020 7277 7075 pantry@pecan.org.uk www.pecan.org.uk/peckham-pantry
Peckham Pantry , 49-53 Peckham Park Road, SE15 6TU	£4.50 per shop for groceries to the value of £15	Mon 9am–4pm Tues 11am–4pm Weds 9am–4pm Thurs 10am–7pm Fri 9am–4pm Sat 9am–3pm	Contact Temi Okudiya on 020 7277 7075 pantry@pecan.org.uk www.pecan.org.uk/peckham-pantry
Borough Food Coop , St. George the Martyr Church, Borough High St., SE1 1JA	Membership is flexible – so you only pay £4.50 when you come	Tues 12-3pm Thurs 10–1:30pm, 1:30-3pm by appointment Sat 1pm–3:30pm, 3:30-4pm by appointment	0207 357 7331 food@stgeorge-themartyr.co.uk www.boroughfoodcooperative.co.uk
Paxton Green Pantry , Unit 32, Seeley Drive, London SE21 8QR	Weekly subscription of £4.50 for a weekly food shop	Tues 1pm-4pm	Pantry@pgtimebank.org
Love North Southwark Food Pantry , SE16		Awaiting details	

Information correct as of September 2022. Please contact before visiting.

Community fridges

Community fridges help people and local businesses share food, rather than letting it go to waste! They are usually open access, so anyone in the community can take food or add food to the fridge.

As they are run by the community, each fridge has different opening times. We have five community fridges in the Southwark area, with more on the way.

Find the nearest community fridge here www.hubbub.org.uk/the-community-fridge

Olio

An app that allows you to connect with people giving away unwanted food for free.

Find out more and download the app here www.olioex.com

Food banks

Food banks can help when there is an urgent need for food but they can't always address the underlying causes. If you or someone you support needs help to afford good food then think about contacting an advice organisation. You can use the [Worrying about Money leaflet](#) or contact the [Community Support Alliance](#). The advice organisation or Community Support Alliance can then arrange a foodbank referral or an emergency food parcel delivery, if needed.

Pecan foodbanks work using a voucher referral system. In order to get help from one of these foodbanks, people need a voucher issued by a local agency before arriving at a centre. For more information email foodbank.support@pecan.org.uk or call 020 7732 0007.

Pecan Locations	Opening times
City Hope Church 121 Drummond Road, SE16 2JY	Wednesday 1pm – 3pm (by appointment only)
Peckham Methodist Church 2 Wood's Rd, SE15 2PX	Monday & Thurs 1pm – 3pm (by appointment only)
Bermondsey Methodist Church Bermondsey Street, SE1 3UJ	Friday 1pm – 3pm (by appointment only)

Spring Community Hub Foodbanks also work on a referral system. For more information visit www.cschub.co.uk/what-we-do, email office@springcommunityhub.org or call 07901617189.

Spring Community Hub Locations	Opening times
Foursquare Church 177 Walworth Road, SE17 1RW	Monday 1pm – 3pm
New Covenant Church 506 to 510 Old Kent Road, SE1 5BA	Tuesday 12noon – 2pm
St Paul's Church 4 Lorrimore Square, SE17 3QU	Wednesday 11:30am – 1:30pm
Spring Community Hub 1 Wilson Road, Modular Building, London, SE5 8LU	Thursday & Friday 10am – 1pm

There are additional foodbanks in the borough, delivered by local charities, faith organisations and community groups.

Clothes banks

Little Village HQ provides clothes for 0 to 5-year-olds arriving or living in London. They are able to provide pre-loved (donated) clothes, nappies and children's essentials.

Organisations or professionals can refer families using this form
<https://littlevillagehq.org/make-a-referral/>

Healthy Start

Healthy Start is a national government scheme set up to improve the health of pregnant women and families on a low-income.

Healthy Start can provide money (via a prepaid card) for pregnant women and families with children aged under 4 who are in receipt of certain benefits to buy healthy foods.

Eligible women and families receive at least £4.50 per week which can be used to buy fruit, vegetables, pulses, cow's milk, and infant formula in retailers who sell these items.

Go to www.healthystart.nhs.uk for more information on how to apply and eligibility

Rose Vouchers

The Rose Vouchers for Fruit & Veg Project helps pregnant women and families with children under 5 years old who live in SE1, SE5, SE15 and SE17 on low incomes or No Recourse to Public Funds (NRPF) to buy fresh fruit and vegetables.

Families can collect vouchers from 7 distribution sites in Southwark and vouchers are worth at least £4 per week. These can be used to purchase fruit and vegetables from local markets in Southwark.

To register for Rose Vouchers you can either:

Contact one of the partners here: www.1stplace.uk.com/collections

E-mail rosevouchers@1stplace.uk.com

Phone: 020 7740 8070

Southwark's Food and Fun Holiday Programme

Southwark's Food and Fun Holiday Programme supports families during the Easter, summer and winter school holidays to access free, healthy food and fun enriching activities.

It is for children aged between 4 and 16 years old that are eligible for benefits-related free school meals and those with no recourse to public funds.

Children can access a wide range of holiday activities. They also receive a healthy meal and snack each day and recipe-kit boxes over the summer so they can cook nutritious meals at home.

This summer there were over 50 activities taking place across the borough!

Go to www.southwark.gov.uk/foodandfun for more information about past programmes. Details of the winter programme will be published nearer the time. Booking will be essential so keep an eye on the website for more information.

Energy

Grants to help pay for energy debts

Supplier	Link/ contact
British Gas Energy Support Fund	https://britishgasenergytrust.org.uk/grants-available/
Scottish Power Hardship Fund	https://community.scottishpower.co.uk/t5/Help-paying-your-bill/Hardship-Fund/ta-p/53
E.ON Energy Fund	https://www.eonenergyfund.com/
E.ON Next Energy Fund	https://www.eonnextenergyfund.com/
EDF Energy Customer Support Fund	https://www.edfenergy.com/for-home/help-centre/faq/extra-support-when-you-need-it?steps=23147#chapter-23146-3
Bulb Energy Fund	Bulb Energy Fund helpline: 0300 30 30 635
Octopus 'Octo Assist Fund'	https://octopus.energy/blog/struggling-to-pay/
Shell Energy Support Fund	https://help.shellenergy.co.uk/hc/en-us/articles/360001044218-I-m-struggling-to-pay-my-bill-What-should-I-do

Information taken from <https://www.citizensadvice.org.uk/consumer/energy/energy-supply/get-help-paying-your-bills/grants-and-benefits-to-help-you-pay-your-energy-bills/>

If you or someone you support can't get a grant from your own supplier, then you might be able to get a grant from the British Gas Energy Trust (you don't have to be a British Gas customer). You will need to get debt advice before applying. Use the [Worrying about Money leaflet](#) referenced on Page 2 to find local debt advice services.

If you've already spoken to a debt adviser, you can check if you can get a grant from the British Gas Energy trust here <https://britishgasenergytrust.org.uk/grants-available/>

Warmer Homes Grants

Warmer Homes Grants are available to low-income households who own their property or are private tenants. These grants cover works to improve the energy efficiency of homes, including installing heat pumps, insulation, heating system improvements, draught-proofing and solar energy installations. Eligibility depends on income and energy efficiency of homes. The energy performance of the home needs to be D, E F or G.

Go to www.london.gov.uk/what-we-do/housing-and-land/improving-quality/warmer-homes to make an application.

Warmer Homes Advice Service

The Warmer Homes Advice Service provides advice and support to people who are over 65, on a low income, or with a long-term health condition or disability. Support includes energy efficiency and heating advice, installation of energy saving devices, support for home improvement grant applications, signposting and connecting to other sources of support.

Go to www.charltonafc.com/cact/what-we-do/health-improvement/south-london-healthy-homes

Or call 0808 169 1779 to make a referral or self-refer.

WaterHelp from Thames Water

If you live in a low-income household, Thames Water may be able to discount your bill through WaterHelp. If you qualify, they currently offer a 50% discount on your whole bill. This amount may change in the future. They consider households earning below £20,111 in London boroughs, to be on a low income.

Go to <https://www.thameswater.co.uk/help/account-and-billing/financial-support/waterhelp>

Or call the Extra Care Team on 0800 009 3652.

Grants

Turn2us

Turn2us is a national charity that provides practical help to people who are struggling financially. On the Turn2us website there is an easy-to-use grant search tool that allows you to look for grants that you or the person you support may be eligible for.

Grants are monetary gifts that do not need to be paid back. In some cases, a supporting organisation or professional may need to apply on a person's behalf.

Some examples of local and national grants are included on the next pages. Please note: This is just a small sample. Please use a grant search tool like the one available on the Turn2us website for a fuller picture of the funds available.

Turn2Us Grant Search
Go to <https://grants-search.turn2us.org.uk/>
to search for grants

Local charities

Funder	Funding available	Contact Details
Mary Minet Trust	Small local grant-making charity for residents of Southwark or Lambeth who have a medical condition or disability which includes mental health as well as physical disabilities. Covers adults, including older adults, and children. Average grants are £250-£350, and on occasion up to £500.	Email for application and consent form: admin@maryminettrust.org.uk Tel (text only): 07982 451 082
Newcomen Collett Foundation	Small local charity that supports the education of young people under the age of 25 to pursue courses in arts, music, dancing etc, or who want to undertake tertiary education or apprenticeships. Applicants must have been resident in Southwark for at least 2 years.	Web: https://www.newcomencollett.org.uk/individuals.html Telephone: 020 7407 2967 Email: GrantOffice@NewcomenCollett.org.uk
St Olave's & St Saviour's School Foundation	Awards for students under 25 in Southwark undertaking higher/further education, apprenticeships or other direct educational activities. Consideration will also be given to young people wanting to pursue courses in the arts, music, dancing etc. Examples of past grants include: a laptop, printer, books, educational materials, travel expenses, expenses associated with vocational training, musical instruments etc.	Web: https://www.stolavesfoundationfund.org.uk/individuals/index.html Telephone: 0207 401 2871 Email: grants@stolavesfoundation.co.uk

St George the Martyr Charity	Grants for persons in hardship, need or distress living in the former Metropolitan Borough of Southwark (roughly Borough, Bankside, Walworth and Newington). Applicants must have low income, with household savings under £8k. Grants may be awarded for a wide variety of items and services, but not for rent, mortgage or council tax payments. For persons under 55, grants are limited to £1,500 and a referral must come from a public or voluntary sector organisation. Applicants must have already applied to the Council's Emergency Support Scheme.	Web: www.stgeorgethemartyrcharity.com Telephone: 020 7407 2994 Email: visitor@stgeorge1584.org.uk Persons 55+ can be signposted directly to the Charity. Under 55s require a referral from a public/ VCSE org. The form is available from the Charity. When contacting the Charity about a potential grant, always include the person's postcode and date-of-birth.
Surrey Dispensary (also administered by St George the Martyr Charity)	Small grants for items, services or facilities to support people with disabilities or ill health. Applicants must live in the former Metropolitan Boroughs of Southwark or Bermondsey (roughly Borough, Bankside, Walworth, Newington, Bermondsey and Rotherhithe). Direct applications are not accepted; only referrals from public and voluntary sector agencies. For an application to be considered, there must be a plausible link between any item or service requested and the applicant's physical, mental or emotional health condition.	A referral form is available from the St George the Martyr Charity website. https://www.stgeorgethemartyrcharity.com/surrey-dispensary When contacting the Charity about a potential grant, always include the person's postcode
Blind Aid	Small grants (typically up to £300) for visually impaired Londoners on low incomes for essential items to help maintain independence e.g. gadgets, white goods, accessible computers, domestic items. Grant applications must be made by employees of a statutory organisation or registered charity.	Web: https://www.blindaid.org.uk/our-services/grants/ Telephone: 020 7403 6184 Email: enquiries@blindaid.org.uk
Mayor of Southwark's Common Good Trust	Grants for Southwark residents or those with links to the area that are in need of financial or material assistance, particularly those with a disability, mental health need, old age or ill health. Grants are for specific household items that need replacement. Applications accepted from individuals or supporting organisations (but a home visit may be required if application submitted by individual).	Web: https://mscgtrust.org/ Email: mscgtrust@gmail.com

Local membership schemes for older people

Funder	Funding available	Contact Details
Southwark Charities	Southwark residents aged 55+ that are in need can apply to become a member of Southwark Charities. Benefits can include participation in a programme of annual activities and social events, cash gifts and holidays.	To apply for membership, complete & return the application form at: http://www.southwarkcharities.co.uk/join-our-community/becoming-a-member/ Tel: 020 7593 2000

St George the Martyr Charity	<p>Membership of the Charity is open to anyone who</p> <ul style="list-style-type: none"> • Has reached State Pension Age • Lives within our Area of Benefit (roughly Borough, Bankside, Walworth and Newington). • Is on relatively low income and has relatively little savings <p>Members may enjoy free social opportunities (coach outings, theatre trips, holidays and a Winter Party), home care services (hairdressing and nail care) and a Christmas Hamper or gift voucher. We also provide regular charitable payment of £85, three times a year to Members who have lived in the Area of Benefit continuously for five years or more.</p>	<p>For more information go to www.stgeorgethemartyrcharity.com/membership</p> <p>Email: visitor@stgeorge1584.org.uk</p> <p>Tel: 020 7407 2994</p>
Camberwell Consolidated Charities	<p>The Charity provides financial help to those in most need, in receipt of the minimum State Pension/ on a low income and aged over 65. The area of benefit covers the old parish of Camberwell, Peckham and Dulwich. Grants are paid twice per year directly into a bank account (usually for life if you continue to qualify).</p>	<p>Download an application form from www.camberwellconsolidated.org.uk</p> <p>Email: camberwellconsolidated@gmail.com</p> <p>Write to: Clerk to the Trustees c/o HfM Tax & Accounts, 180 Piccadilly, London W1J 9HF</p> <p>Tel: 07931464882</p>

National funds

Funder	Funding available	Contact Details
Glasspool	<p>Small grants for household items & essential clothing e.g. bedding, white goods, clothing, furniture. Applications must be submitted by a relevant supporting agency (e.g. council or VCS). Organisations must register on GrantsPlus to submit applications. GrantsPlus opens to new applications every Monday at 11am. It closes once they have received as many applications as they can fund that week</p>	<p>Website: https://www.glasspool.org.uk/grants/grants</p>
Samaritan Fund (London Catalyst)	<p>Provides small petty cash funds to health, social work and advice teams so they can offer immediate assistance to people in an emergency. The team holds the petty cash fund and distributes small one-off grants to individuals as required.</p>	<p>Apply for a petty cash fund via online application form: https://formapply.formstack.com/forms/samaritanapplicationform</p>
Percy Bilton	<p>Support for individuals in financial need who have a disability or severe mental health need, or who are 65+ on low income, for basic household items including white goods, single beds, flooring and clothing vouchers.</p>	<p>Website: https://www.percy-bilton-charity.org/</p> <p>Email: information@percyliltoncharity.org</p> <p>Tel: 020 8579 2829</p>
Family Fund	<p>Support for families across the UK who are raising a disabled or seriously ill child or young person aged 17 or under</p>	<p>Website: https://www.familyfund.org.uk/</p>

Grants to support the workforce

Some charities have been established by members of a particular profession to support others in the profession who may be experiencing hardship. We have shared a few examples below but you can find a wider range of occupation-related grants using the Turn2us Grant Search.

Funder	Funding available	Contact Details
Social Workers Benevolent Trust	The Social Workers' Benevolent Trust offers financial help to social workers and their dependents in times of hardship, for example when experiencing sickness, bereavement, family difficulties or sudden catastrophe	Website: www.swbt.org Call: 07593819562 Email: info@swbt.org
Healthcare Workers Foundation	If you are a healthcare worker experiencing financial difficulty and can show that you need help with a specific cost, we can provide a grant of up to £1,000 to cover this cost. The purpose of this grant is to directly fund a specific item or service for applicants who are struggling financially and cannot afford to cover this particular expense.	Website: https://healthcareworkersfoundation.org/financial-support/ Call: 0203 576 0374 Email: support@healthcareworkersfoundation.org
Teaching Staff Trust	Teaching Staff Trust provides financial support to people working (or who have retired from working) in education of under-19s for five years or more. We aim to make a real difference when the unexpected happens by reducing the financial impact of bereavement, serious ill health or injury, relationship breakdown, loss of home or loss of income.	Website: https://www.teachingstafftrust.org.uk/ Call: 01322293822 Email: enquiries@teachingstafftrust.org.uk

Housing Association assistance schemes

Many housing associations offer hardship grants and support to tenants in need. If an individual is a housing association tenant encourage them to get in touch to establish what support is available.

If residents live in a Southern Housing Group property they may be able to access a range of support including; grants, money advice and benefits support, employment, training and digital support. Please email community.investment@shgroup.org.uk or visit www.southern360.org.uk/investing-in-communities for more information and to self-refer.

Item No. 10.	Classification: Open	Date: 18 October 2022	Meeting Name: Cabinet
Report title:		Gateway 1 Children's Residential Provision Procurement Strategy Approval	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People, Education and Refugees	

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

This gateway 1 paper is about children's residential care homes in Southwark, which follows my gateway 0 which I presented earlier this year in February. The attached report sets out the options appraisal for the operational delivery of Children's Residential Care Provision in Southwark. The report concludes that the option for delivery is through the establishment of an in-house residential care service.

As part of this work a detailed options appraisal has been completed which has explored four potential models of delivery. These range from a 'do nothing' approach and continue with the current purchasing arrangements, to an externally sourced provision, a joint venture with another local authority, a joint venture with a for profit or not for profit organisation and finally the option that we are proposing: an in house residential service.

Developing local residential care provision for children in the borough is in keeping with our Corporate Parenting Strategy. We have 439 children in our care and 578 more working towards independence having left our care. A minority of children in our care are placed over 20 miles away from Southwark. We are trying hard to support more children in care locally by recruiting local foster carers, and developing more local housing. While our preference is to place children in our care with foster families, this option isn't the right one for all children. In fact the evidence overwhelmingly indicates that high quality attachment and therapeutic focused residential care offers significant benefits for children who need to be in these settings. With the children's homes being based in Southwark, they will access social work teams and our Clinical Service, and those excellent services offered by education, health and other local partners.

As the Chair of the Corporate Parenting Committee, I am delighted to present this gateway 1 which will bring us closer to realising a new children's home in Nunhead and plan for others in Southwark. These will provide homes able to care for children from the borough with the highest needs, enabling them to benefit from all that we as a council, as well as our committed local partners.

Being a corporate parent to children and young people in our care, is one of the most important roles that the council has. It is important that Cabinet take every opportunity to positively promote this work. With that in mind I ask Cabinet to agree this report and to thank the Children and Adults Department for their fantastic work on this. They've secured a £1.85 million winning bid from the DfE, carried out detailed work for the delivery of new children's residential care provision in the borough. They are working with ward councillors and the local communities to make this venture as positive as possible for children and young people in our care.

RECOMMENDATIONS

1. That the cabinet approve the procurement strategy for the provision of children's residential care in Southwark as an in-house service, under the Children and Families Division of the council from August 2024.
2. That the cabinet note the one off costs covering the whole mobilisation period necessary to operationalise the first children's home, estimated to be £436,331, which will be met from reserves earmarked for this purpose.
3. That the cabinet delegate authority to the strategic director of children's and adults' services to approve operational and resourcing decisions for the establishment of the first children's home and subsequent homes in line with the outline proposals set out in this report.
4. That the cabinet agree to receive a further report on the implementation of a Quality Assurance Framework for residential service delivery, to include specific reference to the quality of provision and safe and effective recruitment and retention arrangements.

BACKGROUND INFORMATION

Introduction

5. This report updates cabinet about progress with the development of children's residential care provision, (sometimes called children's homes) in the borough, for Southwark's children. This report presents analysis to show that children's residential care provision should be developed as an in-house service.
6. The report builds on the Gateway 0 Report presented at cabinet on 1 February 2022, where the need for local children's residential care provision was set out as part of a strategic options assessment. At that cabinet meeting the strategic options assessment was approved for *"opening up to three children's homes within the borough, so that our children in care, who deserve the best start in life, achieve better outcomes"*.
7. This report does not repeat the business case for the need for such provision as that is set out in full in the Gateway 0. Thus the background sections below are a summary of that set out in the Gateway 0 (see background documents) with some updated information where relevant.

Legal context

8. The functions of councils in relation to children in their care are set out in the Children Act 1989 and associated regulations and statutory guidance. Of particular importance is the duty on local authorities to ensure, as far as reasonably practicable, any placement for a child in their care:
- Allows the child to live near their home;
 - Does not disrupt their education (particularly at Key Stage 4);
 - Enables the child and their sibling/s to live together, if the child has a sibling/s who are also looked after by the local authority;
 - Provides accommodation which is suitable to the child's needs if the child is disabled; and
 - Is within the local authority's area (sufficiency duty¹).
9. The Care Standards Act 2000² says that an establishment is a children's home 'if it provides care and accommodation wholly or mainly for children'. This is the context within which the term children's home is used within this report.

National context

10. The Gateway 0 shows in detail:
- difficulties in predicting demand for children's residential care;
 - the substantial lack supply of suitable residential care placements for children;
 - the multiple challenges in running such provision;
 - the particularly high costs of doing so in London; and
 - the continuing necessity for out of area placements to safeguard some children.
11. Historically large numbers of children were placed in children's homes, more of which were operated by councils' directly. In recent years that market changed with greater emphasis placed on family-based (foster) care. Councils increasingly divested themselves of the responsibility for running children's homes in response to: pressures brought about by raised standards (Care Standards Act 2000 and Children's Homes Regulations 2001); an emphasis on outsourcing and perception this reduced costs; market supply outstripping demand leading to reduced costs; and for some councils because of the risk of harm to children in such settings, and consequent organisational risk, following high profile investigations into historic abuse and neglect.

¹ Sufficiency Statutory guidance on securing sufficient accommodation for looked after children (2010)

² Care Standards Act 2000

12. Following a number of years of declining figures³, there is more recent evidence of councils showing renewed interest in running their own children's homes. There was a 10% increase in local authority run children's homes in 2021 and a further 5% increase to March 2022⁴. An Local Government Association (LGA) commissioned study⁵ in 2021 suggests that this response is being driven by a number of factors including, significant increases in demand leading to supplier driven market conditions, the lack of control on placements this gives to authorities; and the high reliance on placements at long distance from children's home authority which are not in the best interests of the child.
13. Private (for profit) companies are the dominant providers of children's residential care. The number of homes has increased steadily over the last ten years (180 more homes in the last year alone), however this provision is not always in the right place, not always affordable and not always geared to the children's needs. London is the worst served area in the country in terms of a match between need and local provision, such that it has 14% of the country's children in care, but only 6% of the provision. This is in comparison to 25% of such provision is in the north west of England. The ten largest private companies own a third of all children's homes.
14. Ofsted describes the children's residential care "market" as problematic with local commissioning involving high prices and limited choice. This means "commissioners are rarely in a good position to negotiate best care and support for children."⁶
15. In March 2022 the Competition and Markets Authority (CMA) published a final report⁷ into children's residential care in England, in response to concerns that councils were too often unable to access appropriate placements to meet the needs of children in their care, and the cost of such provision was too high. The CMA concluded there were significant problems in how the placement market was functioning. Specifically, they found:
 - a lack of placements of the right kind, in the right places, means that children are not consistently getting access to care and accommodation that meets their needs;
 - the largest private providers of placements are making materially higher profits and charging materially higher prices than would be expected if the market were functioning effectively;
 - some of the largest private providers are carrying very high levels of debt, creating a risk of disorderly failure.

³ Between 2015 -2017 there was a 10% fall in the number of LA operated children's homes Children's social care data in England 2017 to 2018 (2019)

⁴ Children's Social Care Data in England 2022 (2022)

⁵ Local Government Association Children's Homes Research, Newgate Research (2021)

⁶ Annual Report of Her Majesty's Chief Inspector, Ofsted (2021)

⁷ Children's social care market study, Competitions and Markets Authority (2022)

16. The CMA made a series of recommendations which fell into three categories: improved commissioning; reviewing regulatory requirements to reduce barriers to providers; and reducing risk to children by providers exiting the market in an unplanned manner.
17. In May 2022 the Independent Review of Children’s Social Care was published. The section entitled Transforming Care⁸ drew from the findings of the CMA report. It recommended the creation of Regional Care Co-operatives (RCCs), which all local authorities would have to join, that would plan and commission foster, residential and secure care, and run new public provision, across their areas. They would also take over councils’ current duty to take steps to secure enough suitable accommodation locally for children in care, consistent with their welfare (sufficiency duty).
18. The RCCs are designed to tackle the much-highlighted “crisis” in the sufficiency of placements for looked-after children, which has been linked to significant levels of out-of-area and inappropriate provision, and higher profits for providers. The review said there would be about 20 RCCs covering 152 local authorities.
19. The government has yet to formally respond to the Children’s Social Care Review and specifically this recommendation however it has set up an Implementation Board that has had its first meeting with the current Children’s Minister, Brendan Clarke-Smith MP.
20. In July 2022 the Children’s Commissioner published a policy plan focussed on the experiences of children living in children’s homes and to outline the basic expectations every child should be able to hold as to what a home will provide for them. Within a range of proposals the plan includes a core expectation that *Every child needing a home should find one is available for them as close to home as possible*, and that re-affirming the statutory duty to ensure sufficiency of homes within their local area.⁹
21. The Children’s Commissioner proposes extending the authority of the Department for Education to hold local authorities to account for delivering against their sufficiency duties by establishing an independent mechanism to assess local area sufficiency strategies, supported by the Secretary of State making directions if local authorities were not prioritising locally based accommodation for children.

Regionally

22. The London Association of Directors of Children’s Services (ALDCS) is coordinating the development of some placement resources across London through the London Innovation and Improvement Alliance. This is particularly in relation to secure accommodation through the creation of a Pan London Vehicle (PLV) for delivering secure accommodation. It is also coordinating

⁸ [Transforming-care.pdf \(childrensocialcare.independent-review.uk\)](#)

⁹ Reforming children’s homes: a policy plan of action, Children’s Commissioner (July 2022)

work to understand better how London placement resources are used for children.

23. The residential market in London has shifted in recent years with a 33% (36) increase in new children's homes within London since 2019, including the fastest regional growth in England in 2022 at 18%. This was in contrast to a static position in the previous period 2017-2019. This recent increase is however from a low baseline and London, as stated previously, remains the region that accounts for the fewest children's homes (6%) nationally (figure 1).

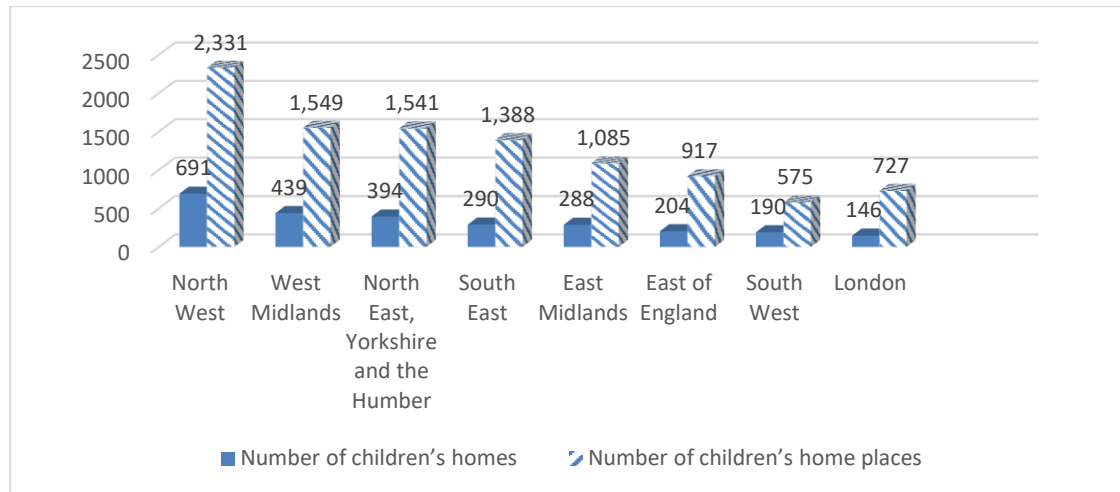


Figure 1: Children's Homes & Places by Ofsted Region – as at March 2022

24. Despite these increases, children in the care of London Councils remain significantly disadvantaged in comparison to their peers nationally, for example, as indicated in the Gateway 0 Report, being placed on average three times further from their homes (60 miles) than their peers in the North West of England (21 miles).
25. The Adult Social Care residential sector has a history of shaping the care market. The council's recent commissioning of nursing homes and impending commissioning of care homes suggests that local experiences and learning may be applied to the commissioning of a children's home, however the adult and children's markets are so different such application is very limited if at all.

Local context

26. Southwark is an inner London borough with 34 children in residential care (as at 31 July 2022). Despite the recent increase in residential care provision across London, it remains the case that there are no homes or places within Southwark (except for a residential respite unit for disabled children). Therefore all of Southwark's children continue to be placed outside of the borough.
27. Of the 34 children in residential care, 65% are placed over 20 miles from their family home address with only 35% placed within a 20 mile radius of the borough boundary. Of those placed more than 20 miles away, eight (36%) are White British and 12 (55%) are from Black, Asian and Minority Ethnic

backgrounds, the remaining two children are from other white backgrounds. The average distance from home for our children placed in residential care is 66 miles, and eight children (24%) are placed over 100 miles from home.

28. Work was undertaken to understand the needs of children in residential care, which was presented in the Strategic Options Appraisal Gateway 0 report that was approved by cabinet on 1 February 2022. Since then the overall number of children in residential care has reduced by around 20% but updated consideration by officers extensively involved in this work shows the findings are still relevant. The report indicated as follows.
- There have been sufficient compatible children needing local placements over the past four years to fill at least three four- or five-bed homes.
 - Creating local provision for Southwark children currently in residential placements, for most children, local placements offer clear benefits including better connections with family and local services to support their needs;
 - Better outcomes are more likely for children from Black, Asian and Minority Ethnic backgrounds if placed in or nearer the borough. Children from these backgrounds faced significant disadvantage both in terms of their identity and their education associated with their placement at a distance when compared to their White counterparts. Having provision locally will help address this imbalance and improve outcomes for these children.
 - An offer of wraparound/ reach-in support to meet the needs of children that links into the services within Southwark including partnerships with education and health.

KEY ISSUES FOR CONSIDERATION

Progress on developing children's residential care provision

29. On 1 February 2022 Cabinet agreed the strategic options assessment for up to three children's homes to be developed in the borough. Thus far work has progressed in relation to two children's homes. There are no plans to consider work in relation to a third children's home until the two currently being developed have been established.
30. In relation to function, what type of children's homes will be developed and what particular children's needs will be met, the in depth analysis that informed the Gateway 0 was used, alongside consultation with key officers, to develop the proposals.
31. In relation to the ethos of our proposed provision the council recognises that whilst foster care families are the preferred option for Southwark children, it is not the right care provision for all children. The evidence overwhelmingly indicates that high quality attachment and therapeutic focused residential care offers significant benefits for children who need to be in these settings. The

Council believes that Southwark children deserve the opportunity to have the right placement in the right place, which is in their best interests. The Council believes this is best achieved by ensuring that our children in residential care are able to directly access the high quality provision available in the borough from Social Work teams and Clinical Service, and those afforded by education, health and other local partners.

32. The Council further believes and evidence tells¹⁰ us that for some children maintaining their connections to family, peers, community networks and their stability in education are key factors in successful reunification to their birth families. The Council places this focus at the centre of our proposed delivery model for residential care in the borough.
33. The Council will use our existing and extensive in-house evidence based psychologically informed models to support our therapeutic care through our in-house Clinical Service. This will ensure a secure base of care and support for our children, that all of our staff are trained and skilled in being attuned, attentive, and sensitive to our children. Our care offer will be collaborative, with our children able to choose and work towards goals that are important and meaningful for them, and to have a say in the types of support and interventions that are used to achieve those goals. Importantly, our children are actively involved in tracking and evaluating how things are going for them.
34. In relation to property, the service has worked closely with corporate property colleagues from the Planning and Growth Directorate, embarked on a property search programme to identify more suitable locations. As a part of this process discussions have taken place with local partners to understand any potential location based risks to children. This includes the evaluation of Social Care and Police intelligence to ensure our proposed properties are not in areas with potential links to exploitation, gang activity or other safeguarding risks to children.
35. In relation to partnership support, discussions have commenced to consider wrap around support to create the potential developments. For example the inclusion of educational facilities and learning space within our new provision to allow Virtual School services to be provided directly to our children in their home.
36. The appointment of a Residential Services Manager is planned to support the development of future residential provision and other accommodation based services including, accommodation for young people aged 16+ and the development of the 'Southwark Homes for Southwark Children' strategy.

Children's Home One – St Mary's Road, SE15

37. The first children's home is planned to provide care for up to five children aged ten to 16 years old. This reflects the age profile of Southwark children needing

¹⁰ : Neil E, Gitsels L, Thoburn J. Returning children home from care: What can be learned from local authority data? Child & Family Social Work. 2019;1–9

residential care who are currently placed out of the borough, and mostly out of London. National research tells us that children's homes in both the public and private sectors budget to operate generally at 80% capacity. This allows for the natural turnover in children in placements. As such this first home will be considered as up to full operational status at the point four of the five beds are occupied.

38. The ethos developed is to be a traditional model of a children's homes. The home will focus on providing high quality care in a therapeutic community home environment that delivers stability for children and maintains their local networks. The home will deliver focused intervention aimed at supporting children to transition into foster care, family-based placements, or to return home to their families.
39. The site to be developed, subject to the granting of planning permission, will be a four to five bed children's home in St Marys Road SE15, in the Nunhead and Queens Road ward. The property is owned by the council and was formerly used as the operational base for a number of education support services. These services were relocated to the Queens Road Campus in November 2018, following the cabinet approval of a new Office Accommodation Strategy in 2017. The property requires substantial reconfiguration, refurbishment and an extension to be converted into a purposely designed children's home.
40. The funding for this development will utilise a Department for Education (DfE) Capital Grant of £1,851,979, awarded over two financial years (2021–2022 and 2022-2023) on a match-funded (50/50) basis. This funding for the capital project cannot be extended past 31 March 2023. The opportunity to bid for this money coincided with the review of local need and market analysis, which led to the development of the children's residential provision Gateway 0. The council portion of the match funding was the capital value of the property which was estimated at £2.5m.

Children's Home Two – location under consideration, to be confirmed

41. The second children's home is planned to provide longer term permanent care for adolescents (13-17) with more complex needs, where these needs can be fully assessed and properly met, giving them a stable and supportive home during their teenage years. Additionally, the proposed designs will incorporate a standalone assessment bed which will be used primarily for children with the most complex needs who would initially not be able to be cared for appropriately with other children. The assessment bed will provide the space for those children to be assessed individually and the right support put in place to support them to integrate with their peers safely and sustainably.
42. The ethos will follow the approach embedded throughout our provision. To provide a high-quality, therapeutic community home environment that delivers evidence-based individually tailored support to children and young people. That utilises collaborative planning and intervention to sustain and stabilise

children within their networks and communities, and where possible supports them to safely thrive in a family based environment.

43. The site to be developed has not been agreed but a feasibility study is being progressed on potential sites for the second and future homes.
44. The funding for this development is being sought by seeking to obtain matched funding for the capital investment from the second wave of the DfE Children's Home Capital Programme which opened in July 2022. The application was submitted in September 2022 and a decision is expected by December 2022. If the bid is successful the 50% contribution will be met from existing Children & Adults Departmental Capital Budgets. If the bid is unsuccessful the full capital cost of the second home will be met from the Children & Adults Capital Budget.

Market considerations

45. In order to understand the market the following work was undertaken to inform the options analysis:
 - Initial Market Insights sessions and questionnaires with providers (June 2021);
 - Further one-to-one meetings with providers (Nov 2021);
 - Further market engagement with providers to gain insight to the capacity of the market and range of models of provision (Feb 2022);
 - Engagement with London boroughs to gauge preliminary interest in partnership arrangements
 - Meetings with 13 councils (nine in London) who deliver residential care provision both in house and commissioned to understand in depth the pros and cons.
 - Meetings with the Crown Commercial Services lead for joint ventures (JVs) to better understand how the public sector was using Joint Ventures (JVs).

Options for delivery of children's residential care provision

Option 1: Do nothing and continue with the current purchasing arrangements

46. The council could do nothing and allow the sector to continue to develop independently. This would not address the legal duties set out above (para 7) and not address issues related to outcomes set out in this report and the Gateway 0. It would be highly unlikely to lead to local provision being created given that despite the increased interest from the private sector in the London region, no children's homes have been opened in Southwark for over 20 years and that with high property prices it is not foreseeable that any non-public body would develop such provision.

Option 2: Provide in house

47. To understand in depth the pros and cons of providing children's residential care services in house, an exercise was undertaken to meet with the eight London councils who were identified as providing such services, and exploring this in depth with them.
48. In summary all were positive about the experience for the reasons set out in this section. Many were intending to open another children's home and their reasons for this, in addition to the stated benefits, related to better economies of scale from running more than one home, and better opportunities to match the needs of their children to the specific focus of the homes. Two of the eight councils had provided children's residential care in house for several decades and remained fully committed to this approach. None of the eight were intending to outsource the delivery of this provision.
49. The drivers for this common position are largely around: cost and thus efficiency; better choice of placements; and more control about both the type of units they believe meet the needs of their children and the type of children they can support in those units. Challenges were noted about staffing but these were all managed and overcome.

Cost

50. Most councils viewed providing children's residential care services in house as more cost effective than purchasing individual placements for children, often citing soaring costs within the independent market over which they had no control. These councils included those that were members of robust sub regional commissioning groups, which would be expected to be able to lever more value for money from the market. Those councils who believed they were a more cost-effective option had in some form or other market tested against the needs of specific children and were clear that their option was cheaper.
51. A review of available research and data has been undertaken to understand the relative cost implications of in-house provision (see financial implications below), including detailed modelling against a neighbouring authority, comparing with our own financial data which suggests that from a cost perspective alone there is little difference between this and individually purchasing such provision for children. Thus whilst providing children's residential care services in house *may* be more cost effective, the evidence is not conclusive and cost alone should not steer the decision.

Choice

52. There was a more consistent view among the eight councils that providing children's residential care services in-house gave them more choice around placement options for children with complex needs. It allowed them to rapidly mobilise local support for children who needed it, and whilst they were never

going to inappropriately pressure a Registered Manager¹¹ around the admission of a specific child, they did have greater ability to influence this, and address quickly any concerns, because of the potential to more quickly mobilise necessary local support.

53. Councils providing children's residential care services in more than one setting (e.g. two or three children's homes) reported increased choice and flexibility around the placement of children, especially when there were crises that required children to be moved at short notice. Having another setting locally allowed them to accommodate such a move with relative ease, which had significant benefits for the child in terms of continuity of education, family contact and health provision. This was an influencing factor for those councils who had recently expanded their provision or who were planning to do so.

Control

54. This aspect extended particularly to preparing children to safely and sustainably transition from residential care provision into other forms of less supported accommodation, be that home, foster care or semi-independence arrangements. Some councils felt that sometimes residential providers failed to support move on plans, preferring children to remain in their residential unit. Providing children's residential care services in house would assist the council to ensure that children's plans can better adapt to reflect their growing maturity and readiness for greater independence.
55. The issue of control also impacted on the focus of the individual children's home, such that if the needs of the local children in care population changed, the purpose of the home could be changed more easily with less third party negotiations required. This might also be termed flexibility. Several councils had been creative with their provision, for example using a very experienced Registered Manager across more than one children's home which was allowed for in a recent change of regulations, and also opening small satellite units attached to the larger children's home, that enabled them to meet the specific needs of a particular child.

Workforce

56. All eight councils had concerns about staffing, especially for the role of Registered Manager, due to a recognised national shortage. This was the single biggest issue to the successful running of a children's home. However, all had successfully managed this challenge and recruited staff groups with which they were happy. This included councils who had long established provision, and those that had developed this fairly recently. Those councils developing more provision were not put off by this challenge.
57. The ways councils managed their workforce challenges included recruiting from within their own workforce while others had been successful through

¹¹ A Registered Manager is legally responsible for the care of children in a children's home and thus makes the decision about which children live there.

external recruitment. What is key in this process appears to be the right remuneration and overall attractiveness of the package, for example the council would have an advantage as the development and opening of a new children's home would be an attractive proposition for an experienced Registered Manager.

Expertise

58. London councils have significant experience operating children's homes and wholly want to continue to develop this with five out of the eight either recently having opened further provision, or planning to do so.
59. Councils engaged in this exercise were very willing to share expertise in the form of knowledge and experience. Similarly, engagement with the Children's Homes Association has shown that it would be possible to utilise national knowledge and experience to develop expertise within the council, should an in-house service be developed.
60. Two councils opened children's homes in the last 18 months as in-house services. They managed the initial expertise deficit by recruiting their Registered Manager at the earliest opportunity and growing the team, knowledge and skills base around this role. Early recruitment of the team allowed for shared training and development around the agreed ethos and operating model. Authorities also benefited from existing social care staff with extensive experience of working in children's residential provision. A further approach that supported effective establishment of provision was to take a phased approach to achieving full occupancy of new homes. Allowing operational staff to develop in skills and confidence over the initial period.
61. There is limited recent experience within Southwark of developing and delivering children's residential care provision. It is of note however that there is great interest in this project across all services within the department. This includes many who have worked in children's residential care including in the position of Registered Manager, particularly at the Head of Service level that would be responsible for implementing this development. A specialist Residential Services Development Manager role has been agreed and is shortly to be recruited to, and there is sufficient capacity to recruit a Registered Manager, the appointment of which is critical at an early stage to develop the children's home and recruit the workforce.
62. Overall, in considering the council's position in relation to expertise, it currently lacks capacity for service design, recruitment and general service development and operation to develop and deliver this project but there is sufficient interest and plans in order to develop the expertise and follow the pathway of other councils who have done so. Although this would take an estimated six months to recruit to the roles and develop the sufficient momentum, this would be quicker than a procurement process for an external provider, the contract agreement and recruitment of their Registered Manager.

Option 3: Externally sourced provision via competitive tender for a strategic partner

63. A strategic partnership is the sharing of resources between two or more individuals or companies to help all involved succeed. Strategic partners are usually non-competing businesses and often share both the risks and rewards of the decisions of both companies.
64. There are three forms of strategic partnership: Joint Venture; Equity Strategic Alliance and Non-Equity Strategic Alliance. For this option, commissioning officers would recommend a Non-Equity Strategic Alliance as a best fit, if it were to be agreed.
65. A Non-Equity Strategic Alliance is where organisations create an agreement to share resources without creating a separate entity or sharing equity. Non-Equity Strategic Alliances are often more loose and informal than a partnership involving equity. As such they make up the vast majority of business alliances. Taking equity-sharing out of the equation can be a strategic advantage in research and development, provide resilience in delivery, recruitment and retention.
66. To understand in depth the pros and cons of providing children's residential care services through externally sourced provision in the form of a strategic partnership, an exercise was undertaken to meet with four councils who were identified as providing children's residential care services in such a way, and exploring this with them in depth. Of the four councils, one was a London council (the only London council that was known to deliver some children's residential care provision in this way), and three were outside London.
67. In contrast to the in-house section above, there was not a consensus about what might work well for councils with these joint venture arrangements. There was a mixture of experiences. Two of the arrangements were long standing but seemed to have different characteristics: one contracting a single children's home with a national charity for a long period of time after previously having run their own provision; the other a large council with well-established in house children's residential care provision that outsourced further children's homes to create a mix of provision. Two of the arrangements were relatively recent, within the last 12 months, with one of those experiencing significant challenges.

Cost

68. For the two long standing arrangements, both councils viewed the arrangements overall as cost effective. One council said they had not seen a big drop in costs, but felt it was no more expensive than other ways of delivering children's residential care provision. The other council said it was more cost effective than individually purchased placements.
69. For the two recent arrangements, one had yet to get going and little information to share, the other had significant challenges in relation to costs and the

provider, and under capacity during the lead in period to full capacity (which had yet to be reached), resulting in unanticipated extra cost.

70. Overall, the most that can be said about cost is that if outsourcing this provision works well it is likely to be more cost effective than individually purchased arrangements, but there is no good evidence to show how this compares with in-house service delivery.

