



## **Cabinet**

MINUTES of the OPEN section of the Cabinet held on Tuesday 29 January 2013 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 Fiona Colley  
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. The Leader reported that Eleanor Kelly, Chief Executive had given her apologies.

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

The chair gave notice that the following late item would be considered for the reasons of urgency, to be specified in the relevant minute:

Item 22 – Policy and Resources Strategy 2013/14 – 2015/16: Revenue Budget

### **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 11 December 2012 be approved as a correct record and signed by the chair.

**6. DEPUTATION REQUESTS**

There were no deputation requests.

**7. NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED**

No representations were received in respect of the items listed as closed business for the meeting.

**8. FAIRER FUTURE INTERIM PERFORMANCE REPORT**

**RESOLVED:**

That the progress in the first half of 2012/13 against the ten fairer future promises and portfolio performance objectives in the council plan be noted.

**9. HOUSING REVENUE ACCOUNT - FINAL RENT-SETTING AND BUDGET REPORT 2013/14**

Feedback from consultation meetings including Tenants Council was circulated at the cabinet meeting.

**RESOLVED:**

1. That an average rent increase of 4.85% in accordance with the government's required formula rent guidance be applied to all housing revenue account (HRA) dwellings as set out in paragraphs 25 to 28 of the report. This is equivalent to an increase of £4.46 per week on average for tenanted properties, with effect from 1 April 2013. This percentage increase is also to be applied to estate void and hostel properties from 1 April 2013. The average budgeted dwelling rent for 2013/14 will be £96.40 per week.
2. That the ongoing consultation regarding the council's letting policy, and the options put forward regarding setting rents for new-build and new-let tenancies at formula rent levels, and the budget implications of this (paragraphs 31 to 33) be noted.
3. That tenant service charges be set at the same level as 2012/13 as laid out in paragraph 34 of the report with effect from 1 April 2013.

4. That the standard charge for non-residential property (garages etc.) be set at the same level as 2012/13, as laid out in paragraphs 35 and 36 of the report with effect from 1 April 2013.
5. That approval be given to a further standstill in heating and hot water charges for 2013/14 such that each charge remains at the rate determined for 2009/10 onward (as set out in paragraph 37 of the report).
6. That the revised HRA budget for 2013/14 be noted (paragraph 17 refers, with details set out in Appendices G and H of the report).

**10. RESPONSE TO RECOMMENDATIONS FROM THE HOUSING AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE ON THE REVIEW OF SERVICES RELATING TO DOMESTIC VIOLENCE AND ABUSE IN SOUTHWARK**

The cabinet received comments from Councillor Gavin Edwards, chair of the housing, environment, transport and community safety scrutiny sub-committee in relation to the response to the scrutiny recommendations.

**RESOLVED:**

1. That the measures the council has in place to respond to the scrutiny recommendations be noted and agreed.
2. That the information contained in the report about the impact of alcohol in respect of domestic violence and abuse be noted.

**11. THE SOUTHWARK LOCAL BIODIVERSITY ACTION PLAN**

**RESOLVED:**

That the Local Biodiversity Action Plan (BAP) for the planning and management of biodiversity in the borough be approved.

**12. BOROUGH WIDE TREE MANAGEMENT STRATEGY**

**RESOLVED:**

1. That the consultation process and subsequent revisions to the Tree Management Strategy be noted.
2. That the revised Tree Management Strategy and the approach for adoption of the strategy be approved.
3. That officers explore options for communication of the strategy to the public, including placing an article in 'Southwark Life'.

### 13. SOUTHWARK OPEN SPACE STRATEGY

#### RESOLVED:

1. That the revised open space strategy (Appendix A of the report) be adopted with the inclusion of the following amendment:

“Elephant & Castle sub-area strategy, map on page 29, OS76

Amend label to read

Recommended boundary change to the area of protected open space and potential site for biodiversity improvements at Nursery Row Park

Amend the map to show the extension to the north of the open space (which is consistent with the adopted Elephant & Castle SPD 2012)”.

