

Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 7 June 2016 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Peter John OBE (Chair)
Councillor Stephanie Cryan
Councillor Maisie Anderson
Councillor Fiona Colley
Councillor Richard Livingstone
Councillor Victoria Mills
Councillor Johnson Situ
Councillor Mark Williams
Councillor Ian Wingfield

1. APOLOGIES

Apologies for absence were received from Councillor Barrie Hargrove. Apologies for lateness were received from Councillor Peter John.

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

There were none.

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

There were no closed items considered at this meeting. However, cabinet considered a closed appendix circulated in respect of item 8, Scrutiny Review of Southwark's Non-residential property.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. PUBLIC QUESTION TIME (15 MINUTES)

Public Question from Fay Walker

Given infrastructure at Canada Water is already at capacity, can you guarantee that further residential development will not be allowed before all necessary provision has been made in terms of transport, GPs surgeries, schools, leisure facilities etc?

Response from Cabinet Member for Regeneration and New Homes

The council is expecting to receive planning applications which will deliver its vision for the highest quality new town centre at Canada Water which will deliver quality shopping and public realm, jobs, homes and new open spaces. The applicants will be required to submit material in support of the application including details of the impact on transport and other local services for assessment by the Local Planning Authority [LPA]. The LPA will consult relevant statutory agencies responsible for services such as TfL, NHS Southwark, and Southwark Children's Services, and the outcome of this process will form part of the report which will be considered by the planning committee. In anticipation of the application the council is working actively with its partners to plan services to meet the additional demand created through the anticipated development. We are confident that these measures summarised below will meet planned growth at Canada Water; however we will continue to monitor the impact of development through the planning process and modify plans as necessary.

Transport

Our current approach is to address capacity through a multimodal interventions as follows;

- TfL have increased Jubilee line trains to 30 per hour at peak times in 2015, and have committed to increasing this to 36 per hour serving Canada Water station during the busiest periods by 2019. This upgrade will result in one train every 2 minutes at peak periods. The opening of the Elizabeth line (formerly Crossrail) in 2018 and improved services on the Overground will also help to relieve congestion. Canada Water station is experiencing higher than normal levels of usage at the moment due to works at London Bridge Station, and these will be completed in 2018.
- The council has recognised that traffic congestion around Lower Road and Jamaica Road is a problem for residents on the peninsular. The council continues to work with TfL to bring forward plans for improving this highway corridor. Rotherhithe roundabout has now been included in TfL's better junctions programme which will provide investment to transform this unsafe and unwelcoming section of the local highway network.
- TfL are considering options to improve bus routes to better meet the needs of residents and to improve capacity for the future. The plans will be set out in a "bus network plan" to be published later this year. It is expected to focus on improved services for Canada Water station and local shops. The plans will include improvements to roads and infrastructure and measures to improve bus routes such as the 188.
- The council is currently working with TfL on their proposals for a new Cycle Superhighway running from Tower Bridge to Greenwich via Surrey Quays, and on extending the Santander Cycle Hire scheme through Bermondsey and Rotherhithe, as well as the proposed cycle and pedestrian bridge linking the peninsular with Canary Wharf.

Schools

The council considers education as one of its priorities and has taken steps to make sure there are sufficient school places in Rotherhithe. The council keeps under constant review the demand for school places; this includes anticipated population growth from developments. Based on these projections the council is in the process of implementing a significant investment programme to meet anticipated school place demand. The investment programme includes expansion of Albion, Redriff and Rotherhithe Primary Schools and the building of a new primary school on the former Galleywall Primary School site. The council will continue to monitor the impact of development to ensure local schools can meet anticipated demand. We also support local residents who are calling for Bacon's College to move to a more local admissions policy.

Health

The council is working with NHS Southwark to plan provision of GP surgeries at Canada Water. The Surrey Docks Health Centre was recently provided new premises to accommodate an additional 5,000 patients, and we are working with the NHS on a proposal to re-house the Albion Street Health Centre into new and larger premises close by. The council and NHS Southwark will continue to monitor the impact of development to ensure local facilities can meet anticipated demand.