Choice

71. For the two long standing arrangements, councils viewed these as working well. Both had good relationships with the providers. One council noted the need for more negotiation around changes and adjustments they wanted to see, and more work required in negotiating admissions and throughput in the unit. The other council noted no child has been refused, the providers know that they can count on the support from the local authority.
72. For the two recent arrangements, one is too early to inform this section, the other there are significant challenges but this relationship is in its first year and needs considerable development to get to the benefits of long standing arrangements.
73. Overall what should be concluded in relation to choice is that any such outsourcing arrangements with a strategic partner will take time to develop well to benefit children. It should be noted however that both councils who experienced this well had particular characteristics: one had their own children's residential care provision so were able to manage mixed provision; the other had run such provision themselves, prior to outsourcing this to a national charity. The council has neither of these characteristics and thus a strategic partnership will require significant work to be productive, including the development of capacity and expertise within the council to manage well. If progressed overtime the impact on choice might be limited, if at all in the long run.

Control

74. The two long standing arrangements did not note any issues with control in relation to effecting the care plans for children. It is assumed that the long standing nature of these arrangements and the internal capacity and expertise to manage them well greatly influenced this, although as one council noted in relation to choice, it may involve a lot of negotiation.
75. Where there was an issue of control was the model of operation of the children's home. One council with a long standing arrangement felt this did not align with the way that their children's social care services worked. The ethos and way of working of the provider was different to how they wanted to work and this caused some tension despite the good relationship.
76. This is a significant issue. The benefit of using an experienced provider is they bring expertise and experience to the task by using their own model which has

been tailored in numerous other children's homes across the country. This does not build a seamless systems approach to working with children and their families.

77. For the two recent arrangements, one had yet to get going and little information to share, the other had significant challenges relating to control. They had commissioned an assessment unit predicated on reducing the need for children to be in residential care (promoting good assessment and hopefully reunification), and it was proving difficult to get agreement on the children who should be in the unit. The provider is an experienced national organisation with a good reputation in the sector.
78. Overall, what should be concluded in relation to control is that outsourcing this provision to an experienced children's residential care provider will unlikely eliminate challenges to the council in how the provider operates to meet the needs of children. There is evidence to support the view that outsourcing provision to an experienced children's residential care provider would likely mean the council would have little influence over ethos of the model of practice, aside, from at during the tendering exercise of such an arrangement.

Workforce

79. Engagement work with children's residential care providers shows that they are aware of the challenges of attracting and retaining staff, and particularly the issues around recruitment of registered managers. Good providers have developed bespoke training and other continuous development programs. Some providers report they are of sufficient size to be able to draw on bank staff and/or move staff around to meet any staffing gaps.
80. For the two long standing arrangements they did not report any concerns about workforce.
81. For the two more recent arrangements both had significant challenges in relation to workforce, both relying significantly on agency staff. Both are arrangements with national providers of children's residential care.
82. The reality is that workforce is an issue across all children's social care services, be it office or residential based staff. Larger independent providers may have more flexibility due to their size, but notwithstanding that, all will have to work continually to ensure they have the right staff, in the right place with the right skills.

Expertise

83. A strategic partner would bring sector expertise including detailed knowledge and extensive experience to any arrangement, having run different models of care from different locations. They would have established policies, processes, procedures and staffing structures that would in principle be easily adaptable to any new provision in the borough.

84. The project plan timeline from decision to contract award for a strategic partner would be around ten months with mobilisation expected to commence after a further month, anticipated opening for a procured model would be January 2024.

Option 4: Joint venture

85. A joint venture is where a separate legal entity is developed between the council and another organisation that then jointly develops and operates the residential provision in the borough. The development of a formal joint venture has been considered as a part of this process. Two forms of joint venture were considered:

Option 4a Joint venture with another local authority (Public/Public)

86. Procurement regulations allow for a relatively (compared to option 4b) quick approach to establishing a joint venture between public sector organisations because a procurement exercise is not required. An European Court of Justice (ECJ) judgement in 1999 (*Teckal* (C-10798) established an exemption from public procurement for the award of contracts by a public authority to a separate entity provided certain requirements were met. Those requirements were that: The contracting authority must exercise sufficient control over the new entity and, the legal entity must carry out the essential part of the contracting authority's activities
87. The appetite of other councils for partnering has been investigated as part of this process through direct informal discussions and through work undertaken by the pan-London consortium the Commissioning Alliance. While these discussions have been beneficial for learning purposes, the appetite for partnering has not been forthcoming especially in terms of alignment to the timetable, needs and aims of the council.
88. Other councils are open to the potential for reciprocal arrangements in terms of use of local provision which will be considered in the future when the council has embedded children's residential care provision to meet the needs of children in its care.

Option 4b – A Public/Private Joint venture with a for-profit or not-for-profit organisation

89. To develop a joint venture, a procurement exercise to identify a private partner has to be undertaken and following this the legal entity, which can take a variety of forms, is then created. Some research into this was undertaken as a part of the development of this work but the timescales for the development are prohibitive particularly given the requirements of the DfE for the grant funding.
90. To aid the consideration around partnerships, external specialist legal advice has been obtained in order to understand how the council may partner with an organisation that is not from the public sector or another local authority for the

purpose of developing children's home provision and the legal entities available to do so.

91. While there are successful examples of public/private joint venture approaches currently being delivered, these are not in the children's residential care sector.
92. For clarification, option three above aims to deliver upon the sourcing of a strategic partner through a procurement approach without the need to set up a separate legal entity.

Options analysis

93. This analysis has on balance concluded in favour of option two (in house) over option three (strategic partner). The analysis shows options one (do nothing) and four (joint venture) are clearly not viable.
94. The following table sets out a summary of the arguments for options two and three summarised from the sections above. For ease of comparison options one and four have been disregarded as they did not warrant more detailed consideration.

Option	For	Against
Option 2 In house	Some capacity to manage costs within provision Better choice of young people who can be placed in local provision in short and medium term Increased likelihood of local support Greater control over young people's care journey More flexibility in changing what needs provision meets Can more timely recruit a staff team enabling quicker operational commencement	Internal capacity to operate the provision would need to be developed Internal expertise to operate the provision would need to be developed
Option 3 Strategic partner	Some capacity to manage costs within contracted provision Ready to go expertise to manage the provision including knowledge and experience Organisational infrastructure to manage the provision	Less choice of young people who can be placed in local provision, in the short and medium term Less control over young people's care journey Less likelihood of local support Less flexibility in changing what needs provision meets

Option	For	Against
		Less timely route to recruiting a staff team, delaying operational commencement

Risk Assessment

95. The development of in-house children's residential care provision is multi-faceted and complex. There are accordingly a range of risks which may arise both pre and post the operationalisation of our provision. Some of these are described in the review above, all will need to be monitored and managed in due course. The table below identifies the key risks, highlighting the potential likelihood and impact in each case and setting out the potential mitigation and control measures for each risk.

Risk	Notes	Mitigation/Control Measures	Revised Impact
Staff Recruitment & Retention	Competition in the market for appropriately qualified staff	<ul style="list-style-type: none"> • Early development of a fully costed and resilient staffing structure • Extended timeline for mobilisation for recruitment to key posts • Phased occupancy implementation plan • Competitive recruitment and retention package for key management positions • Enhanced internally delivered supervision and learning and development programme 	Medium
Operational Performance	Scope for poor or inconsistent operational performance leading to impact on staffing costs	<ul style="list-style-type: none"> • Enhanced supervision and management oversight of staff team • Children's Residential Board Chaired by Director of Children Services to track implementation and ongoing performance • Enhanced Learning & Development Programme 	Low
Ofsted Registration	Delays or issues with registration leading to extended mobilisation period	<ul style="list-style-type: none"> • Early engagement with Ofsted and DfE on plans for in-house delivery • Engagement with partner authorities on registration process • Detailed review and project plan in place on requirements for successful registration application 	Low
Phased Occupancy	Delays in progress towards opening and full occupancy impact on	<ul style="list-style-type: none"> • Existing review of children in residential and pre-planning appropriate moves to in-house provision • Continuing rigorous oversight by senior managers of all 	Low

	continued external costs	children entering residential care to ensure appropriate placements are chosen	
Impact on associated services	Uncertainty on the potential impact on wider social care, administrative and corporate services	<ul style="list-style-type: none"> • General associated on-costs and corporate costs are factored into budget modelling for the in-house service • Early engagement with other council and partner services have evidenced a positive appetite for integrating and jointly delivering locally based services for our children 	Low
Financial Performance	Uncertainty in demand for residential care exposes the council to ongoing fixed costs of service delivery	<ul style="list-style-type: none"> • Detailed business case has been undertaken and identifies significant and ongoing demand for such provision amongst our children in care. • Opportunity to sell places to partner authorities in future if voids remain 	Low
Risk of harm to children and associated reputational damage to the local authority	Potential risks of harm to children from inappropriate placement area or care staff	<ul style="list-style-type: none"> • Detailed locality risks assessment undertaken in consultation with Police teams to understand the profile of risk on property selection • Safer recruitment policies completely under the control of the local authority to provide assurance on staff appointed • Operational policies completely under the control of the local authority 	Low
Inflationary pressures	Increased cost of operation exceeds the expected benefits from in-house provision	<ul style="list-style-type: none"> • Capital programme meets best industry standards for energy efficiency, therefore internal increased costs are likely to be lower than the market standard increases for private sector children's homes 	Low
Placement need	Uncertainty in demand for residential care leads to lower than expected occupancy in Southwark children's homes	<ul style="list-style-type: none"> • Detailed business case has been undertaken and identifies significant and ongoing demand for such provision amongst our children in care. • Opportunity to sell places to partner authorities in future if voids remain 	Low

96. The evidence is not overwhelmingly in favour of in house over outsourced provision, but the analysis does significantly lean in favour of the former.
97. There is a substantial body of evidence that councils can and do successfully run children's residential care provision in London. The evidence shows that councils can enter this sector and do so successfully. It shows that such councils want to continue to develop their provision in this way.

98. Outsourced arrangements through a strategic partnership are less common, certainly within London. Where these are in place they seem to be successful in the longer term, and problematic in the early stages. Considerable work is needed to build the relationship and key features assist with this, particularly in house expertise to manage this, and in one example, in house provision so a mixture of provision helps management of all the children's needs.
99. Workforce challenges are well known throughout the sector and there is no compelling evidence that outsourcing this provision will circumvent these concerns, other than transfer the responsibility for doing so. There is however an argument that making the council, as an employee of choice for a Registered Manager and their staff team, by aligning it with the benefits that the council can offer, will make this an attractive option for ambitious and talented staff.
100. All of the eight authorities spoken to (with one exception) had more than one children's home, albeit in two authorities those additional homes provided short breaks for disabled children. The one exception had a very small looked after children's population. Those running more than one children's home spoke of the benefits this brought which included, economies of scale, sharing of skills amongst staff and the increased flexibility this brought for managing individual children. This increased flexibility was significant as it meant that if there were a crisis for a child that required a short term move there was more likelihood that they could be accommodated locally, with all the benefits that brought. One authority with experience in this area advised specifically against just running a single home the view was that three homes was arguably the ideal. If the council had two or possibly three homes, this would create a critical mass of provision which would result in economies of scale, better choice for children and more flexibility of provision.
101. Costs related to the lead in to full occupancy will be significant. There will be significant costs accrued prior to opening during the first couple of years of operation, while the residential unit, recruits and trains its staff team, and gradually mobilises to full capacity. This needs to be fully estimated and factored into future planning. There is no evidence this can be avoided or will be any less through either in house provision or outsourcing.
102. There is a need for the council to take a long term perspective in relation to decision making about how it provides children's residential care. Sadly there will always be a need to provide such high quality care for a small number of children from the borough. The needs of these children are always complex and have many facets. The costs of providing such care will therefore always be high.
103. The council must therefore put itself in the strongest position it can to ensure the needs of these children are well met with the best quality care, and the costs for such are managed well. The Gateway 0 clearly makes the case for

developing such provision, this Gateway 1 argues that doing so is best undertaken as an in-house service, through the Children and Families Department of the council.

104. The pathway for this will not be easy. It will require considerable endeavour and commitment, and the council will need to relearn how to care for its children with the highest of needs. There is no evidence of another easier route, indeed alternative pathways have to traverse the same terrain, are less well trod by councils, and the evidence of this paper suggests are a little more precarious.

105. A draft programme plan for decision making and the establishment of the in-house service is included below, the high-level phased plan is:

Phase	Task/s	Timeframe
Phase 1: Pre-Occupation	<ul style="list-style-type: none"> • Establish and recruit to operational Service • Development of residential policy, procedure and operating protocols • Complete Ofsted Registration Process • St Marys Capital Programme Completed 	Oct 2022 – Jul 2023
Phase 2: Mobilisation	<ul style="list-style-type: none"> • Phased occupancy of St Marys Road 	Aug 2023 – Jun 2025
Phase 3	<ul style="list-style-type: none"> • Established full operating occupancy (80%) of St Marys Road 	Jun 2025 onwards

Key / Non Key decisions

106. This report deals with a key decision.

Policy Framework Implications

107. London Borough of Southwark has a duty under the Children Act 1989 (section 22c) to provide sufficient placements in the locality, as far as reasonably practical, to meet the accommodation needs of children looked after and of our care leavers.

108. The council's Children Looked After and Care Leavers Placement Sufficiency Strategy 2018-2022¹² sets out the Council's vision, values and principles to meet this duty on a local level:

- Be the champions our young people deserve
- Deliver high quality care, support and accommodation services
- Do our best to enable families to stay together
- Keep children and young people safe at all times
- Keep children and young people's needs and wishes central to our work
- Keep all children and young people in care and care leavers well informed about their rights and where to go for help

¹² Children Looked After and Care Leavers Placement Sufficiency Strategy 2018-2022

- Empower children and young people to take control of their own lives and realise their full potential
 - Deliver proactive support that secures the best long term outcomes for all children and young people
 - Ensure the views of children, young people and their families inform service improvement.
109. The Borough Plan 2020-22¹³ sets out the eight priority themes that demonstrate how the council will achieve the seven vision statements in the plan. The provision of this service will contribute to the delivery of the following commitments.
110. Vision five states that the council aims for ‘all children and young people in the borough to grow up in a safe, healthy and happy environment where they have the opportunity to reach their potential’.
111. In response to the impact of COVID-19 on Black, Asian and Minority Ethnic residents, the council embarked on a listening exercise with the communities of Southwark to gain an insight into the barriers and experiences of inequalities Black, Asian and Minority Ethnic communities face in their daily lives. Southwark Stands Together commits to root out inequalities by implementing the recommendation from the Southwark Stands Together work against racial inequalities and injustice.
112. The council has a preference for in house services wherever possible, as it enables services to be fully responsive to council priorities and provides opportunities for council and partner agencies to work closer together and deliver better outcomes for our children and young people.
113. In addition the Corporate Parenting Principles make it incumbent on the wider council *to help [our] children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners.*¹⁴ This is best achieved locally and by council run services.

¹³ Southwark’s Borough Plan 2020-22

¹⁴ Children & Social Work Act 2017

Next Stages of Programme Plan

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	01/07/2022
DCRB Review of Gateway 1	31/08/2022
CCRB Review of Gateway 1	15/09/2022
Cabinet Member Briefing	20/09/2022
Notification of forthcoming decision – Cabinet	10/10/2022
Cabinet consideration of Gateway 1: Procurement Strategy Report	18/10/2022
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	28/10/2022
Advertise for Registered Manager	28/10/2022
Registered Manager Appointed	02/12/2022
Registered Manager in post	06/02/2023
Ofsted Registration Process Initiated	07/04/2023
Full Staff Group in Post	27/05/2023
Staff Training & Development Programme Complete	15/07/2023
Construction works completed	28/07/2023
Ofsted Registration Complete	04/08/2023
St Marys Road Provision Operational	04/08/2023
St Marys Road First Occupancy	15/08/2023
St Marys Road Operating at 80% Occupancy	15/06/2025

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

Community impact statement

115. The services within this report will provide care and support to children from the borough in the care of the council, enabling them to continue to be part of the communities they have lived in.
116. It is believed that having in-borough children's residential care provision will have a positive impact in relation to the groups identified as having a "protected characteristic" under the Equality Act 2010 and the councils' equality agenda. An Equality Impact Assessment will be produced to further understand and quantify the impact.

Equalities (including socio-economic) impact statement

117. Officers are mindful of the need to have due regard to the Public Sector Equality Duty imposed by section 149 of the Equality Act 2010, which requires the Council to:
- Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it and;
 - Foster good relations between persons who share a relevant protected characteristic and those who do not share it.
118. It is believed that having in-borough children's residential care provision will have a positive impact in relation to the groups identified as having a "protected characteristic" under the Equality Act 2010 and the councils' equality agenda.
119. Through the development of this strategy it has been identified that whilst there is a negative impact on all children and young people placed in residential care due to them being placed outside of the borough, there is a disproportionate impact on children from Black, Asian and Minority Ethnic backgrounds, see paragraph 26 of this report. An Equality Impact Assessment will be produced as a part of the co-production of the specification to further understand and quantify the impact and ensure that the new provision addresses these inequalities.
120. In line with the Southwark Stands Together Programme, the council pledges to:
- Promote an open and transparent culture where employees who experience/see racism or discrimination are able to raise it and expect the issue to be dealt with swiftly and fairly;
 - Listen to and amplify our diverse voices within our organisations on how we create an inclusive, fair and representative workplace at all levels;

- Work to address and prevent structural racial inequalities and structural racism within our organisation, the organisations we partner with and within the service the service we deliver;
 - Champion organisations that address racial injustice and organisations that promote equality and diversity and;
 - Ensure that people of all backgrounds can rise to the top of the organisation.
121. It is notable that children who were from Black, Asian and Minority Ethnic backgrounds face significant disadvantage which can impact on their self-esteem and educational outcomes when compared to their white counterparts. Having provision within the borough can help to address this imbalance and help children achieve their outcomes.

Health impact statement

122. The health and wellbeing of the council's children in care will be at the core of the work for this service as the council.
123. Key impacts that the provision will aim to address which predate the pandemic but now are even more prominent are for example:
- Nationally, school attainment for looked after children is much lower compared with non-looked after children at all key stages. Southwark has a higher than average percentage of good and outstanding rated schools.
 - Children in care are almost 10 times as likely to have a statement of special educational need or an education, health and care plan (EHC) than all children. The council's Special Educational Needs and Disability (SEND) service provision is rated as good , which supports the partnership working needed to secure the best outcomes for children in care who need to be placed in the residential homes being developed.
 - Children in care with a statement or EHC plan are more than twice as likely to have social, emotional and mental health needs. The council has invested in local mental wellbeing services and is partnering with South London and Maudsley (SLaM) to focus on prevention and early intervention to promote equity in access, outcomes and experience.

Climate change implications

124. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions through a Climate Change Strategy¹⁵.

¹⁵ Climate Change Strategy July 2021

125. All children requiring residential care provision are placed outside of the borough. Having children's residential care provision within Southwark will reduce the need in the future for some children to be placed at such a distance and is anticipated to reduce emissions due to decreased travel. Some children will however, due to safety reasons, still need to be placed outside of Southwark.
126. Having children placed in borough, closer to home, will also prevent unnecessary journeys for their families (including siblings) and help better form bonds for those children that have a sufficiency plan to return home.
127. In the development of properties for this provision climate change will be a key focus and careful consideration will be given to impact of buildings to ensure alignment to the Climate Change Strategy action plan around 'Greener Buildings'. The councils climate change agenda has been strongly factored in to the design proposals for the first home, St Marys Road including:
- Adopting fabric first passive design principles
 - Using materials with low embodied energy
 - Minimising energy use and waste through environmental systems, lighting will be LED low energy and be dimmable where required to create suitable lighting levels.

Social Value considerations

128. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the well-being of the local area can be secured. The details of how social value will be incorporated within the tender are set out in the following paragraphs.
129. The council, as part of the Fairer Futures Procurement Framework (FFPF) has incorporated the key area of social value commitments, into the commissioning and procurement of services, which includes:
- Apprenticeships and paid internships;
 - Job creation and local economy;
 - Local employment opportunities;
 - Work placement opportunities;
 - Payment of London Living Wage where appropriate;
 - Environmental and sustainability considerations; and
 - Health and wellbeing considerations.
130. Social value considerations have been included, through social value Themes Outcomes Measures (TOMs) and part of the quality assessment of each bid. These have been tailored to this provision and consider the requirements of the FFPF.

Economic considerations

131. The options considered within this report intend to support the local economy by providing jobs for local people. As per the council's commitment any workers will also be paid London Living Wage (LLW) as well as adhering to the requirements of the "Ethical Care Charter".

Social considerations

132. The establishment of in house and locally based children's homes is critical to supporting our most vulnerable children to remain connected to their communities and supporting the stability of their social relationships. This presents the opportunity to improve outcomes for those children as they move into independent adulthood and the likelihood of their future positive contribution to society.

Environmental/Sustainability considerations

133. All children currently in residential accommodation are placed outside of the borough. Having children's residential provision within Southwark will reduce the need in the future for some children to be placed at such a distance and have a positive environmental impact due to decreased travel by social care and health professionals. Some children will however, due to their needs, still need to be placed outside of Southwark.

Plans for the monitoring and management of the contract

134. Not applicable

Staffing/procurement implications

135. There are no procurement implications.

136. Operational staff involvement will be key to ensuring a clear strategy and service model that delivers high quality service provision, which complements and supports operational delivery.

Financial implications

137. Understanding the financial implications of the proposed delivery arrangements is a complicated undertaking with a mixed picture provided from different sources. Currently the Councils spends approximately £8m annually on residential placements for children in care, excluding those children in residential provision who are worked with through the All Age Disabilities Service.

138. The Personal Social Services Research Unit (PSSRU)¹⁶ provides an estimate of the operating cost per child for in house (£5,059 per week¹⁷) and private sector (£4,345 per week) residential provision. It must be noted that the PSSRU analysis uses top level national aggregate data on all residential provision, including Residential Schools, Secure Children's Units and provision for children with disabilities and complex educational needs, which is not directly comparable to the intended usage or associated costs of our proposed children's homes.
139. Profiling against PSSRU estimated in house costs (adjusting for capital) would give a monthly operating cost of £84,326 for 80% occupancy of a 5-bed unit. Based on the current cost of residential care paid by Southwark the average external monthly cost for the same number of children would be £83,598, giving a negligible difference of £728 per month.
140. In its 2022 analysis of the Children's Placement Market, the CMA identified *for children's homes, local authorities' operating costs were in aggregate approximately the same per child as the fees (as they also cover capital costs and profit) paid to providers...It therefore appears that the amount paid for a place in the private sector, even allowing for profits, is not higher than that paid by a local authority to provide an in-house place.*¹⁸
141. The CMA found that the whilst fees and in house costs were largely matched; adjusting for private sector profit margins the aggregate operating costs of in-house provision were higher (30%) than those of private providers, as the PSSRU identified. Unlike the PSSRU findings the CMA analysis looked in detail at the disparity in operating costs and attributed this gap to two issues; individual staff costs, and higher numbers of staff per child in local authority run homes. The CMA identified that local authorities were more likely to be supporting a higher proportion of those children with the most complex needs through their in-house provision. Coupled with the low proportion of in-house provision nationally this skewed the average figures for in house operating costs upwards.
142. Whilst firm assertions remain difficult from the available data, it is believed that the positive impact of our existing wider in-house resource such as the Clinical Service, and partner education and health services, afford the opportunity for the council to manage higher levels of complexity in our own provision at lower additional cost and staffing levels than comparable authorities. This *may* present an opportunity for savings on total placement costs.
143. Based on the above literature review, in order to profile more detailed operating costs, the following work has been undertaken to date:
- a. Review of the cost of current spot placements and the cohort of children most likely to be placed within the new provision.

¹⁶ PSSRU - Unit Costs of Health & Social Care 2021 (2021)

¹⁷ PSSRU in-house calculations including new build capital and land purchase costs

¹⁸ Children's social care market study, Competitions and Markets Authority (2022)

- b. Using the five-bed children’s home run by a similar London council as an in-house service as a benchmark for the cost of running an in-house service.
- c. Costing the staff structure- provided by the Head of Service of Permanence and Resources- of a potential in house service.
144. There are many variables involved in calculating costs including the individual needs of a child or young person as costs are likely to increase where there are high needs of care or where the needs of the children placed mean that all placements are not filled, generally placements work at a maximum of 80% capacity – this occupancy rate is consistently factored into the PSSRU and CMA analysis of costs. The estimated costs shown below have tried to accommodate some of these variables and are also based on costs incurred now with private and voluntary providers.
145. Estimated cost based on internal structured model and existing profile of spend

	Cost based on (based on five placements) at 100% capacity (£)	Cost based on based on five placements at 80% capacity 80% placements (model seen most often) (£)
Estimated Annual Cost – in house	£1,062,615 excluding any additional costs for covering unplanned and extended absences	Between £850k and £900k, but dependent upon the specific needs of the children placed
Estimated Annual Cost external provider	£1,065,000 based on the cost of funding a placement for the service and the accommodation	Between £850k and £900k, but dependent upon the specific needs of the children placed

146. In line with the PSSRU and CMA findings our cost modelling above indicates that there is little difference financially between an in house or procured model although these are cost estimates.
147. As a consequence it is expected that the annual operating costs of the children’s home will be funded by the reduction in spot placement costs of those children moving into the home. As previously mentioned the initial one-off mobilisation costs will have to be funded via departmental reserves.

Investment implications

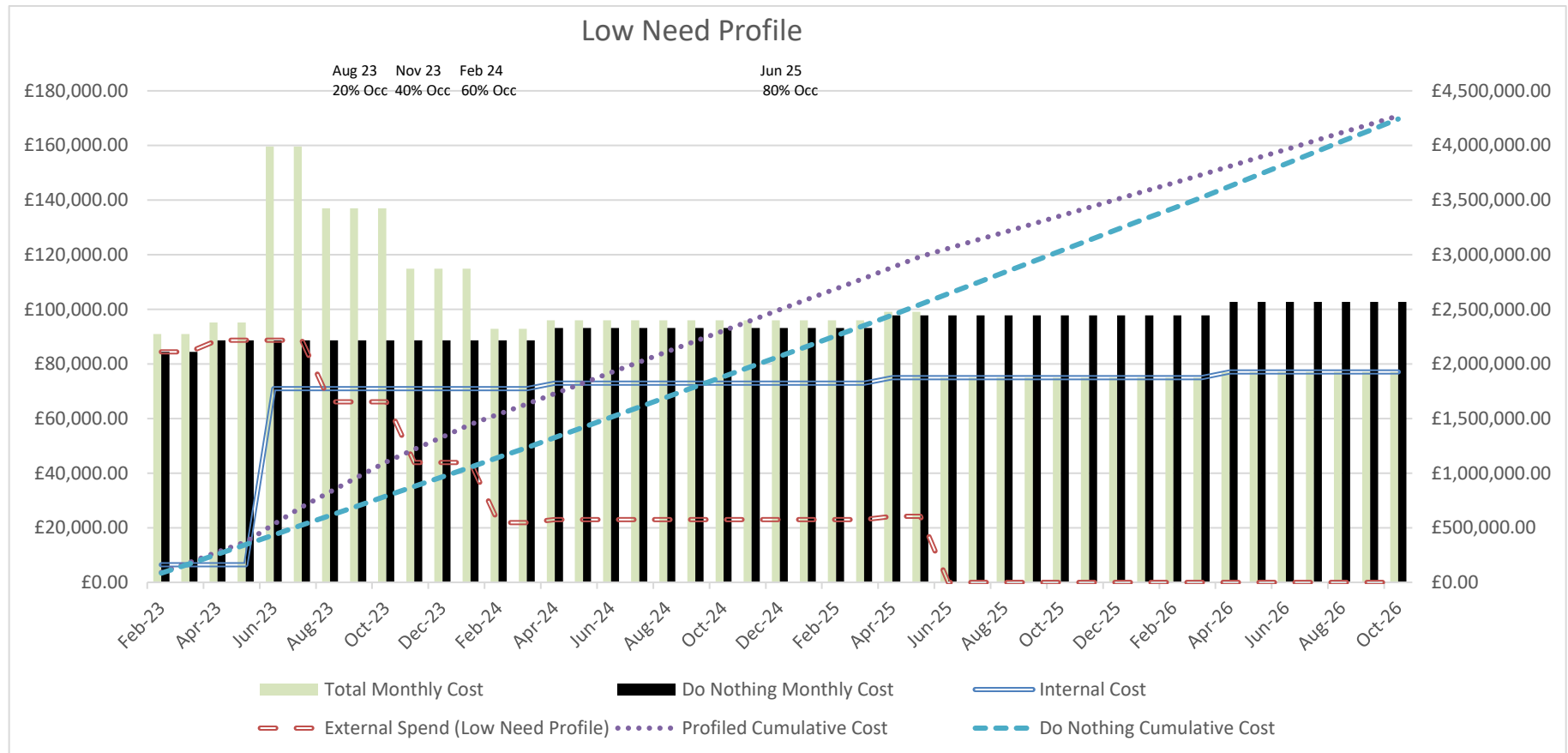
148. Alongside the costs above to deliver a service to children within the initial home, there will be capital requirements around maintenance of the home.

149. The funding secured from the DfE is a key dependency in the development of the first home. This will be managed within the wider programme as well as monthly funding meetings with the DfE.
150. As referenced in paragraph 43, subject to the second wave of DfE capital funding, the Children & Adults Services Capital Budget will be drawn upon to some degree to fund the development of the second and future homes.
151. As discussed in the options appraisal, successful establishment of a high quality and well managed children's home requires a phased approach to full occupancy, this includes requirements from Ofsted to have a staff already in place to operate a home at the time of registration and prior to the opening date. This will require upfront funding to establish the staff group and open the home whilst still utilising purchased placements from the market for a period of time.
152. Profiling undertaken utilising the costed model against existing spend shows that for children with low needs, phased occupancy of the in-house provision would require additional mobilisation investment of approximately £436k to be met from departmental reserves across the period Feb 23 – Jun 25. This is in line with findings from engagement with other authorities who identified 75% occupancy as the point at which costs broke even (figure 2).

Financial Year	Mobilisation Cost Item	Estimated Total Value
2022-23	Mobilisation Team Costs	£12,912
2023-24	Mobilisation Team & Facilities Costs - Additional Cost of Phased Occupancy	£386,816
2024-25 & 2025-26	Mobilisation Costs to 80% Occupancy (Jun 2025)	£36,602
Total Mobilisation Cost		£436,331

153. Feedback from peer authorities estimate an average 18 months to two year period to achieve occupancy rates of 80%. This would see total cumulative costs break even in October 2026. With the service achieving savings against a 'do nothing' model beyond that date.¹⁹

Figure 2: Cost Profile of Phased Occupancy of Low Needs Children



¹⁹ In-house based on costed model with for annual wage increases and inflation for oncosts. 'Do nothing' based on existing cohort with annual average uplift in private sector fees across the last 5 year period.

154. Whilst the primary decision on any child's placement is always *what is in their best interests and most likely to support successful outcomes for them*, intelligence and case review of our children already in externally provided residential care tells us that for a number of children it would absolutely be in their best interests and more likely to promote positive improvement in their outcomes if, through a carefully planned move, they were to return to live in a locally based children's home. Therefore the occupancy timelines used in the above profile are conservative and it is likely that the number of children in our in-house home would increase at a quicker rate, thus reducing external costs more rapidly.

Legal implications

155. Please see concurrent from the Director of Law and Governance.

TUPE Implications

156. It is noted that the likelihood of TUPE regulations being relevant to the establishment of the in-house service is low. However, further due diligence checks will be carried out in collaboration with HR and Legal advisors as the individual stages of the development of the service are progressed.

Consultation

157. Consultation has been undertaken with operational colleagues and partners in health and education to date. We know from discussions with operational colleagues that children and young people want to be closer to their local communities and school. Consultation with children and young people will be an integral part of the specification development and our work to develop our sufficiency strategy to ensure that the new home provision meets their needs and reduces the risk of placement breakdown.

158. Ongoing consultation will take place to co-produce the service specification.

Other implications or issues

159. Not applicable.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance REF: [17DK22-23]

160. The Strategic Director notes the contents of this report, with specific reference to the section titled *Financial implications*.

Head of Procurement

161. This report seeks approval from Cabinet for the procurement strategy for the provision of children's residential care in Southwark as an in-house service, under the Children and Families Division of the council from August 2024.

162. Cabinet notes that the options considered are detailed in paragraphs 45 to 93, the risks are detailed in paragraphs 94, the impact equalities, health and climate control are detailed in paragraphs 116 to 126, social value commitments are detailed in paragraphs 128 and confirmation of the payment of LLW is detailed in paragraph 130.

Director of Law and Governance

163. This report seeks approval of the procurement strategy for the provision of children's residential care in Southwark by way of in-house delivery, through the Children and Families Division from August 2024.
164. Contract Standing Order 3.3 requires that where it is proposed to bring a service which was previously externalised back in-house, approval of that procurement strategy is made through a Gateway 1 report, after consideration of that report by the Departmental and Corporate Contract Review Boards.
165. As noted in paragraph 155 it is considered unlikely that the establishment of an in-house service will be impacted by the TUPE regulations. However, this will be kept under review and officers should seek and obtain legal advice on a regular basis as the proposals for the new service are developed further.
166. The report further notes at paragraph 156 the nature and extent of the consultation which has taken place in relation to the proposed procurement strategy and explains how this is to continue.
167. In considering the recommendation Cabinet should have regard to the council's obligations to carry out its duties in accordance with the principles of best value - to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
168. Cabinet must also take account of the Public Sector Equality Duty (PSED General Duty) under the Equality Act 2010 ("EA"), 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. Cabinet is specifically referred to the community impact statement from paragraph 114 and the equalities impact statement from paragraph 116 which set out the consideration that has been given to equalities issues that should be considered when approving the recommendation in this report. The PSED General Duty is a continuing duty and paragraph 115 notes that an Equality Impact Assessment is to be produced for the purpose of measuring and understanding the likely effect and impact of the procurement strategy on those individuals having a protected characteristic as defined in the EA.

169. The Director of Law and Governance and her staff will continue to provide advice to officers on any legal and governance issues arising during the mobilisation of the service to in-house provision.

Director of Exchequer (For Housing contracts only)

170. Not applicable.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Gateway 0 Children's Residential Provision	Children's and Adults' Services, Commissioning Directorate 160 Tooley Street, London, SE1 2QH	Genette Laws 020 7525 5000
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?AllId=62781		
Southwark's Borough Plan	Children's and Adults' Services, Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Michael Crowe 020 7525 5000
Link (please copy and paste into browser): https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan		
The Children Act 1989	Children's and Adults' Services, Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Michael Crowe 020 7525 5000
Link (please copy and paste into browser): https://www.legislation.gov.uk/ukpga/1989/41/contents		
Care Standards Act 2000	Children's and Adults' Services, Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Michael Crowe 020 7525 5000
Link (please copy and paste into browser): Care Standards Act 2000 (legislation.gov.uk)		

APPENDICES

No	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People, Education and Refugees	
Lead Officer	David Quirke-Thornton, Strategic Director of Children's and Adults' Services	
Report Author	Michael Crowe, Service Development Manager – Children & Families	
Version	Final	
Dated	6 October 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
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		6 October 2022

Item No. 11.	Classification: Open	Date: 18 October 2022	Meeting Name: Cabinet
Report title:		Pupil Place Planning Report for 2022	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Jasmine Ali. Deputy Leader and Cabinet Member for Children, Young People, Education and Refugees	

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

Southwark Council has a legal duty under the Education Act 1996 to ensure that a sufficient capacity of school places exists for children of statutory school age. Monitoring and analysis of data and trends are carried out by our education team to produce an annual report on place planning to ensure that sufficient capacity exists.

The following report provides a comprehensive overview of school place capacity for reception, primary and secondary places as well as forward place planning for Southwark.

Southwark is meeting its duty to ensure that there are enough school places in Southwark for our primary and secondary school children, and indeed almost all of these school places are in Good and Outstanding schools. At the time of writing we are at 98% good and outstanding schools.

The difficulty that we are facing is that we are seeing too many places in primary schools compared with the number of children living locally, leading to excess vacancies in schools.

Across the country, the numbers of children being born each year has been falling steadily and this is particularly having an impact on inner London boroughs like Southwark and our neighbours. In Southwark the number of children born per year has fallen by 1,500 children since 2010 this is equivalent to 50 full classes of children in schools.

Southwark has considerable overcapacity in the primary sector, with 924 Reception year vacancies (26%) and 5,855 unused places across school year groups Year R to Year 6 (22%). A variety of actions to address this have taken place including: school mergers, PAN reductions and the closure of a primary school. Unfortunately, this has been insufficient to address the overprovision. GLA projections anticipate that primary reception demand overall will continue to decline until at least September 2031.

Southwark has taken action to address the over supply of primary places including reducing the number of children some schools take in each year, but clearly the number of vacancies in many of our schools is increasing and we will need to consider what further action to take.

For secondary places, although there has been an overall increase in demand and provision since 2016, the reduction in primary numbers has begun to feed through to secondary commencing in 2019, and the number of Y7 pupils has fallen by 5% since 2019.

Southwark is anticipating that secondary demand will plateau and then decrease slowly but steadily from 2023/4. We do not anticipate that secondary capacity will

be exceeded by demand borough wide, and therefore, additional capacity is unlikely to be required for at least 10 years. Secondary projections are explored further in Appendix 1c and 1d.

I am asking Cabinet to note the updated forecasts of primary and secondary school places, to note the continuing over supply of primary places in specific locations and across the Council area, and to fully endorse the attached strategy and actions to deal with this

Executive Summary for Pupil Place Planning Report

Southwark Council has a duty under the Education Act 1996 to ensure that a sufficient capacity of school places exists for children of statutory school age. Continuous monitoring and analysis of data and trends are carried out by officers, to produce an annual report on place planning to ensure that sufficient capacity exists. This report therefore aims to provide Cabinet with an overview of school place capacity, as well as forward place planning for Southwark. The highlights from the report for 2022/23 are as follows:

- Southwark has sufficient pupil places to meet existing demand in both primary and secondary phases of education in Southwark. The authority was able to offer a primary or secondary school place for the 2022/23 academic year, to all on-time Southwark applicants at the normal points of entry, and has sufficient provision available to accommodate late and in year applicants for both phases.
- As at September 2022, Southwark has considerable overcapacity in the primary sector, with 924 Reception year vacancies and 5,855 unused places across school year groups Year R to Year 6. A variety of actions to address this have taken place including: school mergers, PAN reductions and the closure of a primary school. GLA projections anticipate that primary reception demand overall will continue to decline until at least September 2031 and most likely beyond this date. Further actions to reduce school place capacity are being developed and a strategy to manage this process will be presented to Cabinet separately.
- All the indicators for the short to medium term are that primary rolls will continue to fall, and secondary will level out and to fall in the near future. From 2016 to the present time:
 - The number of reception pupils has fallen by 18%
 - The number of births has fallen by 21%
 - The number of reception applications has fallen by 23%
- Moreover, as provision was added in anticipation of growth that did not materialise
 - The number of reception places available has fallen by only 6%
 - The number of places available at primaries has increased by 4%
 - This mismatch has exacerbated the excess of places available, and made an overprovision of primary places more apparent
- There are areas of Southwark where a steeper decline in primary demand has been observed, these are mainly centred around the Elephant & Castle and Peckham localities. In the short to medium term, the authority will put forward a strategy to redesign provision to meet the reduced demand for places in this area – this will include consideration of the temporary closure or merger of some schools and subsequent repurposing of school spare capacity within school buildings.
- For secondary places, although there has been an overall increase in demand and provision since 2016, the reduction in primary numbers has begun to feed through to secondary commencing in 2019:
 - The number of Y7 pupils has fallen by 5% since 2019, whereas the number of Y7-11 places has increased by 9% since 2019

- The number of Y6 places has fallen by 4% since 2019
- Southwark applications for a secondary place have fallen by 7%
- The number of available Y7 places has increased by 4%.
- Southwark is anticipating that secondary demand will plateau and then decrease steadily from 2023/4. We do not anticipate that secondary capacity will be exceeded by demand borough wide, and therefore, additional capacity is unlikely to be required for at least 10 years.
- Despite the downward trend overall, there are two areas of potential growth in school place demand identified in the borough for both primary and secondary places linked to long term regeneration programmes in the borough – i.e. at Canada Water, and in the Old Kent Road growth area. The authority will consider appropriate ways to reconfigure existing schools to meet this demand should it materialise.
- Preliminary results from last year's Census 2021 appear to support GLA population projections - that whilst there has been a modest population growth overall, the numbers of school age children - particularly early years - has declined over the last 10 years, and this will ultimately lead to lower numbers going forward, initially in the primary phase.
- A Headteachers' Steering Group has worked closely with officers to advise on strategy to manage school place capacity, including the measures to be considered in order to rationalise the primary estate, as well as the shape and type of school provision required, going forward.

RECOMMENDATIONS

1. That the cabinet note the updated forecasts of primary and secondary school places from 2022-2023 onwards set out in paragraphs 53 to 57 (primary), Appendix 2a, as well as paragraphs 58-61 (secondary) of this report.
2. That the cabinet note the continuing over supply of primary and sufficiency of secondary places across the Council area, and proposed actions to monitor supply and demand as set out in paragraphs 53-57, Appendix 2a (primary) and paragraphs 58 to 61 (secondary).
3. That the cabinet note the actions outlined in this report to match primary demand with capacity of places.

BACKGROUND INFORMATION

4. The annual update describes the demand for primary and secondary school places in the Council area and details any steps being taken to manage that demand. Southwark's Pupil Place Planning update was last reported to cabinet in October 2021.
5. The council has a duty under the Education Act 1996 (as amended by the Education and Inspections Act 2006) to ensure that sufficient primary and secondary schools are available for its area. This requires the council to ensure projected demand is met with sufficient supply, and to determine whether any increase or decrease in demand is temporary or permanent. Based on this evidence and needs, the Council will then work with schools to admit additional pupils or an additional form of entry for a fixed period of time, to expand permanently where demand has increased or, if demand is falling, to close, merge schools, or reduce their Published Admissions Number (PAN).
6. The council monitors and predicts demand for school places using a variety of methods. These include:
 - *using projections provided by external bodies for school places and births*

- in our case, the Greater London Authority (GLA) undertake this role;
- looking at the numbers of historical applications made;
- looking at the numbers of births in a given area, both borough-wide and in particular localities; and
- examining the cross border flow of primary and secondary pupils – children resident in other authorities attending schools in Southwark and vice versa.

KEY ISSUES FOR CONSIDERATION FOR FUTURE ACTION

Approach to primary and secondary pupil place planning

7. Southwark's pupil place planning figures are predominantly, based on GLA projections, commissioned by the Council annually. These are informed by: current school rolls, birth rates, underlying population projections, migration, and new housing developments.
8. A detailed methodology is outlined in Appendix 1. In **primary** place planning, the Council area is split into five Planning Areas ("PAs"), these are detailed in Appendix 2. The PAs, broadly align with the Council's former "Community Council" (now "Multi-ward Forum" areas). A list of primary schools by planning area and by ward (old and new) is also included at Appendix 3; a map showing all primary schools in the borough is attached at Appendix 5.
9. **Secondary** school planning is carried out on a borough-wide basis because the admissions distance for some secondary schools extend up to and, on occasion, some way beyond borough boundaries.
10. A map of secondary school locations is attached at Appendix 3. Consideration is being given to splitting the Council into 2 or 3 planning areas for secondary place planning, similar to primary PAs, in line with DfE guidance. Work on this process has also commenced and will be explored with the Cabinet Member, any recommendations resulting from this will be brought to the appropriate level of decision-maker.

