

Item No. 13.	Classification: Open	Date: 13 September 2022	Meeting Name: Cabinet
Report title:		Response to the Housing and Community Engagement Scrutiny Commission: Southwark Construction Consultation Strategy Response	
Ward(s) or groups affected:		All wards	
Cabinet Member:		Councillor Darren Merrill, Council Homes and Homelessness	

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

With 16,000 households on the waiting list for a council homes our new council homes building programme is one of the most important areas of the council's work. In a densely populated borough finding space for these homes is not easy. To get this right, and to ensure the homes are great places to live in for their future tenants, we know we need to work closely with local people. Including working together to identify sites, design the homes and take the opportunity to improve the estates and streets these new council homes are built on too. We are committed to doing this well and to working with residents to learn how we can continue to improve the way we involve them in this process.

The council welcomes the engagement from the Scrutiny panel and further welcomes and accepts the helpful and constructive suggestions and recommendations that have kindly been received as part of this interaction. Southwark Council remains one of the largest and most progressive local authorities in terms of its new home building programme, achieving its set target of 2,500 starts two months earlier than the timescale set. This was achieved against a backdrop and wealth of additional challenges which included Brexit and the associated significant uplift in costs of both materials and labour and, of course, the Covid pandemic. Such challenges caused total turmoil within the building industry (amongst others) and in doing so completely upturned all embedded engagement tools and techniques that had been well established via the well documented charter of principles.

Southwark had to quickly adjust all of its methodologies to meet the needs of our residents and to ensure that they remained at the heart of all that we do, inevitably that was restricted, despite all efforts, by the environmental challenges with which we were faced.

I am delighted that Southwark have continued to develop our programme of much needed housing and that we are in receipt of further guidance to ensure

that our engagement remains full and fresh, continuous improvement and remaining agile and flexible remains at the root to delivering best practice and we will endeavour to do so with our programme.

RECOMMENDATIONS

1. That cabinet accepts 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.
2. That the cabinet accepts 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 cabinet notes 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.
5. That the cabinet accepts 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.
6. That the cabinet recognises 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.
7. That the cabinet notes 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 Behavior (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

BACKGROUND INFORMATION

8. At its meeting on 5 October 2021 the housing and community engagement scrutiny commission received a report from the then Director of New Homes, and Development Manager, Housing and Modernisation Department on New council homes on existing estates as a case study 1, on Brenchley Gardens Estate. The commission also received addresses from the Cabinet Member for Council Homes and Homelessness, councillors of Peckham Rye Ward and representatives of the Tenant Management Organisation (TMO), and Tenants and Residents Association (TRA).
9. At its meeting on 15 December 2021 the housing and community engagement scrutiny commission received the case study 2, on Kingston estate from the Cabinet Member for Council Homes and Homelessness, Development Manager, Head of Development, and Director of New homes, Housing and Modernisation Department.
10. At its meeting on 7 February 2022 the commission received addresses from a resident of the Kingston estate and the Ward Councillor for the area of Kingston estate on the consultation issues during the development project.
11. The commission considered and agreed the set of recommendations at its meeting on 24 March 2022. The rationale and commission recommendations are set out in paragraphs 35 to 53.
12. This reports seeks to respond to the six recommendations arising from the commission's meeting on 24 March 2022.

KEY ISSUES FOR CONSIDERATION

New Homes Development Team cessation

13. The then New Homes programme was originally established in January 2015 when the council agreed its new long-term housing strategy for the borough including specific commitments to increase housing supply, this included building 11,000 new council homes for social rent by 2043.
14. The New Home Development Team and its structure no longer exists and has been superseded with Southwark Construction for which an organogram can be found at appendix 1.

Consultation Strategy – Charter of Principle

15. The Charter of Principle (appendix 2) was approved by cabinet at the meeting held on 18 November 2014 (item 8) following extensive consultation. Over 2,000 residents responded to this consultation and the vast majority of these were council tenants and leaseholders / homeowners. The size and representativeness of the sample gave a high level of confidence that the findings of the engagement exercise reflected the views held by the majority of our residents.
16. The consultation took place with both the formal consultation structures of Tenant and Homeowners Council, Area Housing Forums and more broadly with those not engaged in these formal structures.
17. Cabinet reaffirmed its commitment to engaging as widely as possible with residents as the 11,000 new homes programme progressed at that time Officers were to continue to consult through the formal tenant and homeowner structures and in other ways to ensure that those who are not engaged in the formal structures are able and encouraged to get involved.
18. Since its approval in 2014 and its review in 2019 the Charter of Principles is the foundation upon which all consultation for new homes schemes, through the New Homes Development Team and Southwark Construction has been borne from.
19. At each stage of our schemes, defined by the RIBA Stages, the commitment set out in the pledges have been translated into consultation activities and implemented.
20. Each lead officer for a scheme is required to gather information at the inception of their project, which will not only be used to inform the Cabinet Member for Council Homes and Homelessness but also to aid in the development of bespoke consultation strategy for the scheme.
21. During this feasibility stage engagement will be undertaken with key internal stakeholder such as the Resident Engagement Team and Tenants and Homeowner Involvement Officer, Resident Services Officer and existing TRA and any other parties who provide useful on the ground intelligence which is continued throughout the life of the scheme.

