



## **Cabinet**

MINUTES of the OPEN section of the Cabinet held on Tuesday 23 October 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 Veronica Ward

### **1. APOLOGIES**

Apologies for absence were received from Councillor Catherine McDonald.

### **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 to be specified in the relevant minute:

- Item 12: Local Council Tax Reduction Scheme Addendum Report
- Item 17: Directly Funded Housing Delivery

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

There were no disclosures of interests or dispensations.

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

There were no public questions.

**5. MINUTES**

**RESOLVED:**

That the open minutes of the meeting held on 25 September 2012 be approved as a correct record and signed by the chair.

**6. DEPUTATION REQUESTS**

There were no deputation requests.

**7. REVIEW OF SERVICES RELATING TO DOMESTIC VIOLENCE AND ABUSE IN SOUTHWARK (REPORT OF THE HOUSING, ENVIRONMENT, TRANSPORT AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE)**

**RESOLVED:**

1. That the recommendations of the review of services relating to domestic violence and abuse in Southwark be noted and Councillor Richard Livingstone, cabinet member for finance, resources and community safety brings back a report to cabinet in order to respond to the overview and scrutiny committee by December 2012.
2. That this response also take account of the impact of alcohol in respect of domestic violence and abuse.

**8. RESPONSE TO THE OVERVIEW AND SCRUTINY COMMITTEE REVIEW OF RESIDENT INVOLVEMENT AND RESIDENT ASSOCIATION RECOGNITION AND GRANTS**

**RESOLVED:**

1. That the measures that the council has in place to respond to the overview & scrutiny committee recommendations be noted and agreed.
2. That it be noted that the housing, environment, transport and community safety scrutiny sub-committee are undertaking a full scrutiny review in relation to tenants and residents association halls.

**9. UPDATE ON ACTIONS ARISING FROM THE HOUSING AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE ON THE FIRE SAFETY WORKS AT CANADA ESTATE**

**RESOLVED:**

That the update and actions arising from the housing and community safety scrutiny sub-committee's investigation into the fire safety works at Canada Estate be noted.

## **10. SHELTERED HOUSING REMODELLING**

### **RESOLVED:**

#### **Decisions of the Cabinet**

1. That the outcome of the consultation with residents and the residents favoured options as set out below be noted:
  - a scheme based warden service is re-introduced in all of the schemes, from 8am to 4pm each week day
  - a dedicated handyperson service is introduced to carry out minor repair jobs for residents in the council's sheltered housing schemes
  - a night time security visiting service is introduced to improve security at the sheltered housing schemes
2. That it be noted that officers propose to implement these service changes and that they are funded through the introduction of a service charge, based on an enhanced housing management model, which will be eligible for housing benefit. No existing tenants will be affected by the introduction of the service charge and the majority of prospective tenants are entitled to housing benefit that will cover the charge in the future.
3. That it is proposed that current residents who are not in receipt of housing benefit have their service charge paid through a transitional protection scheme, funded through savings on supporting people budgets. Transitional protection will apply to all qualifying tenants for the lifetime of their tenancy.
4. That it be noted that it is proposed that these changes are introduced from January 2013.
5. That it be noted that these proposals are subject to further consultation with the housing area forums and tenants council on 26 November 2012.

#### **Decision of the Leader of the Council**

6. That authority be delegated to the deputy leader and cabinet member for housing management, in consultation with the cabinet member for health and adult social care, to consider the outcome of consultation referred to in paragraph 5 of the report and take a decision on the proposals in the report.

## **11. LOCAL TAXATION REFORM - SECOND HOME DISCOUNT**

### **RESOLVED:**

1. That the intended technical reform changes to council tax legislation with regard to the new discretion to amend certain council tax discounts and exemptions be

noted.

2. That it be recommended to council assembly that they agree to remove the existing ten per cent discount awarded for second home properties with effect from the 1 April 2013, subject to consideration of the outcomes of the equality impact assessment.
3. That officers submit a further report in November with recommendations on the approach to any changes in respect of council tax discounts and exemptions.