**Note:** (Visual representation of this amendment is available on the council website alongside Appendix A of the report).

2. That the consultation report (Appendix B), equalities analysis (Appendix C) and the sustainability appraisal (Appendix D) be noted.

### 14. CONSULTATION RESPONSES (KEY THEMES) ON A DRAFT VISION FOR SOUTHWARK DAY OPPORTUNITIES FOR ADULTS WITH LEARNING DISABILITIES

#### RESOLVED:

##### Decisions of the cabinet

1. That the key themes, issues and concerns raised by users and carers in the consultation on the draft vision for adult learning disability day opportunities be noted.
2. That council officers develop the final vision on the basis of the consultation feedback and work with users and carers, providers and community services to transform the way day opportunities for adults with learning disabilities are provided.
3. That officers work across all departments to ensure the final vision is reflected in departmental priorities and corporate strategies.

##### Decision of the leader of the council

4. That approval of the final vision be delegated to the cabinet member for health and adult social care.

**15. REQUEST FOR DOOR ENTRY AT KINGLAKE ESTATE**

**RESOLVED:**

1. That it be noted that the installation of door entry systems on the Kinglake Estate will be considered along with other priorities within the potential housing revenue account (HRA) funding increase.
2. That the officers' recommendation for Option C (installation of full specification door entry systems to blocks with particular anti-social behaviour problems) as set out in paragraph 14 of the report be noted.
3. That it be noted that officers will engage all residents in an estate-wide pre-emptive consultation process relating to Option C, and will carefully consider all comments and suggestions put forward.

**16. VOLUNTARY AND COMMUNITY SECTOR: PROPOSAL FOR SETTING UP AN APPROVED LIST**

**RESOLVED:**

That agreement be given for the setting up of a Southwark Approved List for the Voluntary and Community Sector (VCS).

**17. NEW CONDITIONS OF GRANT FUNDING (FORMERLY THE CONDITIONS OF GRANT AID)**

**RESOLVED:**

1. That the new conditions of grant funding (COGF), formerly conditions of grant aid (COGA) attached as Appendix 1 to the report be approved.
2. That periodic reviews of the conditions of grant funding (COGF), delegated to the chief officer, be undertaken to take account of changes in legislation and to reflect corporate changes.

**18. RELOCATION OF CROSSWAY CHURCH: NEW KENT ROAD TO HAMPTON STREET**

**RESOLVED:**

That cabinet agrees:

1. To meet the cost in full for constructing a replacement church at the former Castle Day Centre, Hampton Street and transferring the completed property to the United Reformed Church as compensation for the council's acquisition of the Crossway Church at New Kent Road in accordance with the statutory provisions of the Land Compensation Act 1961.

2. To fund the construction of four affordable council house units from the Affordable Housing Fund.
3. To delegate to the director of regeneration authority to enter into appropriate contracts to implement the recommendations.

**19. DISPOSAL OF CAR POUND AT MANDELA WAY, LONDON SE1**

This item was withdrawn.

**20. DISPOSAL OF 161 DENMARK HILL, LONDON SE5 8EF**

**RESOLVED:**

1. That the disposal of the council's freehold interest in 161 Denmark Hill, London SE5 8EF ("the Property"), as shown on the plan attached to the report, to the bidder identified and on terms set out in the accompanying closed agenda report, subject to any further negotiations considered necessary by the head of property be approved.
2. That should the sale not proceed to completion within a reasonable time as determined by the head of property, the Property be offered to the under-bidder or re-offered for sale on the open market and then sold on terms to be approved by the head of property for a consideration not less than market value.

**21. MOTIONS REFERRED FROM COUNCIL ASSEMBLY**

**RESOLVED:**

**Supporting cycling in Southwark**

That the motion referred from council assembly as a recommendation to cabinet, set out below be noted and agreed.

