



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 21 June 2011 at 4.00 pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Peter John (Chair)
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Dora Dixon-Fyle
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Abdul Mohamed
Councillor Veronica Ward

1. APOLOGIES

All members were present.

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

The chair gave notice of a late deputation request received from a group of young people who wished to speak on the Teenage Pregnancy Commission report.

Additionally, notice of the following additional paperwork circulated after the main agenda despatch was given as follows:

- Officer comments on the deputation request from the Camberwell Baths campaign
- Report from overview and scrutiny committee on the Council Plan
- Additional advice from the deputy chief executive on the draft affordable housing supplementary planning document
- Amended officer comments in respect of item 14 – ‘ A responsible approach’ – Southwark Dog Strategy

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Item 15 - Livesey Museum update and options

Councillors Catherine McDonald, Fiona Colley, Ian Wingfield and Richard Livingstone declared personal and non prejudicial interests as they were 'Friends' of Livesey Museum.

4. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

5. MINUTES

RESOLVED:

That the open minutes of the meetings held on 17 May and 31 May 2011 be approved as correct records and signed by the chair.

6. DEPUTATION REQUESTS

Camberwell Baths Campaign

The deputation made representations to the cabinet in respect of the proposed allocation of funding for the refurbishment of the sports hall at Camberwell Baths. The deputation requested that capital funding for this work should be considered.

The deputation tabled a document relating to the 'sports hall refurbishment strategy report' which set out the relevant detail.

RESOLVED:

That the representations of the deputation and the comments of the strategic director of environment be noted.

7. CAPITAL PROGRAMME 2010/11 OUTTURN REPORT

RESOLVED:

1. That the outturn position for 2010/11 for the general fund capital programme including the overall position of the programme from 2010-19 (appendix A of the report) be noted.
2. That the outturn position for 2010/11 for the housing investment programme including the overall position of the programme from 2010-16 (appendix B of the report) be noted.
3. That the virements and funded variations to the general fund capital programme

(appendix C of the report) be approved.

4. That the reprofiling of expenditure and resources into the 2011-19 general fund capital programme (appendix D of the report) be approved.

8. CAPITAL PROGRAMME 2011-2021

RESOLVED:

1. That the refreshed 10-year general fund capital programme 2011–2021, as detailed in appendices A and F of the report be agreed for recommendation to council assembly to be held on 6 July 2011.
2. That the Housing Investment Programme 2011–2016 as detailed in appendix B of the report be agreed.
3. That the application of New Homes Bonus over the period to 2016/17 to finance the capital programme be agreed.
4. That the application of the Local Public Service Agreement (LPSA) Reward Grant to finance the capital programme be agreed.
5. That the refreshed capital programme for 2012-22 be formally reported to cabinet in February 2012 to ensure council priorities continue to be met and following announcement of the successful Olympic legacy bids.

NOTE: In accordance with overview and scrutiny procedure rule 22.1(a) (budget and policy framework) decision 1 is not subject to call-in.

9. SOUTHWARK SCHOOLS FOR THE FUTURE (SSF): UPDATE TO CABINET AND DELEGATION OF AWARD OF CONTRACTS

RESOLVED:

Decisions of the Cabinet

1. That it be noted that phase 2 of Southwark's Schools for the Future (SSF) programme has reached financial close within the affordability parameters previously approved by cabinet (15 June 2010).
2. That the outcome of the Building Schools for the Future (BSF) Legacy Review and the current status of the BSF projects that were subject to that review be noted.
3. That the status of the New School Rotherhithe project and that a further report will be brought to cabinet in relation to proposals for the delivery of new places in Rotherhithe and the financial implications thereof be noted.
4. That it be noted that the Southwark Schools for the Future (SSF) Project Director will continue to work with children's services, finance and resources, the schools,

governing bodies & diocesan authorities to identify other budgets in order to minimise the necessary financial contribution from the council, in accordance with the executive decision 2 May 2007.

