

Overview & Scrutiny Committee

MINUTES of the OPEN section of the Overview & Scrutiny Committee held on Wednesday 2 March 2022 at 7.00 pm at 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Ian Wingfield (Chair)

Councillor Victor Chamberlain (Vice-Chair)

Councillor Humaira Ali Councillor Peter Babudu Councillor Jack Buck Councillor Gavin Edwards Councillor Maria Linforth-Hall Councillor Margy Newens Councillor Leanne Werner

Martin Brecknell (Co-opted Member)

OTHER MEMBERS

Councillor Stephanie Cryan, Cabinet Member for Council

PRESENT: Homes and Homelessness

Councillor Helen Dennis, Cabinet Member for Climate

Emergency and Sustainable Development

Councillor Kieron Williams, Leader of the Council

OFFICER Norman Coombe, Deputy Head of Law SUPPORT: Everton Roberts, Head of Scrutiny

1. APOLOGIES

Apologies for absence were received from Councillor Sarah King, Councillor Victoria Olisa and Marcin Jagodzinski, co-opted member.

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

There were no additional late items.

The chair informed the committee that supplemental agenda No.1 contained the minutes of the meeting held on 21 February 2022.

Supplemental Agenda No. 2 contained the proposed cabinet response to the overview and

scrutiny committee recommendations on the Southwark Climate Emergency and Action Plan.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

4. MINUTES

RESOLVED:

That the minutes of the meeting held on 21 February 2022 be approved as a correct record.

5. SOUTHWARK'S CLIMATE STRATEGY AND ACTION PLAN - UPDATE FROM CABINET MEMBER FOR CLIMATE EMERGENCY AND SUSTAINABLE DEVELOPMENT

The committee received an update from Councillor Helen Dennis, Cabinet Member for Climate Emergency and Sustainable Develop on timelines for actioning the recommendations of the overview and scrutiny committee.

Councillor Dennis reported that the proposed cabinet response to overview and scrutiny committee recommendations was due to be considered by cabinet on 8 March 2022. Councillor Dennis welcomed the overview and scrutiny committee's recommendations and explained that a number of the recommendations were already in line with what the council was planning to do in terms of the review of the strategy and action plan.

Councillor Dennis also reported that the strategy and action plan would be submitted to cabinet for review in July 2022 (and not September which had been previously stated in error). The timing of the review would enable cabinet to take account of recommendations from the Citizens Jury which was publishing its report in the week, and also take account of any future commitments in the Borough Plan after May 2022 elections.

Councillor Dennis also reported that a meeting launch was taking place on 3 March which would be bringing together members of the citizens' jury, councillors, other stakeholders, partners and people involved in the oversight panel. A further event was also scheduled to take place on 10 March which was open to members of the public to attend and ask questions. The public would also be able to hear from the citizens' jury as well. The event was being publicised through social media and newsletters.

The committee also heard from Tom Sharland, Climate Change Programme Lead who reported on the establishment of internal governance structures, tracking of teams, risk, and key milestones, and the strengthening of the SMART actions

which were being done over the coming months.

Following the initial presentations, questions and discussion were held around the following:

- The sharing of an overarching project plan with the future committee
- Timelines for review of the various associated strategies (Southwark Plan, Movement Plan, Air Quality, Fairer Future procurement framework)
- Councillor training on climate strategy the need for contribution of external experts
- Training, communications and other measures required to achieve culture shift needed in the Council to get all staff thinking about tackling climate emergency through their work
- How the council will work with the third sector and communities around the next iteration of the climate action plan
- Next steps following Citizens Jury
- Biggest obstacles going forward.

Action point – Councillor Dennis to write to the committee with timeline for review of the various strategies to inform future scrutiny activity.

6. CABINET MEMBER INTERVIEW - COUNCILLOR KIERON WILLIAMS, LEADER OF THE COUNCIL

In introducing the item the Chair informed the committee of the areas the Leader of the Council had been asked to cover as part of his initial presentation which were as follows:

- a year end overview of Council's services,
- a projection going forward,
- a paper with a roll up summary of the Council themes and performance over the last 4 years, including information on where the Council has exceeded and where it has fallen short, along with lessons learned.