KEY FACTORS AFFECTING PRIMARY SCHOOLS

Headline figures for primary - Reception Year

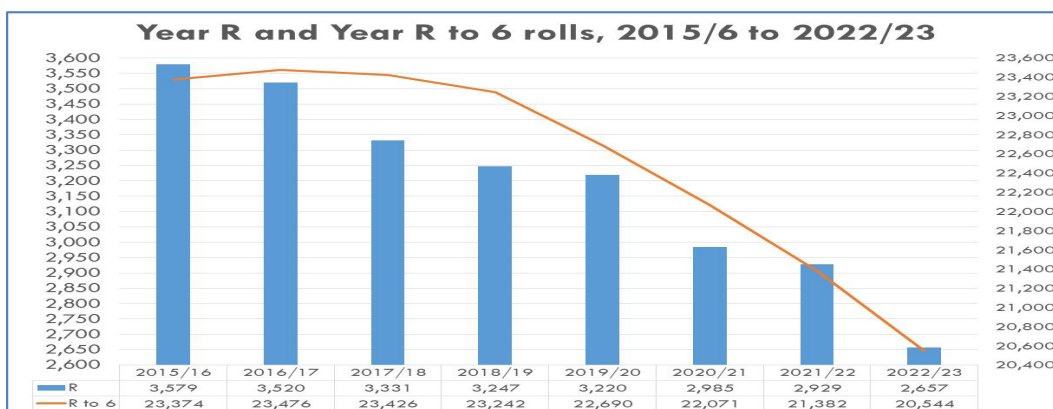
11. Detailed graphs and tables of **Reception year** projections are given at paragraphs 53 to 57 and Appendix 2a, summary highlights of the overall figures are given below:
 - *In September 2022, there were 3,581 available primary reception places in Southwark, and 26,399 year R to 6 primary places;*
 - *There were 924 Primary reception vacancies in September 2022 and places - - 26% overall, equivalent to 31 Forms of Entry, i.e. full classes of children). The vacancy figure was 642 (18% - 21FE) in September 2021, so there are around 282 more vacancies (10FE) than this time last year; and*
 - *There were 5,855 Primary reception vacancies in September 2022 and places (195 classes - 22% overall). The vacancy figure was 5,287 (176 classes – 20%) in September 2021, so there are around 568 more vacancies (19 classes) than this time last year.*
 - *This significant level of overcapacity in the borough will require immediate action in the short to medium term, mainly concentrated in the Borough, Bankside and Walworth planning area (PA1), Peckham & Nunhead planning area (PA3), and Camberwell planning area (PA4) where in excess of 28% of the total R to 6 capacity remain empty.*

Falling rolls in primary schools - Reception to Year 6

12. Southwark has seen a substantial reduction since September 2015 in primary reception and whole school rolls (the roll of a school refers to the actual number of children taking up a school place, as distinct from number of places available). Reception rolls have fallen by 18 forms of entry (30FE) - 26% overall - in 7 years since September 2015, an average of around 3.7FE overall per annum. Whole school (years R to 6) rolls have decreased by 2,830 pupils over the same period – equivalent to 94 classes or 12% overall. It is expected that the overall number (Year R to 6) will continue to fall as each year group works its way through school.
13. Pupil projections received from the GLA and outlined from paragraph 53 to 57 at and Appendix 2a support this scenario.

Table 1: Primary rolls September 2015-22 (reception and whole school)

Year	R	+/-	%	R to 6	+/-	%
2015/16	3,579			23,374		
2016/17	3,520	-59	-2%	23,476	102	+0.4%
2017/18	3,331	-189	-5%	23,426	-50	-0.2%
2018/19	3,247	-84	-3%	23,242	-184	-1%
2019/20	3,220	-27	-1%	22,690	-552	-2%
2020/21	2,985	-235	-7%	22,071	-619	-3%
2021/22	2,929	-56	-2%	21,382	-759	-3%
2022/23	2,657	-272	-9%	20,544	-839	-0.3%
2015-22	-922		-26%	-2,830		-12%



14. The percentage of empty school places in specific areas of Southwark have grown, and the level of vacancies and percentages for January 2022 are given in the table below.

Table 2a Reception Roll, Capacity and Vacancies September 2022

Category	PA1	PA2	PA3	PA4	PA5	LBS
YR Roll 2022	500	766	474	424	493	2,657
PAN Total 2022	765	990	660	630	536	3,581
YR Vacancies	265	224	186	206	43	924
Percentage	35%	23%	28%	33%	8%	26%

Table 2b Year R to 6 Roll, Capacity and Vacancies September 2022

Category	PA1	PA2	PA3	PA4	PA5	LBS
YR-6 Roll 2022	4,224	5,786	3,645	3,605	3,284	20,544
PAN Total 2022	5,865	6,960	5,220	4,620	3,734	26,399
YR-6 Vacancies	1,641	1,174	1,575	1,015	474	5,855
Percentage	28%	17%	30%	28%	12%	22%

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

secondary and special schools to increase numbers and address capacity issues was undertaken. At that time, projected population growth for Southwark was predicated on pre-Brexit, projected levels of in-migration and economic growth, and housing stock levels for families remaining affordable. The changes to these scenarios from 2015 onwards have led to a decline in the population overall, and families with children in particular. The direct impact of decline has led to an excess capacity of school places and falling school rolls which in turn, has created financial pressure on schools, as funding is allocated based on pupil numbers. In essence, fewer children means lower funding.

16. The Council began to take proactive steps in 2018 (effective from September 2019) to address oversupply by reducing primary provision where it was no longer needed, and continues to do so.
17. Primary reception capacity have been reduced by 594 (20FE) since 2015/6, an overall reduction of 15% of the capacity. This will eventually feed through to a reduction in YR to Y6 capacity, which has fallen 4% since 2015/16 and will fall further as reductions in capacity feed through. Variation requests to the Office of the Schools Adjudicator (OSA), led to the removal of 300 excess places at primary reception in 2019, and 4 further schools had PAN reductions either submitted to the OSA in December 2021, or agreed by Cabinet at the same time.
18. A further two schools in Peckham reduced their PANs for 2022. Appendix 11 provides details of which schools (by planning area), have reduced or are planning to reduce their PANs since 2019.
19. National Audit Office and DfE guidance is for LAs to have between **5%** to **10%** spare places to allow for an element of choice, and for late and in-year applications. Tables 2a and 2b above shows that we are some way from addressing this target – the excess capacity at reception has increased from **20%** last year to **26%**, and for Years R to 6 from **20%** to **22%**. This is clearly unsustainable, even in the short term. To reduce capacity to between 5% and 10% of the projected pupil totals in 2025 would require capacity to be reduced to between 2,950 and 3,090 reception places, a reduction of around 340 to 480 reception places (between 11 to 16 forms of entry (FE). This is explored in greater detail in paragraph 20 below.
20. At a planning area level, to bring the number of excess places within line of the Audit Commission guidelines maximum of 10%, the following reductions would be necessary. Action in PAs 1, 3 and 4 would be best suited to bringing capacity within normal levels of tolerance.

PA	1	2	3	4	5	Total
a. Capacity 2025	735	930	630	600	536	3,431
b. Projected Year R Roll 2025	557	808	482	466	495	2,808
c. Projection plus 10%	615	889	530	513	544	3,089
Difference (a-c)	120	41	100	87	-8	342
Difference (FE)	4	1	3	3	0	11

21. A whole borough approach to reduce capacity effectively is now required. The Council is working closely with school leaders of Local Authority maintained schools, the regional Schools Commissioner, the Diocesan Authorities – both from the Church of England (the Southwark Diocesan Board of Education-SDBE) and the Roman Catholic Church (the Catholic Education Commission for Southwark) to discuss the overprovision in their voluntary aided schools. Meetings with Academy Trusts that have schools in the borough have also been requested.
22. As we still have an overall overprovision of primary reception places across the borough, as well as higher concentrations of excess capacity in particular localities, work on the further reduction of reception places

continues to ensure we have a balance of choice and sustainable provision for families.

23. PAN reductions at four schools were undertaken through a consultation process and will take effect for 3 of them in September 2023. Cobourg Primary school was successfully reduced to 1FE by reference to the Office of the Schools Adjudicator (OSA) for September 2022. This will reduce excess capacity boroughwide by 120, and further reduction are probably necessary to address overcapacity.

PA	Primary School	PAN 2022	PAN 2023	Reduction
1	English Martyrs	60	30	30
1	Cobourg	60	30*	30
2	Ilderton	60	30	30
4	Dog Kennel Hill	60	30	30
Total		240	120	120

* approved for September 2022

24. Any process to temporarily close or merge schools will need to follow statutory procedures, and will be brought to Cabinet for determination. Any proposals that will include the closure of maintained schools will be brought to the Cabinet member for the approval of any statutory consultation process.
25. It is projected by the GLA that primary reception rolls will fall by a *further* 250 pupils (8FE) by the end of the decade, so it is likely that further, school place reductions via amalgamations or temporary closures will be required. Whilst there is a projected reduction in primary numbers overall, there will be areas of growth in specific localities.
26. We anticipate the greatest need for additional places in the medium term to long term to fall into two discreet areas, located within Planning Area 2 (Bermondsey and Rotherhithe), and in the longer term in Planning Areas 3 (Peckham & Nunhead). This derives mainly from two areas presently being developed.
- *Around the Rotherhithe peninsula (as part of the “Canada Water” development) – planning area 2; and*
 - *Along the Old Kent Road as part of the OKRAAP development– mostly planning area 2, and a small part of planning area 3.*
27. As we receive data on developments in these localities, these are interpolated into the pupil place planning figures produced by the GLA. Work is ongoing to reflect this in the projections produced, it should be noted that a fair amount of the development outlined in the latter schemes take place after 2033, beyond the scope of this report.
28. School building capacity exists in planning area 2 and planning area 3 to absorb a great deal of any future projected growth, and should demand exceed this, consideration will be given to expanding existing schools, first and foremost.

The effects of COVID-19 on primary rolls

29. The largest effect of Covid was on enrolment in the early years’ foundation stage of the school population. There was an increase in parents’ home educating primary aged children during 2020 and 2021, this has now stabilised. Additionally, there is evidence that parents and carers are relocating outside of London, in part driven by COVID issues.
30. The effect of this has been to amplify the drop in primary roll numbers across year groups that we saw in Table 1 (paragraph 12). The longer term effects on these and on school rolls in general is less clear. The GLA are working on a variety of scenarios going forward, all of which involve a

degree of reduction in demand.

Longer term primary need, and identified development areas

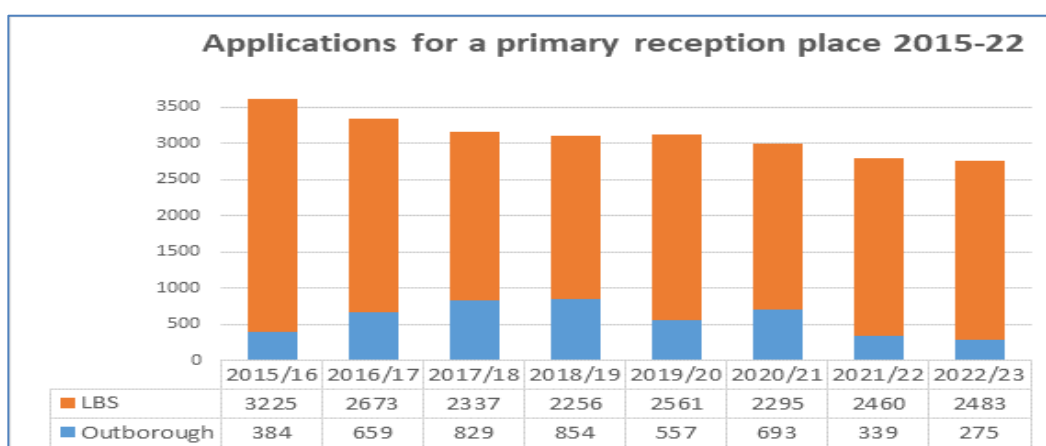
31. Consideration also needs to be given to primary need deriving from developments outlined in the Southwark Plan. The plan will guide and manage new development and growth in the area over the next 20 years and will provide a view on the scale of infrastructure needed to support growth. Sites for educational provision have been identified, and could be developed as schools should they be required. If the proposed developments are delivered additional provision *may* be required in the medium to long term. Work has been undertaken to assess the capacity of schools to help determine this scenario.
32. It is expected that any growth in the short to medium term will be containable within existing provision, or modest class expansions to existing schools in the area if additional places are required.

Primary reception place applications and preferences

33. Another method of tracking demand for primary places outside of population led projections is to look at trends in the levels of applications for reception places.
34. The drop in primary applications for a reception place in Southwark's from 2021/22 to 2022/23 in primary applications was 41 (-1)%. However, the number of applications overall has dropped since 2015/6 by 751 (-21%). The drop is steeper when you focus on Southwark residents, where there are 742 fewer applications than in 2015/16, equating to a 23% drop in Southwark applicants for a reception place. The variable number of outborough applicants has masked this steeper drop over the last 6 years.
35. In terms of preferences expressed for primary places, along with a fall in applications has come a fall in the number of preferences expressed. In 2018, applicants for a reception place made an average of 2.5 preferences per available place. This has fallen this year (2022) to 2.3 preferences. This varies substantially by sector, with Community schools showing 2.1 preferences per place (2.3 in 2018), and academies 2.7 (previously 2.2). This is explored in detail in Appendix 10a.

Table 4 – Reception Applications 2015-21 (Southwark & outborough)

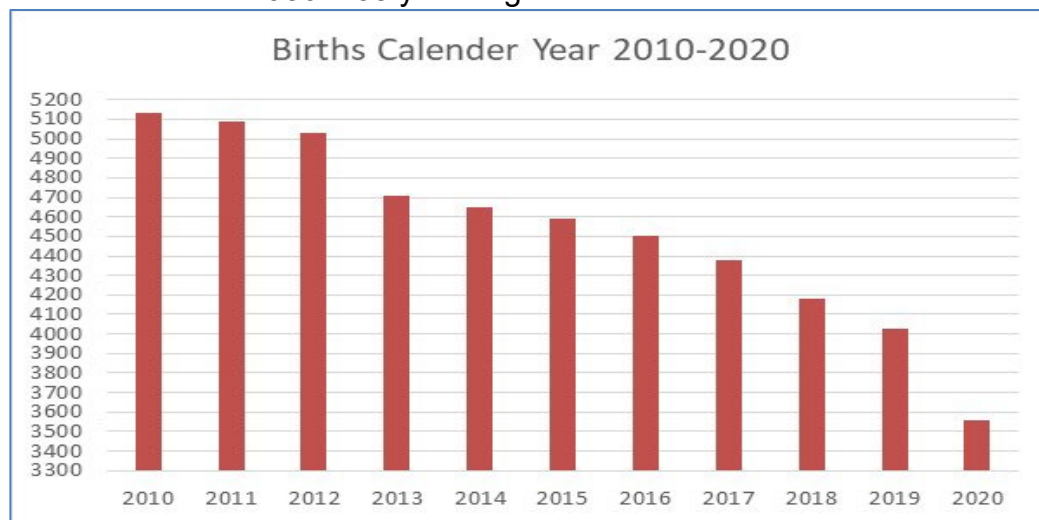
Year	LBS	Outborough	Total	+/-	%
2015/16	3,225	284	3,509		
2016/17	2,673	659	3,332	-177	-5%
2017/18	2,337	829	3,166	-166	-5%
2018/19	2,256	854	3,110	-56	-2%
2019/20	2,561	557	3,118	+8	+0%
2020/21	2,295	693	2,988	-130	-4%
2021/22	2,460	339	2,799	-189	-6%
2022/23	2,483	275	2,758	-41	-1%



2015-22	-742	-9	-751	-21%
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Births

36. Births – in primary projections – tend to give a fairly good indication of upcoming primary numbers in a locality. Birth rates in Southwark increased from 2002 to 2011 and peaked in that year – thereafter, from 2011 to 2020, there has been a steep decline (-31%) in the number of births, which normally feeds into reception places four years later. Southwark's fall in births was substantial – the number of births for calendar year 2020 (the latest figures) was 12% less than previously, the 2nd highest in London. The average decrease for London was 6%. This is the lowest level of births in Southwark since 1986 – 35 years ago.



Year	Births	Increase/decrease	Percentage
2010	5,131	+258	+5%
2011	5,089	-42	-1%
2012	5,030	-59	-1%
2013	4,706	-324	-6%
2014	4,647	-59	-1%
2015	4,587	-60	-1%
2016	4,503	-84	-2%
2017	4,381	-122	-3%
2018	4,181	-200	-5%
2019	4,027	-154	-4%
2020	3,557	-470	-12%
2010-2020		-1,574	-31%

37. **A further** fall (5%) in births is presently projected from 2021-2031 onwards which *could* potentially impact on reception figures for 2025-2034, and a (slow) rise in births is projected from 2031 onwards, unlikely to be reflected in increased reception rolls until 2035. Detailed figures for births and projections into the future are given in Appendix 8. The GLA has so far only produced comprehensive birth and population projections at (pre 2018) ward level. The GLA commented that projections using new ward boundaries will not be produced until 2022/23 – therefore the projections we use will, for the time being, be based on the old pre-2018 ward boundaries.
38. Some references in the text and individual planning area analyses therefore *may* refer to pre-2018 wards no longer in existence, or with revised borders. School locations in old and new ward boundaries are given in Appendix 2, and a ward by ward guide to the location of schools in each division is given at Appendices 2 and 5

Primary cross border flows

39. Children are able to apply to and attend schools in other local authority areas. For some pupils living on the border to another authority, the nearest

school may not be in Southwark.

40. Admissions authorities cannot reserve places for or prioritise pupils from a particular local authority area, and must admit children applying for the school irrespective of in which authority they reside places. There has always therefore been a degree of 'cross border traffic' of pupils resident in one borough attending schools in another.
41. Pupil Projections assume that there remains a similar level of cross border flows in and out of Southwark from neighbouring authorities from year to year, which was true until recently
42. A variety of factors mean we see more outborough pupils in Southwark than previously. Southwark exchanges pupils with 36 authorities at primary level - the broad effect is marginally positive for Southwark (we receive more primary age pupils from other authorities than those that leave Southwark to attend schools in other areas). The main authorities we "swap" pupils with are Lewisham, Lambeth, Croydon, Bromley and Greenwich. These five LAs make up more than 90% of our primary age "cross border traffic".
43. 1,637 (8%) Southwark resident primary school age pupils attend primary schools in around 28 other local authorities outside Southwark, equivalent to around 4 schools' worth of our 73 primary schools. 2,399 (11%) non-Southwark pupils from 36 LAs outside Southwark – the equivalent of six 2FE schools' worth of pupils being educated in Southwark. This is a "net gain" of around 762 pupils (+3%). This "net gain" has seen an increase in recent years – since 2015/6, when the net gain was around 530 pupils (+2%) to the +4% now – a net gain of around 308 pupils. Some planning areas see a greater percentage of "crossborder traffic", and/or net gains or losses of pupils to neighbouring LAs – PA3 sees a net loss (to Lewisham), and PA2 a net gain (mainly from Lewisham and Lambeth). Notwithstanding the 11% of our primary pupils coming from outside Southwark, over the last 7 years around 18% of primary applicants come from outside Southwark, perhaps reflecting the popularity of Southwark primary schools. Appendix 9 explores the cross borough flow data in more detail.

Effects of academy status on place planning

44. Place planning has been impacted by the academy presumption outlined in the Academies Act 2010, which requires local authorities to facilitate academies or free schools, rather than providing new schools themselves. An LA can reduce or propose to close provision but this could be negated by a school academising to avoid closure, an academy opening, or an existing academy expanding.
45. This makes long term planning at a local and boroughwide level challenging. The ESFA consults with (but does not require the approval of) the Council when academies or free schools are proposed. Academies are able to increase their Published Admission Number (PAN) by simply by placing a notice on their website, and notifying the Council. These schools are not required to undergo any form of statutory process to expand or to seek the Council's approval.
46. There are 36 mainstream schools in Southwark, that are free schools or academies (19 primaries, 16 secondaries and one all through (4-18) school). A list of the 36 academies and their 17 sponsors in Southwark is presented in Appendix 12 of the report.

Primary reductions and expansions in adjacent boroughs

47. Appropriate outborough expansions are detailed by borough in Appendix 7. Neighbouring LAs will consult with Southwark, and where it is felt there

would be a material effect on enrolment in Southwark schools, a response is provided. This has not occurred in the last 2 years.

Private primary schooling and home education

48. Projections assume historically similar proportions of children are home educated or attend private schools inside or outside Southwark. If either of these scenarios are inaccurate, then projections accuracy could potentially be affected.
49. Whilst the number of primary age home-educated children has increased to around 100 pupils, this amounts to less than 0.4% of all primary pupils in Southwark and is unlikely to affect projections, unless that percentage increases or decreases steeply.
50. Similarly, the percentage of privately educated primary pupils (8%) in Southwark in January 2022 at the seven registered private schools with primary provision has not altered significantly in recent years, although this has increased slightly from around 7% five years ago. This amounts to around 1,787 FTE pupils of all primary ages (years R to 6) - the equivalent to around 60 classes worth of children. The percentage of pupils at independent school who are Southwark residents is relatively low – 4% - and lower than the UK average of 7%. The proportion of private school places in the borough is similar to the countrywide figure (also 7%) for private primary schooling. The figures, intake, roll and location of the seven private schools with private primary provision in Southwark are given in table 5 below.
51. The planning area in which these schools fall is also included - as can be seen, almost all of the schools are situated in planning area 5 (Dulwich), 92% of the private primary provision in Southwark is contained within this planning area, and 82% of Southwark resident pupils attending private schools in Southwark attend a private school in Dulwich.

Table 5 Private Primary Schools in Southwark January 2022

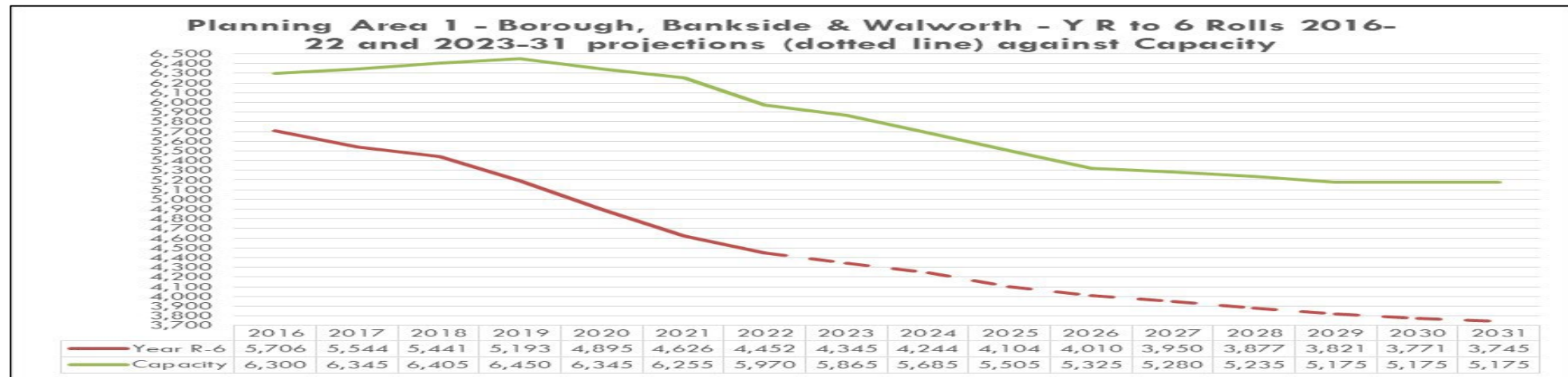
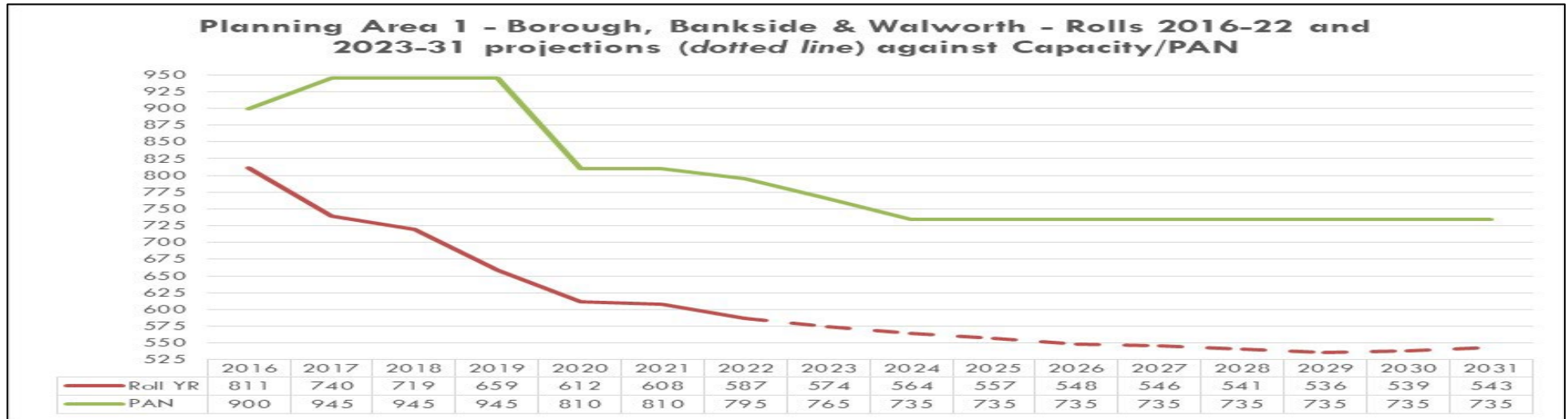
PA	School	Intake	Roll (primary)	Roll (LBS)	% LBS
1	London Christian	3-11 (Mixed)	111	0	0%
3	The Villa	2-7 (Mixed)	32	14	44%
5	Dulwich College	2-19 (Mixed)	347	9	3%
5	Dulwich Prep	2-14 (Boys)	606	3	0%
5	Herne Hill School	2-7 (Mixed)	146	25	17%
5	James Allen's Girls'	4-18 (Girls)	302	17	6%
5	Alleyn's School	4-18 (Girls)	243	8	3%
	Total		1,787	76	4%

Projections by planning area.

52. The roll data and pupil roll projections by the Council's 5 planning areas – outlined in paragraph 8 are given from paragraphs 53 to 57 on the following pages, with a profile of each planning area and contextual data. Actual reception rolls are given for 2016 to 2022, and projections from 2023 onwards, together with the same for Years R to 6 (total school rolls) over the same time periods.

Primary School projections by Planning Area

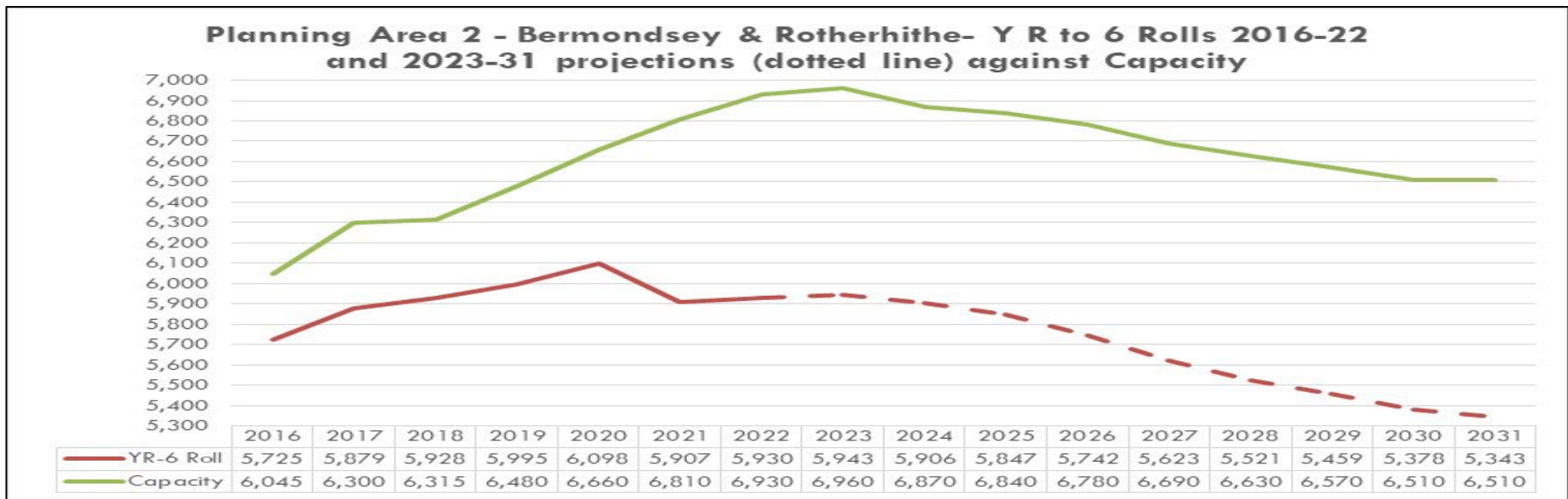
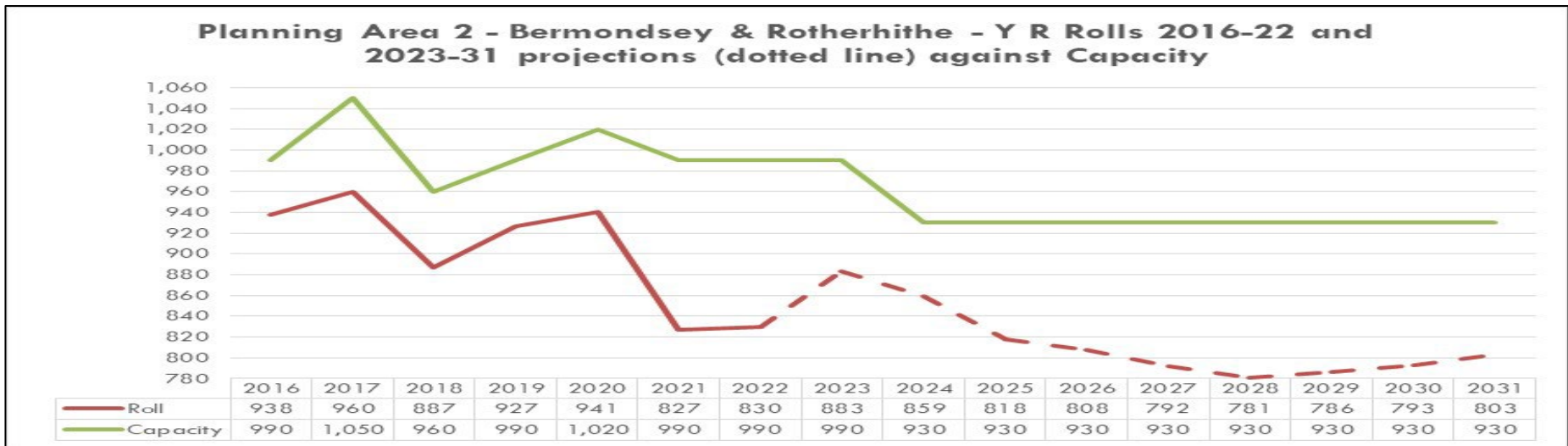
53. Planning area 1 has seen a steep fall in demand, and despite PAN reductions, vacancy levels remain high. Actual reception rolls are given below for 2016 to 2022, and projections from 2023 onwards, compared with capacity (PAN). The second graph shows the same for Years R to 6 (total school rolls) over the same time periods.



PA1– Borough, Bankside & Walworth						
Old Wards	• Cathedrals, Chaucer, East Walworth, Faraday, Newington					
New Wards	• Borough & Bankside, Chaucer, Faraday, Newington, North Walworth, Old Kent Road (<i>part</i>), St George's					
Provision	Primary School	PAN	Type	Primary School	PAN	Type
	ARK Globe	60	ACAD	Victory	30	COMM
	Charles Dickens	60	ACAD	Charlotte Sharman	30	FOUND
	Surrey Square	60	ACAD	Friars	30	FOUND
	St Paul's CE	45	ACAD (CE)	Cathedral School CE	30	VA CE
	Cobourg	30	COMM	St Jude's CE	30	VA CE
	Crampton	30	COMM	St Peters CE	30	VA CE
	Keyworth	60	COMM	English Martyrs RC	60	VA RC
	Michael Faraday	60	COMM	St Georges RC	30	VA RC
	Robert Browning	30	COMM	St Joseph's RC	30	VA RC
	Townsend	30	COMM			
	<ul style="list-style-type: none"> • 19 Primary Schools: 4 Academies (including 1 CE Academy), 7 Community, 2 Foundation, 3 VA CE schools and 3 VA RC schools. • 13 x 1FE schools, 1 x 1.5FE school, 5 x 2FE schools. • PA1 takes around 21% of all Southwark pupils (26% of reception pupils) 					
Capacity	<ul style="list-style-type: none"> • As at September 2022 – there are 765 reception places, and 5,685 Years R to 6 places. 					
GLA Projections 2022	<ul style="list-style-type: none"> • There is sufficient capacity to meet demand at reception and overall up until at least 2031. • There will be 192 (7FE) surplus Reception places in September 2031, based on projections (26%). 					
Changes since the last report	<ul style="list-style-type: none"> • Cobourg Primary School has reduced its PAN from 60 to 30 with effect from September 2022. • English Martyrs RC Primary will reduce its PAN from 60 to 30 in 2023. • This will reduce primary reception capacity to 705 in September 2023. 					
Births	<ul style="list-style-type: none"> • Births in the planning area fell from 2012 to 2020 by 24%. • Births are projected to continue to decrease by a further 6% (+2% per annum) from 2021 to 2023, then begin to rise slowly to 2031 by 1%. • At (former) ward level, births has been projected from 2021 to 2031, increases are expected for the former Cathedrals (+10%), East Walworth (+8%) and Faraday (+7%) wards. Chaucer will see no change (0%) and Newington a reduction (-4%), wards. This is as a result of developments in the areas concerned and the net gain/loss in stock. 					
Reception and whole school Vacancies	<ul style="list-style-type: none"> • There are approximately 208 spare reception places (7FE) across PA1 – 26% of all reception places. • In 2019, reception places were reduced by 135 (4.5FE) through PAN reductions to more closely match demand. However, this has essentially just kept pace with the reduction in rolls. • The GLA project 191 reception vacancies (7FE) in January 2023 (21%), and rising vacancy levels thereafter. 					

	<ul style="list-style-type: none"> • There are 1,518 empty places from years R to 6 – 25% across PA1's primary capacity. With present actions in place, this is projected to decrease steadily to around 1,430 (28%) in September 2030.
<p>Pupil intake by area</p>	<ul style="list-style-type: none"> • PA1 is a net exporter of pupils, exporting just over 500 YR to Y6 pupils (- 7%). • St Joseph's Borough RC Primary, Boutcher and Cobourg all schools in PA1, all take a significant proportion (more than 75%) of their pupils from outside the PA in which they are situated. Conversely John Ruskin Primary School, situated in PA4, takes 50% of its pupils from PA1, despite being situated in Camberwell (PA4), and Tower Bridge and Grange Primaries take 40% and 35% respectively from PA1, despite being in PA2 themselves. • Approximately 25% of pupils attending schools in this PA come from outside the planning area, mainly from other planning areas within Southwark (PAs 2 and 4) and a small number from outside Southwark (<i>mainly Lambeth</i>). • Conversely, nearly 32% of PA1 resident children attending state schools attend a school in another planning area or a school outside Southwark – again, mainly PAs 2 and 4 and, outborough in Lambeth.

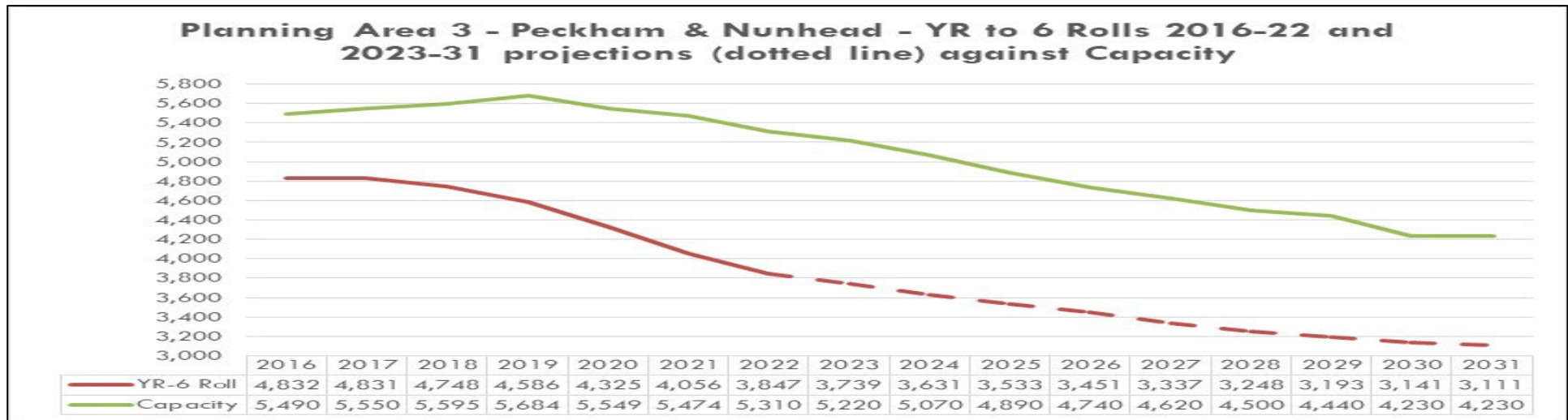
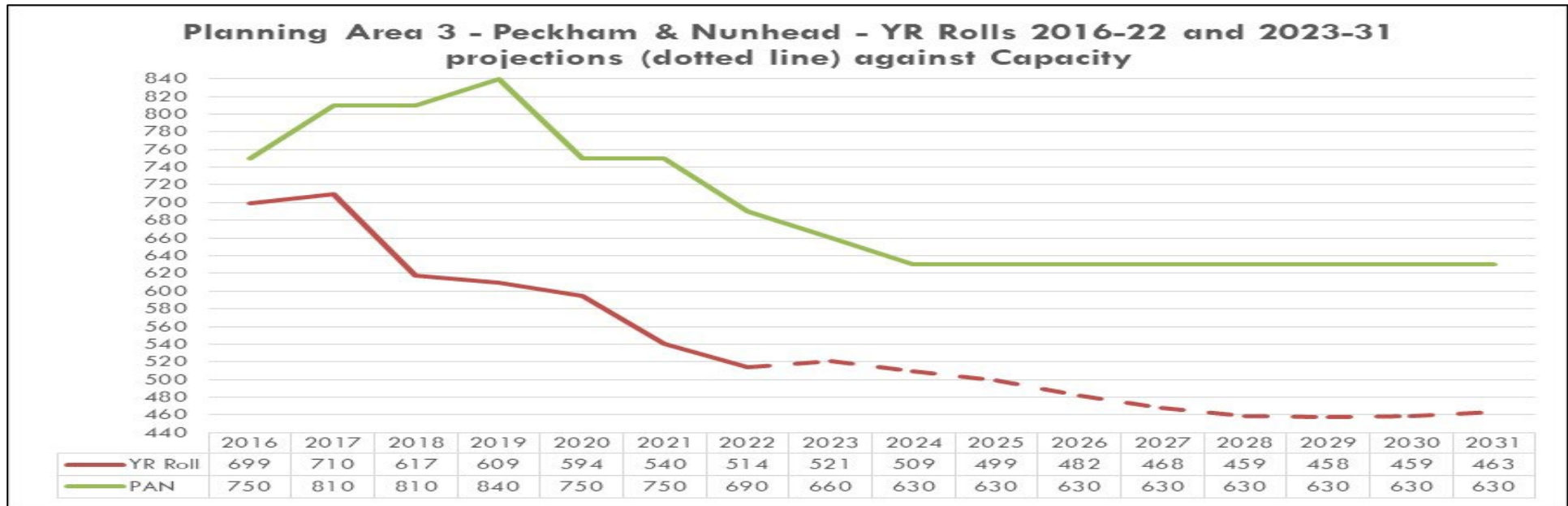
54. Planning Area 2, the largest PA in terms of schools and area covered, Further details of factors affecting the provision in this area are given below



PA2 – Bermondsey & Rotherhithe						
Old Wards	<ul style="list-style-type: none"> • Grange, Livesey (<i>part</i>), Riverside, Rotherhithe, South Bermondsey, Surrey Docks 					
New Wards	<ul style="list-style-type: none"> • London Bridge & West Bermondsey, North Bermondsey, Old Kent Road (<i>part</i>), Rotherhithe, South Bermondsey, Surrey Docks. 					
Provision	Primary	PAN	Type	Primary	PAN	Type
	Redriff	60	ACAD	Southwark Park	30	COMM
	Albion	60	COMM	Tower Bridge	30	COMM
	Alfred Salter	60	COMM	Galleywall	60	FREE
	Grange	60	COMM	John Keats Primary	60	FREE
	Ilderton	30	COMM	Boutcher CE	30	VA CE
	Phoenix	90	COMM	Peter Hills CE	30	VA CE
	Pilgrims Way	30	COMM	St James CE	60	VA CE
	Riverside	45	COMM	St Johns RC	30	VA RC
	Rotherhithe	60	COMM	St Joseph's Bermondsey RC	45	VA RC
	Snowsfields	30	COMM	St Joseph's Rotherhithe RC	30	VA RC
	<ul style="list-style-type: none"> • 19 primary schools: 11 Community, 1 Academy, 2 Free Schools, 3 VA CE, 3 VA RC. • 9 x 1FE schools, 2 x 1.5FE school, 8 x 2FE schools, 1 x 3FE school. • PA2 takes around 28% of all Southwark pupils (<i>the highest in Southwark</i>) (26% of reception pupils) 					
Capacity	<ul style="list-style-type: none"> • As at September 2022 – 960 reception places. 6,930 Years R to 6 places. 					
GLA Projections 2022	<ul style="list-style-type: none"> • There is sufficient capacity to meet demand up until at least 2031. • There will be 127 (5FE) surplus Reception places in September 2031 based on projections (14%). • Projections to 2031 show reception rolls in PA2 peaking in 2023, and falling away thereafter. 					
Changes since the last report	<ul style="list-style-type: none"> • Ilderton Primary School will reduce its PAN from 60 to 30 in September 2023. 					
Births	<ul style="list-style-type: none"> • Births from 2012-2020 have fallen by -19%. • From 2021 to 2031, births are projected to increase by +5%. • Decreases in birth figures are projected to occur from 2021 to 2031 in the former Grange (-5%), and increased in Rotherhithe (+12%), Riverside (+4%), South Bermondsey (+0.3%), and Surrey Docks wards (+0.3%). The former Livesey ward is projected to increase by +50%, as a result of anticipated Old Kent Road developments. 					
Reception Vacancies	<ul style="list-style-type: none"> • There are presently around 160 spare reception places (6FE) across PA2 – 16% of all reception places - the GLA project 107 vacancies in January 2023 (11%). • Unlike in PA1, there is limited scope to reinsert any deleted provision to cope with increased demand; however, there are at least four schools in the planning area with the capacity to expand if additional provision is required, particularly with regard to the Canada Water and Rotherhithe peninsula regeneration area. • There are also schools on the PA1 border with vacancies that could accommodate additional demand, were it to materialize. 					

Pupil intake by area	<ul style="list-style-type: none">• PA2 is a net exporter of pupils, losing around 500 pupils across all age groups (8%).• Pilgrim's Way Primary, situated in PA2, takes most of its pupils from PA3 (83%). Other PA2 schools - Ilderton, John Keats Primary, and Phoenix Primaries - take 28%, 39% and 40% of their intake from PA3 respectively.• Around 18% of pupils attending schools in this planning area come from outside the planning area mainly from PA1, with a small percentage from outside Southwark.• Conversely, nearly 25% of PA2 resident children attending state schools attend a school in another planning area (mainly PA1 and 3) or a school outside Southwark (mainly Lewisham).• Across PA2 schools, there are 1,021 empty places from years R to 6 – 15% of PA2's primary capacity.
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55. Planning area 3 has had a considerable number of vacancies, which the PAN reduction programme has helped to address.

