

Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 13 July 2021 at 11.00 am at 160 Tooley Street, London SE1 2QH.

PRESENT: Councillor Kieron Williams (Chair)
Councillor Jasmine Ali
Councillor Evelyn Akoto
Councillor Stephanie Cryan
Councillor Helen Dennis
Councillor Alice Macdonald
Councillor Darren Merrill
Councillor Jason Ochere
Councillor Catherine Rose

1. APOLOGIES

An apology for absence was received from Councillor Rebecca Lury.

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

The chair gave notice of the following late items:

- Item 7: Deputation requests
- Item 13: Ledbury Estate Towers update on resident ballot and future redevelopment (and closed item 24)
- Item 14: Tustin Estate Low Rise Re-development Delivery Programme
- Item 15: Gateway 1: Procurement Strategy Approval - Procurement of a Delivery Partner (Developer Contractor) for the Tustin Estate Low Rise Redevelopment Programme.

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 none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. PUBLIC QUESTION TIME (15 MINUTES)

Toby O'Connor (public questioner was unable to attend the meeting).

Given the current issues around ball courts, five-a-side pitches and similar spaces across the borough, will the council now build on elements of the climate strategy and the equalities framework to start to construct a positive and robust mechanism for the localised and meaningful engagement of children and young people on play and informal recreation provision?

Response by Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education

Southwark Council is committed to listening to young people, and is keen for young people to influence changes to existing facilities, and the provision of new youth facilities. This approach is central to the Youth New Deal, approved by the council assembly in spring 2021. The Youth New Deal sets out a number of commitments, including extending mental health Services, greater support into employment and training, a new Sure Start for Teens programme, an easy-to-use digital information hub, recommissioning youth provision around programmes that young people most want and a new Youth Parliament. Central to the Youth New Deal is a commitment to giving young people greater voice in shaping service provision and more influence in wider council policy and decision-making. Adopting this collaborative, co-produced approach not only puts young people at the heart of decision-making, but, in doing so, also ensures as strong focus on equalities and climate, to complement the council's wider formal equalities and climate processes, which are central to the formal planning processes.

Evidence of success is the recent Quirk's Media Marketing Research and Insight Award the council won, under the non-profit/social enterprise research project category, for the way in which young people had been engaged with during the youth review. The award recognised the comprehensive and innovative engagement exercise, which was shaped and delivered with input from young people. Different methods of engagement were used including collaborative workshops, deliberative discussions and ethnographic fieldwork (where researchers observed and interacted with participants in their real-life

environment to gather an in-depth picture of the lived experience of our young people). A borough wide online survey was also developed based on the responses from the deliberative discussions and ethnographic research. Over 450 young people took part in this engagement exercise (407 via online survey).

The council has also conducted a youth-focused audit of spaces on the Brandon Estate, to understand how to create venues, which meet the needs of young people. This has led to a “toolkit” that will enable other young people and practitioners to review other spaces and places. Consultants “We Made That” worked with young people from the estate to hear about and review the local spaces that they use from their own perspective. The review and toolkit have now been completed alongside a short film made by young people. Recommendations have been issued on potential design interventions for facilities on the estate that would make them young people friendly and provide positive activities and spaces for young people. Officers are looking into options for implementing the recommendations and how the toolkit can be applied to other spaces in the borough. The toolkit could be used, for example, to shape investment in sports facilities, playgrounds and adventure play areas.

Officers will commence a consultation programme to inform the £3m capital investment programme in Adventure Play services later this summer and will deliver engagement activities with schools, young advisers and local families, using the tool kit, to ensure significant involvement from young people in designing services and facilities that meet the needs and aspirations of our young people.

6. MINUTES

RESOLVED:

That the minutes of the meeting of held on 15 June 2021 be approved as a correct and signed by the chair.

7. DEPUTATION REQUESTS

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

RESOLVED:

1. That the following deputation requests be heard:
 - Ledbury Residents Project Group (RPG)

- The Tustin Community Association and
 - Extinction Rebellion Southwark.
2. A representative of the Ledbury RPG and Extinction Rebellion Southwark addressed cabinet for five minutes and questions were asked of each deputation for a period of five minutes. The spokesperson for Tustin Community Association was unable to attend and provided a statement that was read to cabinet.