**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. LOCAL COUNCIL TAX REDUCTION SCHEME**

An addendum report was circulated setting out details of the transitional funding arrangements. This information was released by the government on the 18 October 2012 following the despatch of the cabinet report on 15 October 2012. The chair accepted the addendum report as urgent as in order to be eligible for transitional funding, authorities' CTRS schemes must meet the eligibility criteria set out by government. Authorities are required to approve their CTRS schemes by 31 January 2013 or have a 'default' scheme imposed on them which does not deliver the 10% reduction in expenditure. Any decision around the design and implementation of the CTRS scheme was therefore urgent as sufficient time must be allowed for consultation to take place and for officers to engage with software suppliers to attempt to implement the necessary solution.

### **RESOLVED:**

1. That it be noted that following the abolition of Council Tax Benefit (CTB) by government from 1 April 2013, the council is required to adopt a Local Council Tax Reduction Scheme (CTRS) in its place by 31 January 2013 with a 10 per cent reduction in funding.
2. That the extent and outcome of the consultation together with the equality analysis undertaken following approval of the approach on the 17 July 2012 and proposals to further support communities be noted.
3. That the strategic director for finance and corporate services closely monitors the impact of CTRS on the council tax collection fund.
4. That an economic wellbeing strategy is implemented to mitigate the impact on claimants facing a reduction in benefit that includes a programme of benefit maximisation undertaken via the council's Rightfully Yours service.
5. That financial inclusion and responsibility are promoted through the provision of budgeting, employment and arrears advice in partnership with relevant external organisations and support networks including London Mutual credit union, Jobcentre Plus and local advisory services.
6. That officers consider how to establish a welfare hardship fund to mitigate some of

the impact of the benefits changes to protect the most vulnerable, as part of the 2013/14 budget process.

7. That the proposals from government in relation to the option for transitional funding (paragraphs 3 – 7 of the addendum report) be noted and that officers engage with government to clarify the qualifying conditions for securing the funding within the framework of Southwark's preferred council tax reduction scheme (CTRS).

That it be recommended to council assembly:

8. That the Section 13A Local Government Finance Act 1992 Policy (to be amended by the Local Government Finance Bill 2012) which forms the basis of the regulatory framework for the scheme be adopted.
9. To adopt the preferred CTRS (Council Tax Reduction Scheme) option which will result in capping council tax support to 85 per cent of current entitlement levels and abolish Second Adult Rebate for non-pensioners in 2013/14.

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

**13. 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**

**RESOLVED:**

1. That the council makes four or fewer Compulsory Purchase Orders ("Order[s]") 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 land and new rights within the areas edged on the plans at Appendix One of the report for the purpose of securing the regeneration of the Elmington Estate in accordance with decisions taken by cabinet on the 22 March 2011.
2. That the Director of Regeneration be authorised to:
  - (a) determine the powers and implement the optimum number of Order[s] to deliver the overall regeneration aspiration;
  - (b) take all necessary steps to secure the making, confirmation and implementation of the Order[s] 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 all interests in land within the Order[s] areas either by agreement or compulsorily;
  - (d) approve agreements with land owners setting out the terms for the withdrawal of objections to the Order[s], including where appropriate seeking exclusion of from the Order[s];
  - (e) amend the boundaries of the areas edged on the plans at Appendix One; or

- (f) amend the number of leasehold acquisitions in Appendix Two, should it be required.

**14. GATEWAY 2: CONTRACT AWARD APPROVAL CONSOLIDATED FACILITIES MANAGEMENT CONTRACT FOR 160 TOOLEY STREET, LONDON SE1 2QH**

**RESOLVED:**

1. That the award of the consolidated facilities management contract for 160 Tooley Street to Interserve Plc for a period of 5 years commencing 1 February 2013 with the provision to extend at the council's discretion for up to a further 2 years be approved.
2. That it be noted that the award is for the standard bid retaining the in-house elements of the council's Tooley Street facilities management service for the reasons set out in paragraphs 46 to 48 of the report.