The chair reported that the Leader had provided the committee with a copy of the Borough Plan interim performance report which set out much of the detail requested. The Borough Plan interim performance report was due to be considered by the cabinet on 8 March 2022.

Councillor Kieron Williams provided the committee with a brief overview of council achievements over the past few years.

In his introduction, Councillor Williams expressed that in looking back over the last 4 years, that it had been a difficult period due to government funding cuts and the pandemic. He thanked council staff and partner organisations, the voluntary sector, and councillors for the work done during that period and support to residents.

Councillor Williams made reference to the Borough Plan interim performance report which set out a lot of detail of what the council had been doing and encouraged the committee members to read it. Councillor Williams indicated that an incredible amount had been achieved, and in addition, the council's response to the Covid pandemic.

Councillor Williams highlighted some of the initiatives undertaken relating to the council's response to the Covid pandemic, the building of council homes, the apprenticeship scheme, improvement of social care, the agreement of the ethical care charter for residential care that would drive up care, the 95% achievement of schools rated good or outstanding, and the working with schools to help pupils catch up [in light of pandemic], the rolling out of mental health support for children, improvements on the environment [school streets, low traffic neighbourhoods, cycle lanes, road crossings, installation of heat pumps on housing estates mentioned].

Councillor Williams expressed a heartfelt thank you to everyone who had helped with the delivery of those council initiatives and council services throughout the pandemic.

The Leaders presentation was followed up by questions from committee members.

Questions and discussion were held around the following:

- How the council can deliver transport infrastructure needed, with the funds that the council has available to it [context – challenging relationship with Government and GLA currently, due to unaligned priorities]
- Other opportunities for the council where it can directly deliver, where it was felt the government is letting residents down.
- Residents accessibility to council services, and how this is being measured
- Areas focus that the council will now need to think differently about in light of pandemic
- Areas not delivered on that the Leader would have liked to have achieved
- Increase in people sleeping on the streets
- LGBTQ cultural space in Bankside extension of tenancy, and marketing of permanent space in Bankside Yard
- Climate Strategy and Housing Strategy Meeting zero carbon target whilst needing to continue building new council homes in the borough
- Consideration of converting any empty office space into council homes
- Growing ethnic pay gap
- Projections for funding package from government over the coming year
- Recent decisions relating to Ivydale School [Proposed closure of Inverton Road site and reversal of decision].

7. CABINET MEMBER INTERVIEW - COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR COUNCIL HOMES AND HOMELESSNESS

In introducing the item the Chair informed the committee of the areas the cabinet member for council homes and homelessness had been asked to cover as part of her initial presentation which were as follows:

- The delivery of new homes and estate renewal
- Temporary accommodation (and conditions)
- Allocations
- Repairs
- Fire Safety/Cladding

Councillor Stephanie Cryan provided the committee with a brief overview of issues in connection with the areas requested.

Delivery of new homes - Councillor Cryan reported that the council was on target to build 2500 new council homes by May 2022.

Temporary accommodation - Councillor Cryan reported that there were ongoing pressures with Temporary Accommodation (TA). There were currently 3500 households in TA, the numbers were however expected to go down. Councillor Cryan explained that it was getting harder to find homes in Southwark, and within London, particularly with the local housing allowance rates, the cost the council had to pay for those of rent, competing with other London Boroughs, payment of landlord fees, the cumulative effect being increasing costs in TA. Councillor Cryan stressed that the Council would always provide help and support to people who are homeless where it can, but there was a need to look at how costs could be maintained, and there was a Budget Recovery Group established to look at how this could be done without sacrificing the service provided.

Allocations - Councillor Cryan informed the committee that a new housing allocations policy would be submitted to cabinet in the autumn. Consultation on the policy was undertaken last year, and the council was working through the results of the consultation. Councillor Cryan reported that an Individual Cabinet Member decision was due to be made prior to the pre-election period which would see a change in the local lettings policy [increased to 100%], so that more people from a local area could stay in their local area, enabling them to access support networks and stay in their local community. There would also be a change in the definition of 'deliberate overcrowding' which needed to be changed.