8. CLIMATE CHANGE STRATEGY FOR SOUTHWARK

RESOLVED:

1. That the council's climate strategy and action plan "Tackling the Climate Emergency Together: Our Approach for a Carbon Neutral Southwark by 2030" be agreed.
2. That the progress made so far reducing carbon emissions and taking action to tackle the climate emergency be noted.
3. That officers develop a range of resources to communicate the strategy with residents and to make it accessible to different sections of the community.
4. That officers start delivery of the actions in the strategy and provide an annual report to cabinet on the progress that the borough is making towards its goal.

9. ANNUAL BOROUGH PLAN PERFORMANCE REPORT 2020-21

RESOLVED:

That the council's performance for the financial year 2020-21 against the refreshed Borough Plan, agreed in November 2020 be noted.

10. SOUTHWARK STANDS TOGETHER ANNUAL REPORT

The following were in attendance to give insight to their involvement and feedback to the report:

- Winnie Baffoe, co-director of South London Mission
- Joelle D'Fontaine, At Your Beat (ATB) founder and creator and Nike trainer and
- Makeda Williams-Pinnock, head teacher of Victory primary school.

RESOLVED:

1. That the Southwark Stands Together (SST) annual report (Appendix 1 of the report) be noted.
2. That commitment to SST programme delivery be reaffirmed and that chief officer team, as the senior steering group for the programme, be asked to review activity and next steps to ensure the progress made in the last year is sustained and accelerated.
3. That it be agreed that learning from SST informs the work underway as part of the Southwark equality framework (paper elsewhere on the agenda).
4. That a plan for regular reporting to the community on the work to tackle inequalities through the equalities framework, including annual reporting to cabinet on SST programme delivery be developed.

11. THE SOUTHWARK EQUALITY FRAMEWORK

RESOLVED:

1. That the Southwark Equality Framework be agreed.
2. That regular reporting to the community on work to tackle inequalities and promote equality more broadly through the Southwark Equality Framework, including reporting back to cabinet on progress in late 2021 be agreed.
3. That the intent in the framework and action plan to undertake a more detailed analysis of inequality in Southwark, develop a clear definition of inequality and identify what our cross council priorities are for closing the gaps it identifies for particular communities across the breadth of council services be noted.
4. That learning from Southwark Stands Together (elsewhere on the agenda) informs the work underway as part of the Southwark Equality Framework be noted.

12. ST JOHN'S WALWORTH CHURCH OF ENGLAND PRIMARY SCHOOL

Roz Cordner (education director of the Southwark Diocesan Board of Education) was in attendance to answer questions. Roz Cordner was able to confirm that it was the intention of the Diocesan Board at this current time (and in the near future) to ensure that the building was used for educational or community provision. As a charity, this is something that could be subject to change in the future.

Cabinet placed on record their thanks to the governors, staff, educational team and

head teacher for their hard work and commitment.

RESOLVED:

That the governing body proposals for the closure of St John's Walworth Church of England Primary School from the 1 September 2021 be approved.

13. LEDBURY ESTATE TOWERS UPDATE ON RESIDENT BALLOT AND FUTURE REDEVELOPMENT

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent. The report sets out the background to the project, mandate from the residents of the Towers, strategies and next steps required to enable the redevelopment of the Ledbury Towers. In order to secure external funding, vacant possession of the building in Phase 1 was needed to be in place to secure a contractual start on site by September 2022.

RESOLVED:

Decisions of the Cabinet

1. That the ongoing engagement with the local community be noted and all residents thanked, and in particular the resident project group, for their contribution to the residents' ballot.
2. That the result be noted and the result of the residents' ballot decision to demolish the four tower blocks consisting of 224 homes (known as Bromyard House, Peterchurch House, Skenfrith House and Sarnsfield House) and provide a minimum of 333 homes across two phases, in line with the commitments set out within the Landlord Offer Document be ratified.
3. That the project be approved to deliver a minimum of 333 homes on the Ledbury Estate.
4. That a variation to the housing investment programme for funding of £5.4M to take the project, subject to planning consent, out to tender for a contractor be approved.
5. That it be noted that further work will be undertaken to review phasing and contractor procurement so as to improve financial viability.
6. That the commencement of the next phase of acquisition of leasehold interests on the four towers via negotiation, under terms that would apply pursuant to a Compulsory Purchase Order (CPO) be approved, and approval of compensation packages for the acquisition of individual leasehold interests be delegated to the director of planning and growth in consultation with the strategic director of housing and modernisation.

