



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 22 October 2013 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Peter John (Chair)
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Dora Dixon-Fyle
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Victoria Mills
Councillor Veronica Ward

1. APOLOGIES

Apologies for absence were received from Councillor Barrie Hargrove.

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 reasons of urgency, to be specified in the relevant minute:

Item 7 – Deputation requests

3. 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.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

5. PUBLIC QUESTION TIME (15 MINUTES)

The following question was submitted by Mr Jerry Hewitt to the deputy leader and cabinet member for housing management. Mr Hewitt did not attend the meeting to ask the question. The question was read out by the deputy leader and answer given as set out below:

Question to Councillor Ian Wingfield from Jerry Hewitt:

“Southwark Council monitors and attends annual general meetings of recognised tenants and residents associations. For the period 1 April 2012 to 31 March 2013 what was the total attendance for all recognised Tenants and Residents Associations (TRA) annual general meetings (AGMs) tallied-up and is not it entirely fake to have ‘members’ who do not know they are members?”

Response by Deputy Leader and Cabinet Member for Housing Management:

“We do not have figures available for all Tenants and Residents Associations (TRA) annual general meetings (AGMs) during that period as in many cases attendance is not counted beyond ensuring that a meeting is quorate. Of the 68 meetings in the period that we have data for these show a total attendance of 1339 people. This averages approximately 20 residents per meeting.”

6. MINUTES

RESOLVED:

That the open minutes of the meeting held on 17 September 2013 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

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 request had been submitted in line with the constitutional deadline for the receipt of deputation requests and was therefore eligible for consideration by cabinet.

RESOLVED:

That the deputation requests be heard.

Summary of the deputations heard:

Oswin Street Residents Association

The deputation spokesperson addressed the meeting and highlighted the impact the construction route and works was having on the residents of Oswin Street and went on to request a number of measures to be put in place to reduce the impact of the construction works including the consideration of an alternative construction route.

It was agreed that the cabinet member for regeneration and corporate strategy respond to the concerns and requests raised by the deputation and a meeting arranged with the deputation representatives if necessary. It was also agreed that report on the issues raised by the deputation be submitted to the next cabinet meeting.

Canada Estate Tenants and Residents Association

The deputation spokesperson addressed the meeting on the proposals to build on the Canada Estate contained in the Direct Housing Delivery Phase 2 report, item 15 on the agenda. The deputation made a number of requests in relation to inter estate movement and for the need for more one bedroom properties and purpose built properties suitable for the elderly and disabled people, and the desire for sustainable development.

Rotherhithe Area Housing Forum

The deputation spokesperson addressed the meeting on the use of the former Albion Street library building contained in the Direct Housing Delivery Phase 2 report item 15 on the agenda. The deputation spokesperson stressed that the site land needed to be used for social housing.

Representatives of Local Businesses in Blenheim Grove

The deputation addressed the meeting on issues contained in the Gateway to Peckham report item 17 on the agenda and put questions to the cabinet in respect of issues relating to the proposed Gateway to Peckham project and the impact on businesses in the immediate area.

Homeowners' Council representatives

The cabinet received a deputation from representatives of the Homeowners' Council in respect of the Homeowner improvement plan, item 13 on the agenda and homeowner related issues.

8. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL REABLEMENT HOME CARE SERVICES

RESOLVED:

1. That the procurement strategy outlined in the report, to undertake a competitive tender to establish 2 reablement contracts (with a north/south split) which will be for a term of 3 years from 1 May 2015, with provision to extend the contracts for a further 3 years by one year extensions be approved.
2. That it be noted that the projected maximum estimated annual contract value for each of the 2 demand-led contracts is £1m, and therefore the estimated total contract value (for both contracts) for the initial 3 year term is £6m, and £12m if all extension options are exercised.

3. That it be agreed that the procurement will be open to London Borough of Lambeth as detailed in paragraph 37 of the report, and it be noted that the estimated contract values relate to Southwark only.

9. LOCAL WELFARE PROVISION - SOUTHWARK EMERGENCY SUPPORT SCHEME, REVIEW OCTOBER 2013

RESOLVED:

1. That the findings of the review of Southwark's Emergency Support scheme be noted and it be agreed that the existing provision be retained for the period up until 31 March 2014.
2. That the existing model of support be continued by developing the ongoing relationship with Community Action Southwark and a further review be undertaken in April 2014 in the order to assess future funding requirements with a report to be delivered to cabinet by June 2014.
3. That officers continue to keep under review referrals to the scheme made by the Department for Work and Pensions (DWP) arising from changes in policy and the subsequent impact on the council's budget.
4. That the strategic director of finance and corporate services set aside any unspent balances from this years scheme for welfare and hardship needs and reports these to cabinet in future monitoring reports.

10. POLICY AND RESOURCES STRATEGY 2014/15 TO 2016/17: SCENE SETTING REPORT AND REVENUE BUDGET OPTIONS, INCLUDING BUDGET CONSULTATION OUTCOME

RESOLVED:

1. That the impact on 2014/15 resources identified by the government's consultation documents, and subsequent £2.5m increase in the budget gap for 2014/15 from £23m as notified 26 June 2013 cabinet to £25.4m be noted.
2. That the provisional funding gap for 2015/16, subject to the funding settlement, of £40m be noted.
3. That the available feedback from on-line consultation and community conversation events held at venues across the borough during summer and early autumn be noted.
4. That officers explore options to address the 2014/15 budget gap including scope for additional business rates growth, improved council tax collection and recovery, use of unapplied New Homes Bonus, increased use of future NHB to support revenue, further strategic financing opportunities from the acquisition of Tooley Street, refinancing of PFI schemes, reduction in contingency and contributions to balances, and confirming further possible government funding such as free school meals.

5. That officers continue to work on budget options for a balanced budget in 2014/15 for presentation to the cabinet in the autumn of 2013.

11. WORKFORCE REPORT AND WORKFORCE STRATEGY

RESOLVED:

1. That the information contained in the workforce report for 2012/13 be noted and the action contained be endorsed.
2. That workforce strategy be agreed as the medium term aims for the council's management of its staff.

12. INCREASING TENANT AND HOMEOWNER PARTICIPATION IN THE DELIVERY OF COUNCIL HOUSING SERVICES

RESOLVED:

1. That officers be tasked with exploring the options for increasing tenant and homeowner management of and involvement in council housing services as set out in paragraphs 26 – 35 of the report in consultation with residents.
2. That work be undertaken to identify suitable estates, subject to the provisions of paragraph 53 (a-b) of the report, which can be transferred to the management of existing tenant management organisations (TMOs) should the residents so wish. Any proposal in this area would utilise the voluntary development process already established.
3. That where the number of properties wishing to join an existing TMO exceeds the percentage proposed in paragraph 53 (a-b) of the report, that the tenant management initiatives (TMI) team in the specialist housing services division develop a shortened process, under the provisions of the Right to Manage regulations 2012 (paragraph 20 of the report refers).
4. That the strategic director of housing and community services ensures that there is a clear route of progression for any residents group which wishes to provide one or more element of a landlord service themselves.
5. That officers undertake promotional work on tenant management across the borough, specifically targeting areas not yet represented in existing consultation and participation forums.
6. That work be undertaken to identify and map individual street properties located in the vicinity of existing TMOs and to seek agreement with residents for future management functions to be carried out by an identified TMO (paragraph 63 of the report refers).

7. That officers promote the take up of the 'Community Cashback' scheme with residents groups in the borough and utilise available funding from central government to devolve limited housing functions to local residents groups (paragraph 64 of the report refers).
8. That officers undertake a continued project that seeks to identify where it is appropriate for new homes, developed under the initiative to build 10,000 new council homes, to be either under the management of existing TMOs or to create new TMOs from the outset as the new homes are let (as set out in paragraph 66 of the report).
9. That the proposed approach to increase resident involvement, both in the short and long terms, as set out in paragraphs 36 – 51 of the report be noted, and officers work up options for further consideration by the cabinet.

13. HOMEOWNER IMPROVEMENT PLAN

RESOLVED:

1. That the proposed homeowner improvement plan be agreed.
2. That the introduction by the maintenance and compliance division of technical officers, in line with the extra resources agreed in a previous decision of 14 May 2013 be noted. That it also be noted that the roles will involve pre and post inspection of communal repairs and the 'real time' monitoring of accounts.
3. That the contract variation to the existing Southwark Citizens Advice Bureaux (CAB)-run service for leaseholders to include an additional £22,000, over and above the existing budget of £26,504, enabling the provision of one full-time worker to extend the service to all areas of the borough be noted.
4. That the proposal to deliver a "homeowner information centre", in order to create greater support to the homeowners' council and the Leaseholders Association of Southwark 2000 (LAS2000) in responding to homeowners' needs be agreed.
5. That it be noted that the service for the information centre would be effected by the creation of a service delivery contract between LAS2000 and Leathermarket JMB, in line with the business plan prepared by an external consultant, and would be funded from the existing homeowner involvement budget (the homeowners' fund). That it also be noted that the one full-time and one part-time posts created under the proposal will replace the existing two involvement officer posts currently vacant, funded from the same source.
6. That authority be delegated to the head of specialist housing services, as budget holder for the homeowners' fund, to negotiate the information centre budget.
7. That the delivery in July 2013 of a system to enable the online viewing of service charge accounts, including invoice breakdowns, by customers, and the expected delivery by April 2014 of online access to unitemised repairs details, subject to corporate decisions on the development of online services be noted.

8. That the proposal to update the homeowners guide in line with current policy, primary and secondary legislation, and case law be noted. That it also be noted that it is proposed to appoint an external consultant to lead the process, with the appointment subject to a separate gateway report.
9. That the formation of a working group to review the current debt recovery process to ensure that it is best able to balance the requirements of the council as landlord with those of homeowners who pay service charges be noted.
10. That agreement be given to the implementation of a buy back scheme, prioritising homeowners in danger of losing their homes because of financial hardship but also taking into account the other considerations listed in paragraph 104 of the report. The scheme is to be open to all resident leaseholders (with the exception set out in paragraph 106 of the report), not just those who originally exercised their Right to Buy.
11. That officers create appropriate procedures to implement the buy back scheme, including weighting the criteria set down in paragraph 104 of the report and with relevant input from the homeowners' council.
12. That the repurchase price in cases where the homeowner remains in occupation be set at 40% of the vacant possession value for the reasons explained in paragraph 107 of the report.
13. That, in the exceptional cases where vacant possession is gained, the purchase price should not exceed open market value.
14. That the scheme does not extend to repurchasing on a shared equity basis.
15. That in accordance with points 48 and 116 of the report, a minimum capital budget of £500,000.00 be allocated from within HRA capital resources for buy-backs during the 2014/15 financial year and that this figure be reviewed for subsequent years once demand and resource levels can be more accurately assessed.
16. That approval of purchases be delegated to the strategic director of housing and community services.
17. That a policy be developed to offer all leaseholders the option to surrender their current lease for a new lease on a fixed service charge basis. This offer would be a once-only offer to be kept open for a limited period.
18. That the benefits and drawbacks of making such an offer be noted.
19. That a policy to allow the sale at a discount to some or all of the leaseholders of the freehold reversionary interest in blocks where all constituent flats have been sold on long leases be agreed. This policy will reflect the changes to the general consents made by the Secretary of State pursuant to Part II of the Housing Act 1985.

14. GATEWAY 1: MAJOR WORKS CONTRACTOR FRAMEWORK

RESOLVED:

That the procurement strategy outlined in the report for a housing and related services major works contractor framework covering 4 lots (for main building works, district heating works and communal electrics work as further detailed in paragraph 9 of the report at a total estimated annual cost of up to £92m for a period of four (4) years from 1 September 2014, making a total estimated contract value of up to £368m be approved.

15. DIRECTLY FUNDED HOUSING DELIVERY: PHASE 2

RESOLVED:

Decisions of the Cabinet

1. That progress to date of phase 1 of the directly delivered housing delivery programme be noted.
2. That it be agreed in principle that the schemes listed in paragraph 45 of the report are worked up in accordance with the individually identified recommendations as Phase 2 of an overall programme for direct delivery of new council housing on council owned sites.
3. That the consultation undertaken on some schemes in paragraph 45 of the report to date be noted.
4. That a specific strategy for consulting with residents is agreed with the relevant tenants and residents association / other relevant representative body for each of the Phase 2 schemes.
5. That officers explore opportunities to develop the Joseph Lancaster Nursery annexe site in partnership with the Leathermarket Gardens Joint Management Board.
6. That agreement be given to the inclusion of the Old Kent Road / St James Road site referred to in paragraph 24 of the report and the Castle Resource Centre, referred to in paragraph 45 of the report) within the Phase 1 Programme, and therefore to be delivered as part of the Phase 1 procurement arrangements.
7. That the procurement approaches and proposals for phase 2 outlined in paragraphs 57 to 63 of the report be noted.
8. That the position in respect of funding bids to the Greater London Authority for grant funding as outlined in paragraph 40 of the report be noted and that it be further noted that the council will be required to enter into a formal agreement with the Greater London Authority in relation to all funding awarded.

9. That the ongoing preparation of proposals to develop 10,000 further homes, as outlined in paragraphs to 64 to 70 of the report be noted.

Recommendations for the Leader of the Council

10. That the approval for the procurement approaches for phase 2B, both professional services and construction be delegated to the chief executive.
11. That gateway 2 decisions for work packages in Phase 1 be delegated to the chief executive.
12. That decisions on scheme substitution that prove necessary because of unforeseen circumstances in Phase 1 and Phase 2 be delegated to the cabinet member for regeneration and corporate strategy.

16. PECKHAM AND NUNHEAD AREA ACTION PLAN: TABLE OF POTENTIAL MAIN MODIFICATIONS REQUIRED BY THE INSPECTOR

RESOLVED:

1. That it be agreed to formally consult on the potential main modifications to Peckham and Nunhead Area Action Plan (AAP) publication/submission version (Appendix A). The table of potential main modifications required by the Planning Inspector, subject to consultation is set out in Appendix B of the report.
2. That the Inspector's post hearing note, setting out the requirement to consult on the potential main modifications (Appendix C) be noted.
3. That the minor updates to some of the supporting documents: the sustainability appraisal (Appendix D), the equalities appraisal (Appendix E), the proposed adopted policies map (Appendix F) and the schedule of proposed changes to the adopted policies map (Appendix G) be noted.

17. GATEWAY TO PECKHAM - PUBLIC SQUARE AND STATION REGENERATION

RESOLVED:

That the contents of the report be noted.

18. PUBLICATION/SUBMISSION DRAFT CANADA WATER AREA ACTION PLAN (AAP)

RESOLVED:

1. That council assembly be recommended to consider the publication/submission draft Canada Water area action plan (Appendix A), proposed changes to the adopted policies map (Appendix B), the sustainability appraisal (Appendix C), the equalities analysis (Appendix D), the consultation plan (Appendix E), the consultation report (Appendix F) and the Appropriate Assessment (Appendix G).

2. That council assembly be recommended to agree the publication/submission draft Canada Water area action plan for publication and submission to the Secretary of State provided no substantive changes are necessary following consultation.
3. That council assembly be recommend to delegate the approval of any minor non-substantive amendments resulting from its meeting or consultation on the publication/submission draft Canada Water area action plan to the director of planning in consultation with the cabinet member for regeneration and corporate strategy prior to its submission to the Secretary of State.

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

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.

19. MINUTES

The closed minutes of the meeting held on 17 September 2013 were approved as a correct record and signed by the chair.

20. HOMEOWNER IMPROVEMENT PLAN

The cabinet considered the closed information relating to this item. See item 13 for decision.

The meeting ended at 6.30pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, THURSDAY 31 OCTOBER 2013.

WITH THE EXCEPTION OF ITEM 18 WHICH FORMS PART OF THE BUDGET AND POLICY FRAMEWORK AND IS 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.