Coronavirus (Covid 19)

22. The world was plunged into an unforeseen and unprecedented global pandemic with coronavirus (Covid 19) with first reporting cases being in January 2020.
23. The UK Government and each of the three devolved governments (in Scotland, Northern Ireland and Wales) introduced public health and economic measures, including new laws, to mitigate its impact. A national

lockdown was introduced on 23 March 2020 and lifted in May 2020, replaced with specific regional restrictions.

24. During the national lockdown the council's maintained its duties and responsibilities – as business as usual. Staff were required to fulfil their day to day duties working full time from home, where possible and adopting to the new ways of working to continue to deliver their area services.
25. There are many impacts which flowed from lockdowns, including not being able to see family and friends, travel or take part in leisure activities. The pandemic has exacerbated existing inequalities and differences and created new ones, as well as exposing critical societal needs and strengths. These can emerge differently across places, and along different time courses, for individuals, communities, regions, nations and the UK as a whole.
26. Whilst the need for homes at affordable rents increased, it should be recognised those with whom the council would normally consult with were themselves experiencing a range of issues arising from the pandemic which resulted in low feedback or in some instances no feedback to information issue by the council.
27. For the New Home Development Team to deliver the much needed homes in accordance with the council's then housing target of having 2,500 new homes on site or completed by May 2022 consultation had to be rethought as the consultation strategy that was in place relied, quite rightly, on face to face consultation and engagement.
28. Amendments were made to the Charter of Principles (appendix 3) to reflect the new era and staff adapted to not only working arrangements and the impact of the pandemic on their day to day lives but sought to bring in new ideas and initiatives that would enable engagement to continue utilising tools that were at their immediate disposal such as Commonplace which became the main consultation platform as it had the ability for residents to feedback via a non-paper method.

Commonplace

29. Commonplace is an interactive consultation platform, used widely by other local authorities, for which the council had an existed unlimited user licence's.
30. This platform allows consultation boards to be uploaded onto the website which is open to the public and our residents can view and comment on the plans in their own time. This, combined with in person consultation events, has been successful in communicating our plans to residents, and stakeholders and keeping them informed of our progress during the pandemic and remains in place. It was acknowledge and recognised that not all residents had the means or know how to use the internet and

paper copies were still issued giving residents the opportunity speak to a member of staff if they had any queries or concerns about the new homes.

31. In addition newsletters and questionnaires included images, site plans and drawings so that residents could visual see what they were being consulted on.

Southwark Construction Branding

32. Our branding has been updated to tie in with the creation of Southwark Construction and our mission to create thousands of new homes. This includes a refresh of all communication templates, hoarding designs, newsletters and letter templates. It is important that our residents receive a positive experience.
33. In documenting the individual scheme responses, we can demonstrate that we are able to confidently mitigate resident concerns and utilise their observations to provide fully localised housing solutions. Further, the programme is committed to working with Resident Project Groups in the designing and delivery of new homes and the improvements in the public realm on the proposed estates.

Overview of Recommendations

34. The six recommendations contained within the report can be summarised as a requirement for those services providing new homes to review existing practices to:
 - improve early engagement
 - to including a lessons learnt at key stages of the consultation process,
 - to include clearer narrative in communication
 - take into account Southwark Group of Tenants Organisation (SGTO) consultation practices.
35. **Recommendation 1** – Given the issues with the written report provided to the Housing and Community Engagement Scrutiny Commission on 5 October 2021, the Cabinet Member takes steps to ensure all officers in housing understand the function of scrutiny and the importance of providing a full and accurate assessment of where things may have gone wrong, for lessons to be learned for the future.
36. **Reply to recommendation 1** – the Cabinet Member can confirm that all officers in housing understand the function of scrutiny and the importance of providing full and accurate assessments of where things may have gone wrong. Whilst there is a formal lessons learnt key milestone report and meeting at completion of a scheme lessons learnt review will be incorporated at key milestones particularly where substantial consultation

has been carried out. Where a Project Group or TRA is in place they will be invited to participate in this process.