Repairs – Councillor Cryan report that there was a regular scrutiny review of the Housing Repairs improvement plan. The improvement plan had been put in place, but stopped due to Covid, resulting in the need for safe working practices for both workers and residents which meant a lot of internal repairs could not be carried out. The council was currently working through a backlog, which was now down to around approximately 300 cases. The council wanted to look at having a dedicated repairs contact centre that sat within the housing department, (and not

customer services), and with trained housing operatives that could help support the system as well. This would enable residents to track repairs from start to finish and no repair signed off until residents were satisfied with a repair.

Fire Safety and cladding - Councillor Cryan informed the meeting that there was not any cladding on council owned buildings. She did however have responsibility for cladding issues. Councillor Cryan reported that the council was recognising best practice in terms of private landlords and enforcement of remedial works for the removal of cladding. The council also provided support to housing associations. Councillor Cryan advised the committee that the biggest issue in terms of building safety was the Building Safety Act and its implications relating to high rise buildings. Southwark has 170 high rise buildings (the highest number in England) and the financial impact on the Housing Revenue Account was going to be significant. A pilot survey was being undertaken in Andoversford Court, Peckham. This building was chosen due to its unique layout and also because it was TMO run and the council wanted to learn how it could liaise with TMO's around this issue. Surveys had been undertaken, along with 3d modelling of the building. Councillor Cryan explained that under the Act, the council was required to know about the structure, and fabric of a building, and also about the residents and their lifestyles to have a whole picture. This was an intensive piece of work that would be undertaken for every high rise building and would be rolled out over 5 years. Safety works would be built into that programme as well.

The committee also heard from Michael Scorer, Strategic Director of Housing and Modernisation.

The cabinet member's presentation was followed up by questions of the committee.

Questions and discussion were held around the following:

- Performance of Southwark Repairs (formerly Southwark Building Services (SBS)) and addressing backlog
- Building on green spaces, and opposition of residents
- Quality of major works in TMO properties
- Working across local authority borders housing swaps / lettings
- Cost of investment into ageing housing stock
- Senior managers taking responsibility and ownership in light of ending of client model, and repairs coming back in house
- Number of social homes developed by private developers since 2010
- Relationship with housing associations and removal of cladding on housing association properties
- Impact of energy price rise on residents and leaseholders using district heating networks
- Council advice/recommendations to tenants (and private tenants) on energy efficiency/how to improve insulation to homes.

8. SCRUTINY REVIEW OF REGENERATION IN THE BOROUGH OF SOUTHWARK - DRAFT REPORT

The committee considered and agreed recommendations to be put forward to the cabinet in light of the scrutiny review.

RESOLVED:

That the following recommendations be included in the scrutiny review report for submission to cabinet.

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

Reasons:

Walworth Society

- "Need for strong business voice and the co-ordination of support for the businesses."
- "Need for local groups to be able to participate actively with officers and

councillors in developing a vision for, and contributing to the development and improvement of the area."

Living Bankside

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

35% Campaign

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

SE5 Forum

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

Peckham Vision

- "Much community experience of 'regeneration' is that it is demolition-led with ineffective community engagement."
- "Through a community-led approach seeing the facts on the ground about the existing buildings, their uses and their self regeneration potential for the area, the community campaigns in each case succeeded in reversing proposed demolition of existing buildings."
- "All development in the name of 'regeneration' must start with an audit of the facts on the ground before any redevelopment plans are ever begun, and verified with the local stakeholders."
- "The new Development Charter now requires a 'fact-based audit' of

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

Developers

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

Reasons:

