



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 13 December 2011 at 4.00 pm at 160 Tooley Street, London SE1 2QH

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 that the following late items would be considered for reasons of urgency and lateness to be specified in the relevant minute:

Item 6 – Deputation requests

Item 10 – Policy and Resources Strategy 2012/13 – 2014/15 – Provisional Local Government Settlement

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosure of interests or dispensations.

4. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 22 November 2011 be approved as a correct record and signed by the chair.

6. DEPUTATION REQUESTS

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept this item as urgent as the requests were all received in line with the constitutional deadline for the receipt of deputation requests and were therefore eligible for consideration by cabinet. Additionally, the first two deputation requests related to an item on "Hawkstone low-rise options appraisal" which was on the agenda for this meeting.

RESOLVED:

That the following deputation requests be heard.

Residents living in the high rise blocks at John Kennedy House/Brydale House in respect of the Hawkstone low rise options appraisal report

The deputation spokesperson addressed the meeting asking that cabinet agree option 2 as set out in the report, providing that John Kennedy House major works were not affected. It was explained that works to John Kennedy House had still not commenced meaning that residents were experiencing another cold winter of high fuel bills. It was suggested that the majority of residents indicated in the consultation feedback were those from the low rise properties only and not the "estate" Concern was echoed on behalf of leaseholders and the likely costs that would arise. The spokesperson asked that cabinet request a full investigation into the whole option appraisal for future lessons and learning.

Hawkstone low rise residents steering group in respect of the Hawkstone low rise options appraisal report

The spokesperson addressed the meeting welcoming option 2 as set out in the report. Residents in the low rise have been anxious for works to start for some time and hope that the monitoring of performance, materials and costings were all in place to ensure works progress satisfactorily. The spokesperson emphasised that the Hawkstone was not just an "estate" but an area with strong community spirit. The issue of fuel costs for residents was identified requesting reimbursement of the excessive costs that have been endured.

The home owners council in respect of the housing management plan

The spokesperson addressed the meeting to identify a number of ongoing issues for the home owners council that require assistance from cabinet to progress as follows:

- Leaseholders service charge audit. It was suggested that this process requires a lot of time and asked that this be examined and monitored for future.
- Management fees charged for major projects. Raised previously and identified

as a costly measure for leaseholders, suggesting that there is no consultation as part of this process.

- Annual service charge. Concern was echoed in respect of the manner that these charges were handled. For example an estimate was sent to a home owner followed by a 19 month gap before the final bill arrived; with no feedback or communication in this intervening period.

The deputation were keen to emphasise that underlying all these issues was the need to improve communication and consultation with leaseholders.

The cabinet expressed their thanks to the deputations and for their hard work and commitment.

7. HAWKSTONE LOW-RISE OPTIONS APPRAISAL

An additional appendix was tabled setting out the details and feedback from recent consultation meetings and comments of the strategic director of communities, law & governance (see supplemental agenda no.3).

RESOLVED:

1. That the findings of the Hawkstone low-rise options appraisal be noted.
2. That the adoption of the preferred option of enhanced refurbishment of the Hawkstone low-rise blocks be approved and that these works are programmed into the housing investment programme for the financial year 2012/13.
3. That officers report to cabinet on the implementation of this option only if matters arise that mean that an enhanced refurbishment option can not be implemented within the resources that have been made available for the Hawkstone estate.

8. FIRE SAFETY WORKS AT CANADA ESTATE - REPORT OF THE HOUSING AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE

Councillor Gavin Edwards, chair of the housing and community safety scrutiny sub-committee presented the report to cabinet.

RESOLVED:

That the recommendations of the review of fire safety works at Canada estate undertaken by the housing and community safety scrutiny sub-committee be noted and that the deputy leader and cabinet member for housing management bring back a report to cabinet in order to respond to the overview and scrutiny committee by 13 February 2012.

9. ESTABLISHMENT OF A HOUSING COMMISSION FOR SOUTHWARK

RESOLVED:

1. That the establishment of an independent housing commission for Southwark, entitled "London Borough of Southwark Independent Commission on the Future of Council Housing" be approved.
2. That it be noted that the commission will formally commence work in January 2012 and report back to cabinet in October 2012.

10. POLICY AND RESOURCES STRATEGY 2012/13 - 2014/15 - PROVISIONAL LOCAL GOVERNMENT SETTLEMENT

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept this item as urgent because of the significant impact of the provisional settlement 2012/13 on the council's budget and resource planning process.