37. **Recommendation 2** – Cabinet Member asks officers to build early discussions with key local stakeholders into the new homes process including arranging webinars or online meetings where ward councillors, TMOs and TRAs can explain their perspective on new housing projects, and how councillors seek to input into these.
38. **Reply to recommendation 2** – the Cabinet member confirms that early discussions with key local stakeholders in the new homes process forms part of its standard processes and procedures.
39. On line meetings with ward councillors, TMOs and TRAs also take place throughout the development of the scheme and at key milestones before the scheme is submitted to planning. Once the scheme is on site a representative from the local community or TRA is also invited to attend the monthly progress meetings with the contractors for which they have an allocated slot.
40. **Recommendation 3** – The cabinet should give due consideration to incorporating the principles of the SGTO consultation charter into its own consultation protocols.
41. **Reply to recommendation 3** – The member is committed to ensuring that the housing officers involved in delivering new homes take best practice from SGTO consultation charter and other recognised bodies associated/working closely with the council to meet its objectives.
42. This includes the Greater London Authority (GLA) for whom the council will continue to seek and obtain the funding available from them to deliver new homes and b compliant with their policy requirements for housebuilding which will include the balloting of residents.
43. From 18 July 2018, the Mayor requires any landlord seeking GLA funding for estate regeneration projects which involve the demolition of social homes to show that residents have supported their proposals through a ballot. The requirement applies to projects that involve the demolition of any social homes and the construction of 150 or more homes (of any tenure).
44. The commitment in the SGTO's consultation charter for schemes that fall below the GLA 150 or more homes to be balloting is not a commitment the council can implement because this will have a detrimental impact on the ability of the council to meet its housebuilding target.
45. The Cabinet Member will commit to ensuring that where there are new homes options that residents will consulted in the principle of balloting to select the scheme that will be taken forward to planning.

46. **Recommendation 4** – The Cabinet Member asks officers to implement a consultation protocol which prioritises clear, consistent and timely communications for all development projects where the council is building on existing estates. This protocol should take account of recommendations made in the SGTO consultation Charter.
47. **Reply to recommendation 4** – the Cabinet Member can confirm that a consultation protocol which prioritises clear, consistent and timely communication for all development projects is in place and in is in line with the council's 6 pledges set out in the Charter of Principles.
48. It should be noted as detailed in the reports presented at the meeting that the discrepancies identified in the case studies; Kingston estate and Brenchley Gardens were in the main a direct correlation to the impact Covid 19 was having at the time and the tools available to the officers to fulfil its consultation obligations.
49. Furthermore for Kingston Estate unresolved historical matters, for which distrust of the council, was having an impact on the officers ability to discuss the new homes scheme with residents when residents felt there were more important unresolved matters that the council should be focusing on.
50. **Recommendation 5** – The Cabinet Member should ensure that the protocol on consultation makes clear that it is the council's project team who is responsible for consultation with all residents and that TMOs and TRAs are important bodies to consult, but they are not a replacement or proxy for all residents.
51. **Reply to Recommendation 5** – the Cabinet Member can confirm that residents are advised that the council's project team are responsible for consultation with residents and that the TMOs and TRAs will ensure that the council's project team's literature and consultation platform, Commonplace, explicitly states that they are responsible for the consultation with all residents and that the TMOs and TRAs are important bodies to consult, but they are not a replacement or proxy for all residents.
52. **Recommendation 6** – The Cabinet Member should review consultation practice to ensure there is always an easily available non-digital alternative route for residents to find out about proposals and contribute their views. The Cabinet Member should also review the effectiveness and reliability of Commonplace as a tool for engagement.
53. **Reply to Recommendation 6** – It is important that as the 11,000 new homes strategy is developed and delivered, local residents remain at the heart of the programme. The officer's consultation processes do and will continue to include non-digital routes and other forms, which meet the needs of the individual consultee needs. They will clearly communicate how and why we are building the new homes. They will also continue to

ensure other stakeholders are involved and consulted on plans for new homes building within their communities.

Policy framework implications

54. The new homes delivered through the Southwark Construction Programme are in line with the council's principles and vision for a new housing strategy which is aimed at increasing the availability, affordability and quality of homes in the borough.
55. The long term housing vision for the borough (sets a clear policy direction for the council. The vision comprises four overall principles:
 - a. The council will use every tool at our disposal to increase the supply of all kinds of homes across Southwark.
 - b. The council will demand the highest standards of quality, making Southwark a place where you will not know whether you are visiting homes in private, housing association or council ownership.
 - c. The council will support and encourage all residents to take pride and responsibility in their homes and local areas.
 - d. The council will help vulnerable individuals and families to meet their housing needs and live as independently as possible.