Leisure

The council is currently consulting about plans for a new leisure centre on a site within the proposed town centre. The proposal would be significantly larger than the existing Seven Islands facility and would comprise an eight lane pool, learner pool, four courts sports hall, three studios and a 150 station gym. The council's cabinet will make a final decision on whether to proceed with the preferred site later this year.

Supplemental question

Fay Walker asked a supplemental public question on how the proposed numbers of new residents would be planned for by the council and external agencies.

Councillor Mark Williams confirmed that the Canada Water masterplan would go into greater detail, including how transport would be improved throughout the area and where funding would come from.

Public Question from Toby Eckersley

What lessons have been learned from the report and recommendations of the Local Government Ombudsman in respect of the council's maladministration and failure to comply with the law in the matter of the compulsory purchase and eviction of a Heygate leaseholder?

Response from Cabinet Member for Regeneration and New Homes

The Ombudsman did criticise the council for being a day late in paying the leaseholder concerned advance compensation.

As a result of the Ombudsman's findings, a compensation payment was made to the leaseholder together with a written apology.

The lesson to be learned is to tighten up on recording and dissemination of documentation

internally. The procedure that applied to advance payments of compensation is being superseded by revised provisions contained in the recent Housing and Planning Act 2016 and these will be applied in future cases.

Supplemental question

Toby Eckersley asked whether, following the Ombudsman's report, proper compliance should be moved towards immediately.

Councillor Mark Williams confirmed that the council were proceeding with this, and that the council had found the Ombudsman's report very helpful.

6. MINUTES

RESOLVED:

That the open minutes of the meeting held on 15 March 2016 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

The chair acknowledged receipt of a deputation request from the Aylesbury Leasehold Action Group. As the group were in correspondence with council officers on the issues raised, it was advised that this should continue before cabinet considers whether or not to hear their request. The deputation procedure rules provide that when a request has an alternative means of expressing their views through recognised channels that this option should be followed in the first instance.

8. SCRUTINY REVIEW OF SOUTHWARK'S NON-RESIDENTIAL PROPERTY

RESOLVED:

1. That the recommendations below be noted and a report be brought back by September 2016:
 - a) That a new policy should be introduced which makes available to the public information about the non-residential properties Southwark is renting and leasing out. The register should include the name of the tenant, the annual rent, the amount of any up front premium paid, the date the agreement was signed and the date the agreement is due for renewal. This should be phased in over two years
 - b) That officers should be instructed to introduce a robust documentation management system for all documents relating to the non-residential portfolio
 - c) That officers should be instructed to introduce a robust system for monitoring lease renewal dates and the repair and maintenance of properties
 - d) That the director of regeneration be asked to carry out a review which should include checking that appropriate process controls are in place throughout the

property portfolio

- e) To ensure that the Asset Management Plan includes a framework which allows flexibility for officers to negotiate rents. This should include clarity about deviation from market rents and ensure that checks are put in place where such decisions are made.

9. TIME TO CARE: A FUTURE VISION OF CARE IN SOUTHWARK. A REPORT FROM THE HEALTHY COMMUNITIES SCRUTINY SUB-COMMITTEE

Councillor Rebecca Lury, chair of the healthy communities scrutiny sub-committee presented the scrutiny report to cabinet.

RESOLVED:

That the recommendations be noted and that the cabinet member for adult care and financial inclusion brings back a report to cabinet by September 2016, in order to respond to the overview and scrutiny committee.

10. UPDATE ON CHILDREN'S CENTRES PROGRAMME

RESOLVED:

1. That the progress in implementing a new model of managing the delivery of children's centres in Southwark following changes in national policy be noted.
2. That grants to lead agencies for the delivery of the children's centres programme in line with the model as set out in paragraph 32 of the report be approved.

11. AYLESBURY ESTATE REGENERATION PHASE 2

RESOLVED:

That the new approach to agreeing valuations of property with affected homeowners on the Aylesbury Estate from Phase 2 onwards to include a non-binding arbitration process, as set out in the report be agreed, if requested by the leaseholder or freeholder.