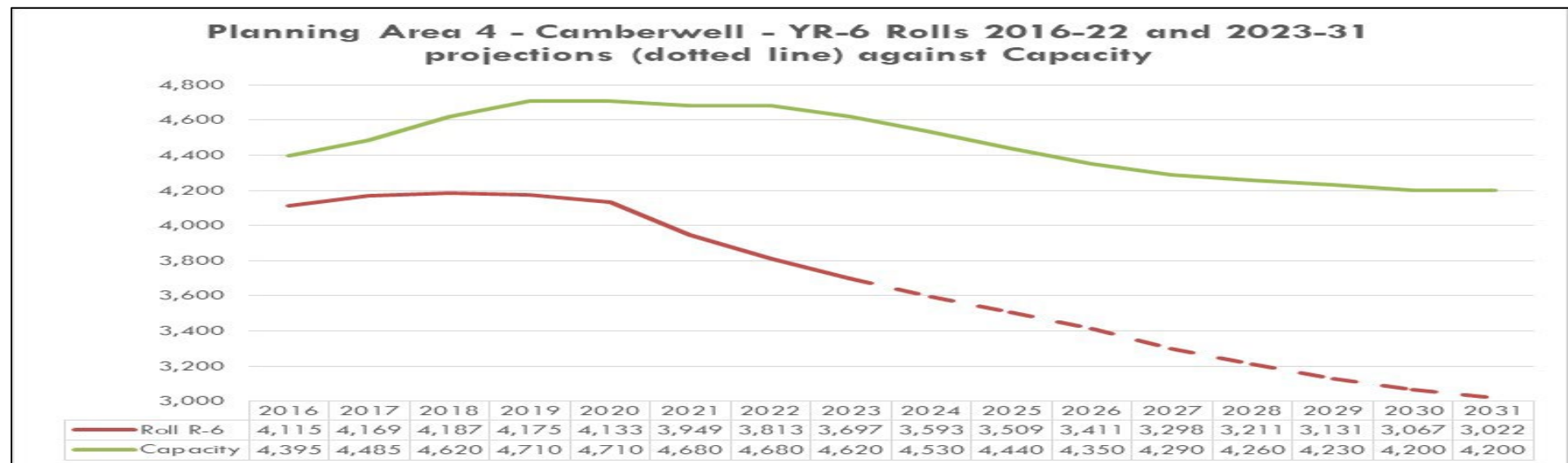
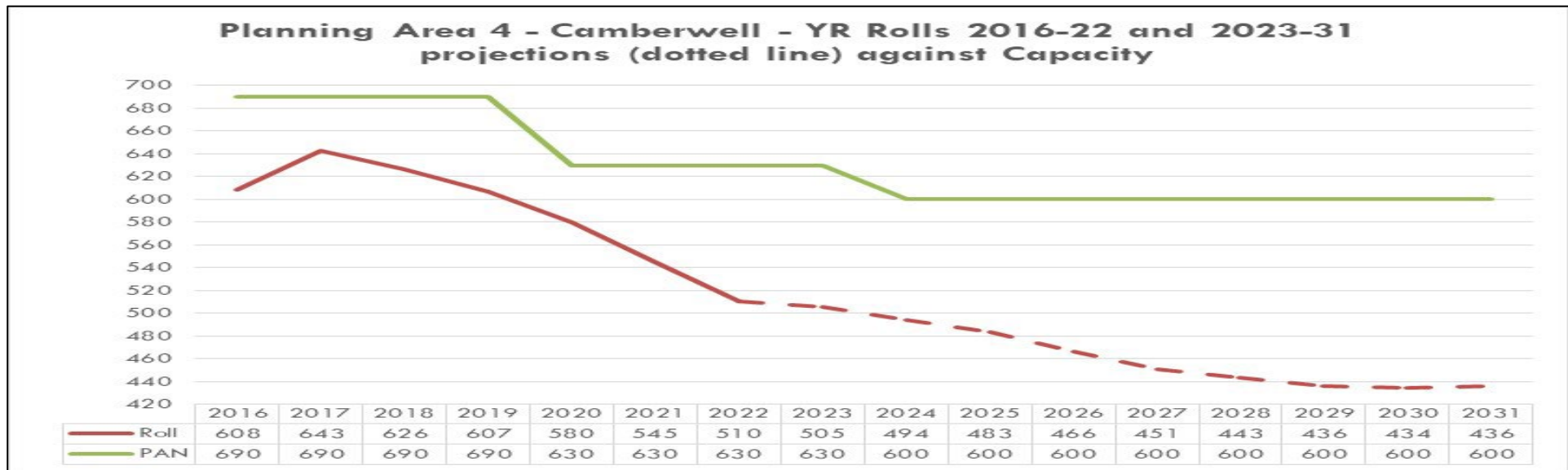


PA3 – Peckham & Nunhead							
Old Wards	<ul style="list-style-type: none"> Livesey (part), Nunhead, Peckham, Peckham Rye, The Lane 						
New Wards	<ul style="list-style-type: none"> Goose Green (<i>part</i>), Old Kent Road (<i>part</i>), Peckham, Peckham Rye, Rye Lane (<i>part</i>). 						
Provision	Primary	PAN	Type	Primary	PAN	Type	
	Angel Oak	60	ACAD	Rye Oak	60	COMM	
	Harris Peckham Pk.	30	ACAD	Harris Free Peckham	60	FREE	
	John Donne	60	ACAD	St John's/Clements CE	60	VA CE	
	Bellenden	30	COMM	St Mary Magdalene CE	30	VA CE	
	Camelot	60	COMM	St Francesca Cabrini RC	30	VA RC	
	Hollydale	30	COMM	St Francis RC	60	VA RC	
	Ivydale	90	COMM	St James The Great RC	30	VA RC	
	<ul style="list-style-type: none"> <u>14 primary schools</u>: 5 Community, 3 Academies. 1 Free School, 2 VA CE, 3 VA RC. 7 x 1FE schools, 6 x 2FE schools, 1 x 3FE school. PA3 takes around 18% of all Southwark pupils (16% of reception pupils). 						
	Capacity	<ul style="list-style-type: none"> As at September 2022 – 690 reception places, 5,310 Year R to 6 places. 					
GLA Projections 2022	<ul style="list-style-type: none"> There is sufficient capacity to meet demand up until 2031. 167 surplus reception places in 2031 based on expected demand (27%). Across PA3 schools, there are 1,376 vacancies from years R to 6 – 26% of PA3's primary capacity. This is projected to reduce to around 600 vacancies (13%) by September 2027, and closer to the national average. 						
Changes since the last report	<ul style="list-style-type: none"> For this planning area deriving mainly from Old Kent Road development, the number of units delivered by year has been recast and the delivery period lengthened 						
Births	<ul style="list-style-type: none"> Births in the area decreased from 2012-2020 by -29%, and are projected to further reduce from 2021 to 2031 by -2%. The former Livesey ward (shared with PA2) will see a substantial increase in births by 2031 (+50%) due to anticipated development. An increase is also anticipated in the former The Lane ward (+7%). Decreases are anticipated from 2021-31 in the former Nunhead (-8%), Peckham (-6%), and Peckham Rye (-7%) wards. 						
Reception Vacancies	<ul style="list-style-type: none"> In 2022, there are presently 176 spare reception places (6FE) across PA3 - 26% of all reception places. The GLA now project 139 (5FE) vacancies in January 20231 (21%). 						
Pupil intake by area	<ul style="list-style-type: none"> PA3 is a net exporter of pupils, losing around 943 pupils across all age groups, the equivalent of around 2 and a half two form entry primaries. The net import/export of pupils from within Southwark is a net loss of around 15%. Around 20% of pupils in this planning area come from outside the planning area. Conversely, around 35% of PA3 resident children attending state schools attend a school in another Southwark planning area, or a school outside Southwark – about equally divided between the two. St Francesca Cabrini Primary in PA3 has around half of pupils from outside the planning area, the majority of which come from PA5, and about 10% from Lewisham. Harris Primary Free Peckham and St James the Great RC take 						

around a third of their pupils from outside their planning area, in both cases mainly from Camberwell.

- Conversely, Pilgrims Way in PA2, the Belham Primary Free School (PA4), Harris East Dulwich (PA5), St George's CE Primary (PA4), and Oliver Goldsmith (PA4) all take a majority of their pupils from PA3.

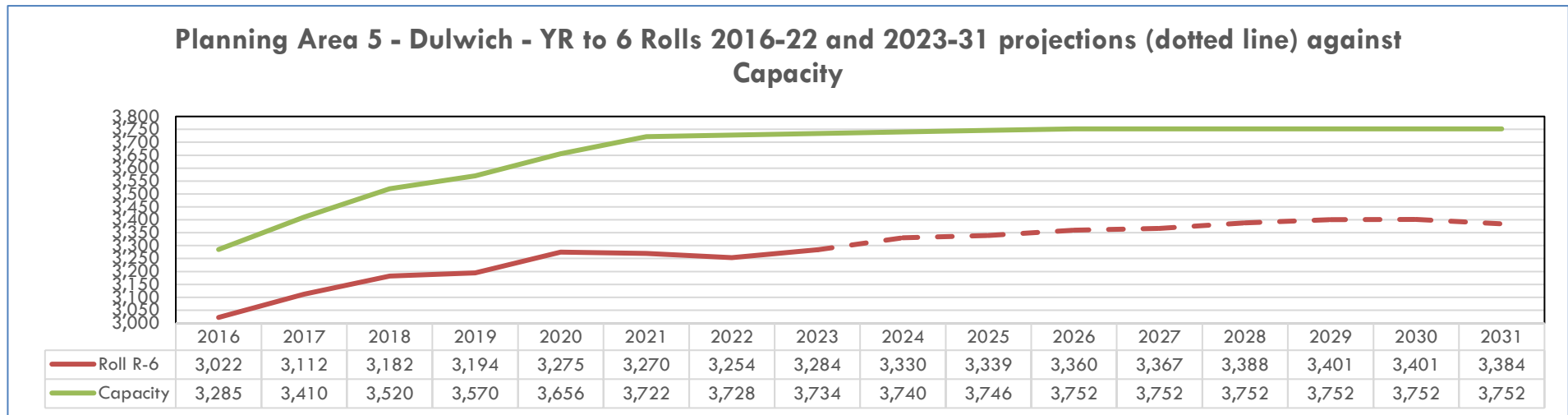
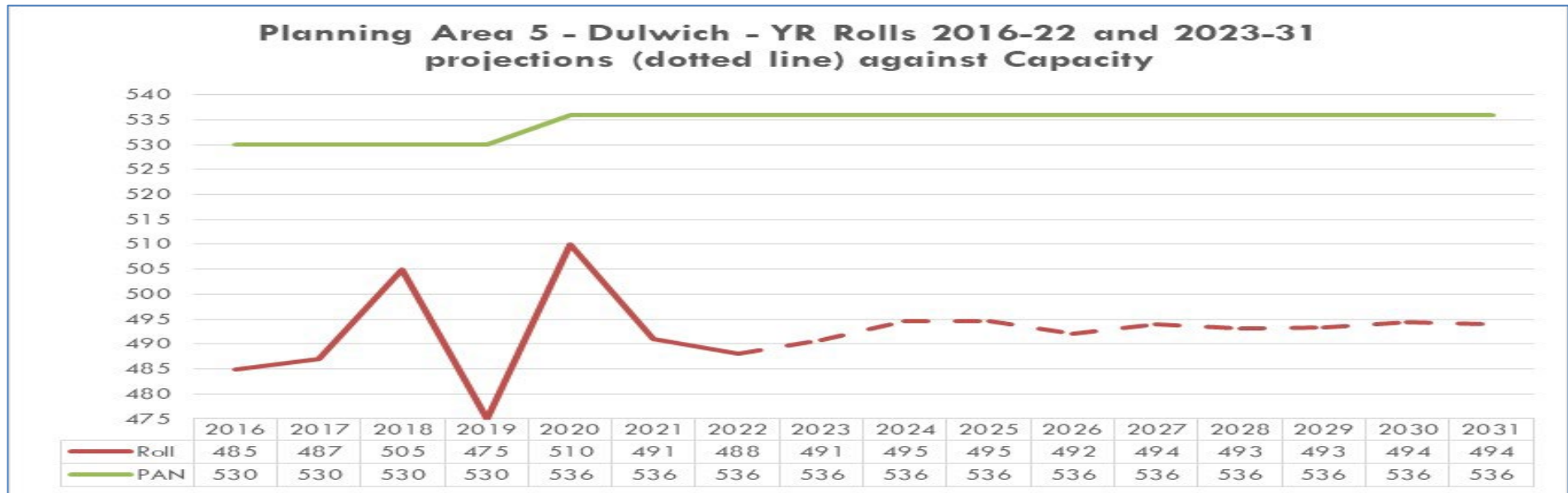
56. Planning Area 4 had a number of vacancies, which the 2018 PAN reduction programme addressed. In the long term, we expect a small amount of growth in the area. Further details of factors affecting the provision in this area are given below.



PA4 – Camberwell						
Old Wards	<ul style="list-style-type: none"> Brunswick Park, Camberwell Green, South Camberwell. 					
New Wards	<ul style="list-style-type: none"> Camberwell Green, Champion Hill, Rye Lane (part), St Giles. 					
Provision	Primary	PA N	Type	Primary	PA N	Type
	Lyndhurst	60	ACAD	John Ruskin	60	COMM
	Bessemer Grange	90	COMM	Oliver Goldsmith	60	COMM
	Brunswick Park	60	COMM	Belham	60	FREE
	Comber Grove	30	COMM	St Georges CE	30	VA CE
	Crawford	60	COMM	St Joseph's Infants RC	60	VA RC
	Dog Kennel Hill	30	COMM	St Joseph's Junior RC	60	VA RC
	<ul style="list-style-type: none"> 12 primary schools: 7 Community, 1 Academy, 1 Free School, 1 VA RC, 1 VA RC Infant and 1 VA RC Junior. 3 x 1FE schools, 8 x 2FE schools, 1 x 3FE school. PA4 takes around 18% of all Southwark pupils (16% reception pupils). 					
Capacity	<ul style="list-style-type: none"> As at September 2022 – there were 630 reception places, and 4,620 Year R to 6 places. 					
GLA Projections 2022	<ul style="list-style-type: none"> There is sufficient capacity to meet demand up until 2031. There will be 164 surplus Reception places in 2031 based on expected demand (27%). 					
Changes since the last report	<ul style="list-style-type: none"> Dog Kennel Hill will reduce its PAN from 60 to 30 in September 2023 					
Births	<ul style="list-style-type: none"> Births in the area have decreased -17% from 2012 to 2020. From 2021 to 2031, births are projected to decrease by a further -3%. In the 3 former wards that make up the planning area, Brunswick Park birth rate is projected to decrease by -7%, Camberwell Green's to increase by +1%, and South Camberwell's down by -6% from 2021 to 2031. 					
Reception Vacancies	<ul style="list-style-type: none"> There are presently around 4FE excess of places (120 – 19% of the reception total) this year, with a gradual projected decrease of demand thereafter. The GLA project 125 vacancies (5FE) in January 2031 (28%). Across PA4 schools, there are 856 empty places from years R to 6 – 18% of PA4's primary capacity. As a consequence of falling rolls, PAN reductions reduced the capacity of this planning area by 30 places from 2019 onwards – 1FE, and a further 30 in 2022. The percentage of spare places across years R to 6 is expected to grow to 1,178 places (28%) if no further action is taken. 					
Pupil intake by area	<ul style="list-style-type: none"> PA4 is a net importer of pupils, gaining around 195 pupils across all age groups, the equivalent of just under a one-form entry primary. Around 35% of pupils in this planning area come from outside the planning area, mainly from within Southwark. Conversely, around 35% of PA4 resident children attending state schools attend a school mainly from within another Southwark planning area. 					

- | | |
|--|---|
| | <ul style="list-style-type: none">• Goose Green Primary in PA5 takes just over a quarter of its pupils from PA4.• Conversely, of schools in PA4 taking pupils from other planning areas, the Belham Primary Free School accommodates over 80% of its pupils from outside PA4, as do John Ruskin Primary (over 70%), St George's CE and Oliver Goldsmith primaries (both over 60%). |
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57. Planning area 5 remains as in previous place planning reports. Factors affecting the provision in this area are given below. Growth is not expected to the population - as the number of children in the locality reduce, we expect schools to fill with children from elsewhere.



PA5 – Dulwich						
Old Wards	• College, East Dulwich, Village					
New Wards	• Dulwich Hill, Dulwich Village, Dulwich Wood, Goose Green (<i>part</i>)					
Provision	Primary	PAN	Type	Primary	PAN	Type
	Dulwich Hamlet Juniors	90	ACAD	Judith Kerr Free	56	FREE
	Goose Green	60	ACAD	Harris Free East Dulwich	60	FREE
	Goodrich	90	COMM	Dulwich Village Infants CE	90	VA CE
	Dulwich Wood Primary	60	COMM	St Anthony's RC	60	VA RC
	Heber	60	COMM			
	<ul style="list-style-type: none"> • 9 primary schools: 3 Community, 2 Academies (1 Junior Academy), 2 Free Schools, 1 VA RC and 1 VA CE Infant. • 1 x 1.8FE school, 5 x 2FE schools, 1 x 3FE Infants, 1 x 3FE Junior. • PA5 takes around 15% of all Southwark pupils. 					
Capacity	• As at September 2022 – 536 reception places, 3,728 Year R to 6 places.					
GLA Projections 2022	<ul style="list-style-type: none"> • There is sufficient capacity to meet demand up until 2031. • 39 surplus Reception places in 2031 based on expected demand (7%). 					
Changes since the last report	• No substantive changes to the projections for PA5 (Dulwich) are noted and capacity is not projected to be exceeded by demand until 2031 at the earliest.					
Births	<ul style="list-style-type: none"> • Births in the area decreased -21% from 2012-20, and are projected to reduce further by -8% from 2021-31. • In the former wards that make up this planning area, East Dulwich's births are projected to decrease by -7%, College's by -10%, and Village wards by -7%, over the same time period. • Conversely, reception pupil numbers <i>increased</i> by +16% from 2012-20. Therefore, in this locality birth figures are not a reliable indicator of demand, and the percentage of Dulwich resident parents attending Dulwich schools is reducing; schools recruit from further afield on an annual basis. 					
Reception Vacancies	<ul style="list-style-type: none"> • There are presently around 48 spare reception places (2FE) across PA5, 9% of all reception places. • 43 vacancies are projected for January 2023 (8%). • Across PA5 schools, there are 474 empty places from years R to 6 – 13% of PA5's primary capacity, this is projected to decrease to 450 in January 2023 (12% of the primary capacity). 					
Pupil intake by area	<ul style="list-style-type: none"> • PA5 is a net importer of pupils, gaining around 80 pupils across all age groups; Judith Kerr (33%), Goose Green (40%) St Anthony's RC (44%), take a significant percentage of pupils from outside PA5, from Lewisham and Lambeth Conversely, Bessemer Grange Primary in PA4 takes around 43% of its pupils from PA5 residents. • Schools in the Dulwich planning area remain extremely popular with applicants from adjoining planning areas – this is evidenced by the drop in births outlined above, but a substantial increase in demand for reception places There is a high risk that providing any additional capacity in this area would be abstractive of other planning areas and schools from neighbouring 					

boroughs, and would actually not meet demand from local residents – indeed, it may reduce the percentage of local children attending schools in Dulwich.

- Around 22% of pupils in this planning area come from outside the planning area (mainly PA3 and 4) and a percentage from outside Southwark (mainly Lewisham and Lambeth).
- The net percentage inflow of Southwark children from other planning areas is (+3%).
- Conversely, around 19% of PA5 resident children attend state primary schools attend a school in another Southwark planning area (PAs 3 and 4) or a school outside Southwark.
- Of the 1,787 pupils attending private primary schools in Southwark, 1,644 (92%) of these were attending schools situated in PA5. That said, only 44 of the latter were LBS residents (3%).

KEY FACTORS AFFECTING SECONDARY SCHOOLS

Headline figures for secondary

58. There are presently 3,507 secondary places available in state-funded mainstream secondaries in Southwark at Year 7. From Years 7-11, there are 17,330 available places – 20,720 if we include years 12 and 13 (Sixth Form). As at September 2022, there are presently 3,228 pupils in Year 7, and 15,979 Year 7-11 pupils (18,832 including sixth form pupils). This leaves 279 (8%) vacancies in Y7, 1,351 (also 8%) Y7-11 vacancies, and 537 (16%) sixth form vacancies. The Year 7 and Years 7-11 vacancy levels are within NAO/Ofsted guidelines and also leave plenty of scope for late and in year admissions.
59. The Council worked with the ESFA and Free School sponsors to add a total of 14FE to the secondary provision that was in place in 2016. By 2026, this will have added an additional 2,545 secondary places from 2016 – an increase of **18%**
60. Charter School East Dulwich (a Free School), opened in September 2016 on a temporary site in Camberwell, with an intake of 4FE in 2016/17 and 2017/18 followed by an intake of 6FE for 2018/19 before moving onto its permanent site on the former Dulwich Hospital site in 2019. Charter East Dulwich is operating presently at 7FE from September 2022, and will intake 8FE from September 2023, when the works at the permanent site are scheduled to be complete. Haberdashers' Borough Academy, situated on the old Fire Station site on Southwark Bridge Road opened as a 6FE, new Free school on a temporary site in September 2019, and has taken four cohorts of 180 pupils (operating across the permanent and temporary site), and will provide 900 secondary places (years 7-11) by September 2023. Both schools have remained oversubscribed since opening.
61. In last year's place planning report, Cabinet was advised that overall there was sufficient capacity within Southwark schools to meet the demand for year 7 for that academic year and going forward until 2030. This year's enrolment and the latest GLA 2022 projections (see paragraphs 66-67) show that Y7 demand will probably peak in 2022/2023 and fall back from this year onwards, and reduce thereafter. In these circumstances, capacity is projected to be sufficient to meet demand. No action to increase or decrease provision at secondary phase is deemed to be necessary based on current data for at least 8-9 years.

Secondary Y7 place applications and preferences

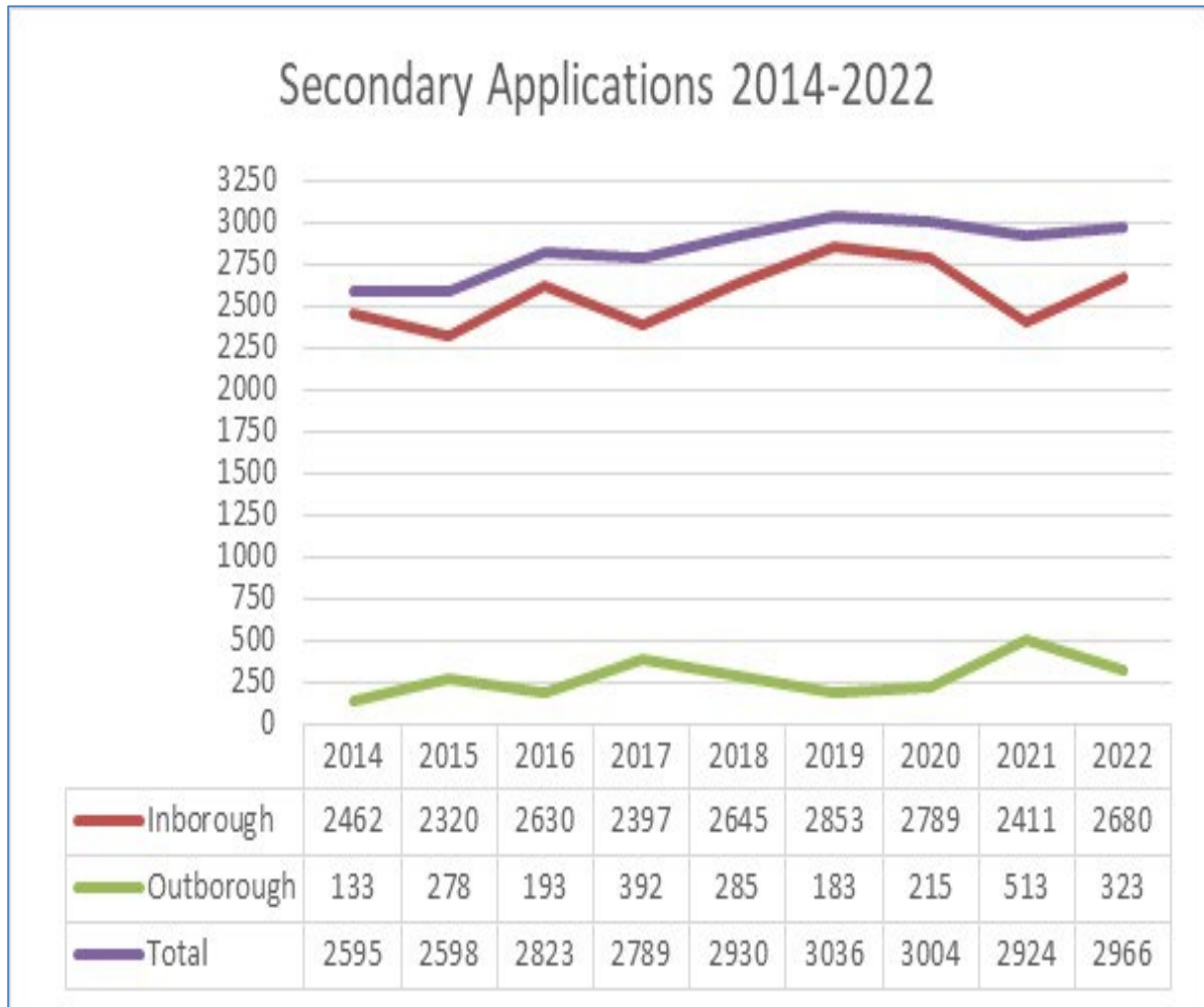
62. Y7 applications overall have reduced since 2019 (a decrease of **-2%** over this time for all applicants, and a decrease of **-6%** from Southwark residents). The number of non-Southwark applicants has increased by around 140.
63. There were a total of 12,969 preferences expressed by all applicants for the 3,492 secondary Y7 places in 2022. This equates to around 3.7 preferences per place. Of the preferences expressed, 4,330 came from outside Southwark – 33%, some way above the prevalence of outborough pupils in the borough. Possibly explanations are the relative popularity of Southwark secondary schools, all of whom are graded Ofsted “good” or “outstanding”. If we look at preferences per place for just Southwark pupils, this equates to 8,639 preferences, or 2.5 preferences per secondary Y7 place
64. However, the figures above are distorted by the 2,970 applications for one school in Southwark – Kingsdale – whose admissions criteria are not distance based, and whose position in the far south of the borough on the borders with Lewisham, Croydon, Bromley and Lambeth means that the school receives a majority of its applications (**68%**) from outside Southwark, and recruits the majority of its pupils from outside Southwark as well. If we remove Kingsdale from the calculations above, the number of preferences per place remains at 2.5 preferences per place for Southwark pupils, but increases to 3.3 preferences per place for all applicants, including outborough applicants.

PA6 – Southwark Secondary Schools						
Wards	<ul style="list-style-type: none"> • Camberwell Green, Chaucer, Rotherhithe, Champion Hill, South Bermondsey, North Bermondsey, Rye Lane, Dulwich Hill, Peckham Rye, Dulwich Wood, St George's, Chaucer, Nunhead & Queen's Road, Faraday, Goose Green, Borough & Bankside. 					
Provision	School	PAN	Type	School	PAN	Type
	ARK All Saints	120	ACAD	Charter School	192	ACAD
	Harris Boys' ED	150	ACAD	City of London Academy	240	ACAD
	Harris Bermondsey	180	ACAD	Kingsdale Foundation	300	ACAD
	St Michael's College	150	ACAD	Charter East Dulwich	180	FREE
	Harris Peckham	180	ACAD	Haberbdashers Borough	180	FREE
	Harris Girls' ED	150	ACAD	UAESB	150	FREE
	Sacred Heart RC	124	ACAD	Compass School	120	FREE
	ARK Globe Academy	180	ACAD	Notre Dame RC Girls'	124	VARC
	ARK Walworth	180	ACAD	The St Thomas the Apostle	152	VARC
	Bacon's College	180	ACAD	St Saviour's and St Olave's	124	VAC E
<ul style="list-style-type: none"> • 20 secondary schools: 1 x VA CE, 2 x VA RC, 4 x Free Schools, 13 x Academies (1 x All Through Academy). • 2 x 4FE, 3 x 4.1FE, 4 x 5FE, 1 x 5.1FE, 7 x 6FE, 1 x 6.4FE, 1 x 8FE, 1 x 10FE. 						
Capacity	<ul style="list-style-type: none"> • As at September 2022 – 3,482 Y7 places, 17,008 Year 7 to 11 places. 					
GLA Projections 2022	<ul style="list-style-type: none"> • There is sufficient capacity to meet demand up until 2031. • There will be 421 surplus Y7 places in 2031 based on expected demand (14%), partially as a consequence of decreased primary rolls beforehand. 					

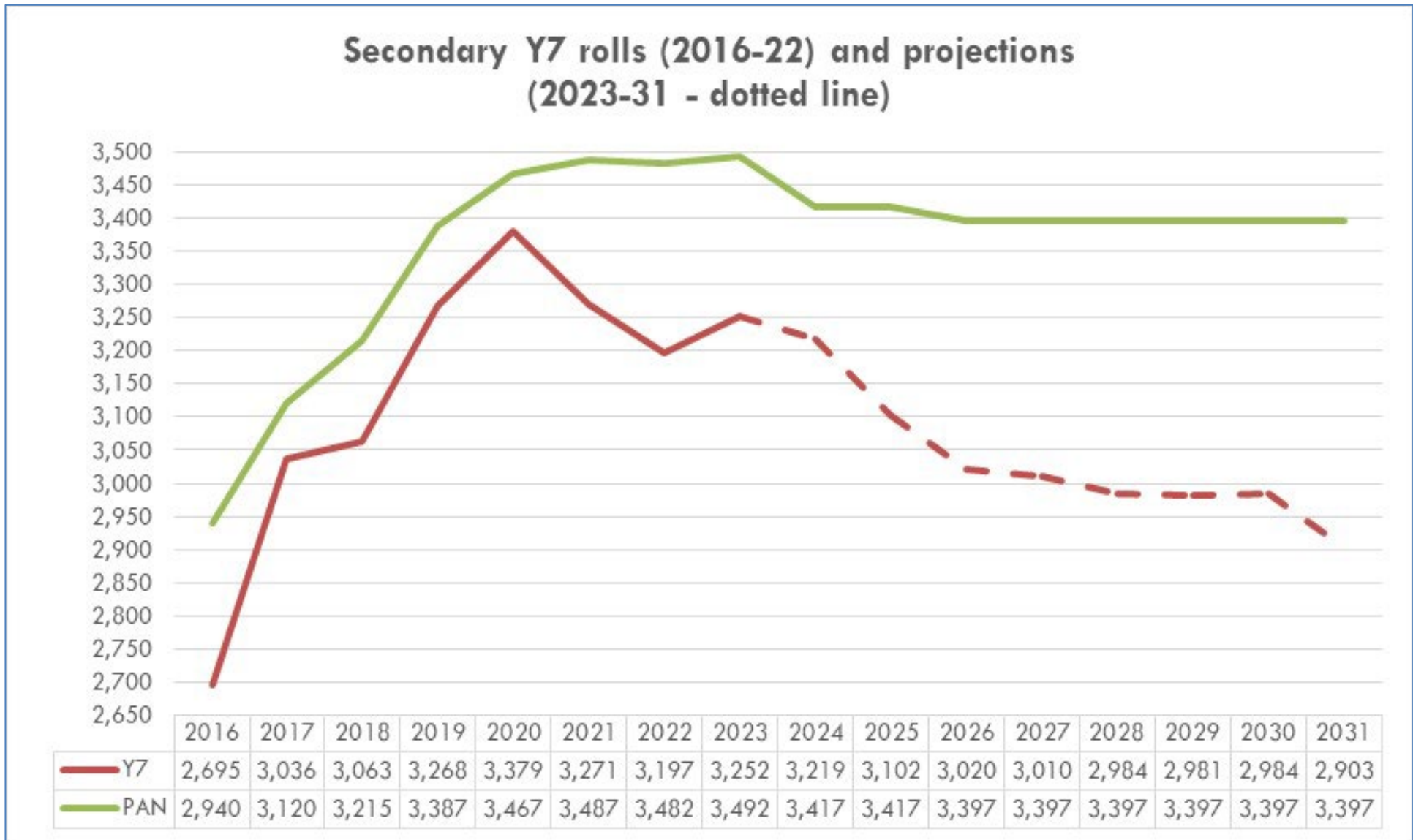
Changes since the last report	<ul style="list-style-type: none"> • No substantive changes for secondary are noted and capacity is not projected to be exceeded by demand until at least 2031.
Y6 figures	<ul style="list-style-type: none"> • Y6 figures in the area decreased by -3% from 2012-19 (just under 670 places), and have fallen further from 2020-22 by 100 pupils -3%, and are projected to reduce further by 500 pupils (-16%) by 2031. • It is difficult for us to use previous and projected Y6 figures as a proxy for future demand, as there is a considerable influx of non-Southwark pupils in Y7 (ca 28% against an estimated 9% for primary pupils. That said, the decrease in demand matches our own projections for a similar decrease in secondary in the coming decade.
Y7 vacancies	<ul style="list-style-type: none"> • There are presently around 285 spare Y7 places (10FE) across the secondary estate - 9% of all Y7 places. • 279 Y7 vacancies are projected for January 2023 (9%). • Across all secondary schools, there are 1,029 empty places from years 7 to 11 – 6% of Southwark’s Secondary capacity, this is projected to increase to 1,857 in January 2031 (11% of the primary capacity).
Pupil intake by area	<ul style="list-style-type: none"> • Southwark is a net importer of secondary pupils, gaining around across all age groups; take a significant percentage of pupils from outside Southwark, (mainly from Lewisham and Lambeth) Conversely, Oasis Johanna in Lambeth takes around 30% of its pupils from Southwark residents. • Around 22% of pupils in this planning area come from outside the planning area (mainly PA3 and 4) and a percentage from outside Southwark (mainly Lewisham and Lambeth). • The net percentage inflow of Southwark children from other planning areas is (+3%). • Conversely, around 19% of Southwark resident children attend state secondary schools attend a school outside Southwark. • Of the 1,787 pupils attending private secondary schools in Southwark, 1,644 (92%) of these were attending schools situated in PA5. That said, only 44 of the latter were LBS residents (3%).

65. Only 6 of the 20 secondary schools receive above the average number of applicants (*Haberdashers Aske’s Borough Academy, St Michael’s Catholic College, The Charter School North Dulwich, The Charter School East Dulwich, Sacred Heart RC Secondary School and Kingsdale School*), which indicates that demand is concentrated in these schools. Indeed, these 6 schools comprise **57%** of all Y7 applications, despite the total of these only being **36%** of Y7 places.

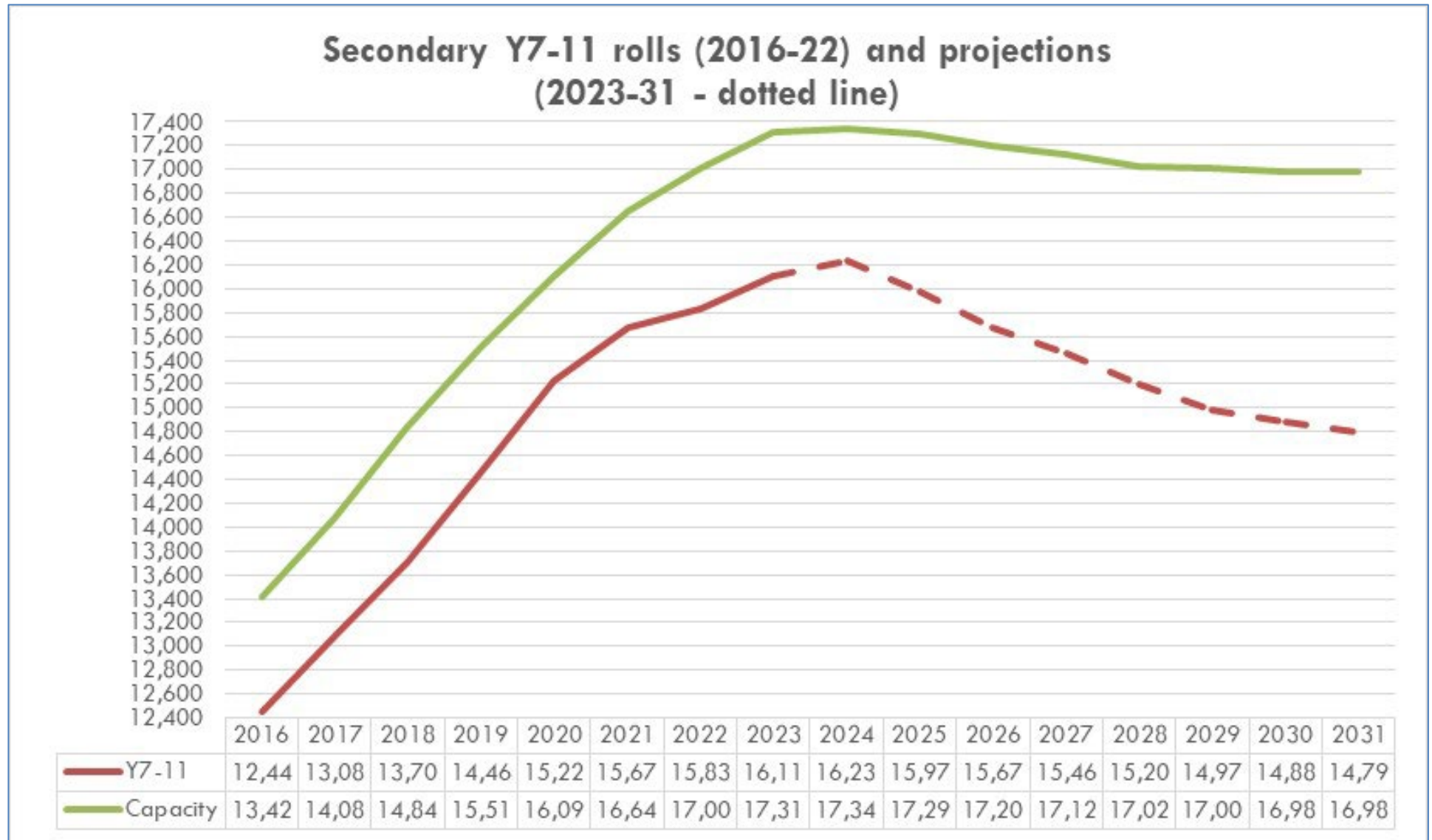
Table 6 –Secondary Y7 Applications 2015-2021 (Southwark and outborough)



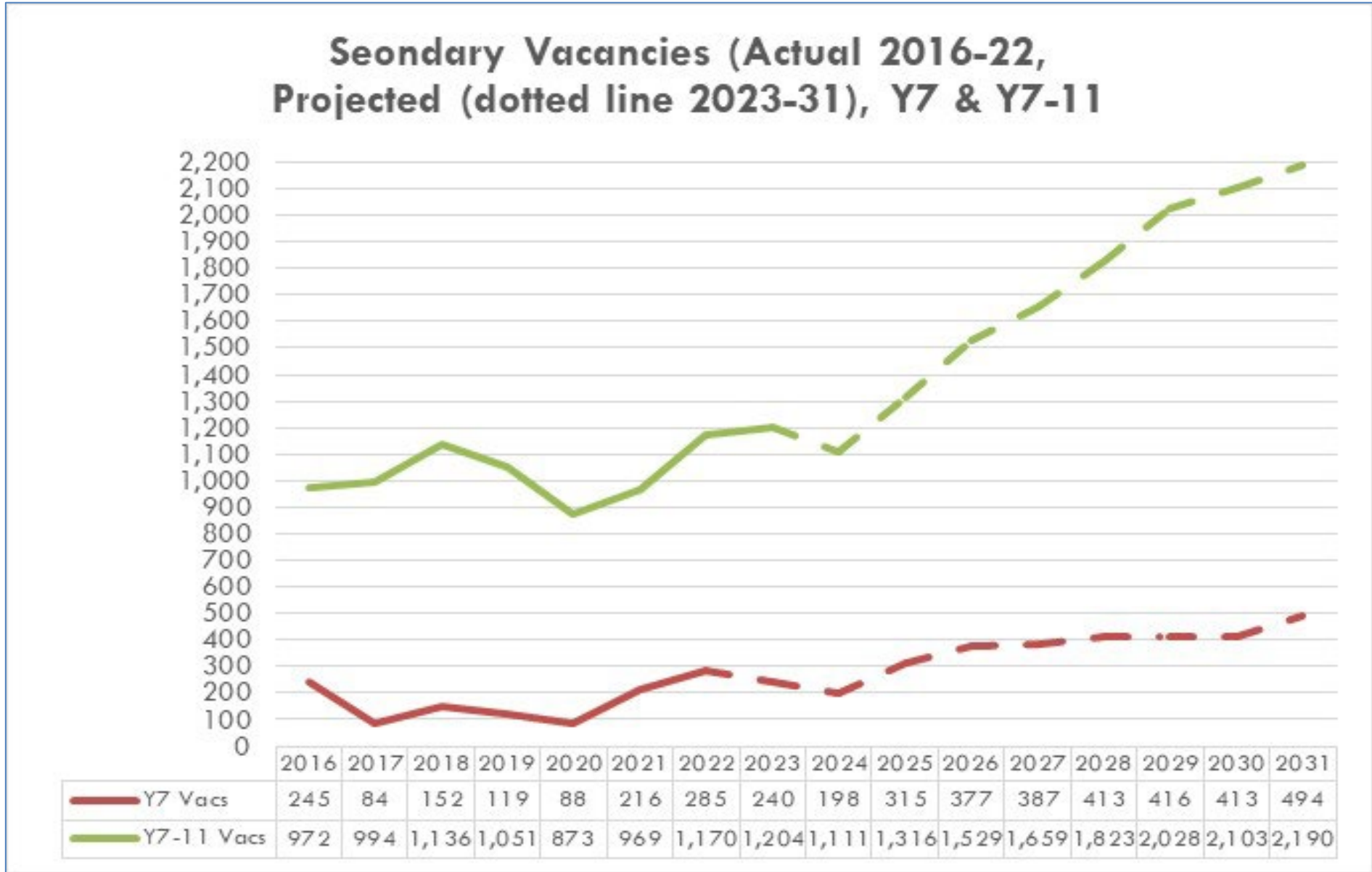
66. Y7 places predicted in the GLA projections are shown in the table below, along with the expected capacity to accommodate them. This shows that demand is unlikely to exceed supply in the foreseeable future.



67. Similarly Y7-Y11 places predicted in the GLA projections are shown in the table below, along with the expected capacity to accommodate them. Again, this shows that demand is unlikely to exceed supply in the foreseeable future.



68. Similarly vacancies at Y7 and for years Y7 to 11 are projected to remain steady for the next 2 years but to begin to increase from 2024 onwards.



Percentage Vacancies Y7, Y7-11 Actual (2016-22), Projected (dotted line) 2023-31



	2016	2017	2018	2019	2020	2021	2022	2022	2022	2022	2022	2022	2022	2022	2023	2031
— % Y7	8%	3%	5%	4%	3%	6%	8%	7%	6%	9%	11%	11%	12%	12%	12%	15%
— % 7-11	7%	7%	8%	7%	5%	6%	7%	7%	6%	8%	9%	10%	11%	12%	12%	13%

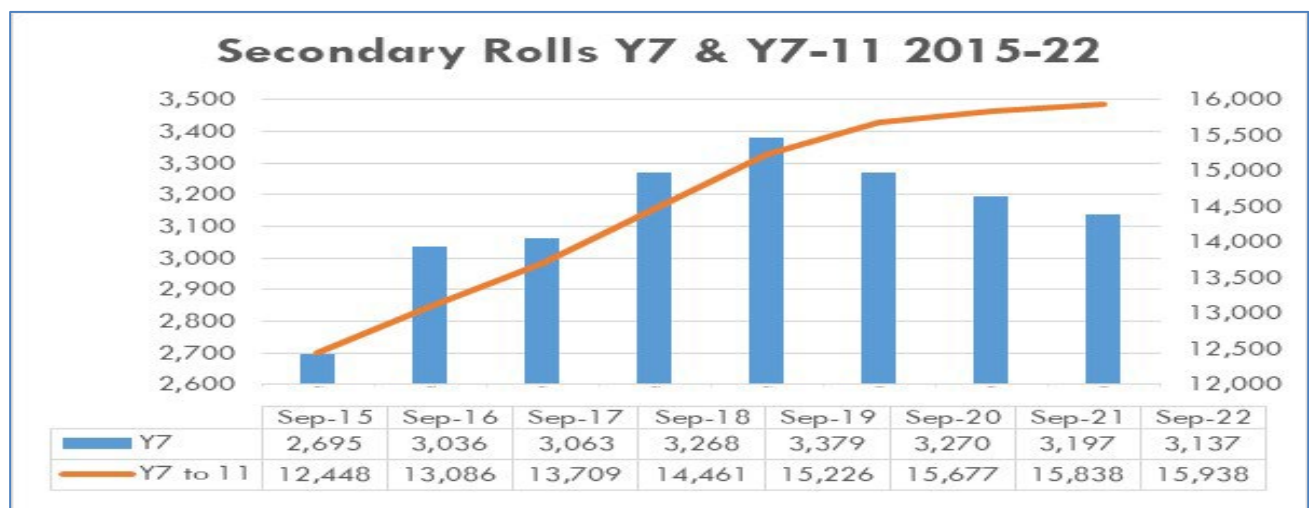
69. Around 2,715 (20%) of Southwark residents of secondary school age attend state funded secondary mainstream schools out of borough. Pupils living out of borough attending a Southwark school, total 4,407 (28%), a net gain of around 1,692 (+9%) of pupils. These figures have altered substantially in recent years – in 2015/16, 22% of Southwark pupils attended outborough schools, so this has reduced by 2%. Conversely, outborough pupils attending Southwark schools have increased from 23% to 28%. This means that the net gain has increased from +1% in 2015/16 to a net gain of +9% this year. There are 1,500 more outborough secondary pupils attending Southwark secondary schools this year than in 2015/6.
70. This presents considerable challenges in planning secondary places, as almost all models of pupil place planning assume a “steady state” of circumstances – Southwark secondary schools’ popularity draws in pupils from further afield each year, meaning there is less connection with Y6 pupils in Southwark and indeed any population increase or decrease.
71. Southwark itself exports secondary age pupils mainly to schools in Lewisham, Lambeth and Westminster, and imports pupils from Lambeth, Lewisham, Croydon, Bromley and Tower Hamlets. The increasing popularity of our secondary schools – *all* of which are Ofsted “good” or “outstanding” rated, may explain this level of out borough demand.