Decisions of the Leader of the Council

5. That authority be delegated to the cabinet member for children's services in consultation with the strategic director of children's services to approve the contract award for the contracts set out in table 2 of the report, subject to:
 - confirmation of funding from Partnerships for Schools;
 - the council's financial contribution being within the parameters set out in table 4 of the report.
6. That authority be delegated to the cabinet member for children's services in consultation with the strategic director of children's services to enter into the development agreements with the school counterparties set out in table 3 of the report.

DEPUTATION REQUEST FROM A GROUP OF YOUNG PEOPLE - TEENAGE PREGNANCY COMMISSION OUTCOMES AND RECOMMENDATIONS

A group of young people attended the cabinet meeting to express their support for the work of the Teenage Pregnancy Commission and confirmed their input and contribution to its work. Cabinet expressed their thanks for their efforts in this work.

RESOLVED:

That the representations of the deputation be noted.

10. TEENAGE PREGNANCY COMMISSION OUTCOMES AND RECOMMENDATIONS

Esy Oluwafemi, chair of the Teenage Pregnancy Commission presented their report to the cabinet.

Cabinet expressed their thanks to Esy Oluwafemi for her hard work and contribution to the Commission.

RESOLVED:

1. That the report of the Teenage Pregnancy Commission and its recommendations, as described in Appendix 1 of the report and the opportunities to actively support the implementation of the recommendations across all cabinet portfolios be noted.
2. That the responsibility for developing an implementation plan and accompanying governance structures for the commission's recommendations rest with the strategic director for children's services, in consultation with the cabinet member for children's services.

3. Cabinet notes the need for any future communications campaign to be balanced in its messages of delaying sex and pregnancy, and promoting the safe use of contraception, to ensure that young people are encouraged and supported to make positive choices.

11. COUNCIL PLAN

The comments received from the overview and scrutiny committee were considered in conjunction with this report.

Officers tabled portfolio schedules relating to the council plan and detail relating to the monitoring arrangements.

RESOLVED:

Decision of the Cabinet

1. That the content of the report as amended in cabinet that makes up the council plan, noting the fairer future promises be recommended for approval to council assembly on 6 July 2011.

Decision of the Leader

2. That the agreement of any final minor amendments to the report for council assembly be delegated to the cabinet member for regeneration and corporate strategy.

NOTE: In accordance with overview and scrutiny procedure rule 22.1(a) (budget and policy framework) these decisions are not subject to call-in.

12. MEDIUM TERM RESOURCES STRATEGY 2011/12-2013/14

An amendment to fourth bullet point under housing finance (appendix 1 to the report) was also noted; the addition of leaseholders to the calculation of service charges.

RESOLVED:

That the refreshed medium term resources strategy to provide the framework for the management of the council's resources over the next three years (2011/12 to 2013/14) be agreed.

13. RE-PROVISION OF LIBRARY INCLUDING A RESOURCE CENTRE FOR CAMBERWELL

Decisions of the Cabinet

1. That the re-provision of premises for the Camberwell library, which will include a new resource centre and be located on the site in front of the Magistrates' Court be

approved.

2. That the allocation of a capital budget for this project as part of the Modernise 2 programme be noted.

Decision of the Leader of the Council

3. That the approval of a detailed business plan, within both the agreed capital budget allocation (as part of the Modernise 2 programme) and the existing revenue budget as identified in the finance director's concurrent report be delegated to the cabinet member for finance, resources and community safety.

14. 'A RESPONSIBLE APPROACH' - SOUTHWARK DOG STRATEGY 2011- 2014

Amended comments from the finance director and strategic director of communities, law & governance were circulated.

RESOLVED:

1. That "A responsible approach" - Southwark Dog Strategy 2011–14 and its recommendations be agreed.
2. That the possible future changes in the national policy environment as per the Home Office's current consultation on anti social behaviour (ASB) tool-kits "more effective responses to anti social behaviour- a consultation" be noted and officers return with a further report when the national guidance is issued.