12. DRAFT OLD KENT ROAD AREA ACTION PLAN

RESOLVED:

1. That the draft Old Kent Road Area Action Plan (Appendix A) and the proposed changes to the adopted policies map (Appendix B) for public consultation be approved.
2. That the integrated impact assessment (Appendix C), the consultation plan (Appendix D) and Habitats Regulations assessment (Appendix E) be noted.

13. COMMUNITY INFRASTRUCTURE LEVY (CIL) PRELIMINARY DRAFT CHARGING SCHEDULE AND DRAFT ADDENDUM TO THE ADOPTED SECTION 106 AND COMMUNITY INFRASTRUCTURE LEVY SUPPLEMENTARY PLANNING DOCUMENT (2015)

RESOLVED:

1. That the Community Infrastructure Levy (CIL) preliminary draft charging schedule (Appendix A) and the draft "Regulation 123 List" (the list of infrastructure items which will not be funded by section 106 planning obligations) (Appendix B) be approved for public consultation.
2. That the draft addendum to the adopted Section 106 and Community Infrastructure Levy Supplementary Planning Document (2015) (Appendix C) be approved for public consultation.
3. That the draft infrastructure plan (Appendix D), equalities analysis (Appendix E), consultation plan (Appendix F), SEA screening assessment (Appendix G) and Habitat Regulations Assessment (Appendix H) be noted.

14. POLICY FOR CONSIDERING INTERVENTION UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 TO ENABLE REDEVELOPMENT TO PROCEED

RESOLVED:

1. That it be agreed to consider using the provisions of s227 of the Town & Country Planning Act 1990 on a case by case basis to enable stalled developments to proceed.
2. That the principles set out in Appendix A of the report to evaluate applications to use the provision of s227 of the Town & Country Planning Act 1990 be adopted.

15. FAIRER FUTURE PROCUREMENT STRATEGY FOR SOUTHWARK COUNCIL

RESOLVED:

1. That The Fairer Future Procurement Strategy be approved. This replaces the contracts and procurement strategy in the medium term resources strategy.
2. That the introduction of a strategic assessment (gateway zero) into the procurement governance process for service contracts over £10m be approved.
3. That the next steps for enhancing our commitment and approach to social value in procurement as outlined in paragraphs 23 to 32 of the report be noted.
4. That the additional actions to combat the practice of 'blacklisting' as detailed in paragraphs 33 to 42 of the report be endorsed.
5. That it be noted that there will be consequential amendments to the constitution, including the contract standing orders, following the approval of the Fairer Future

Procurement Strategy to reflect updates required as highlighted in the report.

16. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - CONTRACTOR SERVICES FOR THE DELIVERY OF COMMERCIAL WAY NEW HOMES DELIVERY

RESOLVED:

Decision of the Cabinet

1. That the procurement strategy to undertake an OJEU tendering process for one of the New Homes Delivery Phase 2 sites (as noted in paragraph 3 of the report) – Commercial Way (two sites bordering Cronin Street) be approved. The total estimated construction works contract sum of the project is £16,735,230. It is estimated that the length of the individual build contracts will be for approximately 18 to 24 months.

Decision of the Leader of the Council

2. That the Gateway 2 decision for Commercial Way be delegated to the chief executive for the reason outlined in paragraph 28 of the report.

17. WORKFORCE DATA REPORT

RESOLVED:

1. That the progress made against the council's workforce strategy 2013-16 be noted.
2. That the workforce reports attached as appendix one and two of the report be noted and that these reports:
 - a) Demonstrate that the council continues to reflect the diversity of the borough in the makeup of its workforce and the levels of change that have taken place have not impacted negatively on the diversity of the workforce;
 - b) Demonstrate that the council has protected frontline staff despite the level of savings that have been made due to reductions in central government funding;
 - c) Suggest a picture of productive and well motivated staff with low levels of sickness, low levels of staff complaints and good rates of staff retention and that this supports the results of the staff survey and the LGA peer review.
 - d) Suggest that the council is an attractive employer given the high numbers of applications that the council receives;
 - e) Will inform the work on the refreshed workforce strategy, suggesting some areas requiring further consideration and action for example in encouraging staff to declare disabilities so that the council can monitor our commitment to employing and retaining staff with disabilities.
3. That it be noted a refreshed workforce strategy will come to the 1 November 2016 cabinet meeting, which will incorporate actions coming out of this report and will

support the delivery of the refreshed council plan.