Walworth Society

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

SE5 Forum

- "No consultation mechanism at which Camberwell and its town centre, the historic nature and specific identity of the area is regularly considered and reviewed, or which enables the local community to contribute to the area vision due to the community council being replaced with a Multi Ward forum which splits Camberwell between Walworth and Champion Hill."
- 3. In the implementation of regeneration schemes the Council should seek to adopt the following measures as good practice:
 - (i) be transparent and clear as to the objectives of the project in terms of the potential in realising residents and businesses aspirations for the locality and the Council's own preferred outcomes.
 - (ii) to promote the benefits of regeneration to a locality with the aim of evolving more integrated and sustainable communities in terms of good quality housing, job creation, apprenticeships, boosting the local economy, provision and improvement of local amenities (such as open spaces, green parks and trees, GP surgeries, schools, libraries, etc.), creating more socially diverse communities, improved educational

- attainment and facilities, increased community safety.
- (iii) ensure that the liaison and communication with developers is maintained at all times and that the resultant planning applications are dealt with in an energised and timely manner.
- (iv) that the allocation of Section 106/CiL funds be transparent and linked to the long-term benefits of communities and meeting their needs across the locality.
- (v) the Council should provide a dedicated team linking all relevant services for each major regeneration scheme to ensure smooth progress and increased speed of delivery, together with more planning lawyers and highways staff to cover increased volumes of work.

Reasons:

Walworth Society

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

Living Bankside

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

35% Campaign

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

Developers

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

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

- (i) publish annually income levels across the borough's population, the sales and rent levels across the borough and the discrepancy between them.
- (ii) a review of the affordable housing policy with a view to increasing the level of affordable housing in regeneration schemes to 50% (whilst retaining the social housing element of the council's affordable housing policy).
- (iii) embody the core principles of recycling and reuse in all regeneration plans in line with meeting the Council's own objectives concerning climate change and sustainability. This investigation should focus on how to long-term fix many housing disrepair issues in existing stock in order to make conditions more suitable for tenants to stay in their properties.

- (iv) spell out the financial cost/benefit analysis of any given regeneration scheme not only concerning the loss of homes/businesses and number of replacement homes/businesses, but also that the viability tests reflect the true increase in land value over time.
- (v) Undertake a cost benefit analysis that evaluates the opportunity area policies, and looks specifically at the comparison between large private sector opportunity projects being delivered, and longer term slower, but local authority driven projects being delivered. This piece of work be brought back through the scrutiny function once it is completed.
- (vi) guarantee that displaced secure tenants are offered secure tenancies on return to the locality, and that leaseholders are given options reflecting a fair market price pre-regeneration.

Reasons:

35% Campaign

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

leaseholders' point of view is iniquitous. The committee may also wish to look at the take up of the various leaseholder rehousing options and whether these options are presented to leaseholders in a fair way and, in particular, whether leaseholders are being deterred from taking up the equity loan option."

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

Peckham Vision

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

Overview and scrutiny committee

- In respect of 4(v) the council does not appear to have undertaken a cost benefit analysis of these policies. Southwark is a limited geographical space and only has so many plots of land that has potential to be developed. One of the routes that the council has gone down to tackle the housing crisis at speed is to set up opportunity areas for private sector development. One of the outcomes of that is that private sector development delivers less social homes because the funding model isn't there for high levels or 100% social homes building programmes. What we want the council to understand is what has happened with these opportunity areas:
 - how many social homes will be delivered across all the different opportunity areas that exist, have been delivered or will be delivered:
 - what could have happened if the council had had a programme of buying that land and developing capital housing plots over a longer period of time.

5. That the cabinet consider stating that in the instance of any council estate regeneration in the future, that the first preferred option in all circumstances be to deliver such a programme as local authority homes. If the council wishes to propose a partnership agreement with private or third sector organisations in future, then the cabinet must lay forth in a report why an in-house/council controlled regeneration is not possible, and any such report must be considered through the council's overview and scrutiny functions.

Reasons:

Overview and Scrutiny Committee

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

35% Campaign

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

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

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

Reasons:

Walworth Society

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

35% Campaign

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

Transport Providers

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

9. WORK PROGRAMME

RESOLVED:

That the work programme as at 2 March 2022 be noted.

The meeting ended at 10.15 pm

CHAIR:

DATED: