

Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 1 February 2022 at 11.00 am at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Jasmine Ali (Chair)
Councillor Evelyn Akoto
Councillor Stephanie Cryan
Councillor Helen Dennis
Councillor Rebecca Lury
Councillor Darren Merrill
Councillor Alice Macdonald
Councillor Catherine Rose

1. APOLOGIES

Apologies for absence were received from Councillors Kieron Williams and Jason Ochere.

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

The chair gave notice of the following late items:

Item 10: Policy and Resources Strategy 2022-23 to 2024-5
Item 11: Policy and Resources Strategy: capital monitoring report, including capital programme update 2021-22.

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

None.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. PUBLIC QUESTION TIME (15 MINUTES)

None were received.

6. MINUTES

RESOLVED:

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

7. DEPUTATION REQUESTS

None were received.

8. RESIDENTIAL CARE CHARTER

RESOLVED:

1. That the implementation of a Southwark Residential Care Charter as set out in paragraph 7 of the report be agreed.
2. That the introduction of a Southwark Supplement for staff in Southwark care homes to ensure that staff are paid at least the London Living Wage, as set out in paragraph 11 of the report be agreed.

9. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL - INTEGRATED COMMUNITY EQUIPMENT SERVICE

RESOLVED:

1. That the procurement strategy for the provision of integrated community equipment by Southwark Council, under the Section 75 agreement with Southwark Council and South East London (SEL) Clinical Commissioning

Group (CCG), via the pan-London consortium's newly procured Integrated Community Equipment Service (ICES) call off contract which is anticipated to commence on 1 April 2023, and will run for five years, with the option to extend for an additional two years (1yr +1yr), at an estimated annual cost of £980,000, an estimated five year total cost of £4.9m and an estimated five year plus two years total cost of £6.8m for Southwark Council be approved.

2. That it be noted that Southwark Council and SEL CCG continue to deliver the ICES service under the current Section 75 (s75) agreement, whereby the council contribute 35% of the contract cost, and SEL CCG contribute 65%.
3. That it be noted that Southwark Council continue to be the lead commissioner for this contract in the borough, and be responsible for contract management.
4. That it be noted that as part of the joint commissioning arrangement between Southwark Council and South East London Clinical Commission Group (SEL CCG) (Southwark), SEL CCG will continue to be represented at the regular integrated community equipment service (ICES) management board meetings and will continue to be consulted with and included in any decision making processes relevant to the service.
5. That it be noted that the financial modelling is yet to be completed by the consortium lead as part of the pre-procurement work, however, the estimated spend for Southwark Council based on the current framework, is £4.9m for the proposed initial five year contract term.

10. POLICY AND RESOURCES STRATEGY 2022-23 TO 2024-25

It was not possible to circulate the report five clear days in advance of the meeting. The chair agreed to consider this item urgently as cabinet were required to prepare a budget proposal for submission to council assembly. This was the last cabinet meeting before council assembly on 23 February 2022 and the council tax setting committee. The council is required to set a lawful budget by 11 March 2022.

Councillor Ian Wingfield, chair of the overview and scrutiny presented a summary of the committee's recommendations to cabinet.

RESOLVED:

1. That it be noted that the final local government finance settlement had not been published at the time of writing the report, no changes from the provisional settlement published on the 16 December 2021 are anticipated.
2. That it be noted that this report presents the final balanced general fund budget proposals for 2022-23 including:
 - Un-ringfenced settlement funding assessment grant of £153.6m, a

- modest increase of £1.1m on 2021-22
- Other grant income of £93m, an increase of £14.8m on 2021-22 but including £8m of one-off services grant funding and an increasing amount of ring-fencing
 - Estimated retained business rates income of £17m, a decrease of £1.9m from 2021-22
 - Estimated council tax revenues of £128.608m, including a council tax increase of 2.99% (1% adult social care precept and 1.99% general increase)
 - A forecast deficit on the collection fund in 2022-23 of £6m after allowing for spreading adjustments
 - Pay provision and contractual inflation of £7.3m.
3. That the updated Fairer Futures Medium Term Financial Strategy (including Budget Principles) at Appendix G of the report be approved.
 4. That it be noted that the Greater London Authority (GLA) is expected to increase its council tax precept by 8.8% following publication of the Mayor's draft budget in late December 2021.
 5. That it be noted that the GLA council tax precept is due to be set on the 24 February 2022, one day after council assembly sets the budget for Southwark, therefore a council tax setting committee will need to be convened.
 6. That the current budget options proposed to help achieve a balanced 2022-23 budget (Appendices B to E of the report) be noted including:
 - Efficiency savings of £6.962m
 - Net income increase of £5.181m
 - Savings impacting on services of £3.610m
 - Commitments and growth of £17.564m.
 7. That it be noted, in order to ensure that the base budget is on a secure financial footing a contingency is proposed for 2022-23 of £4m for temporary accommodation.
 8. That the departmental narratives and the ongoing equality analyses of the budget proposals (Appendix A of the report) be noted.
 9. That it be noted that the 18 January 2022 cabinet report was considered by overview and scrutiny committee on 24 and 25 January 2022.

NOTE: In accordance with overview and scrutiny procedure rule 16.2 (a) (budget and policy framework) these decisions are not subject to call-in.

11. POLICY AND RESOURCES STRATEGY: CAPITAL MONITORING REPORT, INCLUDING CAPITAL PROGRAMME UPDATE 2021-22

It was not possible to circulate the report five clear days in advance of the meeting due to the continued monitoring and review of the financial impact of the pandemic on the council's overall capital programme and financial position. The chair agreed to consider this item urgently as the council regularly updates cabinet on the capital monitoring position. This was important in the current circumstances of the Covid-19 pandemic, and its financial impact on the council's overall financial position.

RESOLVED:

1. That the forecast outturn and resources for 2021-22 and future years for both the general fund and housing investment programmes as detailed in Appendices A, B and D of the report be noted.
2. That virements and variations to the general fund and housing investment capital programme as detailed in Appendix C of the report and the new capital bids contained within the report and summarised at Appendix E of the report be approved.
3. That the significant funding requirement of £305m which needs to be identified for the general fund programme to be fully delivered over the remaining term of the programme, as detailed in Appendix A of the report be noted.
4. That the borrowing requirement of at least £1bn for future years for the housing investment programme to be fully delivered over the remaining term of the programme, as detailed in Appendix B of the report be noted.
5. That the significant contribution the capital programme is making towards the objectives of the council's climate change strategy (see paragraphs 19-20 of the report) be noted.

12. GATEWAY 0: CHILDREN'S RESIDENTIAL PROVISION

RESOLVED:

1. That, as part of the corporate parent family, this strategic options assessment, which recommends opening up to three homes within the borough so that our children in care, who deserve the best start in life, achieve better outcomes, be approved.
2. That the next steps set out in the report be noted.

13. GRANTS AND COMMISSIONING REVIEW

Cabinet heard representations from representatives of the voluntary and community sector who were also involved in the review process.

RESOLVED:

Decisions of the Cabinet

1. That the findings of two independent reviews i) the Southwark Stands Together grants review be noted, that examined whether there are obstacles to Black, Asian and minority ethnic groups making successful grant applications (Appendix 1 of the report); and ii) the community investment review which looks at the effectiveness of funding to deliver outcomes (Appendix 2 of the report).
2. That the allocation of an additional £400k in grant funding, with £200k of this to be available specifically for groups that self-identify as Black Asian and minority led be approved. The funding will support our community organisations to recover from pandemic impacts, to thrive and self-organise, to strengthen networks, partnerships, and equalities infrastructure and support more inclusive and responsive service delivery. This funding is additional to the other funding which will remain available for all community groups as advertised.
3. That it be noted that organisations will be identified as Black Asian and minority ethnic led if the organisation self identifies as Black Asian or minority ethnic led and 75% of the governing body, ie board of trustees, directors, management committee, and 50% of the senior staff of the organisation, (key decision-makers) self-identify as being from that specific community or identity.
4. That all grant and commissioning teams collect data about the protected characteristics not only of service users of organisations we are considering funding or commissioning, but also the composition of the board or management of an organisation, so we are able to identify who is leading the groups we fund and as well as those who are not successful in their applications or tenders.
5. That officers be tasked with building a database of Black, Asian and minority ethnic led organisations in the borough, so we are better able to include and act positively to encourage and support Black Asian and minority ethnic led groups to access funding opportunities.
6. That council officers, working with community representatives and the voluntary and community sector (VCS), will develop a funding prospectus for the council over the next nine months that will support the delivery of the Borough Plan. This will be presented to cabinet in autumn 2022 for approval. The prospectus will:
 - Apply council wide

- Be created in partnership with our key VCS and health partners in two phases
 - Include a review of the current voluntary community sector (VCS) outcomes framework
 - In phase one we will focus on developing our priorities
 - In phase two we will work with our partners on how we will deliver the outcomes and priorities together.
7. The funding prospectus will also set out how we will address other issues that have emerged from both reviews and identify how council procurement processes can reflect the learning from this work, including:
- How we support organisations grow and bid successfully to deliver larger programmes
 - How we involve Black Asian and minority ethnic community representatives in the grant making assessment process to make it more transparent and fair
 - How we can substitute the current colour blind approach to our funding for a more nuanced intersectional one.
 - How we remain informed by the data and evidence we are receiving across the council and embed flexibility.
 - How we can ensure that we continue to ring fence funding for Black Asian and minority ethnic led organisations beyond the programme described above.
8. That this grants programme be co-produced with community representatives including representatives of Black, Asian and minority ethnic groups.

Decision of the Leader of the Council

9. That approval of the criteria and award of grants for the pot of £400,000 and the £200,000 set aside for Black, Asian and minority ethnic groups be delegated to the cabinet member for equalities, neighbourhoods and leisure.

14. LETTINGS AND PREMISES STRATEGY - VOLUNTARY AND COMMUNITY SECTOR

RESOLVED:

1. That the commissioning of a project to define a comprehensive approach to using property assets to support the local voluntary and community sector (VCS), with a clear, transparent, consistently applied process and criteria for informing the allocation and use of community spaces be agreed.
2. That it be noted that a specification for commissioning advisors will be developed and finalised by the VCS premises board which includes community representatives.

3. That interim arrangements be developed, including the piloting of a new process to match supply of premises to prioritised demand, that fulfils the council's objectives, using a draft allocations methodology.
4. That the working definition of local VCS groups in scope as set out in Appendix 1 be agreed.
5. That as part of the project to develop draft model lease terms for lettings to VCS groups, in new lettings, the regularising of unlicensed occupation, and at lease renewal be agreed.
6. That it be agreed to prioritise, for the time being and where it is feasible to do so, lettings for uses that demonstrate a clear contribution to advancing the objectives of Southwark Stands Together, community recovery from the coronavirus pandemic, and continuing work to establish key community and cultural centres in line with council plan commitments and priorities.
7. That officers to report on the project's progress in approximately six months' time.
8. That the project be co-produced with community representatives including representatives of Black, Asian and minority ethnic groups (including representation on the working group).

15. MOVEMENT PLAN, ANNUAL REPORT AND FUTURE CHANGES

RESOLVED:

That an update on the delivery of the Movement Plan (2019) be received and the emerging context leading to a review of the Movement Plan in 2022 be noted.

16. UPDATE TO FAIRER FUTURE PROCUREMENT FRAMEWORK

RESOLVED:

1. That the refreshed Fairer Future Procurement Framework (FFPF) at Appendix 1 of the report be approved.
2. That the update on actions taken be noted and that a report will be brought back to cabinet by the end of 2022 to update on the next steps within the report in relation to social value.
3. That the continued delegation of approval for minor and consequential amendments to the fairer future procurement framework (FFPF) to the

director of law and governance, in consultation with the cabinet member for finance, performance and democracy be agreed.

4. That on-going work across the council, led by the local economy team to support the delivery of the recommendations of the education and business scrutiny commission's report on procurement: accessibility and social value from July 2020 as detailed in paragraph 15 of the report be noted.

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 categories 3 and 5 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.

17. MINUTES

RESOLVED:

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

The meeting ended at 12.45pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 9 FEBRUARY 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.