7. That the continued rehousing of all secure tenants remaining in the four towers to enable vacant possession of the blocks in order that the delivery of the proposed redevelopment of the Ledbury towers can proceed be approved.
8. That the delivery programme, financial implications and associated risks of the project be noted.
9. That project progress since the February cabinet paper be noted.
10. That it be noted that a gateway report will be progressed to appoint an architect and employers' agent who will work closely with residents in the design of their new homes.

Decisions of the Leader of the Council

11. That the procurement and appointment of a design team, to RIBA stage 3+ and consultants to the wider project team for the duration of the project to take the scheme to planning, and subject to consent, procurement of a contractor for Ledbury Towers scheme be delegated to the cabinet member for council homes and homelessness.
12. That the serving of demolition notices in order to suspend qualifying tenants from exercising their right to buy (RTB) their homes for a period of up to 7 years be delegated to the cabinet member for council homes and homelessness.

14. TUSTIN ESTATE LOW RISE RE-DEVELOPMENT DELIVERY PROGRAMME

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent. The report sets out a rehousing strategy which enables the redevelopment of the Tustin Estate and in order to secure external funding, vacant possession of buildings in Phase 1 needed to be in place to secure a contractual start on site by September 2022.

RESOLVED:

Decisions of the Cabinet

1. That the ongoing engagement with the local community be noted and all residents be thanked, in particular the Tustin Community Association and resident project group, for their contribution to the resident-led programme of work at the feasibility and options stage and the initial steps of the delivery programme.
2. That the result of the Tustin Estate Resident Ballot, concluded in March 2021,

and decision to demolish low-rise blocks (Bowness House, Heversham House, Hillbeck Close, Kentmere House and Ullswater), refurbish the council tenanted houses at Manor Grove, the demolition and rebuild of Pilgrims' Way Primary School and the commercial units as well as the creation of a new park at the centre of the estate and delivery of a minimum of 689 homes across three phases, in line with the commitments set out within the Tustin Estate Landlord Offer Document be noted and ratified.

3. That a further variation to the housing investment programme for funding of up to £14.24m to take forward the project to the next stage be approved.
4. That the commencement of the acquisition of leasehold interests on the low-rise blocks (Bowness House, Hillbeck Close, Heversham House and Kentmere House) in accordance with a phased approach and via negotiation, with compensation and disturbance payable in line with compulsory purchase compensation rules be approved.
5. That the serving of demolition notices in order to suspend qualifying tenants from exercising their Right to Buy (RTB) their homes for a period of up to 7 years be approved.
6. That it be agreed that every council tenanted household subject to demolition, will be offered a replacement council home on the Tustin Estate.
7. That the re-housing of all secure tenants remaining in the low-rise blocks (Bowness House, Hillbeck Close, Heversham House and Kentmere House) in accordance with the re-housing strategy in paragraphs 50 to 74 to enable vacant possession of the blocks in order that the delivery of the proposed redevelopment of the Tustin Estate can proceed be approved.
8. That a dedicated Tustin Estate local lettings policy be agreed post securing planning consent and will be based on the principles outlined in the Tustin Estate Landlord Offer Document and the criteria outlined in the re-housing strategy and paragraphs 50 to 74 of the report of the re-housing strategy outlined in the report.
9. That it be agreed that every resident leaseholder subject to demolition, who has been living on the estate for 12 months prior to the March 2021 resident ballot will be offered the opportunity to purchase a replacement home on the Tustin Estate with the option to purchase an affordable intermediate home (shared equity, equity loan, shared ownership) or a council tenancy where appropriate and subject to a financial review.
10. That it be agreed that every housing register applicant living on the Tustin, who has been on the council's housing waiting list 12 months prior to the March 2021 resident ballot will be offered a replacement council home on the Tustin Estate.