18. THAMES WATER - REFUND OF OVERPAYMENTS AND FUTURE ARRANGEMENTS

RESOLVED:

1. That the council proceeds with immediate refunds to current tenants, with interest calculated under the provisions of the Water Resale Order 2006, the refunds themselves covering the period 1 April 2001 to 28 July 2013, and with interest covering the period 1 April 2001 to 30 June 2016.
2. That the strategic director of housing and modernisation be instructed to make necessary arrangements for refunds to former tenants covering the periods outlined in paragraph 1 to take place during the course of 2016 and beyond if required.
3. That it be agreed that the preferred option is to terminate the council's contractual agreement with Thames Water.
4. That the strategic director of housing and modernisation be instructed to consult with tenants on the proposal to terminate the contractual agreement with Thames Water, and to provide information regarding likely timescales, their personal responsibilities regarding water charges, and the options available to them once termination has been implemented.

19. PROGRESS REPORT ON MY SOUTHWARK HOMEOWNERS AGENCY

RESOLVED:

That the progress being made on the creation of the new My Southwark Homeowners service as agreed by Cabinet in December 2015 be noted.

20. MOTIONS REFERRED FROM COUNCIL ASSEMBLY 16 MARCH 2016

RESOLVED:

Low water pressure in Bermondsey

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

Council Assembly:

1. Notes with concern ongoing reports from residents and businesses about low water pressure affecting residents across the borough, which is causing problems for residents with daily essentials, including boilers, showers and washing machines.
2. Further notes that Thames Water has acknowledged that the low pressure is a deliberate strategy to reduce burst water mains in the area.
3. Believes that it is unacceptable that thousands of Southwark residents and

businesses, especially those on higher floors, should have to suffer a reduction in water pressure while still being required to pay for a full service.

4. Notes that the council has raised this issue with Thames Water and that Thames Water has apologised for the impact on residents and has agreed to increase water pressure in Rotherhithe following an investigation into over 150 properties in the area.
5. Welcomes the announcement last week from Thames Water that it has increased water pressure in the area following pressure from local councillors and after an additional survey found that the problem was much more extensive than originally thought.
6. Further notes that the council has installed booster pumps in 25 council buildings to improve water pressure.
7. Calls on the cabinet to:
 - ensure that all residents living in blocks where the council is the freeholder also benefit from this return to normal water pressure; and
 - continue working with Thames Water to resolve low water pressure issues for residents across the borough.

East Street Market

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

1. That council assembly celebrates the rich diversity, cultural heritage and many opportunities within the East Street Market, which is one of London's oldest, largest and busiest markets and has been used by local people for decades.
2. That council assembly recognises that improvements are needed to revive the market, to encourage new traders into empty shop units and to create an easier and more sociable shopping experience for the public, including improvements to street cleaning around the market and blocks surrounding East Street.
3. That council assembly welcomes the £207,000 awarded to East Street Market from Southwark Council and the Greater London Assembly (GLA) to regenerate and develop the market.
4. That council assembly calls on the cabinet to work closely with market traders and local businesses to encourage a stronger working partnership and to bring forward improvements to the market which build on the character of the market, encourage growth, and help attract a wider range of customers.

