



## **Cabinet**

MINUTES of the OPEN section of the Cabinet held on Tuesday 25 September 2012 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Peter John (Chair)  
Councillor Ian Wingfield  
Councillor Dora Dixon-Fyle  
Councillor Barrie Hargrove  
Councillor Claire Hickson  
Councillor Richard Livingstone  
Councillor Catherine McDonald  
Councillor Veronica Ward

### **1. APOLOGIES**

All members were present, except Councillor Fiona Colley who is currently on maternity leave.

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

The chair gave notice that the following item listed to follow on the agenda was not now being considered at this meeting:

Item 19: To approve an application to the Secretary of State for a Compulsory Purchase Order (CPO) to purchase the remaining leasehold properties within the Elmington Estate Phase 3 Sites C, D, E and G

### **3. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Councillors Claire Hickson and Ian Wingfield disclosed interests in item 11, Peckham and Nunhead Area Action Plan – Publication/Submission version as they owned property in the area covered by the area action plan. The monitoring officer reported that advice had been issued to members in respect of potential pecuniary interests on items to be considered at this meeting and her advice was that these were not disclosable pecuniary interests.

**4. PUBLIC QUESTION TIME (15 MINUTES)**

There were no public questions.

**5. MINUTES**

**RESOLVED:**

That the open minutes of the meeting held on 17 July 2012 be approved as a correct record and signed by the chair.

**6. DEPUTATION REQUESTS**

There were no deputation requests.

**7. RESPONSE TO THE EDUCATION AND CHILDREN'S SERVICES SCRUTINY SUB-COMMITTEE'S REVIEW OF SUPPORT FOR PARENTS AND CARERS OF DISABLED CHILDREN AND YOUNG PEOPLE**

The cabinet received comments from Councillor David Hubber, Chair of the education, children's services and leisure scrutiny sub-committee in relation to the response to the scrutiny recommendations.

**RESOLVED:**

That the response to the recommendations of the education and children's services scrutiny sub-committee be noted and agreed.

**8. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - INDEPENDENT FOSTERING SERVICE**

**RESOLVED:**

That the procurement strategy outlined in the report for the independent fostering service to undertake a competitive tender process for a four year framework contract commencing on 10 June 2013 in the estimated maximum sum of £17.2m be approved.

**9. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - SEMI-INDEPENDENT LIVING SERVICE**

**RESOLVED:**

That the procurement strategy outlined in the report for the semi-independent living service, specifically to undertake a competitive tender process for a four year framework contract commencing on 10 June 2013 at an estimated maximum sum of £6.8m be approved.

**10. RESPONSE TO THE SCRUTINY REPORT INTO THE COLLAPSE OF SOUTHERN CROSS CARE HOMES**

The cabinet received comments from Councillor Mark Williams, Chair of the health, adult social care, communities and citizenship scrutiny sub-committee in relation to the response to the scrutiny recommendations.

**RESOLVED:**

1. That the measures that the council has in place to manage the concerns raised by scrutiny and the response to the reports recommendations be noted and agreed.
2. That it be noted in particular that the "Caring for our Future" White Paper indicated that there will be a consultation on oversight of the market in Autumn 2012 including how people can be protected should a care provider go into financial difficulty.

**11. PECKHAM AND NUNHEAD AREA ACTION PLAN - PUBLICATION/SUBMISSION VERSION**

**RESOLVED:**

That council assembly be recommended to:

1. Agree to publish the Peckham and Nunhead Area Action Plan (AAP) publication/submission version (Appendix A).
2. Note the supporting documents: the consultation report (Appendix B), the consultation strategy (Appendix C), the consultation plan (Appendix D), the sustainability appraisal (Appendix E), the equalities appraisal (Appendix F), the appropriate assessment (Appendix G) and the schedule of proposed changes to the adopted policies map (Appendix H).
3. Approve the Peckham and Nunhead AAP publication/submission version for submission to the Secretary of State for Communities and Local Government provided no substantive changes are necessary following consultation.
4. Delegate the approval of any minor amendments resulting from consultation on the publication/submission AAP to the director of planning in consultation with the cabinet member for culture, leisure, sport, the Olympics and regeneration (South).