11. That 100% of new hidden homes in the Tustin towers be made available to existing residents of Tustin Estate, with priority status given to those living in Hillbeck Close and those with a need for a garden.
12. That 100% of new build council homes on the estate be made available to eligible residents in blocks demolished by the re-development and those on the housing waiting list who we have a commitment to as set out in the Tustin Estate Landlord Offer Document. Those in blocks due to be demolished will be given priority.
13. That a 'one-move' approach to minimise disruption to residents except where residents request 'two-moves' to preserve their existing arrangements ie. to move back to the site of their original home, or to enjoy a garden if they currently have one or to move to the Over 55's block if this is their preference be approved.
14. That the re-housing of residents in Hillbeck to commence in August 2021 be approved and that the re-housing strategy described in paragraphs 50 to 88 of the report be applied.
15. That the formal consultation undertaken with affected tenants, homeowners and the wider estate community throughout the process be noted.
16. That the detailed commitment to support affected vulnerable residents throughout the project be noted.
17. That outcome of an equalities and health impact assessment summarised within paragraph 125 of the report be noted.

Decisions of the Leader of the Council

18. That approval of compensation packages for the acquisition of individual leasehold interests be delegated to the director of planning and growth in consultation with the strategic director of housing and modernisation.
 19. That approval of the Tustin Estate Local Lettings Strategy be delegated to the cabinet member for council housing and homelessness.
15. **GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - PROCUREMENT OF A DELIVERY PARTNER (DEVELOPER CONTRACTOR) FOR THE TUSTIN ESTATE LOW RISE REDEVELOPMENT PROGRAMME**

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent. The report sets out the procurement route for the delivery partner for Tustin and in order to secure external funding, a contractual start on site needed to be made by September 2022. This route therefore needed to be agreed at this time in order to meet this deadline.

RESOLVED:

1. That the procurement strategy outlined in the report for a two-stage tender process for the procurement of a delivery partner for the Tustin Estate Redevelopment programme using the Pagabo framework be approved.
2. That it be noted that the award of the pre-construction services agreement (PCSA) of anticipated contract value of £1.5m will be approved as set out in line with the contract standing orders and in consultation with the cabinet member for council homes and homelessness for an estimated period of 10 months commencing in November 2021.
3. That it be noted that subject to successful PCSA programme of design development to financial close including planning approval, the council would have the option to award the development agreement to the preferred delivery partner for the Tustin Estate Low Rise Redevelopment Programme (comprising of residential, commercial, education and public realm works) for an anticipated period of 6 years commencing in Summer 2022 subject to a future approval via a Gateway 2 report to cabinet in summer 2022.
4. That it be noted that the council has entered into an access agreement with Pagabo to access their National Framework Agreement for Developer Led Schemes.
5. That the use of a resident-led interview panel in the PCSA and development agreement procurement process as detailed in paragraph 61 of the report be noted.

16. ACQUISITION OF LAND ADJACENT TO THE COUNCIL'S OLD KENT ROAD SITE

RESOLVED:

1. That pursuant to s227 of the Town and Country Planning Act 1990, that the council be authorised to acquire the freehold interest in the property at 719-725 & 727 Old Kent Road shown edged black on the plan at Appendix A of the report
2. That the principal purchase terms set out in full in the closed report be authorised
3. That authority be delegated to the director of planning and growth authority to agree the detailed terms of the acquisition.

17. THE GREAT ESTATES GUARANTEE AND THE GREAT ESTATES COMMITMENTS

RESOLVED:

1. That the outcomes of the consultation with residents included in the report be noted.
2. That the Great Estates Guarantee be approved which states that:

“Southwark Council guarantees that we will listen to and respond to our residents and work effectively together to make our estates clean, safe and cared for.”
3. That the set of commitments set out in Appendix 1 of the report be approved for publication, following the consultation outcomes.
4. That a plan is put in place to communicate this guarantee and commitments to residents in the borough.

18. BOROUGH EMERGENCY PLAN 2021

RESOLVED:

1. That the annual review of the generic borough emergency plan be agreed with the understanding that further lessons from both the ongoing response to COVID-19 and other incidents will continue to be incorporated into future learning and planning.
2. That updated councillor briefing sessions are put in place to further explore the role of councillors in emergency planning and to inform future development of incident management.
3. That it be noted that the council's emergency arrangements will continue to be guided by pan-London standards and approach, including any ongoing arrangements resulting from the city-wide COVID-19 response.
4. That in the light of the fluidity in Covid infection rates across London, that the council reserves the right to activate council wide emergency response arrangements, acting on the advice of public health locally and regionally as appropriate.

19. GATEWAY 1: WICKWAY COMMUNITY CENTRE MAIN CONTRACTOR PROCUREMENT

RESOLVED:

1. That the procurement strategy outlined in the report for a single stage tender through the Crown Commercial Services (CCS) framework – RM6088 for Construction Works and Associated Services, for the redevelopment of the Wickway Community Centre for an anticipated period of 32 months commencing on 31 March 2022, at an estimated contract value of £27m be approved.
2. That the award decision in the gateway 2 report for the main works contract be delegated to the strategic director of housing and modernisation, in consultation with the cabinet member for council homes and homelessness for the reasons noted in paragraph 27 of the report.

20. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - OLDER PEOPLE'S RESIDENTIAL CARE PROVISION

RESOLVED:

1. That the procurement strategy for residential care provision including reablement services for older people in the four council owned properties (Rose Court, Bluegrove, Waterside and Greenhive), involving a publicly advertised competitive tender using the open procedure for one or more contracts for a period of up to ten years commencing 1 April 2022 to include a break clause which would be exercisable by either party, following the expiry of a minimum period to be confirmed be approved.
2. That the approval of the award of contract/s, be delegated to the strategic director for children's and adults' services, in consultation with the cabinet member for health and wellbeing.
3. That it be noted that the total estimated maximum value of the contract/s is in the region of £6.5m per annum, £65m over the term of the contract.

21. GATEWAY 1: THE PROVISION OF MENTAL HEALTH SUPPORTED HOUSING AND OUTREACH SERVICES

RESOLVED:

That the recommendation to proceed with the procurement strategy by competitive tendering to award contracts commencing on 1 July 2022 to provide mental health supported housing and outreach detailed in paragraph 72 of the report, for an initial three years with an option to extend for two

further periods of one year, with an estimated total contract value for five years of £13,309,345, which is inclusive of the clinical commissioning group (CCG) element (totalling of £1,859,565 for the 5 years) be approved.

22. GATEWAY 3: VARIATION DECISION SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITIES (SEND) SCHOOL BUS SERVICE

RESOLVED:

1. That an extension of the special educational needs and or disabilities (SEND) bus service contract, provided by Olympic South Limited (trading as HATS), for a period of 24 months from 1 September 2021 at an estimated value of £4.6m, making an estimated lifetime contract value of £16.5m be approved.
2. That it be noted that the estimated value of the variation includes additional depot facility costs of £283k for 2021-22 and £182k for 2022-23, as set out in paragraphs 13 to 18 of the report.

MOTION TO EXCLUDE THE PRESS AND PUBLIC

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

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

23. MINUTES

The minutes of the closed section of the meeting held on 15 June 2021 were approved as a correct record and signed by the chair.

24. LEDBURY ESTATE TOWERS UPDATE ON RESIDENT BALLOT AND FUTURE REDEVELOPMENT - FINANCIAL IMPLICATIONS

The cabinet considered the closed information relating to this item. Please see item 13 for the decision.

25. ACQUISITION OF LAND ADJACENT TO THE COUNCIL'S OLD KENT ROAD SITE

The cabinet considered the closed information relating to this item. Please see item 16 for the decision.

26. GATEWAY 3: VARIATION DECISION SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITIES (SEND) SCHOOL BUS SERVICE

The cabinet considered the closed information relating to this item. Please see item 22 for the decision.

The meeting ended at 1.20pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 21 JULY 2021.

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