15. LIVESEY MUSEUM UPDATE AND OPTIONS

RESOLVED:

1. That officers be instructed to re-open the search for an alternative user for the building within the Objects of the Trust, with the requirements that:
 - Proposals must meet the original objectives of the Trust, i.e. a free public library or any other objectives of an educational or cultural nature
 - Proposals must be financially viable with secure and robust revenue arrangements as well as funding for any associated capital works that schemes may require
2. That officers report back to cabinet on the outcomes of the search for an alternative user and options for the way forward.

16. DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

The deputy chief executive circulated additional advice in respect of this item.

RESOLVED:

1. That the following be agreed for consultation:
 - The draft Affordable Housing Supplementary Planning Document (SPD). (appendix A)
 - The Equalities Impact Assessment (appendix C)
 - The Sustainability Appraisal (appendix D)
2. That the consultation plan (appendix B) be agreed.

17. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - REVENUES & BENEFITS SERVICE

RESOLVED:

That approval be given for write off of the debt of £2,763,733.26 for 4 debts which are irrecoverable.

18. DISPOSAL OF SITE 19 ELEPHANT AND CASTLE

RESOLVED:

1. That the council enters into an agreement to transfer part (parcel B on the accompanying plan to the report) of the existing leisure centre to Lend Lease or their nominated company (Elephant and Castle) Ltd (“LL”) on the principal terms set out in the closed version of the report.
2. That the head of property be authorised to agree the detailed terms of the agreement for lease and subsequent lease or if appropriate freehold transfer.
3. That in accordance with section 122 of the Local Government Act 1972 the land shown edged on the plan at the appendix to the report is appropriated from the purpose of leisure to planning purposes and in particular purposes set out in section 237 of the Town and Country Planning Act 1990.

19. IMPROVED TERMS FOR THE SALE OF SITES A AND B AT CANADA WATER

RESOLVED:

1. That the changes to the contract for the sale of site A and most of site B at Canada Water (see the plans attached as appendices 1 and 2 to the report) as set out in paragraph 6 of the report be approved.
2. That the level of planning overage to be paid to the council as detailed in the report on the closed agenda be noted.

20. COMBINED GATEWAY 1 PROCUREMENT STRATEGY - APPROVAL AND GATEWAY 2 CONTRACT EXTENSION AWARD FOR THREE PARKING AND TRAFFIC ENFORCEMENT CONTRACTS

RESOLVED:

1. That the procurement strategy outlined in the report for the parking and traffic enforcement contracts be approved.
2. That approval to allow negotiation with a single supplier in line with contract standing orders (CSO 4.3.3) be given.
3. That the award of three parking and traffic enforcement contracts to APCOA Parking UK Ltd for a period of one year (with a six month extension) be approved. The awards will be effected by way of a variation to the existing contracts. The new contract period will therefore run from 1 July 2011 to 30 June 2012.

21. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - SUPPLY OF GAS TO SITES CONSUMING LESS THAN 25,000 THERMS

RESOLVED:

1. That the procurement strategy outlined in the report for the supply of gas to all sites consuming less than 25,000 therms at an estimated value outlined in the closed version of the report be approved.
2. That the use of a Consortium to award the supply of gas to all sites consuming less than 25,000 therms for a four year period from October 2012 be approved.
3. That the evaluation of the two buying consortia for the award of the contract proposed in the report, namely LASER and Buying Solutions be approved.

22. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - SUPPLY OF GAS TO SITES CONSUMING MORE THAN 25,000 THERMS

RESOLVED:

1. That the procurement strategy outlined in the report for the supply of gas to all sites consuming over 25,000 therms at an estimated value outlined in the closed version of the report be approved.
2. That the use of a Consortium contract to award the supply of gas to all sites consuming over 25,000 therms for a four year period from October 2012 be approved.
3. That the evaluation of the two buying consortia for the award of the contract proposed in the report, namely LASER and Buying Solutions be approved.