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

Community impact statement

56. All communities will be able to participate fully in the development of new homes in their areas at key stages of the development and post the completion of the developments where it is hoped the estate improvement and community benefits provided as part of the development will provide a lasting legacy and provide an improvement to residents' lives.

Equalities (including socio-economic) impact statement

- 57. All officers and consultants appointed will need to adhere to the council's equality and diversity policies.
- 58. All homes provided by the council will be available to people on the council's housing waiting list. The council's equality and diversity policies will be adhered to during the letting process.

Health impact statement

- 59. All new homes will afford residents the opportunity to live in energy efficient homes compliant with the latest policies and regulations.
- 60. Permanent homes will enable residents with health issues and those who may have been in homes that no longer suited their needs the opportunity to move to more suitable homes. This will have a positive health impact on all these households as this address both their physical and mental well-being.
- 61. The provision of new quality homes provides a positive impact on health inequalities, as the new homes will be designed to current quality and space standards that will contribute towards addressing health inequalities.
- 62. The proposals to increase the supply of genuinely affordable, good quality homes will benefit households in need from all Southwark communities, and will increase the housing options available for older people and people with disabilities.

Climate change implications

- 63. On 18 June 2019, the council's cabinet agreed the resolution passed by the council assembly on 27 March 2019 to "declare a Climate Emergency and do all it can to make the borough carbon neutral by 2030." The cabinet noted "that there are considerable financial savings to be made by 'going green', whether it be more energy efficient lighting, smart meters at council properties, or piloting energy generation schemes such as installing solar panels on council properties".
- 64. The government estimates that residential buildings account for 27% of Southwark's carbon emissions. The council's direct emissions account for 12% of the borough's emissions and council housing is the second largest contributor to carbon emissions at 14%.
- 65. Through this strategy it is expected that the carbon reduction on site will be significantly above the London Plan minimum target of 35% reduction in regulated carbon dioxide emissions and the development will contribute to a low carbon future.

Legal implications

66. Please see the legal concurrence of the Director of Law and Governance

Financial implications

67. There are no financial implications arising from the recommendations set out in this report. Southwark Construction will continue to resource the consultation requirements for each scheme through its existing staffing structure, drawing on expertise and support of other key departments as and when required

Consultation

68. Local residents have and will continue to be consulted at each stage of new homes development in line with the Charter of Principles approved by Cabinet.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

69. Cabinet notes the recommendations one to eight within this report and that any expenditure arising from this report will require separate gateway reports in line with the Public Contract Regulations 2015 and the council's Contract Standing Orders.

Director of Law and Governance

70. There are no significant legal implications arising from the recommendations in this report. The Director of Law and Governance and her staff will provide advice to officers on any legal and governance issues arising from specific consultation exercises.
71. This report is being considered by the cabinet in accordance with the rules in the council's constitution.

Strategic Director of Finance and Governance

72. The Strategic Director of Finance and Governance notes the response to the report from the Housing and Community Engagement Scrutiny Commission, and in particular the recommendations made as set out in paragraphs 35 to 54 of this report. As outlined in the financial implications of this report, the implementation of these recommendations will be met from existing resources within the HRA.

Other officers

73. Not applicable for this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Update on consultation and plans for the delivery of 11,000 new homes	Housing and Modernisation Department	Stuart Davis
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/ielIssueDetails.aspx?IId=50004735&PlanId=0&Opt=3#AI34451		
Charter of Principle Engagement Plan	Housing and Modernisation Department	Michael Scorer
Link (please copy and paste into browser): https://moderngov.southwark.gov.uk/documents/s49939/Appendix%20%20Charter%20of%20principles%20resident%20engagement%20plan.pdf		

APPENDICES

No	Title
Appendix 1	Southwark Construction Structure Chart
Appendix 2	Charter of Principle
Appendix 3	Charter of Principle (amended for Covid 19)
Appendix 4	Summary of Recommendations

AUDIT TRAIL

Cabinet Member	Councillor Darren Merrill, Council Homes and Homelessness		
Lead Officer	Stuart Davis, Director of New Homes		
Report Author	Lorraine Roach, Development Manager		
Version	Final		
Dated	1 September 2022		
Key Decision?	No		
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
Head of Procurement		Yes	Yes
Cabinet Member		Yes	Yes
Date final report sent to Constitutional Team			1 September 2022