Increasing (and decreasing) rolls

72. Southwark has seen a steady increase in secondary place demand since September 2015 in Y7 and secondary places as a whole. Y7 rolls have increased by 15FE – the equivalent of 3 secondary schools - a 16% increase overall in 7 years. Across all year groups, the rate of pupils has increased 3,490 pupils – 28% over the same time period – equivalent to 116 classes or four 6FE secondary schools.

Table 7: Secondary rolls September 2015-2022 (Y7 and whole school)

Year	Y7	+/-	%	Y7 to 11	+/-	%
Sep-15	2,695			12,448		
Sep-16	3,036	+341	+13%	13,086	+638	+5%
Sep-17	3,063	+27	+1%	13,709	+623	+5%
Sep-18	3,268	+205	+7%	14,461	+752	+5%
Sep-19	3,379	+111	+3%	15,226	+765	+5%
Sep-20	3,270	-109	-3%	15,677	+451	+3%
Sep-21	3,197	-73	-2%	15,838	+161	+1%
Sep-22	3,137	-60	-2%	15,938	+100	+1%
2015-2022	+442		+16%	+3,490		+28%



The Southwark Plan - Effect on secondary rolls

73. Consideration needs be given to the Southwark Plan and potential for growth in the secondary sector, though this may not be immediately necessary if the fall in primary rolls feeds through to secondary and offsets demand.
74. Should additional secondary need materialise, the Council should consider supporting schemes for schools that are located close to the areas of demand.

Effects of COVID 19 on secondary rolls

75. As outlined from paragraph 48 onwards, there was an increase in secondary age children being home educated, there is also anecdotal evidence that some parents and carers are relocating out of London, in part driven by COVID issues.
76. The number of secondary applications in Southwark for September 2022, reduced by 4% against a London average reduction of 3%, though the contribution of Covid-19 to this remains, at best, anecdotal.

Secondary private schooling and home education

77. Whilst the number of secondary age home-educated children has increased to around 113 pupils, this amounts to less than 0.7% of all secondary pupils in Southwark and so is unlikely to affect our projections. Pupil projections also assume that a similar proportion of children attend private schools inside and outside Southwark, and or are home educated.
78. The number of private secondary pupils in the local authority area at the eight registered private secondaries has not altered significantly (3,901 secondary age pupils, or around 130 classes), nor those receiving education at home. Around 95 secondary age pupils – 2% of the schools total – attend a private school in Southwark and are resident in Southwark. Table 8 below gives a list of DfE recognized mainstream independent schools with secondary provision, their gender mix and the number of pupils on roll. Private secondary school pupils account for approximately 17% of all secondary school pupils in the local authority area. It should also be noted that 5 of the 8 schools are in Dulwich, and account for 97% of the independent school population in Southwark, closely matching that of the primary private schools.

Table 8 Private/Independent Secondary Schools in Southwark

School Name	Gender	Roll (7-13)	Roll (LBS)	% LBS
Alleyn's School	Mixed	1,054	32	3%
Dulwich College	Mixed	1,487	16	1%
Dulwich Prep London	Boys	237	8	3%
Herne Hill	Mixed	135	0	0%
James Allen's Girls	Girls	822	13	2%
Liral Veget College	Mixed	2	0	0%
London Christian	Mixed	13	0	0%
The Villa	Mixed	151	26	17%
Total		3,901	95	2%

Secondary expansions in adjacent boroughs

79. Paragraph 69 draws attention to the fact that approximately a fifth of Southwark-resident children of secondary school age attend schools out-borough and conversely out-borough children attend our secondary schools. Where secondary expansions or closures have occurred in schools in neighbouring boroughs, this could potentially have a material effect on recruitment to Southwark secondary schools. Therefore, appropriate expansions are detailed, borough by borough, in Appendix 7 of the report.

ACCURACY OF PROJECTIONS (PRIMARY AND SECONDARY)

80. An analysis of the accuracy of the GLA primary and secondary projections used by Southwark has been undertaken. Ofsted/NAO/DfE guidelines aim for these to be $\pm 1.5\%$ maximum.
81. This has not been achieved overall for primary schools. The accuracy of projections depends very much on any changes to the social makeup and demographics of Southwark and London being gradual and that the economic outlook remaining broadly similar. In both cases, this has not happened in Southwark, and indeed, the rest of London.

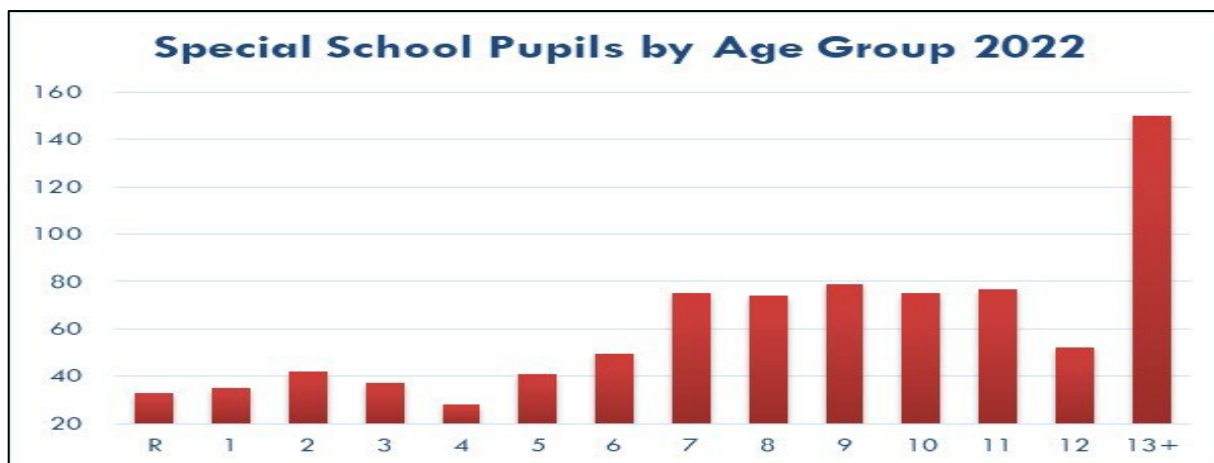
An accuracy check shows that:

- *there has been an average **overestimation** of primary reception projections since January 2016, of +6.3% since 2016;*
 - *overall, for YR-Y6, demand was overestimated by +3.2% on average since 2016;*
 - *explanations for the overestimation of primary reception derives from the effects of housing market changes, welfare reform and Brexit on the 0-4 years of age population, therefore the demand and the number of applications for a primary reception places are considerably less than previously anticipated'*
 - *the figure for Year 7 projections at secondary level has been underestimated by around 2.7% on average since 2016. This has not been an issue because sufficient space has existed within the system to be able to accommodate the additional pupils. A similar percentage (2.8%) of pupils overall were underestimated for years 7 to 11.*
82. The reasons for underestimation for secondary feasibly derive from a greater than anticipated number of outborough students attending our schools - this has risen considerably in the last 5 years, in part due to the relatively high performance of Southwark schools in KS4 assessments, in comparison to schools in neighbouring authorities. This has contributed to Southwark secondary school popularity. Paragraph 69 (and appropriate appendices show that the number of outborough pupils attending Southwark schools has increased from 22% to 28% since 2016, and that the "net flow" (the outflow to other boroughs subtracted from the inflow to Southwark has increased from +0.8% to +9.0%. Changes such as these make the modelling of secondary demand challenging, particularly as academies can – and do – alter their intake dependent on demand on an annual basis, and make up 17 of the 20 secondary schools in Southwark. If academies admit more outborough pupils as a percentage of their role, the market in schools is more of a driver to this than pure demographics.

SEND Schools Update (Primary, Secondary and 16 plus)

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

Table 9 – Children in school age year group in special schools (R to 13)



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

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

School	Specialism, school type (age range)	Roll (2022)	Capacity (2022)
Highshore School	SLD, PMLD Community School (11-19)	146	105
Spa School Bermondsey	ASD Academy (11-19)	110	100
Spa School Camberwell	ASD Free School (11-19)	67	100
Evelina Hospital School	Community Hospital School (2-19)	75	40
Bethlem & Maudsley Hospital School	Community Hospital School (4-19)	58	40
Haymerle School	ASD Community Primary School (4-11)	64	72
Beormund Primary	SEMH, Community School (5-11)	36	40
Tuke School	SLD, PMLD Community School (11-19)	86	90
Cherry Garden School	SLD/MLD Community School (2-11)	77	72
Southwark Inclusive Learning Service (Sils)	Pupil Referral Unit (11-16)	79	112
Newlands Academy	SEMH Academy (11-16)	71	70
Total		802	741

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

Table 11 SEND expansion proposals

School	Proposal	Capacity	Status
Beormund Primary	Relocation to former site Bellenden Primary School site	58	Gateway 2 approved
Charter School East Dulwich Secondary	ASD resource base as part of new build at Dulwich Hospital site	20	Work underway – completes 2022/23

Policy framework implications and Council Plan commitments

90. School place planning and investment strategies are aligned to local planning and policy frameworks, including the Council Plan. These outline the council's commitment to support schools to be outstanding, with children and young people able to achieve their full potential, and parents able to exercise choice in a high-performing schools' system. When assessing the demand for primary and secondary places, the Council considers the suitability of all schools in Southwark and the risks and advantages of altering the PAN for each, as well as the risks of overprovision or not meeting demand.
91. The 2018-22 plan stated: *"Southwark schools have improved significantly in recently years and we have been meeting high demand for school places by refurbishing and expanding popular schools and working with local parents to support new schools. We believe every child has the right to a good education, which is why we have campaigned alongside local parents for fair funding and worked with schools to drive up standards"*.
92. The Council Plan for 2018-2022 was refreshed as the Borough Plan for 2020-22 to reflect the impact of the pandemic. "It includes a strong commitment to education as part of its priority of given children a great start in life".
93. As set out in this report, the Council is contributing to giving children 'a great start in life' by ensuring that there are sufficient school places available in the borough for all children that need them.

Community equalities (including socio-economic) and health impacts

Community, equalities (including social-economic) impact statements

94. The Public Sector Equality Duty, at section 149 of the Equality Act 2010, requires public bodies to consider the protected characteristics of individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.
95. Public bodies need to have due regard when carrying out their activities to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. The Council's "Equality Framework" explains how the council is putting equality at the heart of everything we do.
96. "Protected characteristics" are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation. In this case, the characteristics covering gender reassignment, marriage and civil partnership, pregnancy and maternity, and sexual orientation are unlikely to be issues to consider in terms of place planning. In terms of age, disability, race, religion or belief, any concrete proposals that emanate from the consultations with stakeholders will naturally be equality impact assessed. Paragraph 21 of this report sets out proposals to manage a reduction of school capacity and the effects of continued, falling rolls. Any proposal would require full consideration of the equality impact this could have on families, children and the community. A full EQIA would be undertaken at the commencement of any proposal to amalgamate or to close a school and form part of the decision making process.

Health Impact Statement

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

Climate change statement

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

Resource and risk implications

105. It is in the interest of the Council to ensure demand is closely matched to supply. Excess capacity in maintained schools has contributed to the financial burden on the council. Reducing the PANs of the schools concerned mitigates risk to the Council budget.
106. The reduction of primary rolls also impacts on the Dedicated Schools' Grant (DSG) authorities receive from the DfE and could therefore indirectly reduce the amount -delegated to the Council to spend on supporting schools,

Legal Implications

107. The report sets out at paragraph 5 the council's duty to secure sufficient school places. Section 13 of the Education Act 1996 requires the council to:
- "contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education, and secondary education [...] are available to meet the needs of the population of their area".*
108. Section 14 requires the council to *"secure that sufficient schools for providing (a) primary education, and (b) education that is secondary education [...] are available for their area"*. The council must exercise this duty *"with a view to (a) securing diversity in the provision of schools, and (b) increasing opportunities for parental choice"*.

Finance Implications

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

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

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

Director of Law and Governance

114. The council has duties under the Education Act 1996 to secure that there are sufficient schools for providing primary and secondary education for their area. These schools need to be sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. Appropriate education means education that offers such variety of instruction and training as may be desirable in view of the pupils' different ages abilities and aptitudes and the different periods for which they may be expected to remain at school including practical instruction and training appropriate to their different needs. In exercising these functions the Act requires councils to have particular regard to the need for securing that primary and secondary education are provided in separate schools and the need for securing that special educational provision is made for pupils who have special educational needs. In practice, discharging these duties requires the council to actively monitor demand for school places, and plan to match supply to demand.
115. The report indicates likely future changes to primary school provision in the light of the current over capacity. Statutory processes apply to any proposal to alter a maintained school. These proposals will be subject to statutory notification and consultation procedures under the Education and Inspections Act 2006, and in accordance with regulations and guidance issued under that Act. Any proposals to consult on such changes will need to be agreed by the Deputy Leader and Cabinet Member for Children, Young People and Education and any decisions to close a school would need to be made by the Cabinet.
116. Cabinet is reminded that the public sector equality duty under section 149 Equality Act 2010, as set out in the Community Impact section of the report, applies to the exercise of these functions. Any proposals to alter a maintained school will be subject to a full equality impact assessment.

Strategic Director of Finance and Governance REF: [CAS22/11)

117. This report seeks to inform Cabinet of the updated forecasts of primary and secondary school places.
118. The responsibility for the sufficiency of places is a statutory duty of the Local Authority and the funding source is a combination of general fund and funding sources that replaced the former Education Services Grant.
119. The admissions function of the Local Authority is funded from the Central Block of the Dedicated Schools Grant.
120. The potential revenue consequences to schools flowing from changes in pupil admissions numbers contained within this report flow to and from the Dedicated Schools Grant and the Schools Block, which is ring fenced for funding mainstream schools.
121. These arrangements are supplemented further within the Dedicated Schools Grant by a growth and falling rolls fund (as noted above) which is set aside by Schools Forum to assist in managing flexibility to variation in pupil numbers and also a Schools in Financial Difficulty Fund (de-delegated from maintained schools and accessible only to maintained schools) which has set criteria for use.
122. Schools governing bodies have a responsibility to manage their delegated budgets in accordance with the Southwark Scheme for Financing Schools, which in turn is based on nation regulations. The scheme was updated in April 2021. Therefore, any revenue consequences flowing from the changes contained within the report to individual schools delegated budgets will need to be managed closely and carefully by schools having due regard to the provisions set out in scheme.
123. The Strategic Director of Finance and Governance notes the Financial Implications paragraphs (para 109-111) that the significant reduction in the pupil numbers and the pupil numbers being the main funding driver, it is very likely that in the not too distant future there will be insufficient pupil numbers to justify operating the current number of primary schools the Council currently maintains.

Other officers

124. Not applicable.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Making significant changes ('prescribed alterations') to maintained schools - Statutory guidance for proposers and decision-makers October 2018	Children's and Adults' Services, 4 th Floor, Education Directorate, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer and Neil Gordon-Orr, 020 7525 5234
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf		
Council Plan 2018-2022 and Council plan progress report 2020/22	Children's and Adults' Services, 4 th Floor, Education Directorate, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer and Neil Gordon-Orr, 020 7525 5234
https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan https://moderngov.southwark.gov.uk/documents/s92006/Appendix%20A%20Southwarks%20Borough%20Plan%202020.pdf		
School Admissions Code - Statutory guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels. December 2014 – DfE, and 2021	Children's and Adults' Services, 4 th Floor, Education Directorate, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer and Neil Gordon-Orr, 020 7525 5234
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1001050/School_admissions_code_2021.pdf		
Health and wellbeing in Southwark Joint Strategic Needs Assessment (JSNA) - Children with Special Educational Needs and Disabilities	Children's and Adults' Services, 4 th Floor, Education Directorate, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer and Neil Gordon-Orr, 020 7525 5234
https://www.southwark.gov.uk/assets/attach/7745/JSNA-2018-SEND.pdf https://moderngov.southwark.gov.uk/documents/s85675/Document%20Joint%20Strategic%20Needs%20Assessment%20Programme%20Update.pdf		
The Essential Guide to the Public Sector Equality Duty – EHRC July 2014	Children's and Adults' Services, 4 th Floor, Education Directorate, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer and Neil Gordon-Orr, 020 7525 5234
https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf		

APPENDICES

No.	Title
Appendix 1	GLA - School Roll Forecast Methodology
Appendix 2a	Primary Schools by Planning Area, Type, PAN, wards
Appendix 2b	Primary Schools by Planning Area, Type, PAN, wards
Appendix 3	Map of Secondary Schools, PANs, list of schools by ward
Appendix 4	Secondary Schools by old and New Wards
Appendix 5	Map of Primary Schools in Southwark
Appendix 6	List of wards and schools
Appendix 7	Expansions and contractions in neighbouring boroughs
Appendix 8	Births by calendar year in Southwark
Appendix 9a	Primary and Secondary cross border flows by order
Appendix 9b	Primary and Secondary cross border flows by order
Appendix 10a	Reception /Whole School vacancies by type
Appendix 10b	Reception /Whole School vacancies by type
Appendix 10c	Reception /Whole School vacancies by type
Appendix 11	PAN reductions for September 2019 and beyond
Appendix 12	Academies in Southwark and their sponsors
Appendix 13	Map of Planning Areas

AUDIT TRAIL

Cabinet Member	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People, Education and Refugees	
Lead Officer	David Quirke-Thomton, Strategic Director of Children's and Adults' Services	
Report Author	Neil Gordon-Orr - Strategic Manager, Education Access (0-25)	
Version	Final	
Dated	6 October 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
List other officers here	N/A	N/A
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	7 October 2022	

Item No. 12.	Classification Open	Date: 18 October 2022	Meeting Name: Cabinet
Report title:		The Health and Care Act: implications for Southwark Council	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Kieron Williams, Leader of Southwark Council	

FOREWORD – COUNCILLOR KIERON WILLIAMS, LEADER OF THE COUNCIL

Our health and care services are going through an extraordinary time of challenge. The impact of the pandemic has been unprecedented, and continues as services work to recover, bring down waiting times and further increase vaccination coverage.

The pandemic has shown how important our partnerships across our health and care system are. It is only through the deep collaboration between our public health, NHS, social care, voluntary sector, schools and many other partners that we have been able to support our community through these difficult times.

In midst, the Health and Care Act has passed representing the next step on our long journey towards greater integration of health care, social care and public health. The act creates new Integrated Care Systems (ICS) to take this work forwards, formed at a sub-regional level, in our case serving the six boroughs in South East London. This paper explains what this means for Southwark.

At the heart of our approach in Southwark is a shared commitment to work with our partners within Southwark and in our neighboring boroughs to deliver better outcomes for our residents. Whilst ensuring these new arrangements are democratically accountable to local people.

Our focus is on reducing inequalities and providing timely high quality care. With our Health and Wellbeing Board continuing to set the strategic framework for this local work, and Partnership Southwark providing an engine for collaborative delivery. Whilst the SE London Integrated Care Partnership and Board takes forward those elements of health care and collaboration that can best be advanced at SE London level.

RECOMMENDATIONS

1. Cabinet are asked to note:
 - a. the creation of the South East London (SEL) Integrated Care System (ICS) which came in to operation 1 July 2022, the details of which are set out in this report
 - b. how the SEL ICS is intended to work with existing health bodies, including the Health and Wellbeing Board
 - c. the interim arrangements which came into place from 1 July 2022 for an initial period of 12 months
 - d. the risks and opportunities associated with this transition, as set out in paragraph 25.
 - e. the Council's ambitions for future joint arrangements, as set out in a joint statement by the then SEL Integrated Care Board Chief Executive Designate and Chief Executive of Southwark Council, see appendix 1.
2. Having noted the Council's ambitions for future joint arrangements, Cabinet are asked to approve the establishment of a new position, which will be at minimum grade 17, to be jointly appointed to by the Council and SEL Integrated Care Board.

BACKGROUND INFORMATION

3. Members have received an all-member briefing note, issued by the Chief Executive in June 2022, setting out the background to the Health and Care Act 2022 and the new ICSs. See appendix 2 for the full briefing note, updated to reflect one change in group membership, namely: removing the Strategic Director for Children's and Adults' Service from the ICB and instating the same to membership of the ICP at the request of the SEL ICB.
4. The below sets out a summary of the all-member briefing note for reference.

The Health and Care Act

5. The Health and Care Act 2022 (the Act) establishes a legislative framework for the integration of health and care services in England, supporting collaboration and partnership working through the formation of integrated care systems.
6. The core ambition is to promote more joined-up services and to ensure more of a focus on *improving* health, rather than simply providing health care services.
7. The Act also contains new powers for the Secretary of State over the health and care system, and targeted changes to public health, social care, and quality and safety matters.

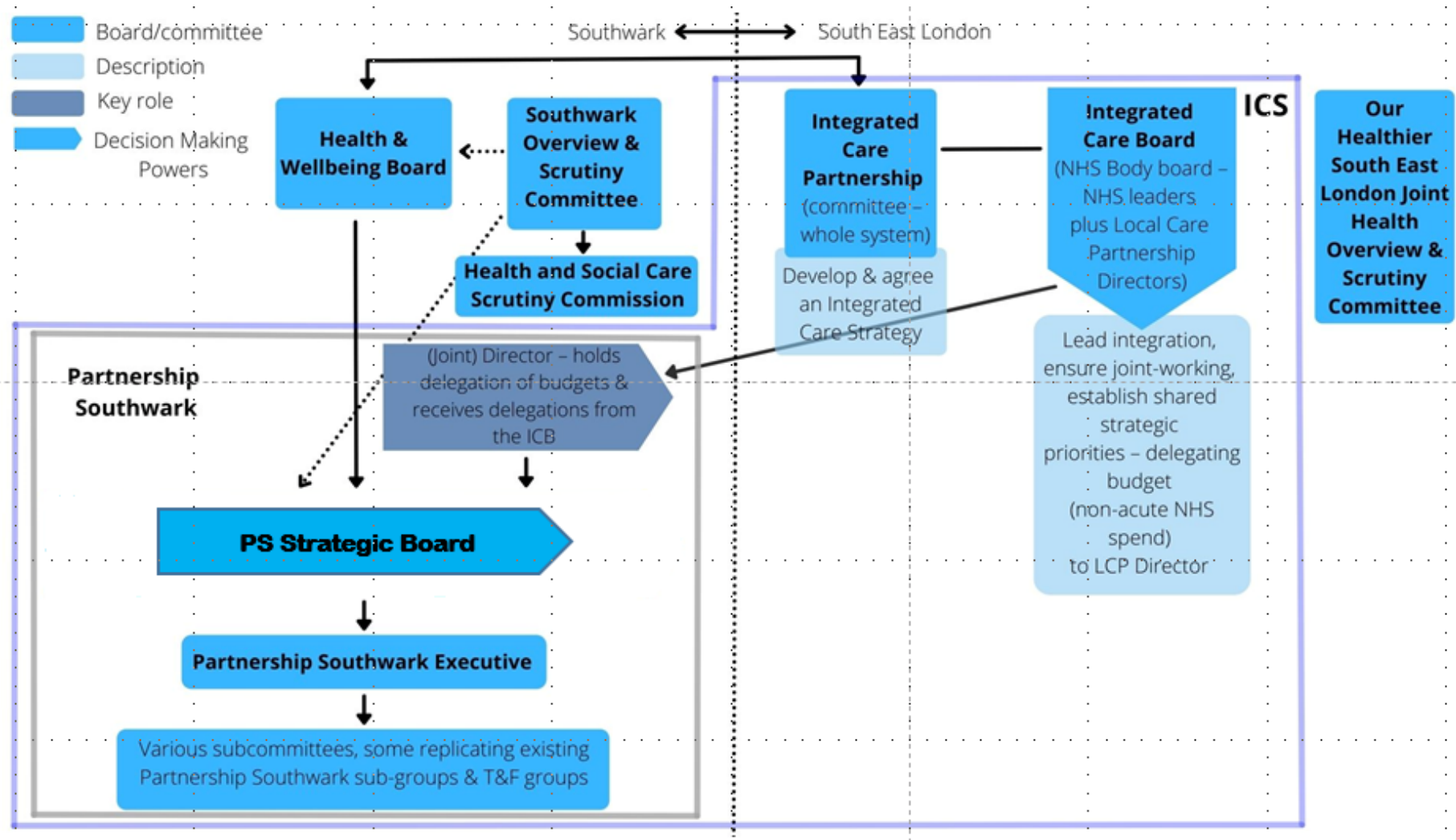
Integrated Care Systems

8. The Act replaces Clinical Commissioning Groups (CCGs) with two-part statutory ICSs.
9. ICSs are comprised of an Integrated Care Board, responsible for NHS strategic planning and allocation decisions, and an Integrated Care Partnership, responsible for bringing together a wider set of system partners to develop a plan to address the broader health, public health and social care needs of the local population.
10. Together, Integrated Care Boards and Integrated Care Partnerships will set the strategic direction for systems in an area, identifying priorities and, in the case of Integrated Care Boards, allocating resources within the NHS to deliver those.
11. Southwark is part of the newly formed SEL ICS, alongside Bexley, Bromley, Greenwich, Lambeth and Lewisham.

Local Care Partnerships and Place Executive Leads

12. Each 'place' (which is how local areas are described in the Act, in London this means individual boroughs) has a statutory sub-committee of their Integrated Care Board, replacing the CCG Borough Based Boards.
13. Previously, local NHS delegations were made to Borough Based Boards. Under the new arrangements, delegations will be made to a Place Executive Lead (which replace the previous Borough Directors).
14. These delegations cover non-acute provision including: primary care, primary care prescribing, community services for physical and mental health, continuing health care and client groups.
15. There is provision in the Health and Care Act 2022 for these Place Executive Leads to be either a sole Integrated Care Board appointment, or a joint appointment with another statutory partner.
16. Image 1 (following page) describes key parts of the ICS structure for South East London and Southwark.

Image 1: SEL ICS



Key Council roles in the SEL ICS

17. The following provides an updated record of the Council's membership of the various groups set out in Image1.
18. Council membership of the various groups is as follows:
 - Integrated Care Partnership
 - Leader of the Council (co-Chair)
 - Strategic Director, Children's and Adults' Services in capacity as Director of Adult Social Services (representing all SEL DASSs)
 - Integrated Care Board
 - Interim Partnership Southwark Place Executive Lead
 - Partnership Southwark Strategic Board
 - Cabinet Member for Health and Wellbeing (co-Chair)
 - Strategic Director, Children's and Adults' Services
 - Director of Public Health
 - Partnership Southwark Executive
 - Director, Adults' Social Care
 - Director, Commissioning
 - Deputy Director, Public Health

Governance within the Council

19. The Strategic Director, Children's and Adults' Services is the strategic lead for ICS matters on behalf of the corporate management team.
20. The Leader and Member for Health and Wellbeing are updated periodically.

KEY ISSUES FOR CONSIDERATION

Local Health Governance – interim arrangements

21. Arrangements for the appointment to Place Executive Leads posts and sub-committees vary across south east London and have been developed in discussion between Local Care Partnerships (in Southwark this is Partnership Southwark) and the Integrated Care Board Chief Executive. Full details of the various arrangements can be found on the SEL ICS website: www.selondonics.org.
22. In Southwark, as set out in the June all-Member briefing note (see appendix 2), the Council agreed with partners that more time was required to work through the practicalities of a joint appointment and joint committee.
23. To enable NHS delegations to be made, and services to continue for residents, the creation of an interim Place Executive Lead role and SEL Integrated Care Board sub-committee was required. These arrangements commenced 1 July 2022 and are as follows:
 - a. A part-time Place Executive Lead, the interim Partnership Southwark Director, appointed by the Integrated Care Board and with solely

Integrated Care Board delegations. This part-time post is supported by a full time chief operating officer.

- b. The Partnership Southwark Strategic Board – a sub-committee of the Integrated Care Board, and the strategic leadership group for Partnership Southwark.
- c. The Partnership Southwark Delivery Executive – a non-statutory leadership team providing operational advice and coordinating partner contributions to Partnership activities.

24. These arrangements represent a real opportunity for residents through coordinated and aligned planning and commissioning, which will build on our existing arrangements through the Better Care Fund, the Improved Better Care Fund and our existing joint-commissioning team. Through Partnership Southwark, and wider longstanding relationships, the Council has an excellent foundation of partnership and coordination on which to build.

25. Nonetheless, there are some risks to the Council and residents inherent in these arrangements.

Risk	Impact	Mitigations
Interim Partnership Southwark Director has control over local spend, including decisions around the resourcing and allocation of budgets.	The budgets delegated to this post are significant and bear relationship to the Council's own budget planning.	Council membership of the Integrated Care Board sub-committee which works alongside the Partnership Director.
The SEL Integrated Care Board will be developing approaches to review demand across the SEL patch. At present Southwark is represented at the Integrated Care Board only by the Interim Partnership Southwark Executive Director, who represents the Partnership but not the Council.	Decisions may be taken at a SEL level which impact the allocation of spend in either the positive or negative to Southwark in general. In particular, Better Care Fund allocations could be impacted.	Issue a letter to the SEL Integrated Care Board Chief Executive from the Council's Chief Executive, Section 151 Officer and Monitoring Officer seeking assurance that no significant changes to funding allocations locally will be made in the interim period. Debbie Warren, Chief Executive, Greenwich Council, represents all SEL local authority chief executives on the Integrated Care Board.
Financial pressures in the NHS are building. The SEL ICS has	It is not yet known what the extent of nature of the pressures are, but these will invariably	

Risk	Impact	Mitigations
established a Financial Recovery Board.	impact spend decisions in the near-medium term.	
Partnership governance at the SEL level, in the form of the Integrated Care Partnership, will be new and evolving but is responsible for holding the Integrated Care Board to account.	The lag between developing a cohesive strategy and approach for the Integrated Care Partnership and decision making within the Integrated Care Board represents a possible period of weakened oversight and accountability within the system.	The Leader will co-Chair the Integrated Care Partnership. The Strategic Director for Children's and Adults' Services is the SEL DASS representative on the Integrated Care Partnership.
Discussions around the implementation of the SEL ICS have centred in the main on governance structures. It is not yet clear how 'place' (which related to boroughs and residents) will be integrated to these structures and representation of boroughs on the Integrated Care Board in particular is limited.	The reforms set out in the draft legislation are clearly targeted to ensure that health inequalities are addressed through partnership working. This ambition will not be realised if 'place' is not at the heart of governance structures.	

26. In addition to the risks set out above, it is acknowledged that system partners have expressed wider concerns about the existing plans for governance, the representation of 'place' in those structures and the focus (or lack thereof) on health inequalities.
27. Meetings between political leaders and officials from across SEL continue. A number of issues are under consideration by stakeholders, including:
- a. How to ensure residents are at the heart of all plans and decisions
 - b. How to ensure governance is genuinely underpinned by partnership
 - c. The relationship between local and sub-regional plans, in particular that sub-regional plans be informed and shaped by the local, which is closer to residents, rather than the reverse

- d. The potential for the SEL Integrated Care Partnership to become performative rather than an authentic part of a meaningful system of governance with tangible impact
28. There are also wider implications for both the constitution of the council and the terms of reference for the Health and Wellbeing Board. The Monitoring Officer is undertaking to review the impact as detail is released. Further detail is available in the comment from the Director of Law and Governance.

Local Health Governance – future plans

29. The firm intention of the Council is to agree arrangements for a joint Council and SEL Integrated Care Board appointment to the Place Executive Lead role for Southwark in due course.
30. The Chief Executive has nominated the Strategic Director of Children’s and Adults’ Services to be the chief management team lead for the transition to the SEL ICS, and coordinate work towards a joint appointment.
31. The Section 151 Officer, Monitoring Officer and Director of Human Resources have been consulted and support this work.
32. An options appraisal to consider how the Council might undertake to create a new joint role with the ICB has been completed (see appendix 3).
33. Mutual Ventures, a consultancy specialising in public sector operations, were contracted to that end. They provided a detailed report setting out risks, opportunities and options for how the Council could approach this role (see background documents).
34. On the recommendation of the Strategic Director of Children’s and Adults’ Social Care, and with the support of the S151 Officer and Monitoring Officer, the Chief Executive is in agreement that the creation of a new, additional role in the council will enable the council to deliver best value for residents.
35. The Chief Executive is therefore seeking approval to establish a new role at grade 17 or above (subject to benchmarking).
36. This proposal will be fulfilled by existing Council and SEL Integrated Care Board allocations. It does not, therefore, represent any additional spend.
37. Subject to approval by the Council and the SEL Integrated Care Board, and with the support of Partnership Southwark, this role will be jointly appointed by the Council and SEL Integrated Care Board.
38. The post holder will be in receipt of delegations – including significant budgets – from both the SEL Integrated Care Board and the Council. The detail of the delegations to be made by the Council are to be confirmed and will be worked through in due course.
39. A joint appointment has significant implications for the council.

40. The current senior management arrangements of the Council, including strategic director posts, are likely to be impacted should a joint role be established and appointed to.
41. There are also risks associated with the delegation of NHS budgets and accountabilities to a post employed by the council.
42. A full appraisal of the financial risk associated with the creation of this role will be undertaken by an approved auditor. A wider review of the risks associated with the delegation of functions and duties from both parties on to one role, employed by the Council, will also be undertaken.
43. The Chief Executive will return to Cabinet with further detail at a future date.
44. It is noted that these discussions are not exclusively contained within the Council, but will be undertaken in partnership with key local anchors through a number of important channels as appropriate. To ensure the principles of transparency and good governance are followed at all times, a clear governance process will be established to support this.
45. It is also noted that the interim arrangements in place expire 30 June 2023. The interim Place Executive Lead is responsible for securing future arrangements. The council continues to work closely with them on this matter and they support this paper.

Policy framework implication

Southwark Joint Health and Wellbeing Strategy

46. Integrated Care Boards and their partner NHS Trusts and NHS Foundation Trusts must prepare forward plans, and the Act says Health and Wellbeing Boards (HWB) must be involved in preparing or revising these plans. HWBs must also be consulted on whether the plan takes account of the local Health and Wellbeing Strategy, and may also give NHS England their opinion on whether the plan takes proper account of the local Joint Health and Wellbeing Strategy.
47. Section 26 of The Act also amends s.116A Local Government and Public Involvement in Health Act 2007 by inserting a requirement that local authorities and their local Integrated Care Board must prepare a Joint local Health and Wellbeing Strategy. This must set out how the assessed needs in relation to the local authority's area are to be met by the exercise of functions of the local authority, Integrated Care Board and NHS England. However, this new Joint local Health and Wellbeing Strategy is not required if the local authority and Integrated Care Board consider that the existing Joint Health and Wellbeing Strategy produced by the HWB is sufficient.

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

48. The transition to the ICS represents an opportunity for Southwark residents to receive further improved integrated health and care services that focus on improving their health and wellbeing as well as delivering excellent care.
49. To ensure the experience and voice of the community is at the heart of planning and delivery of health and care in Southwark, Partnership Southwark is exploring the formation of a 'lived experience assembly'. This will be a core body within the governance structure.
50. The Partnership Southwark Strategic Board, the most senior board of the Partnership, will be co-Chaired by an elected member, ensuring that the views and needs of residents are represented in the leadership of the Partnership. These proposals ensure residents, their lived needs and experience are at the heart of health and care budgets, planning and delivery in the new SEL ICS.
51. Partnership Southwark remains a key delivery vehicle for the Southwark HWB, ensuring that the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy both continue to inform and shape the work of Partnership Southwark independently of the management of delegations from SEL Integrated Care Board in the near term. This alignment will be further strengthened in the event that the Partnership Southwark Strategic Board becomes a joint committee of the Council and Integrated Care Board.

Climate change implications

52. Greater alignment of commissioning and wider planning will enable partners from across the health and care system locally to assess climate impacts in a more coordinated way. In the event of a joint committee and director post, the Council will apply the full breadth of 'greener future' considerations to the work as a matter of course.

Resource implications

53. The core leadership team has been identified as: Chief Executive (as Head of Paid Service), Strategic Director of Finance and Governance (as Section 151 Officer) and Director of Law and Democracy (as Monitoring Officer).
54. At this time programme management resource is provided by the Strategy and Economy division within the Chief Executive's department. Further project resource may be required as work on the longer term model develops.

Legal implications

55. See below supplementary advice from Director of Law and Governance.

Financial implications

56. See below supplementary advice from Strategic Director of Finance and Governance.

Consultation

57. Wider consultation is assured through Partnership Southwark of which the Council is a key partner and through which relationships with all relevant system partners are supported.
58. Consultation with the community is enabled through the Health and Wellbeing Board, which receives regular updates on progress through the Chair of Partnership Southwark.
59. In the event of any impact on staff the appropriate consultation processes will be undertaken.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

60. This report sets out details of the changes to the health sector and to health and care arrangements brought about by the Health and Care Act 2022. As referred to in the report, Clinical Commissioning Groups have been replaced by Integrated Care Systems as of 1 July 2022. These provide for regional Integrated Care Boards (in our area the South East London Board) with a delegation of functions to a local level being made to executive directors. The report confirms that an interim appointment is in place until July 2023 and seeks agreement to a joint appointment process between the council and the Integrated Care Board for a permanent director from then onwards.
61. The operation of these arrangements will need to be carried out in the accordance with the statutory provisions of the Health and Care Act 2022 and the statutory guidance that is in the process of being produced to support the Act.
62. Appointments to the Integrated Care Partnership and Southwark Strategic Partnership have been made in accordance with the constitutions of those bodies.
63. The council's HWB continues to operate alongside the newly established ICS and there are statutory requirements for interaction and consultation between the different bodies. The Southwark Partnership Board will be subject to scrutiny by the council's Overview and Scrutiny Board, and its Health and Social Care Scrutiny Commission and arrangements for scrutiny of the ICB will be established jointly with the other local authorities in the area. The council's constitution will need to be amended to take account of the changes brought about by the Act and a report will be brought to Council Assembly in due course once all of these changes have been clarified.
64. The cabinet will need to ensure that the public sector equality duty (PSED) in section 149 Equality Act 2010 is considered i.e. to have due regard to the need to eliminate discrimination, advance equality of opportunity, and to foster good relations between people with protected characteristics and

others. Reference is made to this in the “Community, equalities (including socio-economic) and health impacts” section above to the impact of the changes on the community. The PSED will need to be taken into account in the appointment process and in the ongoing work of the ICS as it establishes its workplan and strategies.

Strategic Director of Finance and Governance

65. The Strategic Director of Finance and Governance notes the contents of this report.
66. Whilst the creation of the proposed joint post can be contained within existing resources, the financial implications of the direction of travel are still to be fully understood and the proposed risk appraisal by an independent auditor is welcomed.
67. Colleagues across both organisations will need to ensure that arrangements deliver value for money both for the organisations themselves and the individuals they provide services to and that the risks and rewards arising and accruing are apportioned fairly. It will be essential at all times that the council is able to evidence that taxpayers’ funds are being used to deliver benefits to local people.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Joint Statement from the Council, Integrated Care Board and Partnership Southwark, November 2021
Appendix 2	Health and Care Act All Member Briefing June 2022
Appendix 3	Mutual Ventures report – ICS: risks and opportunities for Southwark Council

AUDIT TRAIL

Cabinet Member	Councillor Kieron Williams, Leader of the Council	
Lead Officer	Althea Loderick, Chief Executive	
Report Author	Beth Penwarden, Strategy and Partnerships Manager	
Version	Final	
Dated	6 October 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		6 October 2022

Item No. 13.	Classification: Open	Date: 18 October 2022	Meeting Name: Cabinet
Report title:		Local Development Scheme 2022 – 2025	
Ward(s) or groups affected:		All	
From:		Councillor James McAsh, Climate Emergency and Sustainable Development	

FOREWORD - COUNCILLOR JAMES MCASH, CABINET MEMBER FOR THE CLIMATE EMERGENCY AND SUSTAINABLE DEVELOPMENT

In February this year, council assembly adopted the Southwark (Local) Plan after a prolonged period of deliberation and consultation. This is the local authority's primary planning policy but it does not cover everything. It is like a newly built house: it has walls and windows, and there are a few appliances too. It's perfectly adequate to live in but it does not have everything you'd look for in a home. That's where the Local Development Scheme (LDS) comes in.

Over the coming three years, the council will develop, consult and approve a series of planning documents and the LDS sets out the timetable. We want to see the Southwark Plan evolve to reflect our changing world so there will be two early reviews to amend the plan. The subjects of these reflect two of the council's highest priorities: the climate emergency and our town centres. The early reviews are to the Southwark Plan what DIY projects are to a new house: alterations and additions to improve the original scheme.

Sitting beneath the Southwark Plan are "Supplementary Planning Documents" (SPD), offering further details on key issues. The LDS rescinds two of these which cover topics that are now integrated into the Plan itself. More significantly, it sets out a schedule to formulate new SPDs. These will tackle some of the most important issues in our borough. How can we ensure that homes are genuinely affordable? How can we make sure that communities benefit from development? What makes a good quality home? Where does urban development fit within our natural environment, and how does it contribute towards tackling the climate emergency? What is genuinely affordable workspace? There will be an SPD for each of these questions - developed in consultation with the local community. These will enhance the Southwark Plan like furniture in an empty house.

Whether it's the huge construction projects in the north of the borough or the extensions and alterations in the south, Southwark is changing rapidly. Our planning documents offer structure to this change: prohibiting or encouraging different approaches to development in each part of the borough, and striving

to share the benefits amongst all of the community. The LDS identifies the policy areas to prioritise and sets out a timetable for tackling them. To take the construction analogy to its conclusion, the LDS helps to transform an empty house into a home.

RECOMMENDATIONS

1. That Cabinet agree the Local Development Scheme (“LDS”) appended to this report as Appendix 1 and 2 is brought into effect in October 2022.
2. That Cabinet rescind the Blackfriars Road Supplementary Planning Document (SPD) (2014) and the Elephant and Castle SPD (2012).

BACKGROUND INFORMATION

3. The Local Development Scheme is a timetable for consultation on, and finalisation of planning documents¹. The most important document is the Southwark (Local) Plan which was finalised and adopted by Council Assembly on 23 February 2022. This sets out a vision, strategy, policies and site allocations for future development in Southwark. These are continuously reviewed to consider whether updates are needed. The Southwark Plan addresses future needs and opportunities for housing, the economy, community facilities, transport, the historic environment and infrastructure. Alongside protecting the environment, adapting to climate change and securing good design. The Climate Emergency and Town Centres are some of the council’s biggest priorities and so these will be reviewed first.
4. This LDS will replace the September 2020 LDS. The next step is for the LDS to be formally brought into effect and published on the council’s website. This requires a formal decision by the cabinet.

KEY ISSUES FOR CONSIDERATION

Policy framework implications

5. The recently adopted Southwark Plan 2022 sets out the strategy for development with strategic policies, development management policies, implementation policies, site allocations and area visions. These are used to determine the type of development that can take place so that developments enhance our diverse areas. The Plan deals with land-use and development whilst also reflecting other strategies of the council. The policies focus on implementation and set out delivery mechanisms as drivers for change.
6. The Southwark Plan 2022 adoption superseded the Saved Southwark

¹ Required by the Planning and Compulsory Purchase Act 2004

Plan 2007, Core Strategy 2011, the Aylesbury Area Action Plan 2010, the Peckham and Nunhead AAP 2014 and the Canada Water AAP 2015.

7. It is recommended that cabinet formally rescinds the Elephant and Castle SPD 2012 and the Blackfriars Road SPD 2014 as these have also been superseded by the visions, policies and site allocations in the Southwark Plan 2022.
8. The Old Kent Road is a designated Opportunity Area in the London Plan. The development is a significant opportunity for the area with 20,000 new homes, new offices, town centres and the Bakerloo line extension. The draft Area Action Plan/Opportunity Area Framework is planned within the LDS towards final adoption which will incorporate a final round of formal consultation in 2023.
9. The LDS sets out the timetable for preparing an Early Review of the Southwark Plan. The proposed timetable will contribute to ensuring that Southwark has an effective strategy to adopt up to date documents that provide an effective set of policies for decision making on planning applications.
10. By focusing on updating important planning policy priorities as opposed to a full plan review, policies may be adopted and implemented more quickly. We intend to prioritise relevant policies relating to the Climate Emergency and the environment in the Early Review. A town centre policy review will follow.
11. The LDS also proposes the consultation and adoption of five SPDs. These will contain guidance that supports the implementation of the Southwark Plan 2022. Further guidance in the Affordable Housing and Viability SPD and the Section 106 and CIL SPD will assist the effective implementation of affordable housing policy and required financial contributions in Section 106 Agreements.
12. A new Environment and Climate Emergency SPD will be prepared in advance of the Early Review consultation. This will ensure our adopted energy policy (which already exceeds the London Plan requirements) can be implemented most effectively. The SPD will assist applicants and developers to successfully implement the new energy policy (P70) to reduce on-site emissions through each stage of the energy hierarchy and achieve sustainable design.
13. There will also be an update to the Residential Design Standards SPD to provide more advice for householder applications. An Affordable Workspace and Commercial SPD is scheduled in 2024. Following consultation earlier this year, the Statement of Community Involvement and Development Consultation Charter will be updated and adoption is planned for late 2022. The draft Local List is open for consultation from August 2022 for 12 weeks, closing 30 November 2022.

14. The Old Kent Road AAP and the SPDs will be completed at the earliest opportunity following the adoption of the Southwark Plan 2022. Authority Monitoring Reports are available on our website.

COMMUNITY, EQUALITIES (INCLUDING SOCIO-ECONOMIC) AND HEALTH IMPACTS

Community impact statement

15. The LDS sets out the timetable and priorities for the preparation of Southwark's planning documents. The planning documents that are programmed in this scheme will impact on the achievement of the Council's vision. All local development plan documents will have a sustainability appraisal to assess social, economic, environmental and health impacts. They will also meet the requirements of the Statement of Community Involvement for meaningful public participation. This includes publishing Consultation Plans and Consultation Reports. Equalities impact assessments are also carried out for all Development Plan Documents (DPDs) and SPDs.

Equalities (including socio-economic) impact statement

16. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 ("the Act") imposes a duty on public authorities (including the Council to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act.
- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
 - c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

17. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
18. The purpose of the LDS is to timetable planning documents in the borough and deliver the vision of the principles and values in the Borough Plan, ensuring that community and equalities impacts are taken into account. All DPDs and SPDs are supported by an Equalities Impact Assessment. An Equalities Impact Assessment is also required by the Development Consultation Charter for planning applications.

Health impact statement

19. The Southwark Plan 2022 Strategic Policy SP5 (Thriving neighbourhoods and tackling health inequalities) sets out how we will seek to maintain and improve the health of our residents, encouraging healthy lives by tackling causes of ill health and inequalities. This will be achieved through the policies in the Plan, including Policy P45 (healthy developments) which sets out the requirements for developments to encourage healthy lifestyle choices.
20. DPDs are supported by a Sustainability Appraisal which assesses potential health impacts, both positive and negative, of the policies proposed.

Climate change implications

21. The council has declared a Climate Emergency with the ambition to reach carbon neutrality by 2030. The Southwark Plan 2022 is a stepping stone towards meeting this 2030 carbon neutrality target. There is a climate change thread running throughout the Plan to mitigate against and adapt to address climate change. The Southwark Plan 2022 requires the reduction of emissions onsite by 100% on 2013 Building Regulations for major residential developments, and 40% for major non-residential.
22. The LDS includes the timetable for preparing the Climate Emergency and Environment SPD which will deliver further guidance for the effective delivery of the Southwark Plan 2022 policies. This LDS also includes an early review of the Plan to set out greater requirements for climate change mitigation and adaptation, including on site carbon reduction performance targets for small sites, exploration of embodied and whole lifecycle carbon, review of the heating and cooling and heat and energy sources onsite and reuse and retrofitting.

Resource implications

23. The LDS is required to identify the resources needed to complete the programme and these are all being met from existing budgets.

Financial Implications

24. There are no immediate resource implications arising from this report. Resourcing requirements are contained within existing departmental budgets.

Legal implications

25. Section 15 of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) requires a local authority to prepare and maintain a Local Development Scheme. The PCPA 2004 provides that the LDS must identify:
- Which documents are part of the Local Plan and which are SPDs
 - The subject matter and geographical area to which each document relates
 - Which documents (if any) are to be prepared jointly with one or more other local planning authority
 - The timetable for the preparation and revision of the development plan documents.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance (SC 10/22)

26. The LDS (Appendices 1 and 2 to this report) provides further details as to the changes proposed for the various planning documents which are intended to be introduced in Southwark. The LDS also sets out the proposed timescale. As set out in paragraph 25 of this report, such detailed programming is necessary since section 15 of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) requires a local authority to prepare and maintain a Local Development Scheme. The LDS sets out the development plan documents which will be produced and the timetable within which they will be produced. The LDS provides a brief description of all development plan documents (DPDs) and supplementary planning documents (SPDs) to be prepared and the content and geographic area to which they relate. It also includes the Statement of Community Involvement.
27. Accordingly, the LDS explains how the different DPDs and SPDs relate both to each other and to the Southwark Plan, also suggesting the subject matter and geographical area to which each document relates by its document title. In addition the LDS sets out the timetable for producing DPDs and gives timings for the achievement of the following milestones i.e. consulting statutory bodies on the scope of the Sustainability Appraisal as well as the publication, submission and adoption of the DPDs. It also sets out the timetable for producing SPDs and gives timings for publications of drafts and adoption of SPDs. No documents are to be prepared jointly with any other local planning authority.

28. The report refers to the proposals for community engagement. The National Planning Policy Framework provides guidance and emphasises at paragraph 16 that plans should be shaped by early, proportionate and effective engagement between plan makers and communities. Whilst there is considerable flexibility open to local planning authorities in how they carry out the initial stages of plan production, regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires notification to specific consultation bodies and members of the public as to what the local plan should contain and the Council will have a duty to take into account any representation made in this respect.
29. The processes required to be undertaken in the formulation of local development documents has been outlined in the LDS itself. Equality Impact Assessments are undertaken as part of the preparation of local development documents. An equalities impact assessment is not required for the LDS but future monitoring of the implementation and effectiveness of the local development framework will provide evidence to support changes that could be made to existing policies or proposals for new policies in relation to equalities.
30. Decisions regarding planning policy potentially engage certain human rights under the Human Rights Act 2008 (the HRA). The statutory planning process is designed to ensure conformity with the HRA and as such no human rights concerns arise here.
31. Council Assembly on 14 July 2021 approved a change to the Council's constitution to confirm that all decisions made by the Council will consider the climate and equality (including socio-economic disadvantage and health inequality) consequences of taking a decision. This has been considered in the report at paragraphs 21 and 22, above.
32. Under Part 3D, paragraph 9 of the Southwark Constitution, the Cabinet Member for Climate Emergency, Planning and Transport has authority to agree policy and performance priorities for the short to medium term, in relation to their area of responsibility and taking into account the needs of the Council as a whole. Therefore, the decision to bring the revised LDS into effect is within the Member's constitutional remit.

Strategic Director of Finance and Governance (CE22/038)

33. This report is requesting the cabinet to agree the Local Development Scheme ("LDS") appended to this report as Appendix 1 and 2 is brought into effect in October 2022 and to rescind the Blackfriars Road Supplementary Planning Document (SPD) (2014) and the Elephant and Castle SPD (2012).
34. The strategic director of finance and governance notes that there are no new immediate financial implications arising from this report.
35. Staffing and any other costs connected with this report to be contained

within existing departmental revenue budgets.

36. The strategic director of finance and governance expects that financial appraisals will be carried out as any new plans are developed and will be subject to future reports, including identifying the revenue or capital resources for any new commitments.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Plan 2022	Southwark Council	Planning Policy planningpolicy@southwark.gov.uk
Link: Southwark Plan 2022 - Southwark Council		

APPENDICES

No.	Title
Appendix A	Local Development Scheme February 2022 to December 2025
Appendix B	Local Development Scheme Timetable

AUDIT TRAIL

Cabinet Member	Councillor James McAsh, Climate Emergency and Sustainable Development	
Lead Officer	Juliet Seymour, Head of Policy, Building Control and the Historic Environment	
Report Author	Laura Hills Planning Policy and Monitoring Innovation Manager	
Version	Final	
Dated	6 October 2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Cabinet Member for the Climate Emergency and Sustainable Development	Yes	Yes
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Date final report sent to Constitutional Team		6 October 2022

APPENDIX 1**Southwark Council****Local Development Scheme****The timetable for preparing Southwark's Planning Documents****February 2022 to March 2025****Further information**

For further information please

- Visit our website www.southwark.gov.uk/planningpolicy
- Write to us at **Planning Policy, FREEPOST SE1919/14 London SE1P 5LX.**
- Email us at **planningpolicy@southwark.gov.uk**

The Local Development Scheme

1. The Local Development Scheme is a timetable for consultation on, and finalisation of planning documents¹. The most important document is the Southwark (Local) Plan which was finalised on 23 February 2022. This sets out a vision, strategy, policies and site allocations for future development of development in Southwark. These are continuously reviewed to consider whether updates are needed. The Southwark Plan addresses future needs and opportunities for housing, the economy, community facilities, transport, the historic environment and infrastructure. Alongside protecting the environment, adapting to climate change and securing good design. The Climate Emergency and Town Centres are some of the Council's biggest priorities and so these will be reviewed first.
2. The Old Kent Road is a designated Opportunity Area in the London Plan. The development will be a significant opportunity with 20,000 new homes, new offices, town centres and the Bakerloo line extension. The Area Action Plan/Opportunity Area Framework will set the policy framework for development.
3. The Supplementary Planning Documents (SPDs) and the Old Kent Road AAP will be completed at the earliest opportunity following the adoption of the Southwark Plan 2022.
4. The LDS does not include conservation area appraisals, Article 4 directions, and policy statements. This is because these are prepared in response to an issue on a short timeframe. They are available on our website at www.southwark.gov.uk/planningpolicy. The timetables for Neighbourhood Plans depend on submission dates by individual Neighbourhood Forums.
5. All Development Plan Documents (DPDs) are quality tested by an Integrated Impact Assessment (IIA). This contains Sustainability Appraisal, Strategic Environmental Assessment, health and equalities impact assessments. DPDs are also accompanied by a Habitats Regulation Assessment (HRA). All DPDs and SPDs have an Equalities Impact Assessment, Consultation Plan and Consultation Report. The Consultation Report contains the representations received. It also contains responses to the feedback received. The Consultation Plan follows the processes set out in the Statement of Community Involvement (SCI).

¹ Required by the Planning and Compulsory Purchase Act 2004

6. The Council prepared an updated draft of the SCI in December 2021. Consultation took place from 14 December 2021 to 23 March 2022. The final SCI will be ready at the end of 2022.
7. Our Planning Policy team has 10 permanent staff. We carry out consultation, policy writing, sustainability appraisal, equalities analyses and evidence collection. The Design and Conservation team will review the Residential Design Standards SPD and the draft Local List. Staffing resources from other parts of the council are also used to produce these documents. Specialist consultants support this work where necessary.
8. Planning documents need to be evidence based justifying issues, options, policies and decisions. Evidence base documents are available on our website alongside consultation on DPDs and SPDs. Development is also monitored regularly. The Southwark Plan contains a Monitoring Framework (Annex 4). This sets out the monitoring indicators for planning policies. The Authority Monitoring Reports are available on our website.

Local Plan documents

9. These planning documents set out the strategy and planning policies for development in Southwark.

Table 1 Adopted Local plan documents

Document	Date adopted
Southwark Plan 2022	23 February 2022 The new local plan for Southwark has replaced the following documents which no longer form part of the adopted development plan: Southwark Plan 2007 Core Strategy 2011 Aylesbury Area Action Plan 2010 Peckham and Nunhead AAP 2014 Canada Water AAP 2015
Adopted Policies map	23 February 2022 The adopted policies map schedule can be found at Annex 3 of the Southwark Plan 2022 and is also available on Southwark Maps.

Table 2 Draft Local plan documents

Document	Date planned to adopt
Old Kent Road Opportunity Area Framework/Area Action Plan	2025
Southwark Plan 2022 Early Review	2025

Supplementary Planning Documents/Guidance

10. SPDs cannot set new planning policy. But they can provide detailed technical guidance on areas and subjects. Some older SPDs are now superseded by the Visions, Policies and Site Allocations in the Southwark Plan 2022. These SPDs can now be rescinded.

Table 3 Supplementary Planning Documents now rescinded

Elephant and Castle (Opportunity Area Planning Framework) SPD	March 2012 (replaced Elephant and Castle SPG 2004, Elephant and Castle Enterprise Quarter SPD September 2008 and Walworth Road SPD September 2008)
Blackfriars Road SPD	January 2014

Table 4 Adopted Supplementary Planning Documents

Area/site SPD	Date adopted
Dulwich SPD	July 2013
Subject SPD	Date adopted
Heritage SPD	October 2021
Viability SPD	March 2016
Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015	April 2015; updated with addendum January 2017, updated with Carbon Offset Price January 2021
Residential design standards	October 2011
Affordable Housing SPD	September 2008 (draft June 2011)
Design and Access Statements SPD	September 2007
Outdoor advertisements	November 2004
Telecommunications	November 2004

Table 5 Draft Supplementary Planning Documents to be prepared

Document	Date for consultation
Affordable Housing and Viability SPD	October – December 2023 To update/replace the adopted Affordable Housing SPD 2008, the draft Affordable Housing SPD 2011 and the Viability SPD 2016
Section 106 and CIL SPD	April – June 2023 To update/replace the adopted Section 106 and CIL SPD 2015
Residential Design Standards SPD	April – June 2023 To update/replace the adopted Residential Design Standards SPD 2011
Environment and Climate Emergency SPD	October – December 2023 To update/replace the Sustainability Assessments SPD 2009 and the Sustainable Design and Construction SPD 2009
Affordable Workspace and Commercial SPD	April – June 2024

Draft Local List

11. The draft Local List is being consulted on for 12 weeks from August 2022 to 30 November 2022. This will replace the current draft Local List (including mapping and address list).

Statement of Community Involvement

12. Following two rounds of consultation from 2019 to 2022, the Statement of Community Involvement was updated. The main changes included consultation methods and timescale in the preparation of planning policy documents and also for commenting on planning applications. The SCI will be prepared for adoption by Cabinet in late 2022 along with the Development Consultation Charter.

Annual Monitoring Report

13. The Annual Monitoring Report is being updated. It will become an interactive, online tool for providing data about development in Southwark. Monitoring information includes affordable housing, businesses, shops, open space, community and health facilities.

Local Development Scheme timetable 2022 - 2025

	FY 2021/22	FY 2022/2023				FY 2023/2024				FY 2024/2025			
	Q4 Jan-Mar 22	Q1 Apr-Jun 22	Q2 Jul-Sep 22	Q3 Oct-Dec 22	Q4 Jan-Mar 23	Q1 Apr-Jun 23	Q2 Jul-Sep 23	Q3 Oct-Dec 23	Q4 Jan-Mar 24	Q1 Apr-Jun 24	Q2 Jul-Sep 24	Q3 Oct-Dec 24	Q4 Jan-Mar 25
Local plan													
Southwark Plan 2022													
Southwark Plan Early Review (climate)													
Southwark Plan Early Review (town centres)													
Area Action Plans (AAP)													
Old Kent Road OAPF / AAP													
Supplementary Planning Documents (SPD)													
Affordable Housing and Viability SPD													
Section 106 and CIL SPD													
Residential Design Standards SPD													
Environment and Climate Emergency SPD													
Affordable Workspace and Commercial SPD													
Other documents													
Statement of Community Involvement (SCI)													
Authority Monitoring Report (AMR)													
Draft Local List													

Key

Publication for comment	
Informal consultation (Regulation 18)	
Formal publication for representations (Regulation 19)	
Submission	
Examination In Public (EiP) Public hearing	
Inspector Report	
Adoption/Publication	

Acronyms

Area Action Plan	AAP
Authority Monitoring Report	AMR
Local Development Scheme	LDS
Opportunity Area Planning Framework	OAPF
Statement of Community Involvement	SCI
Supplementary Planning Documents	SPD

Item No. 14.	Classification: Open	Date: 18 October 2022	Meeting Name: Cabinet
Report title:		Gateway 2 – Contract Award Approval Partner & Financial Plan for redevelopment of the Tustin Estate	
Ward(s) or groups affected:		Old Kent Road	
Cabinet Member:		Councillor Darren Merrill, Council Homes and Homelessness	

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

The below report is for the approval for the council to approve the Partnership contract with BY Development Ltd to develop the agreed plans for the Tustin estate.

This represents a milestone moment, The Tustin Estate low rise redevelopment programme has come about after a huge amount of work to date from a resident-led board. And I wish to thank all those that have contributed.

This agreement shows the commencement in this project for high standard homes. The report sets out the phasing of the project starting with 167 replacement council rented and shared equity homes for those existing tenants and residents. This project will bring forward 690 homes over the four phases including 345 at social rent and 98 key worker homes, It also details the commitment to bring forward a new building for Pilgrims Way School.

As agreed in a previous Cabinet report work has already started on phase 1 and I am looking forward to finally seeing this project get out of the ground and visiting the new improved Tustin and seeing families growing and living there lives in what will be a fantastic development.

RECOMMENDATIONS

1. The cabinet approve the award of the Tustin Estate Development Agreement contract (Phases 1-4) to BY Development Ltd (trading as Linkcity) in the estimated sum of £242,601,000 for a period of eight years, commencing on 1 November 2022.
2. The cabinet approve a further variation to the Housing Investment Programme as set out in the closed report.

3. The cabinet delegate Phases 2-4 approval to the Strategic Director of Housing and Modernisation in consultation with the Strategic Director of Finance and Governance and note if Phases 2-4 costs individually exceed the estimated costs by 20%, further approval will be required by cabinet.
4. The cabinet delegate to the Director of Planning and Growth in consultation with the Head of Property the grant of a building lease(s) and necessary building licences for the development and the grant of long leases and the taking of lease backs and option agreements as detailed in paragraph 29, and the entering into overage agreements as referred to in paragraph 29 this will be subject to a separate report.

BACKGROUND INFORMATION

5. The Tustin Estate Low Rise Redevelopment Programme is the outcome of a resident-led investment decision into low-rise homes on the Tustin Estate following a feasibility process between 2019 and 2021 and a resident ballot in March 2021.
6. The programme comprises:
 - Demolition of 251 homes (200 council rented and 51 leasehold).
 - Construction of an estimated 690 homes including 202 replacement council homes, 443 additional affordable homes (345 social rent homes and 98 key worker homes), 27 shared equity homes and 220 homes for private sale.
 - Refurbishment of council homes in Manor Grove.
 - Development of a new park in the centre of the estate.
 - Demolition and replacement of Pilgrims' Way School.
 - Construction of new commercial spaces.
7. The new council homes included within the programme are being delivered as part of the council's commitment to build 11,000 new council homes by 2043.
8. The programme will be delivered in four phases. Phase 1 will deliver 167 replacement council rented and shared equity homes for existing council tenants and resident leaseholders with construction starting in October 2022 and expected to complete in early 2025. Phase 1 also includes the refurbishment of council homes in Manor Grove and investment in the public realm in that area. Later phases will deliver additional council rented and shared equity homes, council keyworker homes and private sale homes, as well as the replacement primary school and new commercial spaces. Completion of the whole scheme is currently programmed for summer 2030.
9. A planning application was submitted in March 2022, requesting detailed consent for Phase 1 and outline consent for Phase, 2, 3 and 4 and approved at the meeting of the Planning Committee on 19 July 2022.

10. Phasing Plan summary (see appendix 3)

Phase 1 - September/October 2022 to early 2025

- Hillbeck Close residents move in summer 2022
- Demolition of Hillbeck Close and Ullswater House
- Construction of Plots C, D and G1 providing new council rent and shared equity homes
- Refurbishment of council homes at Manor Grove
- Construction of Hillbeck Close extension and public realm in Manor Grove
- Bowness, Kentmere and Heversham residents move to new Phase 1 homes in 2025

Phase 2 - Summer 2025 to Spring 2028

- Demolition of Kentmere House and Heversham House
- Construction of buildings H, F1, F2 and G2 providing new council rent, shared equity and keyworker homes and homes for sale
- Completion of public realm to east of Tustin Common

Phase 3 - Spring 2027 to Winter 2028

- Construction of School and Plot E buildings providing new council rent, shared equity and keyworker homes and homes for sale
- Completion of New Hornshay Street and public realm to north of Tustin Common

Phase 4 - Winter 2027 to Summer 2030

- Demolition of existing school building
- Demolition of Bowness House
- Temporary relocation of existing businesses
- Construction of Plots A, B, J providing new council rent, shared equity and keyworker homes and homes for sale and new commercial space
- Completion of Patterdale Road extension and public realm improvements between buildings and to Old Kent Road
- Businesses move into new commercial space

11. For each of the future phases 2-4, there will need to be a design process that will lead to detailed planning applications. This design will be led by Linkcity, but will involve input and require sign-off from the council along with ongoing resident engagement. While the above paragraph (and appendix 3) lists what is expected to be delivered in each phase, this may vary based on the financial conditions and council requirements at the time each phase is submitted for planning.

12. The scheme has been allocated £31m Greater London Authority (GLA) grant, which is subject to the construction enabling works starting in October 2022, and the council has made an additional grant claim which if approved will result in a total of £41m grant.

13. Cabinet agreed the procurement strategy for a delivery partner for the Tustin Estate Low Rise Programme in July 2021, approving the use of a two-stage procurement process using the Pagabo framework. The two-stage process comprises of a Pre-Construction Services Agreement (PCSA) to deliver pre-construction services at stage one, followed by a Development Agreement for the delivery of the scheme including the construction works at stage two of the procurement. The council has the option to enter into the Development Agreement subject to successful completion of the scope of the PCSA including achieving financial close.
14. The PCSA was awarded to BY Development (trading as Linkcity) which is the development arm of construction firm Bouygues UK in January 2022. The works will be delivered by Bouygues UK. BY Development are performing well. There have been no delays or overspend.
15. During the selection process that involved residents from the Tustin Estate, Linkcity ended up with the highest quality score and the highest financial score of the tenders received. The analysis of the tenders received showed that Linkcity were asking for the lowest profit level of all bidders, meaning that their bid allowed for the most value towards the re-built estate.
16. Linkcity have experience of delivering other high-quality large scale housing development for local authorities and their contracting arm Bouygues are currently building the Flaxyard scheme for the council, which comprises 96 new council homes and 24 homes for shared ownership in Peckham.
17. Linkcity/Bouygues performance has been good. They have been active with their social value commitments and engaged in the design process. They lead monthly drop-in sessions and attend other drop-in sessions, the monthly Resident Project Group meeting and the monthly Tustin Community Association meeting.
18. As part of the scope of the PCSA, Bouygues obtained prices for Phase 1 work packages from suppliers and sub-contractors on an open book basis. External suppliers and specialist sub-contractors are required due to the range of different works required.
19. The council's appointed Quantity Surveyor has reviewed to confirm these costs as providing value for money when benchmarked against other sites.
20. In order to meet the target start on site date for GLA funding, the enabling works and demolition for Phase 1 was required to be brought forward in advance of formal entry into the Development Agreement. This budget was agreed by cabinet and a contract awarded in July 2022. This contract will be subsumed into the main building contract.

Procurement project plan (Key Decision)

21.

Activity	Completed by/Complete by:
Forward Plan (If Strategic Procurement) Gateway 2	16/05/2022
Briefed relevant cabinet member (over £100k)	13/07/2022
Approval of Gateway 1: Procurement Strategy Report	13/07/2021
Invitation to tender	06/08/2021
Closing date for return of tenders	17/09/2021
Completion of evaluation of tenders	11/10/2021
DCRB Review Gateway 2:	08/08/2022
CCRB Review Gateway 2:	18/08/2022
Notification of forthcoming decision – despatch of Cabinet agenda papers	01/09/2022
Approval of Gateway 2: Contract Award Report	18/10/2022
End of Scrutiny Call-in period and notification of implementation of Gateway 2 decision	28/10/2022
Contract award	31/10/2022
Add to Contract Register	01/11/2022
Contract start	01/11/2022
Contract completion date	30/06/2030

KEY ISSUES FOR CONSIDERATION

Description of procurement outcomes

22. As set out by the procurement route, Linkcity will contract Bouygues to deliver the works. The works will be delivered by a combination of Bouygues and specialist sub-contractors.
23. Prices for the Phase 1 work packages have been obtained from sub-contractors on an open book basis. Through this process, suppliers provide a price for the works/services and the margin that can be added. This ensures that a market price is obtained. The cost of Phase 2-4 was estimated based on the prices that was achieved for Phase 1.

24. The enabling works and demolition contract will be subsumed into the main construction works contract once the Development Agreement is entered into.
25. The estimated contract value is £242,601,000. This includes a profit margin at 2% for Phase 1 social rent and 4% for other tenures. This means that it is 4% of development costs for all uses except the school and retail. The profit margin was agreed for the Development Agreement as part of the Pagabo framework procurement. The rate was the result of a competitive process run by the framework.
26. There is an additional Development Management fee (DM fee) set at 3% of the development costs, as agreed as part of the Pagabo framework procurement. The cost is included in recommendation 1.
27. Recent market condition such as reduction in labour force, supply issues with materials and inflation have meant construction costs have been steadily increasing. The Tender Price Index is currently forecasting circa 10% inflation over the next three years.
28. The council will enter into a Development Agreement (DA) for all phases and building contract for Phase 1.
29. The council will grant a long lease of the relevant parts of the site (i.e. those where private homes for sale are being constructed) to Linkcity and take a lease-back of the council housing and commercial space once delivered in relevant blocks. The council will grant building leases, building licenses, overage agreements and options agreements during the work on the rest of the site and to take rights of pre-emption where required.
30. The council is responsible for the cost of Phase 1 as this phase provides replacement homes for existing residents. It is intended that the funding from the private sale houses will help to fund the later phases as well as grant funding support for affordable tenure units. There is a process in the DA to agree the cost of future phases, meaning the council can consider whether to proceed or not if the cost was too high.
31. The indication from Linkcity is that the first phase of private homes (built in Phase 2) will be Build-to-Rent (also known as Private Rented Sector, or PRS) based on their assessment of the local market. This has been taken into account when discussing overage.
32. Linkcity will appoint a consultancy team including dRMM as architect who have been working on the scheme for a year.
33. Separately the council has appointed client-side consultants to take the scheme forward and ensure that the project is delivered to the highest quality for our residents.

34. The council has the obligation to provide vacant possession. Phase 1 will develop enough council social rent homes for all council tenants affected by the wider programme to make one move to. In addition shared equity homes will be built to meet the needs of resident leaseholders.

Policy implications

35. The programme is aligned with 2020-22 Borough Plan commitments to deliver 11,000 new council homes by 2043.
36. The Fairer Future Procurement Framework commitments are applied to this procurement.

Tender process

37. The tender process involved a two-stage procurement using the Pagabo framework as detailed in paragraph 13 of this report. Linkcity's PCSA tender contained pricing of the initial second stage submission.

Tender evaluation

38. Details of the tender evaluation are set out in paragraphs 23 – 36 of the gateway 2 report for the PCSA (Appendix 1).
39. An open book approach was used to establish the phase 1 costs and these were checked by the quantity surveyor.

Plans for the transition from the old to the new contract

40. Not applicable.

Plans for monitoring and management of the contract

41. 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.
42. The contract will be monitored and managed by the Senior Project Manager (Southwark Construction), supported by Pulse Consult who have been appointed by the council to provide additional construction project management support.
43. The Project Manager will ensure that process are in place to manage and monitor the contract including compliance with contract, performance against Key Performance Indicators (KPI) and programme and cost.
44. To ensure that quality is maintained, and that all of the homes delivered as part of the Tustin Estate Rebuilding are in line with commitments made to

residents, the council will appoint a design guardian. The design guardian will be a qualified architect, with experience in estate rebuilding schemes, who will work with the council and their other appointed consultants to monitor all of the design work carried out by Linkcity/Bouygues, to suggest improvements, and scrutinise any changes made.

45. An annual performance report will be prepared in line with the council's Contract Standing Orders.

Identified risks for the new contract

46.

No.	Identified Risk	Likelihood	Risk Control
1	Costs of development agreement increase due to rising inflation and current construction market pressures	High	<p>Given current market conditions, the council anticipates that costs of the works may increase. A contingency has been added to the estimated contract value which will be held client side in case of cost increases as set out in the closed report.</p> <p>Through the Pagabo framework, there are a number of safeguards to control costs for the delivery phase and ensure best value. These include:</p> <ul style="list-style-type: none"> • The developer is required to obtain a minimum of three quotes for each supply chain element. For some packages it will be more. • Overhead and profit margins are provided as part of the tender and cannot be exceeded at a later stage. <p>Additionally, the council's appointed Quantity Surveyor will witness the supply chain quotes and verify the value for money.</p>
2	Vacant possession of Phase 1 and Phase 2 buildings is delayed, causing a delay to demolition and construction	Medium	<p>Ullswater House is already vacant and secured.</p> <p>There are 27 council properties in Hillbeck Close, all of which are now void.</p> <p>Sales have been agreed with all five leaseholders in Phase 1 and are being progressed by the council's legal team.</p>

No.	Identified Risk	Likelihood	Risk Control
			<p>Progress on rehousing and leasehold acquisitions is being monitored closely by the Senior Project Manager.</p> <p>The construction programme is being reviewed to consider options to start on other sites within Phase 1 if vacant possession is delayed.</p>
3	Enabling works which was contained in a separate gateway take longer than anticipated, causing a delay in the start of the main works	Medium	Performance against programme will be closely monitored and risks actively mitigated.
4	The council is unable to make the future financial contributions required under the development agreement due to changes in financial conditions	Medium	<p>This development agreement commits the council to significant future financial contributions based on the content and timing of future phases.</p> <p>However there is the possibility to alter the timings and content of what is delivered in future phases to reduce the overall cost to the council's Housing Revenue Account (HRA). Although and changes will be dependent on planning permissions and resident engagement.</p>
5	Supplier becomes insolvent or no longer has the capacity to deliver scheme	Low	Robust financial assessments have been undertaken by Pagabo for framework appointment including independent financial and credit checks. Pagabo also tracks each developer's finances on an ad hoc on request basis through a credit report service which is reported to the council.
6	Procurement challenge	Low	The procurement has been conducted in accordance with the Pagabo framework terms and the Public Contracts Regulations 2015. The Gateway 1 report sets out that in line with the two stage procurement process, the council has the option to award the DA to Linkcity, subject to internal governance approval. The Gateway 1 report sets out that the DA

No.	Identified Risk	Likelihood	Risk Control
			will include all works to deliver the scheme.
7	Interruptions to work programme due to COVID-19	Low	The risk of new lockdowns is considered low and unlikely to cause significant disruption to delivery of the works. The project manager will monitor any likely delays caused by staff shortages.
8	Interruptions to work programme due to supply chain delays caused by Brexit or war in Ukraine	Low	The impact of any supply chain delays due to Brexit or war in Ukraine will be closely monitored and alternative options pursued wherever possible to reduce interruptions.

Other considerations (For Housing Department works contracts only)

47. Not applicable.

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

Community impact statement

48. Residents voted in favour of the redevelopment programme in a residents' ballot in March 2021. The scheme has been progressed in line with the council's Landlord Offer commitments and with the Tustin Resident Manifesto.
49. Resident representatives participated in the selection of the developer including scoring and interviewing.
50. Since being appointed in November 2021, the developer has attended monthly Resident Project Group meetings and has taken part in estate 'walkarounds' to better understand residents' needs and concerns about construction. The council will ensure that the developer continues to consult extensively with residents on site management through the established resident consultation structure including the monthly Resident Project Group meeting, the monthly Tustin Community Association meeting, regular drop-in sessions, the Tustin newsletter and noticeboard boards. Residents may experience some disruption during the works. These impacts will be mitigated as far as possible by working closely with residents and ensuring effective communication.
51. The developer will work with the council to continue engaging with residents over the course of the scheme, as detailed under consultation.

52. The social value offer is detailed under social value considerations.

Equalities (including socio-economic) impact statement

53. Section 149 of the Equality Act, lays out the Public Sector Equality Duty which requires public bodies to consider all individuals when carrying out their day-to-day work in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. The council's Approach to Equality commits the council to ensuring that equality is an integral part of all activities.
54. The Tustin Estate Low Rise Redevelopment Programme has been developed in line with the council's Southwark Stands Together (SST) programme, a borough wide initiative in response to the injustice and racism experienced by Black, Asian and minority ethnic communities and to the inequalities exposed by COVID-19 pandemic.
55. A full Equalities and Health Impact Assessment (EHIA) (Appendix 2) was completed in December 2020. This was updated in March 2022 on the basis of the planning application.
56. The EHIA found that the majority vote in the residents ballot in combination with the scheme's potential to provide improved living conditions, housing quality, accessibility, public realm and community facilities presents a compelling case that the redevelopment is in the public interest. The EHIA sets out the potential risks and how the council has sought to mitigate these risks through a range of measures focused on engagement, rehousing assistance and compensation options.
57. The redevelopment programme is informed this assessment and the works will be delivered in accordance with the action plan in the assessment.

Health impact statement

58. The EHIA sets out how the redevelopment programme has the potential to contribute to improved health outcomes for existing and future residents and to help tackle health inequalities through improved living conditions and improved public realm and green space. The report also sets out a number of risks related to health including the environmental effects of works which the council is seeking to mitigate through effective planning of the works and considerate construction impacts.
59. The Tustin Estate redevelopment has been selected by the Urban Health Initiative to become a case study of an exemplar construction project in reducing air pollution and improving air quality. As part of the project, a target for a 30% reduction in emissions from Non-Road Mobile Machinery has been set. The developer has made a commitment in their bid to meet this target.

60. Residents have been consulted on the draft Construction Management Plan which sets out how the site will be managed during construction and how health and safety risks will be minimised. As the Construction Management Plan also covers all other elements of the construction works for the overall scheme, consultation will be ongoing.

Climate change implications

61. The scheme has been designed to minimise carbon emissions as far as possible. The construction of the overall scheme is estimated to deliver a 94% on site carbon emissions saving compared to a baseline development. The climate change implications of the main construction works will be considered in a future cabinet report to enter into the Development Agreement.
62. A bid for £700,703.45 Green Buildings Fund was approved by planning committee on September 1 for energy efficiency improvement works at Manor Grove including:
- Insulated roof decking on the new roofs
 - Solar panels
 - Wall insulation
 - New double glazed windows
 - Replacement of gas boiler systems with air source heat pump systems including mechanical ventilation and new radiators.

Social Value considerations

63. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the well being of the local area can be secured. The social value considerations included in the tender (as outlined in the Gateway 1 report) are set out in the following paragraphs in relation to the tender responses, evaluation and commitments to be delivered under the proposed contract.
64. The following social value commitments will be delivered as part of the contract:

Commitment	Phase 1	Phase 2	Phase 3	Phase 4	Total
Jobs for Southwark residents (at least 26 weeks)	40	53	20	53	166
Training courses for Southwark residents	40	53	20	53	166
Apprenticeships for Southwark residents	10	13	5	13	41
Work experience placements for Southwark residents	8	10	4	10	32

Commitment	Phase 1	Phase 2	Phase 3	Phase 4	Total
Graduate/management trainees from Southwark	2	2	0	2	6
Guaranteed interviews for Southwark residents	21	25	9	25	80
Jobs advertised to Southwark residents	100%	100%	100%	100%	100%
Educational workshops	6	7	3	8	24
Meet the buyer events for local suppliers	1	1	0	1	3
Staff volunteering hours	52	62	22	63	200

65. For Phase 1 the approximate value of the social value benefit is around £15m.
66. The developer has been consulting residents on what they would like to see from a social value offer. This will form the Residents Charter and will be a commitment within the DA.
67. The commitments will be monitored and managed by the Senior Project Manager (Southwark Construction), supported by Pulse Consult and reported to the Resident Project Group meeting and the monthly Tustin Community Association meeting. The social value commitments are in the DA and therefore enforceable by the council on the developer.

Economic considerations

68. The council is an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors and subcontractors engaged by the council to provide works or services within Southwark pay their staff at a minimum rate equivalent to the LLW rate. The developer has made a commitment to the payment of LLW to all directly and sub-contracted staff on the project.
69. The developer has committed to 20% of the construction costs being spent with local suppliers over the course of the whole scheme. The council is working with the developer to ensure all opportunities are advertised to the local economy.
70. Both the Development Agreement and Building Contract that will be used to deliver the Tustin Estate Rebuilding project contain the following provision in respect of the Blacklisting Regulations:

“The Developer shall and shall procure that all staff and sub-contractors comply with the requirements of the Employment Relations Act 1999 (Blacklists) Regulations 2010 (the “Blacklists Regulations”) and shall ensure that it will not during the term of this Agreement be a party to or concur in any discriminatory employment practice which could be construed

as blacklisting or boycotting any person who sought employment with the Developer in breach of the Blacklists Regulations.”

Social considerations

71. The scheme will provide new high quality council homes providing improved living conditions for existing and future residents. The scheme will also provide improved public realm and green spaces.

Environmental/Sustainability considerations

72. Across the whole redevelopment project, the council’s approach to procurement of the design, development and construction processes ensures a requirement to maintain and improve sustainability.

73. The developer has committed to improving sustainability by ensuring at least 90% (by weight) of non-hazardous construction, demolition and excavation waste will be diverted from landfill and demolition waste will be reused in the main construction works where possible.

74. The council defines green jobs as:

“employment in an activity that directly contributes to - or indirectly supports - the achievement of the UK’s net zero emissions target and other environmental goals, such as nature restoration and mitigation against climate risks.”

75. Construction jobs created on sites achieving greater than 50% on-site carbon savings vs Part L of Building Regs will meet this definition. As this site will deliver 94% carbon savings vs Part L, this means that all the construction jobs in Phase 1 will meet the definition of green jobs. If subsequent phases achieve similar levels of carbon savings then they too will create green jobs.

76. The development will be connected to the SELCHP District Heat Network, and as part of this expansion of the district heat network the following green jobs will be created:

Phase	Roles	Number
Construction Phase	Traffic management operative	1
	General foreman /supervisor	1
	General labour (Civil construction - non-qualified)	2
	Assistant quantity surveyor	1

Phase	Roles	Number
	CAD Engineer	1
	Project management team - 1 Intermediate (part of a wider team)	1
	Project management team - 1 Graduate (part of a wider team)	1
	Local trades (buy some material locally) - Linked to many indirect jobs including Consultants (RIBA 4 design, TM, etc), Trades (construction suppliers, temporary rentals, others);	10
Operations and Maintenance Phase (throughout the 25 year contract)	Engineer - Billing and Metering, call-outs	1
	Engineer - ECI, Mechanical and H&S	1
	Contract Admin	1
	Indirect (statutory inspections, O&M works, material traders, etc)	Many

Market considerations

77. BY Development (trading as Linkcity) is a private organisation that operates out of the UK. Linkcity is part of Bouygues UK which is wholly owned by Bouygues Bâtiment International, a subsidiary of Bouygues Construction which is based in France.
78. Linkcity has under 50 employees. Bouygues UK has over 250 employees. Linkcity and Bouygues have a national area of activity.

Staffing implications

79. There are no additional staffing implications. Staffing needs will be met through existing structures.
80. External project management and Quantity Surveyor services have been appointed to support the delivery programme.

Financial implications

81. For construction (works) contracts, the council is the end user in relation to Domestic Reverse Charge (DRC) and notification of this will be included in the letter of award to the successful contractor.
82. The Phase 1 cost includes £4,034,460.40 previously approved for enabling works. This figure has been deducted from recommendation 3. It also includes £4,454,100 of provisional sums. There is potential for £1,120,811

of value engineering. The council will ensure any value engineering doesn't affect quality and the impacts consulted on with residents.

Cashflow

	Phase 1	Phase 2	Phase 3	Phase 4	Total
2022/23	£ 10,918,000				£ 10,918,000
2023/24	£ 49,720,000				£ 49,720,000
2024/25	£ 36,194,000	£ 6,298,000			£ 42,492,000
2025/26	£ 2,168,000	£ 14,843,000			£ 17,011,000
2026/27		£ 22,158,000	£ 4,469,000		£ 26,627,000
2027/28		£ 6,101,000	£ 19,290,000		£ 25,391,000
2028/29			£ 9,741,000	£ 18,868,000	£ 28,609,000
2029/30				£ 28,730,000	£ 28,730,000
2030/31				£ 13,103,000	£ 13,103,000
Total	£99,000,000	£ 49,400,000	£ 33,500,000	£ 60,701,000	£ 242,601,000

83. The Phase 2-4 costs are estimates. There is some uncertainty and risk of construction costs increasing due to market changes. The report recommends that the Strategic Director of Housing and Modernisation in consultation with the Strategic Director of Finance and Governance approves Phases 2-4, but if Phases 2-4 costs individually exceed the estimated costs by 20%, further approval will be required by cabinet
84. If the recommendations in this report are agreed the council are only committed to the phase 1 spend. Before the costs for later phases are confirmed, Linkcity and Bouygues will conduct an open book tender process on all of the individual packages that make up each future phase, and these costs will then be reviewed by the council's quantity surveyor to ensure they are accurate.
85. The costs for each future phase will then be considered through the council's governance process as set out in paragraph 83. If the council declines to fund future phases then it will liable for any costs that Linkcity and Bouygues have incurred developing that phase so far.

86. The table below sets out the estimated costs of the four phases:

	Scheme costs
Phase 1	£99,000,000
Phase 2	£49,400,000
Phase 3	£33,500,000
Phase 4	£60,701,000
Total	£242,601,000

87. These costs will be incurred between financial years 2022-2030. The schedule of fees will be established within the contract agreement.

88. These costs will be funded from resources supporting the Housing Investment Programme.

89. This report also notes the council costs to support the delivery of the project, including professional fees and planning contributions. This is subject to a separate report.

90. The current approved budget is £19.47m. The table below sets out the variation:

Current approved budget	£19,470,000
Additional council costs	£32,391,214
Development Agreement	£242,601,000
Total	£294,462,214

91. The scheme has been allocated £31m GLA grant funding. A further grant application to increase this to £41m is currently being considered by the GLA

92. Estimated council receipts are £11,900,000, to be received 2026/27. The amount is based on the estimated profit income that will be made from Linkcity delivering the 220 private units as part of the Tustin development. Linkcity are currently intending to deliver these units as Build to Rent homes. There will be an overage clause included in the contract.

93. A General Fund bid and potentially an Educational Capital bid will be made for the school which is in Phase 3 and is subject to approval.

- 94. A report will go to Planning Committee requesting to use Community Infrastructure Levy funds for the school.
- 95. A bid for £700,703.45 Green Buildings Fund was approved by planning committee on 14 September 2022.

Investment implications

- 96. This contract enables construction works to start on programme.

Second stage appraisal (for construction contracts over £250,000 only)

- 97. Not applicable.

Legal implications

- 98. Please see concurrent from the Director of Law and Governance.

Consultation

- 99. The redevelopment programme is the outcome of a resident led feasibility and options programme carried out between July 2019 and March 2021, culminating in the Landlord Offer and a resident ballot in March 2021. There has been ongoing consultation with residents on all elements of the scheme through the monthly Resident Project Group meeting, the monthly Tustin Community Association meeting, design meetings, regular drop-in sessions and the monthly Tustin newsletter.
- 100. Consultation on the developer tender process took place with the Tustin Resident Project Group and the Tustin Community Association. Residents were members of the evaluation and interview panel and took a prominent role in evaluating submissions.
- 101. The developer will work with the council to continue to consult extensively with residents on site management through the established resident consultation structure including the monthly Resident Project Group meeting, the monthly Tustin Community Association meeting, regular drop-in sessions, the Tustin newsletter and noticeboard boards. In addition there will be a community coordinator and resident liaison officer.
- 102. The council consulted on the DA through the Resident Project Group meeting in July 22.

Other implications or issues

- 103. None.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance (H&M 22/094)

104. This report seeks cabinet approval to award the Tustin Estate Development Agreement contract (Phases 1-4) to BY Development Ltd (trading as Linkcity) for the estimated sum of £242,601,000 for a period of eight years, commencing on 1 November 2022. The contract forms part of the Tustin Estate Low Rise Redevelopment Programme, which is expected to deliver 690 new homes, of which 443 will be affordable homes, as well as community facilities, a replacement school and commercial premises.
105. As outlined in the financial implications section of the report, at this stage the council is committing to phase 1 of the development agreement. The cost of future phases, which are not included in the contract sum, will be significant and are required to complete the redevelopment programme. These are provided as estimates in the closed version of this report. The report sets out the arrangements and controls in place to review the costs of those phases.
106. To incorporate the Development Agreement fully into the council's Housing Investment Programme, cabinet approval is also sought for a variation to the Programme, the details of which are set out in the closed version this report. Because of the scale of this project, it is recognised at this time that these costs will be a call on borrowing and will therefore be reflected in future treasury strategy reports and in revenue budgets with regard to the cost of borrowing in HRA and General Fund budget monitoring reports and the Policy and Resources Strategy for 2023-24 and beyond.

Head of Procurement

107. This report seeks approval from cabinet to award the Tustin Estate Development Agreement contract (Phases one to four) to BY Development Ltd (trading as Linkcity) in the estimated sum of £242,601,000 for a period of eight years, commencing on 1 November 2022.
108. Cabinet notes details of the procurement exercise is detailed in paragraphs 22 to 34 and 37 to 39, management and monitoring of the contract are detailed in paragraphs 41 to 45, the risks are detailed in paragraph 46, the impact on equalities, health and climate change are detailed in paragraphs 53 to 62, social value commitments are detailed in paragraph 63 and confirmation of the payment of LLW is detailed in paragraph 68.

Director of Law and Governance

109. The Director of Law and Governance notes the contents of this report which seeks the approval of the cabinet to the award of the Tustin Estate Development Agreement contract (Phases 1-4) to BY Development Ltd (trading as Linkcity) in the estimated sum of £242,601,000 for a period of

eight years, commencing on 1 November 2022. The cabinet's approval is also sought for a further variation of the Housing Investment Programme as detailed in the closed version of this report. Furthermore, cabinet is requested to delegate Phases 2 to 4 to the Strategic Director of Housing and Modernisation in consultation with the Strategic Director of Finance and Governance as outlined in paragraph 3. Paragraph 4 of this report requests that the cabinet delegates the property related matters to the Director of Planning and Growth in consultation with the Head of Property.

110. On the basis of the information contained in this report, it is confirmed that this procurement was carried out in accordance with Contract Standing Orders and the relevant legal requirements.
111. The procurement was carried out in two stages. The stage 1 involved the award of a PCSA and was approved by the Strategic Director of Housing and Modernisation on 18 November 2021, in consultation with the Cabinet Member Council Homes and Homelessness. Since that time, Linkcity have worked to complete the Pre-Construction Services Agreement (PCSA). As part of the scope of the PCSA, Linkcity, through Bouygues, obtained prices for Phase 1 work packages from suppliers and sub-contractors on an open book basis. Paragraph 19 of this report highlights that the council's appointed Quantity Surveyor reviewed the prices and confirmed the costs provided value for money when benchmarked against other sites. Stage 2 of the tender process is to enter into a Development Agreement with BY Development (trading as Linkcity) for the delivery of the scheme including the construction works outlined in this report. Linkcity will contract Bouygues to deliver the works. The works will be delivered by a combination of Bouygues and specialist sub-contractors
112. Paragraph 27 highlights that there has been an increase in costs due to the market uncertainties and inflation and the table in paragraph 46 of this report highlights that there is a high likelihood that costs of the works may increase. As a mitigation, a contingency has been added to the estimated contract value which will be held client side in case of cost increases as set out in the closed report. A further mitigation, as highlighted in paragraph 46 is that the Pagabo framework has safeguards in place to control costs for the delivery phase and ensure best value. Further identified risk of this contract and how they can be mitigated are outlined in paragraph 46 of this report.
113. 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. Cabinet is specifically referred to the community, equalities (including socio-economic) and health impacts at paragraphs 48 to 60 out the consideration that has been given to equalities issues which should be considered when approving the recommendations in this report.

114. Contract Standing Order 2.3 requires that no steps are taken to award a contract unless the expenditure involved has been included in approved estimates, or otherwise approved by the council. Paragraphs 81 to 95 of this report confirm the financial implications of the award.

Director of Exchequer (for housing contracts only)

115. Not applicable.

BACKGROUND DOCUMENTS

Background documents	Held At	Contact
Tustin Estate Low Rise Re-development Delivery Programme	Constitutional Team / Tooley Street	Paula Thornton Paula.thornton@southwark.gov.uk
Link (please copy and paste into browser): https://modern.gov.southwark.gov.uk/mglIssueHistoryHome.aspx?Id=50025098&optionId=0		

APPENDICES

No	Title
Appendix 1	Gateway 2 - Contract Award Approval: Procurement of a Delivery Partner (Developer Contractor) for the Tustin Estate Low Rise Redevelopment Programme (Open)
Appendix 2	Equality and Health Impact Assessment, 21 March 2022
Appendix 3	Site Plan & Phasing plan showing building numbers

AUDIT TRAIL

Cabinet Member	Councillor Darren Merrill, Cabinet Member for Council Homes and Homelessness	
Lead Officer	Michael Scorer, Strategic Director of Housing and Modernisation	
Report Author	Cat Janman, Southwark Construction	
Version	Final	
Dated	6 October 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
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	6 October 2022	

Item No. 15.	Classification: Open	Date: 18 October 2022	Meeting Name: Cabinet
Report title:		Cator Street – appropriation for planning purposes	
Ward:		Peckham	
Cabinet Member:		Councillor Darren Merrill, Council Homes and Homelessness	

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

This is a technical report which explains the process and reasons why the council requires appropriation for planning purposes to bring forward 50 new extra care homes and environmental improvements to Cator Street. It also details the further appropriation to housing as this will be its end use.

RECOMMENDATIONS

That Cabinet:

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

BACKGROUND INFORMATION

3. This report recommends the council appropriates for planning purposes certain freehold land in its ownership. This will engage powers under section 203 of the Housing and Planning Act 2016, overriding third party rights in the land, which are then converting to a claim for compensation.
4. This course of action is recommended on the basis it will facilitate delivery of a development scheme of significant public benefit; in the form of 50 new council extra care homes and various environmental improvements.

5. The report further recommends the land be appropriated to housing, on the basis that this ultimately will be its use.
6. The council has used this mechanism to facilitate several of its housing development projects.
7. The site currently is vacant and cleared, having previously been used as a Learning and Business Centre. This is a predominantly residential area and the council holds the freehold of the site within its General Fund.
8. Planning consent was granted on 4 June 2020 for the construction of a four storey building with residential accommodation on the upper floors and a dementia day care centre on the ground floor (planning application 19/AP/2196). The new building will mirror and connect with the existing Tayo Situ House to the south, forming a single 'perimeter block' set around a landscaped courtyard.
9. The 50 new homes in the development will all be let as council homes and will operate as extra care homes. The development is intended to help address an identified shortfall in provision for people over 65 with particular health issues and who require additional support.
10. The consented scheme includes 47 one bed units and three two bed units.
11. Construction work commenced in September 2022.

KEY ISSUES FOR CONSIDERATION

12. If the recommendations in this report are accepted, the key impact will be that the owners of third party rights that are interfered with by the development, will no longer be able to apply to court for an injunction to stop the development. They will instead have the right to claim compensation.
13. Appendix B sets out further details of the rationale behind the recommendations in this report. Cabinet should be satisfied that:
 - a. The council owns the site – which it does as part of freehold titles SGL222622 and TGL250462.
 - b. The development of the site has planning consent – which it does under application number 19/AP/2196.
 - c. That the development behind the intention to appropriate for planning purposes is likely to improve the economic, social or environmental well-being of the area – and there is clear evidence that the consented scheme will do this.
 - d. That the appropriation to housing is correct – which it is, on the grounds the land will be used to provide accommodation by erecting housing on the site.

14. Cabinet will want also to consider that the course of action recommended is necessary and proportionate.
15. As part of the planning process, a daylight sunlight and overshadowing report, was produced by a specialist surveyor. This identified potential interference from the scheme to the lighting of some rooms in neighbouring properties. However, the overall conclusion from the planning report was that on balance the impact on neighbours' amenity is considered to be acceptable.
16. The daylighting sunlight report, does recognise there will be some impact to neighbouring properties. These adverse impacts were not of a degree to cause refusal of planning consent, but their existence poses a risk in being able to build the scheme, because if affected persons enjoy rights to light, and these are interfered with by the development, they may be able to apply to the court for an injunction to stop construction proceeding.
17. Even if such an application ultimately fails, it still has the potential to delay delivery of much needed new homes. It is not unreasonable therefore to look at mitigation of this risk.

Appropriation

18. The appropriation of land refers to the process whereby a council alters the purpose for which it holds land. Where land has been appropriated for planning purposes third party rights can be overridden. The beneficiaries of such rights can still claim compensation but cannot seek an injunction to delay or terminate the development.
19. This gives the council the certainty that having commenced construction works, a person with the benefit of either a registered or an unregistered right over land (there is no comprehensive register of third party rights) cannot apply to the court to have the development stopped. This is a very important tool in enabling development to proceed on urban sites.
20. Another approach for the council would be to either, not appropriate the site and accept the risk of delay from injunction. Or, not appropriate and take out insurance against the cost of claims. Neither approach addresses the central issue of the risk of delay should an application to injunct have to be considered by a court – nor the risk an injunction might be successful and the development stopped.
21. Appropriation is considered to give a high degree of certainty and is considered proportionate. The chief impact of this approach is that the owners of third party rights lose their ability to stop the development by injunction, but they retain the right to compensation.
22. The compensation a person affected by interference of a right may be entitled to, is based on the value of their properties before the right has been interfered with versus the value of the property with the interfered

right; the diminution in value of the affected property. If agreement between the parties is not possible it will be determined by the Upper Tribunal (Lands Chamber). The onus is upon the claimant to prove a loss in value, and compensation only becomes payable once there is an actual interference with a right.

23. In this case it is recommended that the land outlined on the plan at Appendix A be appropriated to planning purposes. This will mitigate the risk of legal action to frustrate the scheme being delayed or completed. Thereafter it is recommended the land is appropriated to housing purposes as this is the most appropriate basis on which to hold the site.

Rationale for recommendations

24. a. To mitigate against the construction of new Council housing being frustrated or delayed by legal injunction.
- b. To address an identified shortfall in the provision of extra care homes for elderly residents.

Community impact statement

25. The Council Plan was the subject of extensive community consultation. The recommendations herein further the delivery of the *A Place to Belong* commitment set out in the Plan.
26. The Equality Act 2010 requires the council in the exercise of its functions to have due regard to the need to:
- a) eliminate discrimination;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
27. Relevant protected characteristics for the purposes of the Equality Act are:
- Age
 - Civil partnership
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex and sexual orientation.

28. In considering the recommendations herein the cabinet must have due regard to the possible effects on any groups sharing a protected characteristic in order to discharge its public sector equality duty. This is an ongoing obligation.
29. The proposed development will have a positive impact on a specific demographic of people who fall within two of the protected character groups noted above. That is, older people, particularly those with mental and physical health issues, that require support to enable them to live independently within their own community. Based on existing knowledge of the area around the development it is not thought that the appropriation process will disproportionately affect any people or group of people sharing a protected characteristic.

Health impact statement

30. Over the next 10 years the overall population of Southwark is expected to increase by 9% and by 35% in the 65 plus age group. It is predicted there will be a substantial increase in individuals aged over 65 years, leading to a greater demand for specialist housing for older people with memory and other cognitive deficits.
31. In response to these predictions the council is committed to utilising extra care housing provision like the Cator Street development as a flexible care and support option to address the wellbeing and resilience of both adults and older people in Southwark.

Climate change implications

32. The schemes sustainable development implications were fully considered as part of the planning application process prior to planning consent being granted. The development will include solar panels on the roof and a heat pump as the renewable energy component of the energy system.
33. The development also includes extensive landscaping that will improve the biodiversity interest of the site.

Financial Implications

34. The construction of the new homes and their associated works will have a significant cost and an approved budget exists for this. The budget will need to make provision for any compensation claims for diminution in value that may arise as a consequence of the interference with any rights.
35. Where, as is the case here, land is appropriated from the General Fund to the Housing Revenue Account (HRA) an accounting adjustment is required to transfer the certified value of the land (£3.2m) between the accounts. This will have the effect of increasing the capital financing requirement for the HRA with an equal and opposite decrease for the General Fund with a corresponding impact on their respective contributions to the council's

overall debt interest costs. The revenue impact of this transaction will be an increase in HRA interest costs of £130,000 per annum based on approx. 4% interest rate that HRA pays for borrowing and corresponding decrease in General Fund revenue costs.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

36. The report recommends the appropriation of council owned land for planning purposes, and thereafter, the appropriation of that land for housing purposes.
37. A council holds land and property for a variety of statutory purposes in order to perform its functions. A council is authorised by virtue of section 122 of the Local Government Act 1972 (“the 1972 Act”) to appropriate land within its ownership for any purpose for which it is authorised to acquire land by agreement, where it is no longer required for the purpose for which it is held immediately before the appropriation.
38. The land must already belong to the council. Paragraph 3 of the report confirms that the land to be appropriated is in the council’s freehold ownership.
39. The land must be no longer required for the purpose for which it is currently held. The report confirms at paragraph 7, and at paragraph 15 of Appendix B that the land is no longer required for its current education purposes.
40. The purpose for which the council is appropriating the land must be authorised by statute. It is proposed that the land is held for planning purposes. This is a purpose which is authorised by statute. Section 246 of the Town and Country Planning Act 1990 (“TCPA 1990”) defines such purposes as, inter alia, those for which can be acquired under ss226 or 227 of that Act. Section 227 provides that a council may acquire land by agreement for any purposes for which it is authorised to acquire land compulsorily by s226 TCPA 1990.
41. The purposes for which a council can acquire land pursuant to s226 TCPA 1990 include purposes “which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.” S226 also authorises the acquisition of land “... if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land.” In the case of either s226 or s227 the acquiring authority must be satisfied that whatever development proposals it has for the land in question these are likely to “contribute to the achievement of any one or more of the following objects – (a) the promotion or improvement of the economic well-being of their area; (b) the promotion or improvement of the social well-being of their area; (c) the promotion or improvement of the environmental well-being of their area.” The Council’s

plan to build new homes on the land, of which all are council homes for rent, is capable of falling within all three categories.

42. Section 203 of the Housing and Planning Act 2016 came into force on 13 July 2016. This section contains a power to override easements and other rights, and it replaces s237 TCPA.

S203 says:

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

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

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

- (a) there is planning consent for the building or maintenance work,
- (b) the work is carried out on land that has at any time on or after the day on which this section comes into force
- (i) become vested in or acquired by a specified authority or
- (ii) been appropriated by a local authority for planning purposes as defined by section 246(1) of the Town and Country Planning Act 1990 [*i.e. for purposes for which an authority can acquire land under ss226 and 227*]
- (c) the authority could acquire the land compulsorily for the purposes of the building or maintenance work, and
- (d) the building or maintenance work is for purposes related to the purposes for which the land was vested, acquired or appropriated as mentioned in paragraph (b).”

43. What this means is that where land has been appropriated for planning purposes building work may be carried out on land even if this interferes with rights or interests if there is planning consent for the building work; and the work must be for purposes related to the purposes for which the land was appropriated, in this case planning purposes. By s204 those third party rights are converted into an entitlement to compensation to be calculated in accordance with ss7 and 10 of the Compulsory Purchase Act 1965.

44. This report confirms that the work being done on the land will be done in accordance with planning permission. Once the land has been appropriated and s203 triggered, that work will be authorised even where it interferes with third party rights.

45. Following the appropriation of the land for planning purposes it is recommended that the land is appropriated for housing purposes, as the

land is to be used for the provision of new housing. At that point the land will no longer be required for planning purposes and will be appropriated for housing purposes.

Strategic Director of Finance and Governance (H&M 22/093)

46. The strategic director of finance and governance notes the recommendation to appropriate land as described in order to facilitate the development of new council homes and environmental improvements on the site at Cator Street. This scheme forms part of the Council's new homes direct delivery programme and any associated costs will be contained with the Housing Investment Programme. As outlined in the financial implications section of the report, the appropriation from the General Fund to the Housing Revenue Account will impact on their respective capital financing requirements and resulting debt interest payments.

Strategic Director of Housing and Modernisation

47. This report paves the way for the future development of new housing and as such is supported by the strategic director of housing and modernisation.

BACKGROUND DOCUMENTS

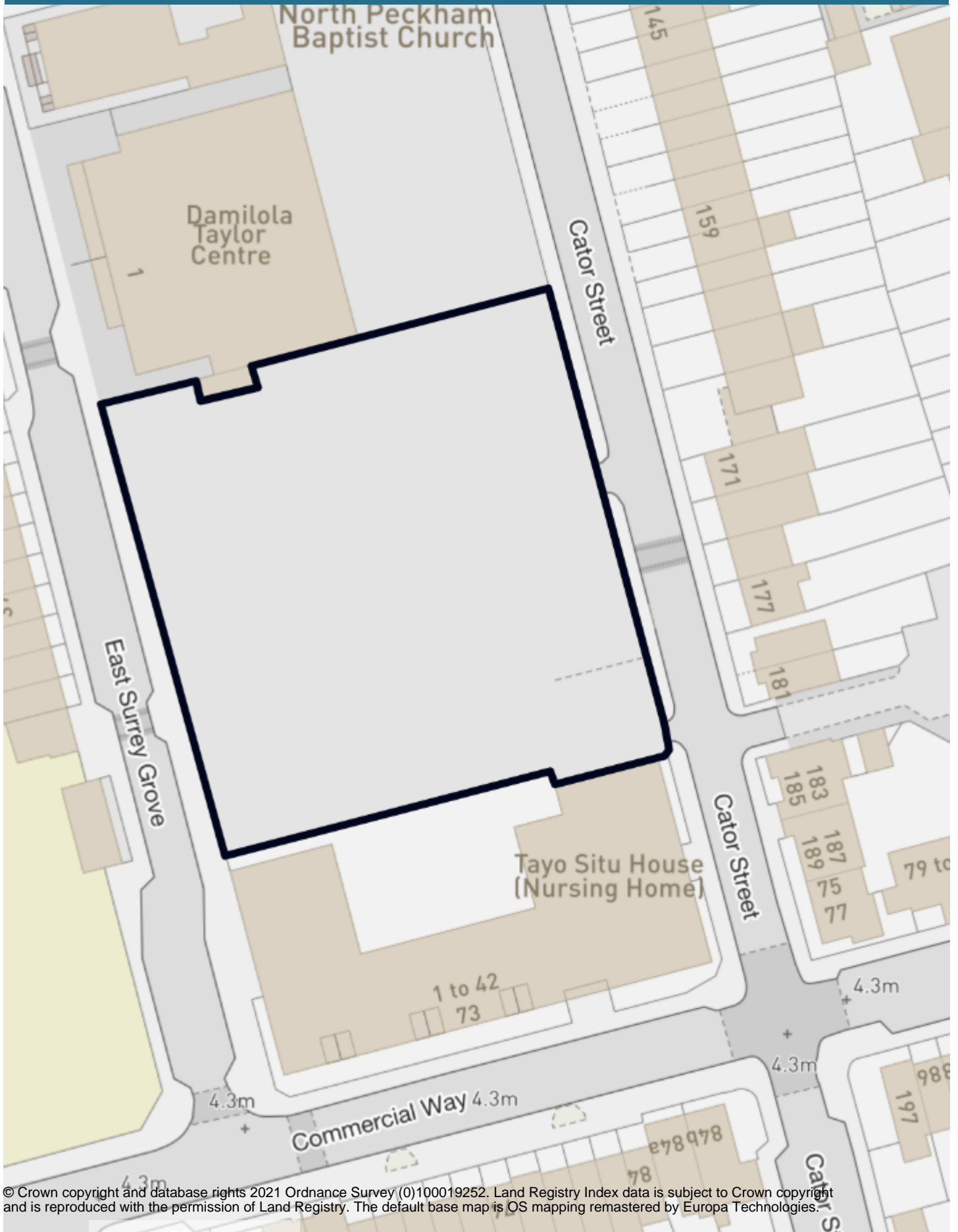
Background Papers	Weblink
Council Plan 2018/9 – 2021/22	http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf
Planning documentation – available at link by inserting application number 19/AP/2196	https://planning.southwark.gov.uk/online-applications/search.do?action=simple&searchType=Application

APPENDICES

Appendix	Title
Appendix A	Land at Cator Street
Appendix B	Rationale for appropriation

AUDIT TRAIL

Cabinet Member	Councillor Darren Merrill, Council Homes and Homelessness	
Lead Officer	Steve Platts, Planning & Growth	
Report Author	James Oates, Sustainable Development	
Version	Final	
Dated	6 October 2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Strategic Director of Housing and Modernisation	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	6 October 2022	



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APPENDIX B

Appropriation of land at Cator Street, SE15

Appropriation of the land at Appendix A for purposes set out in section 226 of the Town and Country Planning Act 1990 and to purposes set out in section 9 of the Housing Act 1985.

Background to appropriation

1. Under section 122(1) of the Local Government Act 1972, the Council may appropriate land for any purpose for which it is authorised to acquire land, when the land is no longer required for the purpose for which it is held.
2. Under section 226(1)(a) and 227 of the Town and Country Planning Act 1990, a Council may acquire land if they think the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. This includes development of the sort contemplated at Cator Street.
3. The power in section 226(1)(a) is subject to section (1A) of section 226. This provides that the acquiring authority must not exercise the power unless it considers the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area for which the acquiring authority has responsibility.
4. There are clear economic, social and environmental benefits associated with the provision of new extra care housing at Cator Street, namely providing people with quality accommodation. Accordingly, the Council may appropriate land for the purposes of the development proposals if that land is no longer required for the purposes for which it is held.
5. For the reasons set out below, the land shown on the plan at Appendix A is no longer required for its current purposes. The land can therefore be appropriated from its current use.
6. Where land has been appropriated for planning purposes Section 203 of the Housing and Planning Act 2016) applies. This means that the erection, construction or carrying out of maintenance or any building or work on the land (by the Council or a person deriving title from the Council) is authorised, if it is done in accordance with the planning permission, notwithstanding that it interfered with third party rights, such as restrictive covenants and easements.
7. The effect of triggering section 203 is that third party rights are overridden and converted into a claim for compensation pursuant to section 204.

8. The level of compensation for interference with third party rights is assessed based on the loss in value of the claimant's property because of the interference. An important consequence of the operation of section 203 is that a claimant cannot secure an injunction to prevent the development from going ahead – their remedy is a claim for compensation.
9. Prior to developing land it is usual practice to make prudent enquiries of what rights might exist over the land, this will involve inspecting the land to see if there are any obvious rights and checking land ownership information. However, some rights may not be apparent from inspection and historic one may not always be recorded at the Land Registry. The application of the power to override rights contained in section 203 therefore mitigates this risk.
10. The right to claim compensation for interference with third party rights is enforced against the owner of the land, which in this case is the Council.

Rationale for appropriating the land at Cator Street for planning purposes

11. The land at Cator Street was previously occupied by the Council as the Learning and Business Centre. That use came to an end a number of years ago and the building was to be re-purposed as a dementia day-care centre until structural problems were discovered, necessitating its demolition in 2015-16. The site is currently vacant and surplus to requirements as a Learning and Business Centre.
12. The site currently is held on the general fund. In order to regularise the situation and in recognition of the sites suitability for redevelopment it is considered correct to appropriate it for planning purposes.
13. Planning consent has been secure for the scheme outlined in the main report.
14. As discussed in the main report, there may be an adverse impact on the rights of light to nearby properties from the scheme. Appropriation will eliminate any risk of one or more property owners or occupiers applying to the court for an injunction. If an injunction is granted, the scheme will not be able to proceed.
15. In these circumstances, it is appropriate to utilise the powers of section 203 to overcome this risk and enable the much-needed new homes to be built.
16. As indicated above, in order to facilitate the consented redevelopment for new housing, it is now required to hold the land for planning purposes. When land has been appropriated for section 203 purposes, it will continue to benefit from its overriding provisions even when the land is no longer held for planning purposes.

17. The land shown at Appendix A is no longer required for its previous use and is now to be held for planning purposes in order to facilitate the consented housing development.

Rational for appropriating the land at Cator Street back to housing purposes

18. Once land is appropriated for planning purposes, it should be appropriated to housing purposes, as this will be its ultimate use. The cleansing effect of section 203 means that it can be developed in confidence that the works will not be at risk of an application for an injunction to frustrate the development.
19. Section 9(1)(a) of the Housing Act 1985 states a local housing authority may provide housing accommodation by erecting houses on land required. It is therefore apt that following the section 203 appropriation the land is in accordance with section 122(1) of the Local Government Act 1972 appropriated for purposes within section 9(1)(a) of the Housing Act 1985.
20. The appropriation of the land whilst denying the beneficiaries of any third party rights over the land the ability to frustrate the regeneration of the land will not take away their ability to claim for compensation in respect of any diminution in the value of their land as a result of their rights being overridden.

Item No. 16.	Classification: Open	Date: 18 October 2022	Meeting Name: Cabinet
Report title:		Response to Recommendations from the Health and Social Care Scrutiny Commission Report: Domestic Abuse in Families	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Dora Dixon-Fyle, Community Safety	

FOREWORD - COUNCILLOR DORA DIXON-FYLE, CABINET MEMBER FOR COMMUNITY SAFETY

I welcome the recommendations made in the health and social care scrutiny commission report: domestic abuse in families. Domestic abuse and violence against women and girls has been a council priority for a number of years. The last couple of years have been particularly challenging in this area with the complexities of the Covid pandemic; and enforced lockdowns making it more difficult for victims of domestic abuse to access help. We are now faced with a different crisis; increase in cost of living, which will impact the most vulnerable in society including those suffering from domestic abuse, who for financial reasons may now stay with their perpetrator rather than seeking help.

Abuse in all its forms is unacceptable. It affects all communities and has an incalculable impact on the lives of those individuals affected, their families and the wider community. Tackling violence against women and girls is therefore ‘everybody’s business’. Early intervention and prevention; working with families prior to point of crisis is key to our approach, identified as a priority area in our 5 year VAWG strategy (2019–2024). It is clear from the work identified by the scrutiny commission that good work is already being undertaken in this area by the council, working alongside statutory partners and the voluntary sector.

We are currently in the process of reviewing our current domestic abuse and violence against women and girls service offer with a view to developing a new service to be in place for July 2024. In addition the next 12 months will see the implementation of the new serious violence duty which requires specified authorities to work together to prevent and reduce serious violence, including the development of a local strategy. The recommendations made by the scrutiny commission will be considered in the development our new VAWG service provision, and development of our new serious violence strategy.

I am confident with the priority focus given to VAWG by the council and other statutory partners that we have the tools to really make a change in this area and improve the lives of individuals and the community blighted by this issue. Building on the strong community foundations that we already have in place. I am confident that together we can make Southwark a safer place for all.

RECOMMENDATIONS

1. That the cabinet notes the response to the Domestic Abuse in Families Scrutiny recommendations as set out in Table 1.
2. That the cabinet suggests that the commission invites the lead member back to the Commission to discuss this report, as well as follow up on previous reviews, and specifically the review completed in June 2019 by the Community Safety Scrutiny Commission on Violence Against Women and Girls.

BACKGROUND INFORMATION

3. The health and social care scrutiny commission report - Domestic Abuse in Families Scrutiny Review, was discussed at the cabinet meeting in June 2022 (agenda item 14).
4. 10 recommendations were made. This report sets out a response to each recommendation and details whether, when and how the recommendations will be taken forward.

KEY ISSUES FOR CONSIDERATION

5. The review put forward 10 recommendations under 3 themes. These are detailed in Table 1. below with the considered response.
6. Table 1. Response to Domestic Abuse in Families Scrutiny Recommendations

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
1. Extend work with Young people and families, including those who acting out under 16, and ensure this includes time and capacity to engage with partners.	<p>The council already commissions a number of services working with young people and families experiencing domestic abuse. This includes Yuva - service for young people using or experiencing violence in close relationships. At present the service works with 15 young people (11 to 18 years) per year. To extend their reach Yuva are currently developing an online parents programme. They are also looking to co-locate services at family and children's centres within the borough.</p> <p>The Southwark Youth Justice Service (YJS) also works with children who</p>

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
	<p>commit violence within the family against parents or siblings as either a prevention/early intervention case or where the police are prosecuting over 16's for domestic abuse. The YJS has recently obtained specialist input/training about child to parent violence, and with other colleagues from across children's services, will be developing an intervention response to this issue over the coming months. This will include engaging interested practitioners to become professional "champions" about implementing interventions with relevant families.</p> <p>In the short term consideration (via budget setting process) can be given to extending both the Yuva support offer and YJS training offer if additional funding is made available. Yuva service is currently delivered two days a week. If this were to be extended to three or four days this would require additional funding of between £10,000 to £20,000. For the YJS champions (4 to 8 individuals) the annual cost to ensure they remain up to date in terms of knowledge/practice would be in the region of £6,000.</p> <p>Longer term the council (Community Safety) are currently reviewing domestic abuse/VAWG provision for which this are will be considered in developing a new service to be in place for July 2024.</p>
Theme - Early focus on preventative work to prevent cycles of abuse, protect children and support mothers	
<i>Recommendation</i>	<i>Response</i>
2. Invest in Early Help, focusing on the first 1000 days in particular, to work to protect children at this developmental important moment.	Southwark LA are developing their Family Hubs and Start for Life programme with partners to improve outcomes for babies, children and families. The three principles of family hubs is access, connection and

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
	<p>relationship. Resources based within Southwark communities and local facilities to provide the right support at the earliest opportunity. Family Hubs are a way of delivering the Supporting Families vision of an effective early help system.</p> <p>Families with children under 5 already receive universal and targeted support in this area from the Children and Family Centres (CFC)s. There are strong established links between the Council's Family Early Help (FEH) service and the commissioned CFCs. If a domestic abuse referral is received that does not meet the threshold for a Children's Social Care assessment FEH and CFCs will work together to determine who is best placed to provide a whole family assessment, support and intervention.</p> <p>The Parenting team within FEH have begun to hold monthly drop in sessions for social workers and other key front line practitioners to promote parenting support and evidenced based group work as well as access to Reducing Parental Conflict online training. This online tool will be able assist practitioners in their interventions with parents including children and their families subject to statutory services.</p>
3. Extend therapeutic support for children and adult victims/survivors.	<p>Our current domestic abuse service offer includes child therapeutic support and adult survivor counselling offer. The child therapeutic service works with 20 children per year, 53 adults complete the counselling course per year.</p> <p>Short-term consideration can be given to extending these service(s) if additional funding is made available.</p>

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
	<p>Longer term demand for these services and future provision will be reviewed as part of our VAWG recommissioning.</p>
<p>4. Support schools and the youth service to develop programmes that help young people to develop positive relationship skills and identify harmful behavior, in order to keep themselves and others safe.</p>	<p>Since September 2020 the delivery of Health Education and Relationships Education (primary schools) and Relationships and Sex Education (secondary schools) has been compulsory in all schools. The PSHE Association has provides a toolkit to assist delivery of PSHE for key stages 1 & 2 and 3 & 4.</p> <p>The Council (Community Safety) currently commission Bede House to deliver the SHER (Safe. Healthy, Equal Relationships) programme to secondary schools and youth groups (approximately 220 young people per year). This also comes with a toolkit available to all schools. This is funded through the Mayor’s Office for Policing And Crime (MOPAC) London Crime Prevention Fund (LCPF) for which funding is confirmed until March 2025</p> <p>The FEH service promote a ‘team around the school’ (TAS) approach with schools (primary and secondary) in the borough. All schools were offered a multi-agency Team Around the School (TAS) meeting in 2021/22 academic year. 108 took place in 60% of schools (25% secondaries, 70% primaries). On average 386 vulnerable/at risk children were discussed each term making use of partnership resources to improve attendance, attainment and keeping children safe and in education.</p> <p>A group of multi-disciplinary specialists are working together in the Southwark secondary Alternative</p>

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
	<p>Provision setting (SILs) for two academic years until September, 2024. This AP taskforce team are DfE funded focusing on reducing truancy, addressing harmful behaviours, preventing involvement in serious violence, keeping safe and improving mental health and well-being.</p> <p>The DfE have also funded a SAFE (Support, Attend, Fulfil, Exceed) taskforce which is group of Southwark secondary schools who have been invited to work together with other multi-agency structures, LA colleagues and local experts to support young people at risk of serious violence and exploitation and re-engage them in their education.</p> <p>The youth service provide open access youth provision for young people aged 11-19. One strand of the work they deliver is around building healthy relationships, workers work with young people to deliver this. In addition 21 voluntary and community sector providers are currently commissioned to deliver a range of open access and targeted provision, which includes incorporating building healthy relationships into their programmes. This includes targeted projects such as Proud to be Me, who work with young women, and Metro who provide support services to young people from the LGBTQ+ community.</p> <p>The Southwark Young Advisors assist the council to engage with young people at a peer level on a number of issues. This includes positive relationships. Earlier in the year in relation to our women's safety work, they delivered a number of workshops, webinars, podcasts, mentoring to young people (total of</p>

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
	<p>1,428). This included a video about street harassment. This activity was funded by the Home Office Safer Streets Three Fund.</p> <p>Southwark YJS continues to deliver its knife crime awareness programme at 3 secondary schools each term, assisting participants to develop ways of being safe which do not involve their carrying or using weapons. This intervention has been running for nearly 5 years and has been positively evaluated by Middlesex University. Funding from the Young Londoners Fund for this initiative will be ending shortly.</p> <p>Officers will continue to develop initiatives and identify funding opportunities for delivery in this area.</p>
Theme – Work with perpetrators and fathers	
<i>Recommendation - Council</i>	<i>Response</i>
5. Ensure that statutory services have the same expectations of fathers as mothers and they are held to the same standard of accountability.	Council officers work hard to ensure fairness of approach, based on the individual circumstances of the family that they are working with. It is recognised that more often than not the principal carer role falls to the mother. Where practical and circumstances allow (subject to safety planning), shared accountability is encouraged and put in place by officers.
6. Provide more support to women to develop autonomy and agency over safety.	Alongside the formal support that domestic abuse survivors are offered when engaging with our commissioned domestic abuse service, service users are also encouraged to access group work and peer mentoring programmes. This is a series of structured workshops and service user led support groups aimed at improving understanding of domestic and sexual abuse, providing longer term practical and emotional

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
	<p>support to build resilience and confidence. This support helps survivors to develop more autonomy and agency, giving survivors the ‘tools’ to take more control of their situation and increased two way interaction in their engagement with services.</p> <p>FEH service works within a FAMILY model framework; a strength and evidenced based approach enabling children and families to create their own goals, and along with others agree what interventions and support would be helpful to engage. The whole approach is collaborative and aims to not just change the existing presenting problems, but also to coach families to understand and manage future issues themselves more successfully.</p>
<p>7. 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 skills . To enable maximum reach the Commission recommends that these are rolled out in Universal services as well as targeted services</p>	<p>Over the last few years council services have increased and expanded the service offer in this area, and although the majority are for targeted services, council officers will review opportunities for universal delivery.</p> <p>CFC offer a wide range of universal and universal plus parenting drop-ins and play activity programmes for all parents; with some specific sessions encouraging positive play and reading activities between fathers and children.</p> <p>Our Empowering Parents Empowering Communities (EPEC) hub trains parents to deliver Being a Parent Together programmes for couples where parental conflict is a concern.</p> <p>A fathers group work programme is already in place, facilitated by a male</p>

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
	<p>parenting practitioner from the parenting team in FEH. This programme addresses parental conflict and impact of conflict on children. The YJS is building links with this group to assist young men on the YJS caseload develop healthy approaches to becoming an adult male and becoming a father.</p> <p>Links are also being developed between the fathers group and the Councils commissioned domestic abuse perpetrator programme. In circumstances whereby a perpetrator has failed to engage with the perpetrator programme, but then engaged with the fathers programme, there have been some positive examples where the dynamics of the fathers group has enabled the perpetrator to develop insight and subsequently participate with the perpetrator programme.</p> <p>The council currently grant funds (via Common Purpose grant) the organisation Future Men to work with young fathers (up to the age of 25); the primary focus being on initiatives that will increase their involvement in their children's lives, focusing on particular phases of fatherhood.</p>
8. Consider Implementing the DRIVE programme locally	<p>The council currently commissions a perpetrator programme as part of our main domestic abuse service offer. This is a 26 week group programme.</p> <p>This service offer is being reviewed as part of our VAWG recommissioning, for a new service to be in place from July 2024. This includes a review of other perpetrator approaches including the DRIVE programme.</p>

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
<i>Recommendation – Safeguarding Board</i>	<i>Response</i>
<p>9. Increase opportunities for partnership communication between stakeholders to promote connectivity of services.</p>	<p>In April 2022 the Community Safety Partnership (CSP) which has the statutory responsibility for reducing crime and disorder including domestic abuse was removed from the governance of the Safeguarding Adults Board to be a standalone group in its own right. As part of this process, a review of the partnership membership and structure was undertaken. This also included a review of delivery groups to support the delivery of the themed partnership priority work areas. The new structure includes a VAWG Strategic Group which will report to the CSP.</p> <p>It is anticipated that this new structure will increase opportunities for partnership communication between stakeholders to promote connectivity of services.</p> <p>In relation to the Children's Safeguarding Partnership and the Adult's Safeguarding Board. Domestic abuse remains a joint priority the boards will continue their work in this area, which last year included a multi-agency thematic review into inter-familial violence.</p>
<p>10. Pay special attention in the partnership to the development of preventative work and follow up community work with perpetrators</p>	<p>As part of the refresh of the CSP and implementation of the new VAWG strategic group this will include a review of thematic priorities and formation of task and finish groups to deliver. Prevention and work with perpetrators will be considered for inclusion.</p> <p>These areas are already identified as priorities in the Council's VAWG Strategy for which the current service offer will be reviewed as part of our</p>

Theme – Domestic abuse in families and preventative work with children and young people	
<i>Recommendation</i>	<i>Response</i>
	VAWG service recommissioning,

Policy framework implications

7. The new Domestic Abuse Act came in to force in 2021. Key measures include:
 - A new statutory definition of domestic abuse which includes economic abuse and coercive control and defines children as victims
 - Strengthened responses to perpetrators through the introduction of new civil orders
 - Establishment of a Domestic Abuse Commissioner in Law
 - A duty on Tier 1 Local Authorities (the GLA in London) to provide support to domestic abuse survivors in safe accommodation.

8. In July 2021, the government published The Tackling Violence against Women and Girls Strategy. The strategy reiterated the framework of prevention, provision of services, partnership working and perpetrators as the model to tackle VAWG.

9. In 2018, The Mayor’s Office for Policing and Crime (MOPAC) published its strategic vision in “A Safer City for Woman and Girls”. The London Tackling Violence against Woman and Girls Strategy, 2018 – 2021 which detailed a framework for London to be at the global forefront of tackling VAWG. The consultation process for the new Strategy from 2022 onwards is currently underway.

10. Southwark’s five year VAWG strategy was approved by cabinet in July 2019. An associated five year delivery plan is being implemented which includes a commitment to review and redesign our local VAWG service offer.

11. The Police, Crime, Sentencing and Courts Act 2022 contains a Serious Violence Duty on public bodies. It requires specified authorities to work together to prevent and reduce serious violence, including identifying the kinds of serious violence that occur in the area, the causes of that violence (so far as it is possible to do so), and to prepare and implement a strategy for preventing and reducing serious violence in the area. The Duty also requires the specified authorities to consult educational, prison and youth custody authorities for the area in the preparation of their strategy.

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

Community impact statement

12. An equalities analysis was undertaken in January 2022 as part of the developmental work for the recommissioning of VAWG services. The equality analysis demonstrates that the policy shows no potential for discrimination.

Equalities (including socio-economic) impact statement

13. Pursuant to section 149 of the Equality Act 2010, due regard has been given to the Council's decision making processes 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.
 - c) Foster good relations between those who share a relevant characteristic and those that do not share it
14. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The Public Sector Equality Duty also applies to marriage and civil partnership, but only in relation to (a) above.
15. Officers have taken steps to ensure compliance with the Public Sector Equality Duty imposed by the Equality Act 2010 as set out in the Community Impact Statement section above in particular:
- In 2016/17, a Joint Service Needs Assessment (JSNA) was undertaken by Public Health of the wider health needs of victims/survivors of domestic violence and abuse. Needs analysis was also conducted to inform the development of the VAWG Strategy 2019-2024.
 - In the development of a new VAWG service an Equality Impact Assessment (EQIA) was undertaken in January 2022. The recommendations within this report have been judged to have no or a very small impact on local people and communities.

Health impact statement

16. Domestic abuse and other VAWG related crimes have an enormous impact on the physical and mental health and wellbeing of survivors and their children. Both current service provision and future proposals are focussed on providing trauma-informed support with the aim of reducing short, medium and long-term harm and aiding long-term recovery.
17. Health impact has been considered and included in the revised EQIA of January 2022.

Climate change implications

18. None applicable

Resource implications

19. There will be additional short-term resource implications in the implementation of some of the recommendations, and these will be costed by the lead organisation/department.
20. Longer term there are plans to develop and procure a new transformational VAWG service to be in place from 1 July 2024 are underway. This will take into consideration the recommendations contained within this report. The new service will be subject to a separate report for consideration by cabinet and any relevant implications will be set out in this report.

Legal implications

21. There are no legal implications arising from this report. Plans to develop and procure a new transformational VAWG service to be in place from 1 July 2024 are underway. This will take into consideration the recommendations contained within this report. The new service will be subject to a separate report for consideration by cabinet and any relevant implications will be set out in this report.

Financial implications

22. There will be additional short-term financial implications in the implementation of some of the recommendations, and these will be costed by the lead organisation/department.
23. Longer term there are plans to develop and procure a new transformational VAWG service to be in place from 1 July 2024 are underway. This will take into consideration the recommendations contained within this report. The new service will be subject to a separate report for consideration by cabinet and any relevant implications will be set out in this report.

Consultation

24. The Health and Social Care Scrutiny Commission in undertaking their review under took widespread consultation and evidence gathering from council services, other statutory services, and community groups.
25. A comprehensive consultation is already underway in relation to developing a new VAWG service.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Head of Procurement**

26. Not applicable

Director of Law and Governance

27. Not applicable

Strategic Director of Finance and Governance

28. Not applicable

Other officers

29. Not applicable

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet agenda 14 June 2022	160 Tooley Street London SE12QH	Paula.thornton@southwark.gov.uk
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=302&MIId=7337&Ver=4 (Item 14)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Dora Dixon-Fyle, Community Safety	
Lead Officer	Caroline Bruce, Strategic Director of Environment & Leisure	
Report Author	Sharon Ogden, Safer Communities Team Manager	
Version	Final	
Dated	6 October 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	Yes	Yes
Date final report sent to Constitutional Team		6 October 2022

Item No. 17.	Classification: Open	Date: 18 October 2022	Meeting Name: Cabinet
Report title:		Response to the Environment Scrutiny Commission: Energy	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor James McAsh, Climate Emergency and Sustainable Development	

FOREWORD - COUNCILLOR JAMES MCASH, CABINET MEMBER FOR THE CLIMATE EMERGENCY AND SUSTAINABLE DEVELOPMENT

The pistol shrimp may only be five centimetres long but it has an extraordinary ability. It attacks its prey by "shooting" a bubble from its claw at over sixty two miles per hour. The bubbles produce an enormous amount of energy, briefly reaching temperatures of 4,800 degrees Celsius – not much less than the temperature on the surface of the sun. In Southwark, we do not have a pistol shrimp claw to provide us with unbounded energy but we are fortunate to have an excellent Environmental Scrutiny Commission.

On behalf of the Cabinet, I thank the Environmental Scrutiny Commission for their hard work and for their energy report. It covers enormous ground and issues recommendations on everything from the construction of new homes to climate education in schools. The Cabinet response therefore draws on the skills, knowledge and experience of officers from across the council. On behalf of the Cabinet, I thank these officers too.

This report responds to the Commission's twenty four recommendations in turn. For each one, it outlines an officer response. In most cases, the council is either already taking action on the subject, or is now committed to doing so. The report also notes how each recommendation relates to the Climate Action Plan. In three instances, minor changes to the plan are needed to integrate the Commission's recommendations. A further three recommendations require more substantial additions to the Plan so we suggest that these be considered in its annual review next July.

Although our response to most recommendations is positive, there are a small number where council resources are insufficient. This is a stark reminder of the challenging context in which the council operates and the lack of desperately-needed finance from central government. Southwark Council is committed to tackling the climate emergency but we cannot do it alone.

RECOMMENDATIONS

1. To welcome the Environment Scrutiny Commission's report 'Environmental Scrutiny Commission: Energy Scrutiny Review Report' (March 2022) and to agree the responses set out to their recommendations in this report.
2. To ask officers to amend the Climate Action Plan at the next quarterly update, in November 2022, with minor changes to existing actions to reflect recommendations 3, 5, 9 and 15.
3. To agree to review the Climate Action Plan at the point of the next annual review, in July 2023, to incorporate new actions around recommendations 1, 2 and 21 as required.
4. Notes the request for funding to support additional roles, as detailed in recommendations 8, 13 and 22, relating to energy reduction and retrofit in schools and the expansion of community energy work. Agrees to explore every route to maximise resources to tackle the climate emergency, and to bring forward further commitments in the 2023/24 budget.