**15. SOUTHWARK 2012: EVALUATING THE PROJECT AND SECURING A LEGACY FROM LONDON 2012**

**RESOLVED:**

1. That the Southwark 2012 evaluation report (Appendix A of the report) agreed by the Olympic Delivery Board on the 27 September 2012 be noted.
2. That the Olympic Delivery Board, all officers and partners are thanked for their efforts in delivering the Cabinet's London 2012 vision.
3. That a new 'Legacy Board' be created to ensure that a lasting legacy from London 2012 is realised and felt by Southwark's residents.

**16. REPORT FROM THE LONDON BOROUGH OF SOUTHWARK INDEPENDENT COMMISSION ON THE FUTURE OF COUNCIL HOUSING**

Jan Luba, Queen's Counsel (QC), supported by Paul Hackett, Director of the Smith Institute presented the report to cabinet.

**RESOLVED:**

1. That the report of the independent commission on the future of council housing in Southwark (report received and made publicly available on Monday 15 October 2012) be formally received by the cabinet.
2. That officers be instructed to undertake a detailed review of the report and draw up a plan for engaging residents in an extensive and wide-ranging debate on its analysis, findings and conclusions; the community engagement plan to be agreed by cabinet in December 2012.

## **17. DIRECTLY FUNDED HOUSING DELIVERY**

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept this item as urgent as due to London-wide shortage of affordable housing, the council's housing waiting list was growing on a monthly basis. This general shortage, as well as placing extra financial pressures on the council through a duty to house individuals in need in temporary accommodation, has left many individuals in Southwark in need of decent stable housing. The council has set an indicative development programme for delivery of phase 1 of directly funded housing as referenced at paragraph 43 of the report to take steps to address this housing need with the first stage of delivery by November 2013. Delivery by 2013 will require work to begin on gateway reports for Willow Walk, Nunhead Green and the East Dulwich Estate before the end of October 2012. Failure to begin to deliver phase 1 by November 2013 will by implication lead to a continued higher financial burden on the council and continued higher level of local housing need.

### **RESOLVED:**

#### **Decisions by the Cabinet**

1. That a range of priorities and the outline delivery mechanisms, as outlined in paragraphs 23-25 of the report, for the development of new homes using the affordable housing fund be agreed.
2. That the schemes listed at paragraph 41 of the report be worked up in accordance with the individually identified recommendations as phase 1 of an overall programme for direct delivery of new council housing on council owned sites.
3. That proposals for an extra care facility at Cator Street as part of phase 1 be worked up, to assist with meeting the objectives of the Housing Strategy (2009-2016), Older People's Delivery Plan and the Council's Future Vision for Social Care to deliver a further 150 units of extra care housing and increase housing choices for adults living with a disability.
4. That it be agreed that formula rents are charged for new social rent homes.
5. That the conclusions drawn from the Grant Thornton report on financing new homes delivery and the analysis of costs by Davis Langdon that inform the conclusions be noted.
6. That officers be instructed to establish a financial and governance framework to generate and manage resources to deliver the programme.

#### **Decision by the Leader of the Council**

7. That approval for the procurement approaches for the Sumner Road scheme in Phase 1B be delegated to the deputy leader and cabinet member for housing management.

## **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.

### **18. MINUTES**

The closed minutes of the meeting held on 25 September 2012 were approved as a correct record and signed by the chair.

### **19. GATEWAY 2: CONTRACT AWARD APPROVAL CONSOLIDATED FACILITIES MANAGEMENT CONTRACT FOR 160 TOOLEY STREET, LONDON SE1 2QH**

The cabinet considered the closed information relating to this report. See item 14 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, 31 OCTOBER 2012.**

**WITH THE EXCEPTION OF ITEMS 11 AND 12 WHICH FORM PART OF THE BUDGET AND POLICY FRAMEWORK AND ARE 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.**