23. APPOINTMENTS TO OUTSIDE BODIES 2011/12

RESOLVED:

1. That appointments to the outside bodies for 2011/12 set out in appendix A be agreed as follows:

Age Concern London

Councillor Dora Dixon-Fyle

Better Bankside Board

Councillor Adele Morris

Browning Estate Management Board

Councillor Martin Seaton
Councillor Darren Merrill
Two officer representatives

Canada Water Consultative Forum

Councillor Fiona Colley
Councillor Michael Situ
Councillor Paul Noblet
Councillor Wilma Nelson

Central London Forward

Councillor Peter John

Centre for Language in Primary Education

Councillor Catherine McDonald

Creation Trust (The New Aylesbury Trust Limited)

Councillor Fiona Colley
Councillor Dan Garfield
Councillor Abdul Mohamed

Cross River Board

Councillor Fiona Colley

Crystal Palace Community Development Trust

Councillor Lewis Robinson

Cycling England (Member Champion for Cycling)

Councillor Abdul Mohamed

Greater London Enterprise Limited

Councillor Fiona Colley

Green Chain Joint Committee

Councillor Barrie Hargrove

Councillor Victoria Mills

Groundwork Borough Steering Group

Councillor Barrie Hargrove

Councillor Mark Glover

Councillor James Barber

Councillor Toby Eckersely

Groundwork South London Sub-Regional Sub-Committee

Councillor Barrie Hargrove

Guys and St. Thomas NHS Foundation Council of Governors

Councillor Dora Dixon-Fyle

Lambeth and Southwark Housing Association Limited

Councillor Ian Wingfield

Lee Valley Regional Park Authority

Councillor Veronica Ward

Local Government Association (LGA) Urban Commission

Councillor Peter John (3 votes)

Councillor Anood Al-Samerai (2 votes)

London Accident Prevention Council (LPAC)

Councillor Dora Dixon-Fyle

1 vacancy

London Youth Games Limited

Councillor Veronica Ward

Councillor Catherine McDonald (deputy)

North Southwark Environment Trust

Councillor Barrie Hargrove

South Bank Partnership

Councillor Fiona Colley
Councillor Geoffrey Thornton
Councillor Adele Morris
Councillor David Noakes

South Bank and Bankside Cultural Quarter Directors Board

Councillor Veronica Ward

South London Gallery Trustee Limited

Councillor Darren Merrill
Councillor Catherine Bowman
Councillor Robin Crookshank-Hilton

South London and Maudsley (SLaM) NHS Trust Members Council

Councillor Dora Dixon-Fyle

Southwark and Lambeth Archaeological Excavation Committee (SLAEC)

Councillor Darren Merrill
Bob Skelly (deputy)

Southwark Cathedral Education Centre

Councillor Cleo Soanes

Southwark Community Leisure Ltd. (Fusion) Management Board

Councillor Veronica Ward
Councillor Columba Blango
Councillor Michael Mitchell

Southwark Lesbian, Gay, Bi-sexual and Trans (LGBT) Forum

Councillor Catherine McDonald
Councillor Abdul Mohamed
Councillor Mark Gettleson

Southwark Police and Community Consultative Group

Councillor Althea Smith
Councillor Cleo Soanes

Councillor Kevin Ahern
Councillor Mark Williams
Councillor Martin Seaton
Councillor Linda Manchester
Councillor Eliza Mann
Councillor Michael Bukola
Councillor Poddy Clark
Councillor Lewis Robinson

Team London Bridge

Councillor Mark Gettleson

Waterloo Quarter Business Alliance – Southwark (Business Improvement District)

Councillor David Noakes

2. That Southwark Local Strategic Partnership (LSP) and thematic boards (Appendix B of the report) for which cabinet member involvement is required be noted.