BACKGROUND INFORMATION

5. In March 2022 the Environment Scrutiny Commission published their report into energy in Southwark. This report made 24 recommendations to reduce the borough's energy consumption and enable more renewable energy generation.
6. The report reviewed the council's Climate Change Strategy and Action Plan, published in July 2021 and considered five approaches to reducing energy consumption and the associated 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.
7. In reviewing these areas, the Environment Scrutiny Commission considered the work that was already underway within the council, proposed future work including that detailed within the Climate Strategy and Action Plan and conducted wider research. This included taking evidence from a range of external stakeholders, alongside the Cabinet Member and council officers.
8. The report's recommendations cut across the council's work relating to the built environment, including planning policy, retention of buildings, retrofit, new homes and community energy.

9. Cabinet welcomed this report in July 2022 and asked officers to consider the recommendations and report to Cabinet. This report sets out the council's response to the Commission's recommendations.

CLIMATE CHANGE STRATEGY AND ACTION PLAN

10. In July 2021, Southwark Council published its first Climate Change Strategy and Action Plan. As part of this, the council promised that it would annually review progress taken towards becoming a carbon neutral borough by 2030. This plan was the basis for the initial assessment by the Environment Scrutiny Commission into the council's work on energy related matters.
11. In December 2021, the Overview and Scrutiny Committee made a number of recommendations to Cabinet. These recommendations included that the climate action plan should be 'be fully costed, showing clearly what funding is currently available, all sources of potential funding, innovative solutions to be tried, and where gaps remain'. It also recommended that the strategy and action plan be 'aligned with other major Southwark Council policies like the New Southwark Plan, the Waste Strategy, and the Movement Plan'.
12. In July 2022, the council published a revised Climate Action Plan (CAP) to include smart targets throughout, including staged timelines for delivery, milestones, funding requirements and potential for carbon saving. This plan was agreed by Cabinet in July. As the Scrutiny Commission considered the 2021 Action Plan, we are pleased to note that some of their recommendations have already been implemented in the 2022 update.
13. The council is committed to continual improvement of its reporting of progress on climate change related projects and an action dashboard has been developed to share progress on the council's website. The feedback from the Environment Scrutiny Commission is welcomed as an opportunity to further reflect on the council's work and strengthen our response to the Climate Emergency.

KEY ISSUES FOR CONSIDERATION

14. Due to the cross cutting nature of the report and in order to provide a full response, feedback has been collated from officers across the council.
15. As noted above, the council's CAP has recently been updated, and was approved by Cabinet in July 2022. The CAP has been reviewed to ensure it reflects the detail of the recommendations where appropriate. This is either through minor adjustments to existing actions, or if required adding new smart actions to the plan as part of the annual review process.
16. Any minor update to existing actions will be made on the council's climate dashboard which was also agreed by Cabinet in July 2022 and went live in September 2022. This will ensure that progress against agreed recommendations is reflected in the council's work and tracked going forward.

Council New Homes

Scrutiny Recommendation 1

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

Response

18. We support this recommendation. All schemes of over ten units are now required to submit a whole life carbon assessment. We are extending this to include all new council home schemes, and this will be implemented for any schemes submitted to planning after 31st October 2022.

Climate Action Plan

19. This action is due to be completed ahead of the next Climate Action Plan update in July 2023. If it is not completed, it will be added at that point.

Scrutiny Recommendation 2

20. 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

Response

21. We support this recommendation. BSRIA soft landings is a building delivery approach, focused on improving the operational performance of a building, from design through to operation. Southwark Construction will take this forward. The council have already commenced feasibility and viability of adopting this approach with the attempt to align to all schemes from 2023. The council will seek to amend all contractual terms such that building contracts awarded from 2023 are enabled to deliver BSRIA and are implementable.

Climate Action Plan

22. This action is due to be underway when the Climate Action Plan is next updated in July 2023. If it is not completed, it will be added at that point within the theme 'Decarbonise council housing'.

Scrutiny Recommendation 3

23. Develop a technical pathway to deliver to Passivhaus standards for all council new homes.

Response

24. We would like to see the delivery of a technical pathway to Passivhaus accreditation. Work is underway on a pilot scheme, which aims to achieve Passivhaus accreditation. The council will apply the learning from this, to create a set of standards leading to lower energy homes for all council new homes, whilst delivering value for money. The council will continue to explore all methods of carbon savings and carbon methodologies across the new build programme, for example green energy, materials, solar PV and ground source pumps. This work will be taken forward by Southwark Construction.

Climate Action Plan

25. The CAP already includes action to pilot Passivhaus:
- E.3.iii - Focus on pilot schemes for low carbon homes which can inform policy, including piloting Southwark's first 'Passivhaus' council homes

Scrutiny Recommendation 4

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

Response

27. This recommendation is not currently supported. Prior to any roof top development being undertaken it is first imperative that fire safety design can determine alternate routes to retro fitting sprinklers to all existing dwellings to ensure the council meets Fire Safety Regulations. While the principle is supported on climate change grounds, as the potential for reducing the need for constructing new buildings is recognised, there are a number of technical challenges that must first be met for the council to meet the required legislation, prior to exploring roof top development.

Climate Action Plan

28. As noted in the officer response, this recommendation cannot currently be supported due to the immediate need to prioritise Fire Safety Regulations. While the CAP does therefore not have specific actions on rooftop development, it does contain a range of actions on retrofitting buildings across the borough, and exploring ways to reduce the embodied carbon in building design.

Council New Homes and External Development

Scrutiny Recommendation 5

29. 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.

Response

30. We support this recommendation. It is being taken forward by Southwark Construction who are working with their design teams on developing new standards for lower embodied carbon materials including low carbon concrete and exploring the use of low embodied carbon materials where practical. Building control regulations currently make it very difficult to use timber, however the council will endeavour to investigate and use the most efficient materials and/ or initiatives and other low embodied carbon materials. Southwark Construction will also continue to explore all options and consider alternatives as far as possible within the limitations imposed.

Climate Action Plan

31. This recommendation and the subsequent work of Southwark Construction will be linked into an existing actions within the CAP that will focus on introducing stronger planning rules that work to ensure all new developments in the borough meet high green standards:
- A.2.i - Assess options in the early review of the Southwark Plan for encouraging the use of recycled materials in new development as a means of reducing the embodied carbon of new builds
 - A.2.ii - Ensure compliance with planning policies for improved energy efficiency in all new build properties by creating standardised measuring frameworks

Council Planning Policy

Scrutiny Recommendation 6

32. With regard to the early review of the Southwark Plan:
- a. Introduce a requirement within planning policies for new developments to measure whole life carbon emissions.
 - b. Apply a policy similar to the London Plan Policy SI2 to all major developments.
 - c. Where land owned by the local authority is to be developed, leased or sold, bids to be scored on whole life-cycle carbon efficiency.

- d. Support the use of natural (bio-based) materials by e.g. requiring timber frame construction in non-relevant buildings (as defined by building regulations).
- e. Require planning applications to report the efficiency of the structure in mass of material per m² e.g. using IStructE calculator.
- f. In Local Plans identify areas for future development where soil conditions do not require carbon intensive foundations, by conducting EN15978 / ISO 21930 compliant evaluations.
- g. 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.

Response

33. The council is undertaking a range of work in this area to deliver the recommendation as set out by the scrutiny commission. The early review is an update to Local Plan policies. This involves consultation on draft policies, the preparation of an evidence base and follows the same process as the full Local Plan process with an examination in public. A response to each point is provided below:
- a. The London Plan sets out that local authorities are encouraged to set local thresholds for Whole Lifecycle Carbon Assessments and Circular Economy Statements. This will build on the existing threshold for major referable schemes for Whole Life Cycle Carbon in P70 Energy and Circular Economy Statements in P62 Reducing Waste in the Southwark Plan 2022. We welcome scrutiny's recommendation and during the early review process, we will scope out this requirement and assess the minimum size of new development for which whole life carbon should be assessed.
 - b. We are already going further than this recommendation proposes. The Southwark Plan 2022 is currently applying a policy (Southwark Plan Policy P70: Energy) which goes beyond the requirements set out in London Plan Policy SI2 Minimising Greenhouse Gas Emissions. Policy P70 'Energy' is one of the most ambitious energy policies in London. This policy is one of the most influential policies that responds to how planning and development can directly address the climate emergency. The policy requires all major residential development to be net zero and reduce on site carbon emissions by 100% against Part L Building Regulations. This policy goes significantly beyond the requirements of the London Plan (2021). P70 will boost the on-site performance of major residential buildings that are proposed, consented and built within the borough. The Early Review will scope out and review targets and methodologies for major and minor development to meet the 2030 net carbon zero target.

- c. We will consider this recommendation through the upcoming work of the council's Land Commission. There may be opportunities to scope out the feasibility of carbon assessments within council business related to the management of land, which can be considered outside of planning processes. Whole life cycle carbon assessments will continue to be required for relevant developments through the planning process.
- d. We support the use of bio-based materials. There are however some limitations in use and further research is required. We also need to consider, for example, issues such as fire safety, water penetration, rot and the general construction skill base.
- e. We currently require Energy Statements to set out the carbon performance of buildings in major schemes. For major referable schemes, we require Whole Life Cycle Carbon and Circular Economy Statements as required by the London Plan. We will review the threshold for the requirement of these assessments and use of alternative will be reviewed in the Early Review.
- f. We will review this as part of the early review. The use of these standards will be reviewed for feasibility and may require evidence base work to be prepared regarding geology and building design.
- g. We support this recommendation. In planning policy, Policy P62 Reducing Waste in the Southwark Plan 2022, sets out a requirement for major referable development to submit a Circular Economy Statement. This guidance sets out that major referable schemes will provide a statement to demonstrate how the development has implemented circular economy principles and what the reuse and recycling rate of materials at different stages of the development process are. The London Plan encourages local boroughs to set their own lower thresholds for Circular Economy Statements. As a council, borough level minimum standards will also need to be scoped out. Some areas that targets could be set for include maximising recycled content onsite, maximising the reuse of surplus materials in the construction process, and maximising construction techniques, as well as reporting on actual achieved outcomes and looking at how buildings are managed within its lifetime.

Climate Action Plan

34. The following actions are included within the council's updated CAP, published in July 2022:
 - A.1.i - Define options for energy performance standards, Energy Use Intensity targets and policy response to update the Building

Regulations 2022. The upcoming milestone for this action is to conduct the early review of the Southwark Plan energy policies in relation to energy performance standards and align to the council's 2030 net zero target. This would will also include consideration of whole life cycle carbon assessments for smaller buildings.

- A.2.i - Assess options in the early review of the Southwark Plan for encouraging the use of recycled materials in new development as a means of reducing the embodied carbon of new builds. This action will also focus on the early review of Southwark Plan, specifically the reducing waste policy (P61) in relation to recycled materials and reducing embodied carbon in new build development.

Scrutiny Recommendation 7

35. 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.

Response

36. We support an early review of energy and environmental policies in the Southwark Plan, but do not believe that the timescale is achievable. The Southwark Plan 2022 aims to meet the statutory target of net zero by 2050. The Early Review will review these policies to aim to meet the 2030 net zero target as set by Southwark Council. The Early Review is currently being scoped, to assess what needs to be included. To support this ambitious step change in policy a significant evidence base will need to be prepared to support it. This includes viability and feasibility testing of the implications of the new policy requirements, and also of a new carbon price to offset carbon from the Green Buildings Fund. The Early Review will be a step change in how planning applications consider carbon and climate implications, and it is no longer acceptable to follow business as usual. Therefore, the implementation of the Early Review policies will need to be supported by further guidance and extensive consultation which will take time to prepare to ensure the best outcomes for carbon reduction and climate change adaptation in new development.
37. The Early Review will need to go through a Regulation 18 and Regulation 19 Consultation in line with planning legislation and our own Statement of Community Involvement. This document is currently being finalised following consultation earlier in the year. The standard consultation period is 12 weeks. Post consultation the policy will need to be reviewed and revised based on the comments submitted, and these comments will need to be responded to. Once consultation has been prepared and the evidence base, and supporting documents are prepared the Local Plan update will be submitted to the Planning Inspectorate. Southwark is then allocated an Inspector, and the policies will be tested in an Examination in Public. At the end of this process, the Inspectors will recommend if this plan is found

sound, and then recommend its adoption. The policies will then be implementable and used by planning officers applying full weight to the policies.

38. There are a number of supplementary planning guidance documents (SPD) that need to be prepared to support the Southwark Plan 2022, including the P70 Energy policy which sets out carbon targets for new development. The schedule for this guidance and the Early Review is set out in the Local Development Scheme (LDS). The LDS is currently being prepared and will be going to Cabinet in October 2022 with a timetable guide of when these documents will be consulted on and published. The Environment and Climate Emergency SPD will be prepared and consulted on first in spring 2023, followed by the first consultation Regulation 18 on the Early Review in summer 2023. The first draft of the Early Review of the Local Plan is due to be published for informal consultation between January and March 2024, with public examination and adoption the following year.
39. The council wants to move forward as quickly as possible, but is bound by planning legislation, and must comply with the statutory plan-making process.

Climate Action Plan

40. The early review of the Southwark Plan with regards to energy and environmental policies is fully captured within the council's CAP. This includes actions that detail the update of the following policies to align with the council's 2030 net zero target; Climate Change Supplementary Planning Document, P50 (Biodiversity), P59 (Green Infrastructure) P61 (Reducing Waste) and P65 (Improving Air Quality), P70 (Energy).

Schools – Energy Reduction and Retrofit

Scrutiny Recommendation 8

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

Response

42. We support this recommendation although we are exploring whether we can deliver within existing resources. As part of the 2022 update to the council's CAP, an assessment of resourcing needs across the council was undertaken, to understand what additional resource is required to progress key actions that will result in emissions reduction. This has provided an initial understanding of where additional resource can be best targeted for the greatest benefit.
43. Working with schools, on both the retrofit of buildings and increasing climate education has been identified as a key area for additional resource.

Due to funding pressures this will need to be considered later in 2022 as part of the budget setting process for the 2022/23 financial year, alongside a number of competing priorities.

44. The council has begun to support schools work through the creation of a Let's Go Zero schools network, with an initial meeting having taken place with schools to scope out the benefits of a new network and how best to bring schools together with a climate change focus. This is a key action within the council's CAP, with the group due to meet again in autumn 2022.

Climate Action Plan

45. The 2022 update to the council's CAP contained new action focused on engagement and behaviour change, to strengthen the council's work with schools. This action directly supports the scrutiny recommendation:
- D.3.i - Launch a network of Southwark Let's Go Zero schools to get children and parents involved in action to tackle the climate emergency. This is also a Council Delivery Plan target, with the first full meeting of the network scheduled for October 2022.

Scrutiny Recommendation 9

46. 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.

Response

47. In February 2022 the council completed a retrofit energy feasibility study of two primary schools; Crampton Primary School and Brunswick Park Primary School to set a strategy for achieving EnerPHit standard across the school estate. The feasibility study identified the areas of work to achieve this standard and funding has been allocated to deliver these works. Consultants are in the process of being commissioned to develop the specification of works to deliver these improvements to both schools via the LHC Framework, Energy Efficiency Consultancy Services (N8C).
48. The strategy set out in the feasibility study will be expanded across the rest of the school estate. Two primary areas of work that we are seeking to progress on all schools is the upgrading of all lighting systems to LED fittings and the provision of either Photo Voltaic (PV) or Solar Heating systems to improve the energy performance in each school and get them ready for changing over to Heat Pump systems. The Green Buildings Fund will be considered for projects going forward.
49. The school maintenance programme has also incorporated works in line with the strategy to improve the fabric performance of schools that they are working on (i.e. increased insulation to walls/roof, double glazing, BMS controls on heating systems etc.). On undertaking a deep retrofit of the

buildings, the study examined this as one of the options and this demonstrated that there is a high potential for the school to be overly disrupted during these works. It might not be beneficial to the delivery of teaching in the school for this work to undertaken in a single operation or contract.

Climate Action Plan

50. The 2022 update to the council's CAP contained a number of new actions focused on school retrofit, to recognise the ongoing work already taking place within the council, but also to further strengthen the council's work with schools on retrofit:
- D.1.v - Prioritise energy efficiency improvements and maximise funding for the worst-performing council owned schools. There are three separate actions within the plan, one each focused on developing feasibility studies, submitting funding bids and delivering works. This allows the council to track those projects in the pipeline, alongside those already in construction, while continuing to explore new funding opportunities as and when they arise.

Scrutiny Recommendation 10

51. 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.

Response

52. This recommendation is supported. The council have engaged with consultants who are specialists in the energy management and retrofit field. All appointments for service contracts are governed by the Councils Contract Standing Orders which sets out how the council can procure consultant services.

Climate Action Plan

53. There are no actions within the CAP on the contractors used to deliver retrofit projects, as noted above this is governed by the council's procurement processes and managed accordingly.

Retention of Buildings

Scrutiny Recommendation 11

54. 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'.

Response

55. An update on the recommendations from the Planning and Environment Scrutiny Review is provided in Appendix 1.
56. The remainder of the recommendation is welcomed. With regards to the 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'. Demolition does not require planning permission unless the building is in a conservation area, it is a listed building, scheduled ancient monument, pub or other drinking establishment, concert hall, theatre or venue for live music performance, is an unsafe/un-inhabitable building, outdoor statue, memorial or monument.
57. The General Permitted Development (England) Order 2015 (as amended) introduced Class ZA which is a permitted development right allowing disused commercial buildings and disused blocks of flats by allowing the building to be demolished and rebuild new residential dwellings. This means planning permission is not required and the Council would not be able to impose conditions however prior approval is required. Southwark has imposed an Article 4 Direction to remove this permitted development right in certain areas such as town centre sites and site allocations.
58. However, where planning permission is required, the Southwark Plan 2022 sets out requirements for all major referable development to submit a Whole Life Cycle Carbon Assessment and Circular Economy Statements following the GLA's London Plan Guidance. These documents together assess the embodied carbon in existing structures and materials, and assess sustainable approaches and what the impact is on whole lifecycle carbon. The Circular Economy Statement provides more detail on the recycling and reuse strategy for the materials on site.
59. The Early Review will consider thresholds for which further types of development may require these assessments, and also explore policy approaches for encouraging retrofitting where appropriate. In addition to the Early Review, the Planning Policy Team will prepare an Environment and Climate Change SPD that sets out planning guidance on these themes. This SPD is currently being scoped out and will be prepared for public consultation in spring 2023.

Climate Action Plan

60. As noted above, the preparation of the Climate Change SPD is the primary piece of work that will deliver against this recommendation. This

encompasses a number of actions contained within the existing CAP, including one focused on heritage assets:

- A.1.ii - Review planning policy to support the retrofitting of heritage buildings to reduce carbon emissions

61. In October 2021 the council also agreed its Empty Homes Action Plan. This action plan sets out the council's zero tolerance approach to long term empty homes and plans to bring empty homes quickly back into use. This is a critical part of the council's work to seek alternatives to new build and ensure the existing housing stock is fully utilised.

Retrofitting homes and wider council estate

Scrutiny Recommendation 12

62. 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.

Response

63. Cost is a significant challenge in retrofitting council homes, a recent report from Parity Projects estimated the cost of achieving net zero in the council's housing stock as between £600m and £800m. The council has a number of competing demands for its social housing portfolio which includes building safety and maintaining decency. The council is preparing a refresh to its Asset Management Strategy, which will come to Cabinet in December 2022, and future projects will consider fabric first insulation subject to financial resources being available and site specific feasibilities. The council has already taken advantage of ECO funding, in partnership with energy company Warmfront, to install insulation in several hundred properties during 2022. The council is now preparing a bid for the Social Housing Decarbonisation Fund (SHDF) Wave 2, which will take a Fabric First approach to improving energy efficiency in the properties identified for the bid. The bid will be submitted in November 2022 and feasibility surveys are currently underway.

Climate Action Plan

64. This recommendation is fully supported within the council's CAP. There is a section of the action plan dedicated to decarbonising operational council buildings and there are a series of actions to raise the energy efficiency of social housing, including;
- E.1.i - Prioritise energy efficiency improvements and maximise funding for the worst-performing social housing properties
65. This action is split into three separate actions, to cover feasibility, funding and proposed and current works. This supports the work of the council's

Asset Management team, to track new and ongoing funding bids, the design of housing retrofit projects and their implementation.

Scrutiny Recommendation 13

66. 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.

Response

67. The council is currently running pilots on the Kingswood and Aylton Estates, looking specifically at damp and mould. These pilots include the trialling of the latest technology relating to humidity and damp. The results of these pilots will inform further work, and partnerships are being developed with external agencies such as Impact on Urban Health to better understand the issues affecting residents' well-being. The council will use this learning, as well as that from the SHDF bid, to help develop future programmes of work and future funding bids, including SHDF Wave 3. The council is also working with energy consultants Parity, whose Portfolio software gives officers access to data and scenario modelling to support investment choices. The council will explore additional methodology and software options going forward to complement current systems. However, as above, the call on funding for building safety alongside maintaining decent homes means that significant funding gaps will need to be closed to deliver a comprehensive retrofit programme, including with regard to additional staff.
68. The council is now a participating member of the London Councils' Retrofit London Programme and further partnership working will always be considered.
69. The council is preparing an application to the SHDF Wave 2 for potential street properties. Timescales for applications and ensuring procurement is undertaken in line with the council's financial regulations can cause

challenges to securing this funding. Partnership/consortium bids will be considered for Wave 3.

70. A programme of resident consultation will be developed alongside all funding bids. Best practice from other local authorities and the third sector will be sought.

Climate Action Plan

71. As noted above under Recommendation 12, the CAP contains a series of actions around decarbonizing the council's social housing stock. This includes tracking of funding bids such as the SHDF.
72. Beyond this, there are a series of actions within the CAP centred on ensuring guidance and support are made available to improve energy efficiency across the borough:
- B.1.i - Highlight best practice and leading examples of decarbonised buildings
 - B.1.ii - Launch a Southwark Green Finance initiative
 - B.1.v - Establish a free green homes advice service for homeowners to help make homes greener and lower carbon emissions.

Scrutiny Recommendation 14

73. 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.

Response

74. We welcome this recommendation. Southwark has been working jointly with Lambeth and Lewisham councils towards the shared aim of building a skilled local workforce and supply chain capable of retrofitting at the required scale in south London. In 2021 the tri-borough partnership appointed a shared post to focus specifically on this challenge.
75. Modelling for London Councils suggests a requirement for an average workforce of around 2,400 full time trades per year in Southwark alone, to meet the net zero 2030 retrofit pathway. Many of the retrofit workforce will be pre-existing roles, reskilled to meet requirements for retrofit installer and coordination qualifications under PAS 2030 and PAS 2035 standards. However, the scale of likely labour demand calls for a strategic approach to training in specialist retrofit and wider construction skills, both for new entrants to the sector and the existing workforce. The council has an important role in setting expectations under social value obligations that our retrofit contractors contribute to building the local retrofit workforce through high quality training, upskilling, mentoring and apprenticeships.

76. A key initial step in growing the local retrofit skills base has been the opening of the Green Skills Hub at London Southbank University. The hub, in which Southwark, Lambeth and Lewisham councils are strategic partners, has been funded initially for 2 years under the Mayor's Academies Programme. The Green Skills Hub brings together skills providers including South Bank Colleges, Lewisham College, the Skills Centre, and The Engineering & Design Institute London (TEDI-London). It will also build a network of employers and employer networks focused on energy efficiency retrofit and low-carbon heat and energy sources.
77. Further funds of £2.75m have since been secured from the Department of Education to support capacity building in central London's FE colleges to enable delivery of the Microgeneration Certification Scheme (MCS) certifiable green skills provision required to install low carbon heating and micro-generation systems such as heat pumps and solar panels. This project aims to bridge the gap between industry skills needs and our local FE offer in this critical sector.
78. In addition to workforce skills gaps, we also have low numbers of local smaller contractors registered with the government-endorsed quality schemes, such as Trustmark and MCS, required to work on publicly funded retrofit projects. Future planned activity will therefore include incentives and support for SME registration, and exploring opportunities for encouraging local tradespeople and smaller contractors to join cooperatives or consortia delivering major retrofit schemes, such as Retrofitworks or Warmworks, as well as seeking to create mentoring and 'first retrofit job' opportunities through our social value obligations. The FE partnership with MCS will also include support and advice about MCS certification to local SMEs and tradespeople interested in moving into low carbon heat and energy sectors.

Climate Action Plan

79. The CAP has a section focused on implementing a green new deal, which includes targets on new jobs, and working to fill the skills gap in the retrofit market. As noted above, there has been significant progress in this area, the primary actions being:
- T.2.ii - Establish a green jobs, skills and technology centre in the borough
 - T.2.iii - Support innovation in green business sectors through council business support and workspace programmes.

Scrutiny Recommendation 15

80. 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, Tennant 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.

Response

81. We support this recommendation. The council has an existing commitment to highlight best practice and leading examples of decarbonised buildings and to launch a green finance initiative, both actions will consider what is on offer from the Mayor of London and how this can best be promoted and supported.

Climate Action Plan

82. As noted above there are relevant, existing actions contained within the CAP centred on sharing information in this area alongside the development of new services. These actions are listed below. The climate change pages of the council's website have also recently been updated, this includes a section on what residents can do reduce their emissions and will be extended in the future to highlight external schemes and funding opportunities of relevance.
- B.1.i - Highlight best practice and leading examples of decarbonised buildings
 - B.1.ii - Launch a Southwark Green Finance initiative

Waste*Scrutiny Recommendation 16*

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

Response

84. This is not a recommendation for Cabinet as it is a recommendation for future work of the commission, however, we would support further scrutiny on this issue. A waste strategy review will be undertaken by the council once the new measures, obligations and funding associated with the Environment Act become clear. As part of the review there will be consultation with all relevant stakeholders. The draft for the new waste strategy will be presented to the Environment Scrutiny Commission during development to allow inputs and recommendations to be made.

Climate Action Plan

85. The Waste Strategy Review is a separate policy document to the CAP, and therefore not contained as an action within. However, as strategies are reviewed, officers will ensure that they are aligned with the climate change strategy and action plan.

District Heating Networks

Scrutiny Recommendation 17

86. 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.

Response

87. This recommendation is not fully supported, with the current arrangement achieving carbon reduction in a flexible, site specific manner. While it is agreed that some developments may be able to achieve a more optimal solution than the SELCHP DHN connection, there is sufficient flexibility within the current policy and process to identify and implement the most appropriate heating solutions to reduce carbon emissions. Officers will be undertaking a review of Planning Policy 'P70 Energy' including the decentralised energy hierarchy, as part of the Early Review of the Plan.
88. Developers building new developments along the Old Kent Road have a planning policy obligation to connect to existing district energy networks, or to be 'connection ready' if a network does not currently exist. Planning conditions are always implemented on a case by case basis and always include the phrase "if it is technically and economically viable" which allows both planning offers and developers to use a common sense approach.
89. Below a certain scale, it is agreed that district energy connections may not be technically or economically viable. Viability is also heavily dependent upon proximity to the existing / proposed network, likely heat loads and a number of other factors. It may be possible to achieve similar or even better carbon standards in some cases through the use of micro / on-site renewable solutions, but it is also important to recognise that an area-wide heat network such as the SELCHP DHN means that each site does not need to operate its own electrically powered heat pump, which means less load is being placed upon the local electricity grid. Furthermore, most new schemes along the Old Kent Road are high density flatted developments with limited roof space for renewables so will often struggle to make an onsite renewable solution work. The current arrangement therefore promotes both flexibility and carbon reduction.

Climate Action Plan

90. There is no requirement to update the CAP based on this recommendation and the officer response provided. As detailed below, there are a number of actions within the CAP on both expanding the use of district heating, but also ensuring the required flexibility within policy to explore using renewables as an alternative:
- C.1.iii - Set policy and share best practice on installing non-gas heating systems in new non-domestic development that is not connected to

SELCHP

- E.2.i - Carry out initial feasibility and commercialisation assessments with the end goal of increasing the number of homes on the SELCHP network
- E.2.iii - Complete feasibility studies (with input from residents) which will allow every estate in the borough to design plans to move away from gas as an energy source.

Scrutiny Recommendation 18

91. 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.

Response

92. We do not support this recommendation. Typically switching an existing property or development to a low carbon heat source (such as a heat pump) comes with a heat price increase. This is because a heat pump normally produces around three units of heat for every one unit of electricity used in the system, but the price of electricity is more than three times the price of gas.
93. To counteract this increase in heating bills, a deep retrofit could reduce the heat demand of the properties so that even though the price per unit of heat is higher from a heat pump, the overall heating bill is the same or lower than the original gas system. Unfortunately, delivering a deep retrofit and a heat pump to every home comes with a very high capital cost (estimated at around £40k per property) less than half of which could come from grants in the current market. Connecting existing housing estate heat networks to an area-wide SELCHP heat network is a quick way of delivering major carbon reductions without increasing residents' heating bills. It has the added benefit of all capital costs being borne by Veolia and external grants, so neither the council nor home owners have capital contributions to make.
94. Evaluation is ongoing, however, to ensure that any extension to the SELCHP heat network offers good value to all residents by delivering low carbon heat at the same or lower cost than the current gas fired boiler heating. The opportunities in this area will continue to be monitored and the aims of the recommendation further explored.

Climate Action Plan

95. The CAP includes an action that will explore the options for replacing gas with low carbon technologies in council housing. This will consider the challenges above regarding the cost of deep retrofit and the expansion of district heating:
- E.2.iii - Complete feasibility studies (with input from residents) which will

allow every estate in the borough to design plans to move away from gas as an energy source

Scrutiny Recommendation 19

96. 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.

Response

97. This recommendation is welcomed and fully supported. Long term considerations regarding District Heat Network operation are very important. Indeed one of the key benefits of District Heat Networks is that they are 'technology agnostic' i.e. it doesn't matter what the heat source is. The network is simply a piece of infrastructure that allows heat to be transferred from one place to another. We must not simply rely on this benefit of heat networks in a general sense though, as early consideration of future technologies can mean far easier integration. These considerations are already happening, not just for the long term but also for the short and medium term. Veolia are actively considering whether the installation of a heat pump at the SELCHP Facility would enable even greater environmental and economic benefits. Officers have also considered other locations outside of the SELCHP Facility that could be used for renewable energy generation feeding into the network, such as the Household Waste Recycling Centre.

Climate Action Plan

98. This recommendation is already a consideration within the council's work that looks to extend district heating. This work is covered within the existing CAP listed below and no further changes to approach are required:
- E.2.i - Carry out initial feasibility and commercialisation assessments with the end goal of increasing the number of homes on the SELCHP network.

Scrutiny Recommendation 20

99. 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.

Response

100. We support this recommendation. Commercially heat networks need to be built upon 'anchor loads' to get enough heat demand onto the network to make it worth investing the significant capital required. This is the reason

for seeking to connect to large housing estate heat networks, where with relatively few 'connection points' a lot of heat load can be connected onto the district network. Once the network has reached a viable threshold, in terms of sufficient heat demand density, adding smaller heat loads such as clusters of street properties becomes much more possible.

Climate Action Plan

101. As with recommendation 19, this work is already a consideration of the council's feasibility work in expanding district heating in the borough. The consideration of this point is covered within:

- E.2.i - Carry out initial feasibility and commercialisation assessments with the end goal of increasing the number of homes on the SELCHP network

Scrutiny Recommendation 21

102. 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.

Response

103. This recommendation is supported. The council is currently consulting on a draft heat metering policy which outlines its thoughts in detail on the best way of delivering heat meters in Southwark to achieve better thermal control and comfort, better system management (this includes responding to unplanned outages and reducing impact for our residents) and energy savings while also seeking to protect against fuel poverty. It is important that we allow all of our residents to express their views on the draft policy during this consultation period before finalising any policy decisions.

Climate Action Plan

104. The outcome of the heat metering strategy consultation will be reviewed with appropriate actions being considered for inclusion in the CAP from July 2023.

Community Energy

Scrutiny Recommendation 22

105. 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.

Response

106. We welcome the recommendation, but are reviewing whether it could be delivered within existing resources. As noted above in regard to schools, as part of the 2022 update to the council's Climate Action Plan, and assessment of resourcing needs across the council was undertaken, to understand what additional resource is required to progress key actions that will result in emissions reduction. This has provided an initial understanding of where additional resource can be best targeted for the greatest benefit.
107. While resource in this area would certainly assist in pushing forward work on community energy, it must be considered as part of a wider conversation on resourcing needs. This will take place later in 2022 as part of the budget setting exercise for the 2022/23 financial year. Consideration will also be given to opportunities for a joint role, a model which has recently been established with Lambeth and Lewisham councils on green skills and jobs.

Climate Action Plan

108. The 2022 refresh of the CAP introduced a new action to ensure that the council focused more on community energy. This work will be led by the Climate Change Team within the current constraints of resourcing. As noted above, any additional resource will be explored through the budget setting work for 2022/23. The new action is as follows:
- N.2.i - Support community energy projects where a demonstrable carbon saving can be made.

Scrutiny Recommendation 23

109. Cabinet to expedite agreeing and finalising 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.

Officer Response

110. This recommendation is supported and being progressed by officers. The application form and guidance criteria for the Green Buildings Fund has been developed for internal council projects and tested with regards to the ability of schemes to meet the required price per tonne of carbon saved. The first formal application for retrofitting of council housing on the Tustin Estate was taken to the council's Planning Committee in September 2022. Subject to approval the funding stream will then be promoted internally with

a view to consolidating a number of schemes together in order to maximize use of the available funding.

Council Action Plan

111. The CAP contains the following action regarding the Green Buildings fund:
- B.2.i - Through the Green Buildings Fund, allocate £2 million for internal capital projects that meet the eligibility criteria by 2024. As noted above the first full application was considered in September.

Scrutiny Recommendation 24

112. 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.

Officer Response

113. As noted above a Green Buildings Fund application form and guidance criteria has been developed, and the first application focused on building retrofit on the Tustin Estate was taken to Planning Committee in September 2022. This process will be fully tested with internal council projects, in particular regarding the ability of schemes to meet the require cost per tonne of carbon saved.
114. Following this testing and successful allocation of funding, it is proposed to make the scheme available to the public in early 2023. Consideration will be given on how best to support community energy projects through this process, including utilisation of the £400k of funding for community energy projects agreed at the Cabinet meeting in July 2022.

Climate Action Plan

115. As noted under recommendation 23, there is an existing action within the CAP to deliver the Green Buildings Fund (B.2.i). This action includes a milestone to publically launch the fund to external applicants in early 2023. This work will be tied into the council's approach to expanding community energy.

Policy framework implications

116. The primary implications for policy are referenced in Recommendations 6 and 7; Planning Policy. The key document under review is the Southwark Plan, with the officer response detailing where the Early Review of the Southwark Plan aligns with the recommendations set out by Environmental Scrutiny.
117. The report also details how the Climate Action Plan will be updated in line with the recommendation set out by scrutiny that are agreed by officers.

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

Community impact statement

118. This report sets out how the recommendations of the scrutiny commission are being incorporated or are already incorporated into the council's CAP. In developing the CAP, the impact on communities, equalities and health was fully considered. Any changes that are recommended for inclusion in a future version of the CAP will be assessed against our commitments to community, equalities and health. A separate Health and Equalities Impact Assessment has also been conducted specifically for this report to ensure all potential community benefits are captured.

Equalities (including socio-economic) impact statement

119. While everyone is affected by climate change, the extent of that impact is not equal. Climate change has the biggest impact on those who are poorer or have underlying health conditions. Black, Asian and Minority Ethnic residents are disproportionately affected. Social justice is central to our approach including maximising the co-benefits of action and ensuring that climate change policy reduces inequality and promotes fairness.
120. We recognise that high energy costs can risk widening poverty and health inequalities. The council is coordinating its efforts to address the components of fuel poverty – energy efficiency, income, and fuel prices - by hosting regular meetings between council teams. These meetings aim to maximise the impact of our actions by sharing knowledge and bringing together a range of expertise.

Health impact statement

121. Warm homes and good housing are important contributors to health and wellbeing. Fuel poor households must choose either to spend a large amount of their income on heating – potentially at the expense of other important expenditure like nutritious food - or to under-consume energy and live in a cold home. Cold homes can exacerbate health conditions including cardiovascular and respiratory conditions. Low room temperatures may contribute to poor mental health outcomes. Older people, children, and those living with chronic conditions are particularly vulnerable to the health impacts of fuel poverty. Worsening health outcomes from fuel poverty could lead to additional pressure on health services.

Climate change implications

122. This report directly addresses how the council is continuing to focus on climate change within its work, ensuring it underpins all we do as a council. The report demonstrates the breadth of work ongoing within the council to

address the Climate Emergency and how this sits across a large number of council departments in the energy sector alone. The report also highlights what more could be done if additional resource is made available. As noted this report will form part of the continual review and improvement to the council's Climate Action Plan and the scrutiny process is welcomed.

Resource implications

123. As detailed within the report, the council will explore how to effectively close the resource gaps in key areas to allow delivery of actions, in particular related to schools and community energy as both were identified as priorities. However, this resourcing need must be considered as part of the overall picture of emissions reduction and working towards the 2030 net zero target. There are ongoing resource constraints across a number of areas of the council's work, not directly related to energy, which must be considered in parallel. The commission makes a number of recommendations for additional staff to deliver roles. We will try to deliver recommendations within existing resources, but will invest in additional staff resource if it is required.

Legal implications

124. None.

Financial implications

125. The Council has committed to becoming carbon neutral by 2030 and has invested in excess of £100m in the capital programme. In addition, in February 2021, cabinet approved a capital budget of £25m as part of the council's capital programme to help tackle the Climate Change Emergency.
126. The cost gap in achieving net zero remains substantial, with the 2021 Climate Strategy and Action Plan estimating the total cost of net zero for Southwark at £3.92bn.
127. Any agreed additional projects and actions that cannot be contained within existing budgets will be considered as part of the council's budget setting process for both revenue and capital budgets.
128. Officers will continue to explore external and central government funding opportunities in contributing towards the council's agenda for climate change to close the substantial funding gap that remains.

Consultation

129. Internal consultation was required in order to prepare this report, with the respective teams listed under point 12 above. Seeking the respective leads on the relevant subjects was essential in order to provide the latest thinking on the recommendations as set out by scrutiny. No external consultation

was required in preparation of this response, as the purpose is to set out the council's position.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

130. The Director of Law and Governance will make arrangements for any legal advice to be provided as necessary and as indicated in this report.

Strategic Director of Finance and Governance (CAP22/016)

131. The strategic director of finance and governance notes the recommendations for Cabinet with regards to officer response to the 24 recommendations made in the 'Environmental Scrutiny Commission: Energy Scrutiny Review Report' and agree to review the Climate Action Plan for all supported recommendations.

132. The strategic director of finance and governance also notes the request for funding to support additional roles relating to energy reduction and retrofit in schools and the expansion of community energy work.

133. Officers' time and any other costs associated with this recommendation will be contained within existing departmental revenue budgets

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Environment scrutiny commission report – cabinet June 2022		
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/documents/s107246/Appendix%20A%20Energy%20Review%20report.pdf		

APPENDICES

No.	Title
Appendix 1	Responses to Recommendations from the Environmental Scrutiny Commission 2021

AUDIT TRAIL

Cabinet Member	Councillor James McAsh, Climate Emergency and Sustainable Development	
Lead Officer	Chris Page, Climate Change Director	
Report Author	Tom Sharland, Climate Change Programme Lead	
Version	Final	
Dated	6 October 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Y	Y
Strategic Director of Finance and Governance	Y	N
Policy Officer, Healthy Places	Y	Y
Cabinet Member	Y	Y
Date final report sent to Constitutional Team	6 October 2022	

APPENDIX 1

Responses to Recommendations from the Environmental Scrutiny Commission 2021**Recommendation One**

Ensure the NSP and associated planning documents accord with the Climate Strategy by December 2021, by having policies in place that:

- *Meet Net Zero carbon by 2030*
- *Devise targets on embodied carbon in construction to meet net zero targets in developments*
- *Increase the number and quality of trees in the borough*
- *Support provision for food growing spaces and distribution*
- *Increase green space and green corridors across the borough*
- *Priorities air quality improvement actions that also have a carbon reduction benefit*
- *Support active travel (walking, cycling and public transport) and reduce reliance on private travel by motor vehicle*

Update

The Southwark Plan 2022 has now been adopted. An Environment and Climate Change Supplementary Planning Document (SPD) is currently being scoped out and prepared.

The early review is currently scoping out opportunities for planning policy to contribute to meeting the net carbon zero target by 2030, as declared in the Climate Emergency by the council.

This includes a review of wider policies, evidence and best practice, and what evidence needs to be commissioned, and assessing our response to the change in Part L Building Regulations 2021 which has implications for carbon reduction, and specifically Policy P70 Energy.

Recommendation Two

A completion certificate ought to be required with Building Control issuing this, coordinated with Planning, and this ought to ensure that the environmental standards set out in the planning application are met.

Update

The adopted Southwark Plan 2022 includes requirements for major development to submit a Be Seen Energy Monitoring Spreadsheet to support their energy statement. This is also submitted to the GLA as and is secured by Section 106 legal agreement.

Recommendation Three

Encourage all developments to contribute to the development of Decentralised Energy (DE) networks, including by connecting to them where there is one in proximity to the development, alongside mandatory requirements for significant developments.

Update

The Southwark Plan 2022 has now been adopted. Policy P70 Energy sets out requirements for development to connect to district heat networks and South-East Combined Heat and Power (SELCHP). The Draft Old Kent Road Area Action Plan (OKR AAP) in policy OKR3 'Climate Emergency' sets out requirements for development in the opportunity area to connect to SELCHP, with energy from waste as the heat source. This document will be updated and is subject to further consultation. Work is ongoing to facilitate increased connections to the SELCHP network in the Old Kent Road Opportunity Area alongside Veolia, the owners of the energy from waste plant that is the source of heat for SELCHP.

Recommendation Four

Establish a policy and agreed process for allocating the Carbon Offset Fund to projects at pace, and in line with the Carbon Emergency, and by December 2021 at the latest.

Update

The Climate Change Team are responsible for the selection of projects to be allocated for carbon offsetting supported by the Planning Policy Team. A process has now been agreed for the allocation of funds to offsetting projects. The fund is currently accepting applications for internal projects from any council team working on a project which reduces carbon, which will offset carbon emissions in existing council buildings and housing. A report has been agreed by Planning Committee in September 2022 to agree funding for the decarbonisation of buildings on the Tustin Estate. The intention is for it to launch publicly in early 2023.

Recommendation Five

Planning adopt the Energy Hierarchy (retain, refurbish, reuse/ reclaim, remanufacture, recycle) in the New Southwark Plan for both development and our own council house building programme.

Update

The Southwark Plan 2022 has been adopted in February 2022. This adopted the energy hierarchy under P70 which aligns with the London Plan (2021) Policy SI2 Minimising Carbon Emissions -

- Be Lean in reference to using less energy;
- Be Clean using better energy sources and being more efficiency with energy;
- Be Green utilising renewable energy; and
- Be Seen which refers to monitoring, in order to reduce carbon.

The GLA adopted the Circular Economy Statement London Plan Guidance (SPD) in March 2022. This provides guidance for major referable schemes required to submit a Circular Economy Statement to assess where demolition is acceptable, and how much is being recycled onsite in line with the circular economy principles.

Recommendation Six

That greater scope is given in NSP site descriptions to the re-use of existing buildings and that support is given to retention, refurbishing and repurposing of existing buildings and increasing the density of development on the site without a default to demolition of all existing buildings.

Update

No update required. Southwark Plan 2022 adopted including site allocations which provide details on the re-use of existing buildings and re-purposing of existing buildings.

Recommendation Seven

Develop the public realm to enable active travel and support the local economy including cycle routes, walking routes and pedestrianisation, through amendments to planning policies.

Update

The early review of the Southwark Plan will consider updates to policy where there are opportunities to reduce carbon emissions from vehicles and further encourage walking and cycling. Furthermore, the council's adopted Movement Plan is being reviewed to align with the Climate Change Strategy and planning processes.

Recommendation Eight

Use a matrix to promote a mix of amenity provision in local neighbourhoods, and judge the capacity of schemes to contribute to a strong local economy, and increases to social and natural capital.

Update

The Planning Policy Team works alongside the Local Economy Team to assess the number of green jobs generated by new development. These green jobs contribute to the targets set out in the Southwark Plan 2022.

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