21. APPOINTMENTS TO OUTSIDE BODIES 2016/17

RESOLVED:

1. That the appointments to the outside bodies listed in Appendix A of the report for the

2016/17 municipal year be agreed as follows:

Age UK London

Councillor Richard Livingstone

Better Bankside Board

Councillor Mark Williams

Canada Water Consultative Forum

Councillor Mark Williams
Councillor Kath Whittam
Councillor Stephanie Cryan
Councillor James Okosun

Central London Forward

Councillor Peter John

Centre for Literacy in Primary Education

Councillor Catherine Rose

Creation Trust

Councillor Mark Williams
Councillor Lorraine Lauder
Councillor Paul Fleming

Cross River Board

Councillor Mark Williams

Crystal Palace Community Development Trust

Councillor Jon Hartley

Great London Enterprise Limited

Councillor Mark Williams

Groundwork London, Local Authority Strategic Input Board

Councillor Ian Wingfield

Guys and St. Thomas NHS Foundation (Council of Governors)

Councillor Bill Williams

Kings College Hospital NHS (Council of Governors)

Councillor Kieron Williams

London Road Safety Council (LRSC)

Councillor Ian Wingfield
Councillor Charlie Smith

London Youth Games Limited

Councillor Maisie Anderson
(Deputy: Councillor Evelyn Akoto)

Millwall for All

Councillor Leo Pollak

North Southwark Environment Trust

Councillor Kath Whittam

Potters Fields Park Management Trust

Councillor Peter John
Eleanor Kelly, Chief Executive

South Bank Partnership

Councillor Johnson Situ
Councillor Adele Morris
Councillor David Noakes
Councillor Maria Linforth-Hall

South Bank and Bankside Cultural Quarter Directors Board

Councillor Octavia Lamb

South Bermondsey Big Local Partnership Steering Group

Councillor Richard Livingstone
Councillor Sunny Lambe

South London Gallery Trustee Limited

Councillor Cleo Soanes
Councillor Radha Burgess
Councillor Maria Linforth-Hall

South London and Maudsley (SLaM) NHS Trust Members Council

Councillor Tom Flynn

Southwark Construction Skills Centre (“the Centre”)

Councillor Johnson Situ

Southwark and Lambeth Archaeological Excavation Committee (SLAEC)

Councillor Leo Pollak
(Deputy: Bob Skelly)

Southwark Cathedral Education Centre

Councillor Cleo Soanes

Safer Neighbourhood Board (Southwark)

Councillor Barrie Hargrove

Waterloo Quarter Business Alliance – Southwark (Business Improvement District)

Councillor David Noakes

22. NOMINATIONS TO PANELS, BOARDS AND FORUMS 2016/17

RESOLVED:

1. That the allocation of places to the panels and boards and forums set out in Appendix A of the report for the 2016/17 municipal year be agreed as follows:

Joint Partnership Panel (Trade union consultation)

Councillor Peter John
Councillor Fiona Colley

Homeowners Service Charge Arbitration Tribunal

(Members to act as a pool)

Councillor Sandra Rhule
Councillor Sunny Lambe
Councillor Evelyn Akoto
Councillor Jon Hartley
Councillor Tom Flynn
Councillor Kath Whittam
Councillor Lorraine Lauder
Councillor Dora Dixon-Fyle
Councillor Anood Al-Samerai
Councillor Maria Linforth-Hall
Councillor Eliza Mann
Councillor David Hubber

Southwark Safeguarding Adults Board

Councillor Richard Livingstone

Southwark Safeguarding Children's Board

Councillor Victoria Mills

Standing Advisory Council on Religious Education (SACRE)

Councillor Sandra Rhule
Councillor Sunny Lambe
Councillor Evelyn Akoto
Councillor Maria Linforth-Hall

Tenancy and Leasehold Arbitration Tribunals

Councillor Lorraine Lauder
Councillor Sandra Rhule
Councillor Paul Fleming
Councillor Evelyn Akoto
Councillor Jon Hartley
Councillor Tom Flynn
Councillor Kath Whittam
Councillor Dora Dixon-Fyle
Councillor Anood Al-Samerai
Councillor Maria Linforth-Hall
Councillor Eliza Mann
Councillor David Hubber

Southwark Tenant Management Organisation Committee

Councillor Stephanie Cryan
Councillor Lucas Green
Councillor Karl Eastham
Councillor Sandra Rhule
Councillor Ben Johnson

Meeting ended at 5.50 pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 15 JUNE 2016.

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.