1. That council assembly believes a lot more should be done to encourage cycling throughout Southwark, including making bicycles more accessible to residents, encouraging the take up of cycling and improving road safety for cyclists.
2. That council assembly therefore welcomes the fact that:
  - The current administration has spent or allocated £2.677 million on cycling in the last two years and plans to spend nearly another £4 million on cycling infrastructure. One third of the money allocated from TfL to Southwark gets spent on cycling.
  - Southwark has installed 174 cycle lockers on housing estates and created over 1500 new spaces for on street cycle parking.
  - Southwark is the first London borough to install life-saving Trixi mirrors at dangerous junctions throughout the borough and welcomes the news that a further eight mirrors will be installed by March 2013.

- Proposals for 25 cut-throughs, shared use footways and contra-flow schemes across the borough are currently under consideration and that this will help to improve cycle permeability by improving access and reducing travel times.
- The council's transport plan also proposes: 20mph streets to help make Southwark roads safer for everyone by reducing speeds, developing 'green links' to encourage local cycle trips for less confident cyclists and families, school travel plan initiatives and cycle parking on and off street.
- Southwark Council's bike loan scheme allows employees to take out an interest free loan of up to £1,000 to buy a bike to use to cycle to work.
- Despite the fact that Transport for London has reduced the overall budget for cycle training from £163,000 to £156,000, the council continues to offer free cyclist training to anyone that lives, works or is educated in the borough. Around 900 children and 600 adults receiving training each year.

3. That council assembly therefore calls on cabinet to:

- Continue to work with organisations such as Southwark Cyclists to explore how Southwark can realise its ambition of becoming the most cycle friendly London borough.
- Continue to lobby Transport for London to extend the London cycle hire scheme throughout the borough.
- Take a serious and sensible approach to increasing the number of people who cycle in the borough and make good on its commitment to review the target for people cycling in Southwark which is in line with the London target and based on key developments such as the introduction of cycle hire, and the existing and planned cycle superhighways. The current target translates into a 33% increase (from 3-4%) in current cycling levels or 4,700 new trips by bike every day.

### **Road Safety**

That the motion referred from council assembly as a recommendation to cabinet, set out below be noted and agreed, and the comments of the strategic director of environment and leisure, contained in the report be noted.

1. That council assembly expresses condolences for the tragic deaths of Hichame Bouadimi, Ellie Carey and many other cyclists and pedestrians who have been killed in road accidents in recent years in Southwark.
2. That council assembly notes that the number of people killed on Britain's roads increased by 3% in 2011 to 1,901 – the first increase since 2003. It also notes that the number of pedestrians killed jumped by 12% to 453.
3. That council assembly regrets the then Conservative Transport Secretary, Phillip Hammond's pledge to "end the war on the motorist" in 2010 which has led to the removal of speed cameras, the abolition of national casualty-reduction targets, the proposal of 80mph speed limits and the reduction in the number of charges for death by dangerous driving.

4. That council assembly also regrets the decision by Transport for London (TfL) to change the phasing of London's traffic lights, ostensibly to improve traffic flow, which has made roads less safe for cyclists and pedestrians.
5. That council assembly welcomes measures introduced by the council to promote cycling and to improve road safety including:
  - Becoming the first London council to install Trixi mirrors at four junctions in Southwark, with eight more junctions earmarked
  - Carrying out spot checks on cyclists and drivers breaching traffic enforcement laws in order to crackdown on dangerous driving
  - A comprehensive road safety education, training and publicity programme – including for lorry drivers - and a safer routes to school programme (SRTS), which aims to encourage and enable children to walk or cycle to and from school through the introduction of targeted traffic calming and the creation of safer walking and cycling routes.
6. That council assembly believes that the biggest cause in road deaths is speeding and therefore calls on the cabinet:
  - For Southwark to become a 20mph borough
  - To call on the Association of Chief Police Officers (ACPO) to ensure police enforce 20mph speed limits
  - To call on TfL to give greater flexibility and support for the use of average speed cameras.