RESOLVED:

1. That the provisional local government settlement for 2012/13 which was published on 8 December 2011 be noted.
2. That the confirmation of the payment of New Homes Bonus to the council in 2012/13 in so far as £1.5m is allocated to support general fund services be noted.
3. That it be noted that the issues in the report and subsequent analysis will form the basis of a formal response to the consultation on the provisional local government settlement which must be submitted to government by 16 January 2012.
4. That the amendment to the medium term resources strategy to reflect the change in housing revenue account resources set out in paragraph 176 of the report be agreed.
5. That the establishment in principle of a £1m community restoration fund be agreed for 2012/13 to support those areas most affected by the August disturbances (paragraphs 109 - 114 of the report).
6. That it be noted that because government funding beyond 2012/13 is not known, and is unlikely to be announced until November 2012, the finance director proposes that a single year budget for 2012/13 only will be set. The report sets out changes that are likely to impact on 2013/14 and beyond, but at this stage cannot be quantified. Officers will report back at the earliest opportunity once any announcements are made.
7. That the announcement by the government of a further council tax freeze grant for 2012/13 be noted, as outlined in paragraphs 32 to 34 of the report.
8. That the medium and long term impact of accepting the council tax freeze grant on

the council tax base be noted, especially in the context of the grant being removed from 2013/14, as described in paragraphs 33 and 34 of the report.

9. That the budget principles agreed by cabinet on 21 September 2010 be confirmed, supported by the ten fairer future promises agreed by council assembly on 6 July 2011, which will continue to guide and underpin the work of officers in arriving at a balanced budget in February 2012.
10. That officer recommendations on the 2012/13 budget and comments invited on the proposals from stakeholders and scrutiny be noted.
11. That taking all the issues in the report, the finance director be instructed to report back to the cabinet at its meeting on 24 January 2012, and after the overview and scrutiny meeting on 9 January 2012 on the budget for 2012/13.

11. HOUSING REVENUE ACCOUNT - INDICATIVE RENT - SETTING AND BUDGET REPORT 2012/13

RESOLVED:

1. That it be noted on a provisional basis, a rent increase of 7.96% in compliance with the government's rent guidance as set out in paragraphs 12 - 22 of the report. This is equivalent to an increase of £6.78 per week on average, to be applied to all housing revenue account (HRA) dwellings (including estate voids and hostels), with effect from 2 April 2012. Average budgeted dwelling rent for tenanted stock in 2012/13 will be £91.94 per week.
2. That it be noted on a provisional basis the intention of the council to charge new-build and newly let properties at formula rent levels from the commencement of their letting as set out in paragraph 23 of the report.
3. That it be noted on a provisional basis no increase to tenant service charges as set out in paragraph 24 of the report.
4. That it be noted on a provisional basis no increase to the standard charge for garages, consideration of amendments to the concessionary scheme, and the potential introduction of a 'market rent' for private sector renters as set out in paragraphs 25 – 27 of the report with effect from 2 April 2012.
5. That it be noted on a provisional basis no increase to heating and hot water charges as set out in paragraphs 28 – 30 of the report with effect from 2 April 2012.
6. That officers provide a final report on rent-setting and the housing revenue account (HRA) budget for 2012/13 after due consultation processes have been followed for consideration at their meeting on 24 January 2012.

12. SOUTHWARK COUNCIL'S APPROACH TO EQUALITY - DELIVERING A FAIRER FUTURE FOR ALL

RESOLVED:

1. That the requirements of the Equality Act 2010 and the Public Sector Equality Duty 2011 as set out in paragraphs 7 - 9 of the report be noted.
2. That Southwark Council's Approach to Equality be agreed (see Appendix A of the report).

At 5.35pm Councillor Peter John left the meeting. Councillor Ian Wingfield as deputy leader chaired cabinet for the remaining business.

13. CHANGES TO DELIVERY ARRANGEMENTS FOR THE YOUTH SERVICE

The legal comments from the strategic director of communities, law & governance were circulated in supplemental agenda no. 1.