**12. APPROVAL OF THE COUNCIL'S TRANSPORT FOR LONDON FUNDED WORK PROGRAMME FOR 2013/14 AND INDICATIVE PROGRAMME TO 2014/15 FOR SUBMISSION TO TRANSPORT FOR LONDON**

**RESOLVED:**

**Decisions of the Cabinet**

1. That the content of the council's proposed submission to Transport for London (TfL) identifying transport projects to be delivered with TfL Local Implementation Plan (Lip) funding in 2013/14 and the indicative programme of work for 2014/15, as contained in Appendix A of the report be agreed.
2. That the identified programme be submitted to Transport for London by 5 October 2012.
3. That the agreed programme as set out in Appendix A of the report be implemented.

**Decisions of the Leader of the Council**

4. That authority be delegated to the cabinet member for transport, environment and recycling to amend the programme for 2013/14 should any variations to the proposed programme be required. The cabinet member shall consult community council chairs regarding scheme changes in their area.
5. That authority be delegated to the cabinet member for transport, environment and recycling to determine the most appropriate use of the £100k discretionary funding allocated by Transport for London for 2013/14.

**13. TO APPROVE AN APPLICATION TO THE SECRETARY OF STATE FOR A COMPULSORY PURCHASE ORDER (CPO) TO PURCHASE THE REMAINING LEASEHOLD PROPERTIES WITHIN MAYDEW HOUSE, ABBEYFIELD ESTATE**

**RESOLVED:**

1. That the council makes a compulsory purchase order ("Order") under section 226 (1) of the Town & Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 or in the alternative under section 17 of the Housing Act 1985 for the acquisition of the remaining leasehold interests within the area edged bold on the plan at Appendix 1 of the report for the purpose of securing the regeneration of the Abbeyfield Estate in accordance with decisions taken by cabinet on the 20 March 2012 and 17 July 2012.
2. That the director of regeneration be authorised to:
  - a) determine the powers and implement the Order to deliver the overall regeneration aspiration

- b) take all necessary steps to secure the making, confirmation and implementation of the Order including the publication and service of all notices and the presentation of the council's case at Public Inquiry should one be called
- c) acquire interests in land within the Order areas either by agreement or compulsorily
- d) approve agreements with land owners setting out the terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion from the Order
- e) amend the boundaries of the area shown edged in bold on the plan at Appendix 1 of the report.

#### **14. QUARTER 1 CAPITAL REPORTING FOR 2012/13 AND CAPITAL PROGRAMME REFRESH FOR 2012/13 - 2021/22**

It was reported at the meeting that the resource centre for older people referenced in the cabinet member foreword and paragraph 70 of the report, should be referred to as a new centre of excellence for older people. It was also reported that part of the final sentence of paragraph 70 (from 'and' until the end of that sentence) was factually incorrect and should not have been included in the report as no decision has been made about the location of the proposed centre. The Council is currently carrying out feasibility studies at 3 sites in order to identify which site would potentially be the most suitable to develop the centre. The outcome of the feasibility studies together with the outcome of the 3 month consultation on the vision and model for the centre will be considered by cabinet in December 2012.

#### **RESOLVED:**

1. That the general fund capital programme 2012/13–2021/22 as at Quarter 1 2012/13, as detailed in Appendix A of the report be noted.
2. That the housing investment programme 2012/13–2016/17 at Quarter 1 2012/13 as detailed in Appendix B of the report be noted.
3. That the virements and funded variations for Quarter 1 2012/13 as detailed in Appendix C of the report be agreed.
4. That the new capital bids shown at Appendix D of the report be agreed.
5. That the refreshed capital programme including the new bids as shown at Appendix E of the report be noted.
6. That the presence of a government consultation on the localisation of business rates which could have an impact on the continued application of the New Homes Bonus grant for capital purposes in the future be noted.

7. That the strategic director of finance and corporate services present an updated programme refresh in early 2014, including exploration of a thirty-year capital programme forecast.
8. That in light of the pressure in primary school places expected from 2013/14 and the additional pressure this places on council resources, officers should continue to work with the Department for Education (DfE) to maximise funding from DfE sources.

**15. QUARTERLY REVENUE MONITORING REPORT QUARTER 1, 2012/13 INCLUDING TREASURY MANAGEMENT**

**RESOLVED:**

1. That the following be noted:
  - the general fund outturn forecast for 2012/13 and the resultant forecast net movement in reserves by department
  - the housing revenue account's (HRA) forecast outturn for 2012/13 and resulting forecast movement in reserves
  - the treasury management activity for the first quarter of 2012/13.
2. That the forecast performance for the council tax and business rates collection fund be noted.
3. That the general fund budget movements that exceed £250k, as shown in Appendix A of the report be approved.