And also for:

More to be done to make TfL operated roads safer and calls for greater transparency for TfL's review of dangerous junctions in Southwark.

### **Bus services in the south of the borough**

That the motion referred from council assembly as a recommendation to cabinet, set out below be noted and agreed.

That council assembly believes that improvements are needed by TfL to bus services in the south of the borough, and in particular requests the cabinet to report on:

1. Further work lobbying the Mayor of London and Transport for London (TfL) to secure an extension of bus route 42 to Sainsbury's Dog Kennel Hill via North Dulwich station.
2. Continuing complaints about the reliability and frequency of the 37 and 3 bus services, as well as the frequency of the 12 during the rush hour.



3. The feasibility of TfL extending the 201 bus service eastwards from Herne Hill to provide better east/west services through Dulwich.
4. Support and working with TfL on extending the 63 bus service onto Honor Oak Park station to provide connection with London Overground services following the excellent campaign by Peckham Rye's Labour councillors and Val Shawcross, Assembly Member, to extend the number 63 route. Council assembly notes that the extension of the 63 route was a key pledge from Ken Livingstone at the last election but was opposed by Boris Johnson and is concerned whether there is the political will from the current Mayor of London to deliver this extension.
5. Options for new buses on the 12 route that represent an effective use of public money.
6. TfL improving bus links to the Kingswood estate, one of the most geographically isolated parts of Southwark, where many residents can not afford to use the nearby Sydenham Hill train station.
7. TfL providing a direct bus service from the south of the borough to Kings College Hospital.

### **Social housing in mixed communities**

That the motion referred from council assembly as a recommendation to cabinet, set out below be noted and agreed.

1. That council notes that not only is the current administration investing £326 million to ensure every council home in Southwark is warm, dry and safe by 2016, it is also building 1000 new council homes in Southwark over the next eight years - more than have been built in all of London in the last 10 years. It regrets that the previous administration failed to build enough council housing, had an unworkable and unfunded decent homes programme which left many Southwark residents without decent homes and by the end of their time in office left Southwark with 7,800 fewer council homes.
2. That council notes the publication of the 'Ending Expensive Tenancies' report by Policy Exchange in August 2012, which called on councils to sell off higher valued social homes and replace them with others in cheaper areas.
3. That council also notes the reaction of the leader to the report on his blog: "the blanket policy proposed by the paper of selling-off all council properties above a certain value is flawed and would undoubtedly lead to the removal of genuinely affordable social housing from certain areas."
4. That council recognises that there is a need for affordable housing in all parts of the borough, and that many key workers and other residents in lower pay brackets live in social homes in those parts of the borough where land values are highest. That is why this council opposes the government's housing benefit cap, opposes the introduction of affordable rent at 80% of market rent, opposes the ending of secure tenancies, opposes the slashing of the social housing budget by £3.9 billion and is building 1000 new council homes in Southwark over the next 8 years.

5. That council is concerned that the government's housing benefit cap will further social segregation in the borough and agrees with the comments of Simon Hughes MP when he told the BBC in January "As it currently stands, the benefits cap will break up families...there are bottom lines in politics and that one is making sure that those with least finances and the most mouths to feed, and the most needy are protected." However it regrets that only five months later Simon Hughes ignored his own warning and voted to cap housing benefit for families in Southwark.
6. That council welcomes Southwark Council's plans to build more council homes, which has been made possible by the council's decision to accept "in lieu" payments from developers rather than requiring them to deliver on-site "affordable housing" where that "affordable housing" is anything but affordable. It is perplexed that the Liberal Democrats claim to support Labour's plan to deliver 1000 new council homes but do not support the proposed means of delivering them and would encourage Southwark Liberal Democrats to explain how they would pay for new council homes.
7. That council notes and regrets that Simon Hughes MP recently voted to allow developers to deliver 0% affordable housing on new developments. Council therefore calls on cabinet to write to the government and call on them to drop the proposal in the Growth and Infrastructure Bill that lets developers wriggle out of their affordable housing requirements.