24. NOMINATIONS TO PANELS, BOARDS AND FORUMS 2011/12

RESOLVED:

1. That the allocation of places to the panels, boards and forums set out in appendix A of the report for the 2011/12 municipal year be agreed and members nominated as follows:

Adoption Panel

Councillor Althea Smith

Admissions Forum

Councillor Catherine McDonald
Councillor Adele Morris

Fostering Panel

Councillor Victoria Mills

Joint Partnership Panel (Trade-Union Consultation)

Councillor Peter John
Councillor Richard Livingstone

Leaseholders Arbitration Panel

Councillor Althea Smith

Councillor Right Reverend Emmanuel Oyewole
Councillor Norma Gibbes
Councillor Mark Glover
Councillor Martin Seaton
Councillor Victoria Mills
Councillor Andy Simmons
Councillor Wilma Nelson
Councillor Poddy Clark
Councillor Eliza Mann
Councillor Jeff Hook
Councillor Tim McNally
Councillor Michael Bukola
Councillor Linda Manchester
Councillor Geoffrey Thornton

Pensions Advisory Panel

Councillor Richard Livingstone
Councillor Tim McNally
Councillor Toby Eckersley

Secure Accommodation Panel

Councillor Patrick Diamond
Councillor Helen Morrissey (reserve)
Councillor Lisa Rajan
Councillor Wilma Nelson (reserve)

Southwark Safeguarding Children's Board

Councillor Catherine McDonald

Standing Advisory Council on Religious Education

Councillor Cleo Soanes
Councillor Right Reverend Emmanuel Oyewole
Councillor Columba Blango
Councillor Poddy Clark

Tenancy Agreement Arbitration Panel

Councillor Althea Smith
Councillor Right Reverend Emmanuel Oyewole
Councillor Rowena Davis
Councillor Norma Gibbes
Councillor Helen Morrissey
Councillor Mark Williams
Councillor Mark Glover
Councillor Victoria Mills
Councillor Andy Simmons
Councillor Wilma Nelson

Councillor Poddy Clark
Councillor Eliza Mann
Councillor Jeff Hook
Councillor Tim McNally
Councillor Michael Bukola
Councillor Linda Manchester
Councillor Geoffrey Thornton

Tenants Management Organisation Liaison Committee

Councillor Claire Hickson
Councillor Darren Merrill
Councillor Tim McNally
Councillor Geoffrey Thornton

2. That Councillor Richard Livingstone be appointed as the chair of the Pensions Advisory Panel and Councillor Tim McNally vice-chair.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

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 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 section of the meeting.

25. MINUTES

The minutes of the closed section of the meeting held on 17 May 2011 were approved as a correct record and signed by the chair.

26. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - REVENUES & BENEFITS SERVICE

The cabinet considered the closed information relating to this report. See item 17 for decision.

27. DISPOSAL OF SITE 19 ELEPHANT AND CASTLE

The cabinet considered the closed information relating to this report. See item 18 for decision.

28. IMPROVED TERMS FOR THE SALE OF SITES A AND B AT CANADA WATER

The cabinet considered the closed information relating to this report. See item 19 for decision.

29. COMBINED GATEWAY 1 PROCUREMENT STRATEGY - APPROVAL AND GATEWAY 2 CONTRACT EXTENSION AWARD FOR THREE PARKING AND TRAFFIC ENFORCEMENT CONTRACTS

The cabinet considered the closed information relating to this report. See item 20 for decision.

30. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - SUPPLY OF GAS TO SITES CONSUMING LESS THAN 25,000 THERMS

The cabinet considered the closed information relating to this report. See item 21 for decision.

31. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - SUPPLY OF GAS TO SITES CONSUMING MORE THAN 25,000 THERMS

The cabinet considered the closed information relating to this report. See item 22 for decision.

The meeting ended at 7.12pm

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 29 JUNE 2011.

WITH THE EXCEPTION OF ITEMS 8 AND 11 WHICH FORM PART OF THE BUDGET AND POLICY FRAMEWORK, 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.