**16. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - PROFESSIONAL TECHNICAL SERVICES CONTRACT**

**RESOLVED:**

**Decisions of the Cabinet**

1. That the procurement strategy outlined in the report for professional technical services which is to let 2 contracts including arrangements for back up provision be approved.
2. That a period of four years for both contracts from 22 July 2013 with provision for 2 extensions of up to three years at the council's discretion be approved.

**Decision of the Leader**

3. That authority be delegated to the deputy leader and cabinet member for housing management to award the contracts for the reasons set out in paragraph 11 of the report.

## **17. GATEWAY 2: CONTRACT AWARD APPROVAL - IT MANAGED SERVICES**

### **RESOLVED:**

1. That the award of the IT Managed Services contract to Capita Secure Information Solutions Limited (Capita) for a period of four years commencing from 1 February 2013, with flexible provision to extend for up to a further maximum period of three years be approved.
2. That authority be delegated to the strategic director of finance and corporate services to agree the final terms and conditions of the IT Managed Services contract to enable the contract and ancillary documents to be executed following completion of contract finalisation points.

## **18. MOTIONS REFERRED FROM COUNCIL ASSEMBLY**

### **RESOLVED:**

#### **Motion on Themed Debate – Health and Wellbeing Priorities**

That the motion referred from council assembly as a recommendation to cabinet, set out below be noted and the comments of the strategic director of health and community services contained in the officer report also be noted.

1. That council assembly recognises and thanks the dedicated health professionals in our borough who work so hard to improve the lives of Southwark residents in our hospitals, GP surgeries and our homes.
2. That council assembly welcomes the increase in life expectancy in the borough, but notes the significant health inequalities which still exist among Southwark residents.
3. That council assembly welcomes the return of responsibility for public health to local government and the formation of Southwark's shadow health and wellbeing board, to finally provide some democratic accountability for health provision in Southwark.
4. That council assembly noted and supports the four work areas that have been identified as priorities for the shadow health and wellbeing board in their first year: prevention or reduction of alcohol-related misuse; coping skills, resilience and mental wellbeing; early intervention and families; healthy weight and exercise.
5. That council assembly also noted that sexual health and drug addiction are major areas of public concern in the borough, which have a disproportionate impact on the health and wellbeing of a significant minority of our residents, and calls on the new shadow board to consider these issues.
6. That council assembly believes that a wider and more diverse board membership leads to more effective, accountable and representative decisions and outcomes. council assembly therefore calls for the health and wellbeing board to consider ways to involve other parties and representatives from the voluntary sector.

## **Southwark Nurseries**

That the motion referred from council assembly as a recommendation to cabinet, set out below be noted and agreed, with the following amendment: 'David Laws to replace Sarah Teather' in recommendation 5.

1. That council assembly noted that Tenda Road and Bishop's House children's centres will remain open and this has always been the case and regrets the mendacious campaign by local Liberal Democrat councillors that gave the impression that these centres would close.
2. That council assembly noted that the consultation will continue until 31 July 2012 and urges parents and relevant stakeholders to submit their views.
3. That council assembly also noted that Southwark has had a real terms cut of 25% of its budget in the last 2 years – far greater than other local authorities including more affluent boroughs like Richmond.
4. That it noted the hypocrisy of the local Liberal Democrat MP for Bermondsey and Old Southwark, Simon Hughes, to campaign against nursery closures while voting to cut their funding.
5. That council assembly calls on the leaders' of each political group on the council and the local MP to write a joint letter to the Liberal Democrat Children's Minister, Sarah Teather MP, urging her to rethink her cuts to nursery funding.

**19. TO APPROVE AN APPLICATION TO THE SECRETARY OF STATE FOR A COMPULSORY PURCHASE ORDER (CPO) TO PURCHASE THE REMAINING LEASEHOLD PROPERTIES WITHIN THE ELMINGTON ESTATE PHASE 3 SITES C, D, E AND G**

This item was not considered.

### **EXCLUSION OF PRESS AND PUBLIC**

It was moved, seconded and

### **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 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

**20. MINUTES**

The closed minutes of the meeting held on 17 July 2012 were approved as a correct record and signed by the chair.

**21. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - PROFESSIONAL TECHNICAL SERVICES CONTRACT**

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

**22. GATEWAY 2: CONTRACT AWARD APPROVAL - IT MANAGED SERVICES**

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

The meeting ended at 5.21pm

**CHAIR:**

**DATED:**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 3 OCTOBER 2012.**

**WITH THE EXCEPTION OF ITEM 11 WHICH FORMS PART OF THE POLICY FRAMEWORK AND THEREFORE NOT SUBJECT TO CALL-IN, 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.**