## **22. POLICY AND RESOURCES STRATEGY 2013/14 - 2015/16: REVENUE BUDGET**

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept the item as urgent as the council is committed to publishing budget proposals at the earliest possible opportunity to ensure they are available to the public for comments and questions. Under the council's constitution there is a requirement for the overview and scrutiny committee to review and challenge budget proposals. Presenting the report to this cabinet meeting gives the opportunity for debate prior to presentation of final budget figures at council assembly on 27 February 2013.

### **RESOLVED:**

1. That it be noted that the Autumn Statement was published on 5 December 2012 with details of the provisional settlement for local government for 2013/14 and 2014/15 received on 20 December 2012.
2. That the initial analysis of the implications for the council of the Autumn Statement and the provisional settlement be noted.
3. That the new funding arrangements for local government be noted, particularly the arrangements for the localisation of business rates and the risks and opportunities that this creates.
4. That the response to the provisional statement made to the Department for Communities & Local Government (DCLG) by the cabinet member for finance, resources and community safety, including specific references to the timing of the settlement and related information be noted.

5. That the loss of Early Intervention Grant (EIG) of £6.1m in 2013/14 and a further provisional loss of £918k in 2014/15 be noted.
6. That the 2013/14 budget proposals contained within the report to achieve a balanced budget for consideration by cabinet with particular reference to the notional 2013/14 budget approved by council assembly in February 2011 be noted.
7. That the strategic director of finance and corporate services prepare a further report setting out a balanced budget for 2013/14 for approval by cabinet on 12 February 2013 for recommendation to council assembly on 27 February 2013, including:
  - the intention to freeze Council Tax at current levels and to accept the government's freeze grant arising from this decision.
  - the commitment to new growth and commitments of £11.8m per annum, including new commitments to support welfare provision of approximately £3.5m, in addition to the creation of a welfare hardship fund (as in paragraph 8).
  - the target to save approximately £24.9m per annum arising from efficiencies, income generation and other savings.
  - the provision of contributions from council balances of £6.7m in consideration of the need to make best use of these balances during a period of significant reductions in government funding.
  - the inclusion of ring fenced Public Health funding consistent with the announcement by DCLG for the council and note that this function will be included within the council budget statements moving forward.
  - the transfer from the Department of Works and Pensions of Social Grant funding for small grants, crisis loans and administration and the intention to allocate this grant in full to support a council scheme that will be developed to support the most vulnerable residents in Southwark.
8. That the setting aside from balances and reserves the specific sum of £800k in 2013/14 created by the proceeds generated as a consequence of Council Tax reforms approved by council assembly for the purposes of a Welfare Hardship Fund be noted.
9. That the strategic director of finance and corporate services and strategic director of housing and community services make recommendations on how the Welfare Hardship Fund may be managed and administered to target the most vulnerable residents and groups in Southwark.
10. That it be noted that performance reports are being prepared for both the Youth and Community Restoration Funds and the commitment that will be made to the Youth Fund for a further three years to 2016/17 also be noted.

11. That the provisional settlement for 2014/15 be noted and the strategic director of finance and corporate services prepare detailed budget options for consideration by cabinet in the spring of 2013 for wider consultation with residents and other stakeholders.

#### **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.

The following is a summary of the closed part of the meeting.

#### **23. MINUTES**

The closed minutes of the meeting held on 11 December 2012 were approved as a correct record and signed by the chair.

#### **24. RELOCATION OF CROSSWAY CHURCH: NEW KENT ROAD TO HAMPTON STREET**

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

#### **25. DISPOSAL OF CAR POUND AT MANDELA WAY, LONDON SE1**

This item was withdrawn.

#### **26. DISPOSAL OF 161 DENMARK HILL, LONDON SE5 8EF**

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

The meeting ended at 6.13pm.

**CHAIR:**

**DATED:**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 6 FEBRUARY 2013.**

**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.**