RESOLVED:

That the development of new delivery arrangements for the youth service in accordance with the design principles as set out in Appendix 1 of the report from April 2012 in order to create a better and more cost effective service with the aim of reaching 25% of young people in the borough aged 13 to 19 years be agreed. This new model will also achieve a saving of £1.5m as agreed by council assembly

14. VIOLENT CRIME STRATEGY UPDATE

RESOLVED:

1. That the progress made in delivering the recommendations set out in the violent crime strategy 2010-15 be noted.
2. That the significant reductions in most serious violence offences in 2010/11 of 34% or 250 less recorded crimes compared with the previous financial year, and the improvement in comparison to similar boroughs in our family group be noted. This reduction has continued in the first six months of 2011/12 with a -12% reduction compared to the same period 2010. Using the Home Office economic cost of crime figures, the cost of violent crime in Southwark has reduced by £3.888m for the period April - September 2011 compared to the same period in 2010.
3. That the information on the summer riots in the report be noted and that a future report on the community conversations on the riots comes to a later meeting of the cabinet.

15. HATE CRIME STRATEGY

RESOLVED:

1. That the hate crime strategy for Southwark 2011-2015, as set out in Appendix 1 to the report, be approved.
2. That the five overarching strategic aims as outlined within the strategy and the supporting delivery plan be approved. The strategic aims are:
 - Re-energise interest in tackling hate crime
 - Promote the support services available
 - Encourage communities to work together to tackle the issue
 - Encourage people to approach services to seek support and report hate crime, and
 - To take a robust approach to tackle those who are repeat perpetrators of hate crime.
3. That it be noted "Stop Hate UK", a charity that provides independent and confidential support to victims of hate crime, has been jointly commissioned between the London Borough of Southwark and the Metropolitan Police Services to run a short pilot in 2011/12.

16. DISPOSAL OF THE ROTHERHITHE LIBRARY, ALBION STREET, LONDON SE16 7HY

RESOLVED:

1. That the disposal of the Rotherhithe Library and Civic Centre ("the property"), shown edged in bold at Appendix 1 of the report be agreed to Canada Quays Limited on the principal terms set out in the report on the closed agenda for this meeting.
2. That the head of property be authorised to agree any variations to those terms that may be necessary to achieve the disposal of the property and in the event of further negotiations and securing full planning consent by the selected bidder.
3. That in the event the sale to Canada Quays Limited does not proceed to completion, the head of property be authorised to agree terms for a sale to any one of the recommended under bidders, provided that these terms conform to the council's legal obligation to achieve the best consideration reasonably obtainable.

17. BADMINTON HOUSE, QUORN ROAD, SE22 - DISPOSAL OF FREEHOLD INTEREST

RESOLVED:

1. That the disposal of the council's freehold interest in Badminton House, Quorn Road, SE22 ("the property") on terms outlined in the closed version of the report be approved, subject to council assembly's approval of an application to the Secretary of State for the Department for Communities and Local Government for consent to

the disposal of the property.

2. That council assembly be recommended to approve an application to the Department for Communities and Local Government for consent to the disposal of the property.
3. That the capital receipt be authorised to replenish the housing investment programme from which the East Dulwich Estate refurbishment programme was forward funded.
4. That the head of property be authorised to agree any minor variations to the terms of the sale, with the purchaser, which may arise prior to completion of the transaction or alternatively to agree terms with any of the under bidders subject to best consideration requirements if in the unlikely event the original offer fails to progress to completion.

18. DISPOSAL OF LONG LEASE OF SOUTHWARK TOWN HALL, 31 PECKHAM ROAD, SE5 8UB

RESOLVED:

1. That the Town Hall, 31 Peckham Road SE5 8UB (“the property”), together with ancillary areas as shown hatched black on the attached plan to the report, be transferred for use by the University of Arts London (“the University”) by way of a long lease subject to planning consent to its development partner Alumno on the terms set out in the closed report.
2. That the ongoing implementation of the recommendations of the Democracy Commission as set out from paragraph 20 of the report be noted and that further development work be undertaken to bring forward firm proposals for any necessary works required to make 160 Tooley Street suitable for potentially hosting occasional meetings of council assembly along with other civic events.

EXCLUSION OF PRESS AND PUBLIC

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

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

19. MINUTES

The minutes of the closed section of the meeting held on 22 November 2011 were approved as a correct record and signed by the chair.

20. DISPOSAL OF THE ROTHERHITHE LIBRARY, ALBION STREET, LONDON SE16 7HY

The cabinet considered the closed information relating to this report. See item 16 for decision.

21. BADMINTON HOUSE, QUORN ROAD, SE22 - DISPOSAL OF FREEHOLD INTEREST

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

22. DISPOSAL OF LONG LEASE OF SOUTHWARK TOWN HALL, 31 PECKHAM ROAD, SE5 8UB

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

The meeting ended at 5.55pm.

CHAIR:

DATED:

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

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.