

Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 2 February 2021 at 11.00 am. Online/Virtual meeting.

PRESENT: Councillor Kieron Williams (Chair)
Councillor Jasmine Ali
Councillor Evelyn Akoto
Councillor Stephanie Cryan
Councillor Helen Dennis
Councillor Alice Macdonald
Councillor Leo Pollak
Councillor Rebecca Lury
Councillor Catherine Rose
Councillor Johnson Situ

1. APOLOGIES

All members were present.

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

The chair gave notice of the following late items:

- Item 7: Deputation requests
- Item 10: Policy and Resources Strategy 2021-22
- Item 11: Policy and Resources Strategy: Capital Monitoring report, including capital programme update 2020-21 (Month 8)
- Item 12: Aylesbury Regeneration Programme: Delivery of New Council Homes on the First Development Site
- Item 15: Gateway 3 – Variation Decision: Extension of the Agency Worker contract
- Item 16: Gateway 1 – Procurement Strategy Approval Contractor Services for the Lindley Estate and Bells Gardens New Homes Development

Projects.

Reasons for urgency and lateness will be specified in the relevant minutes.

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

No closed items were considered at this meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. PUBLIC QUESTION TIME (15 MINUTES)

1. Marianne Kavanagh

Which specific list of stakeholders, lobby groups and/or consultants has Southwark communicated with or worked with in devising the monitoring framework and engagement strategy for the forthcoming review of the ETO road measures in Dulwich Village, East Dulwich and Champion Hill?

Response by Councillor Catherine Rose, Cabinet Member for Leisure, Environment and Roads

For the forthcoming, comprehensive review of all of the Dulwich low traffic neighbourhood (LTN) schemes, including Dulwich Village, East Dulwich and Champion Hill the council has not directly, or specifically consulted with any stakeholder groups in devising its own monitoring framework and engagement strategy.

The review will be wide ranging in approach, based on best council practice, leading sector experience and industry best practice. The review will be carried out while working collaboratively with colleagues in our planning policy and public health teams. As well as in conjunction with our consultation, engineering and highways teams. The review will be data driven throughout, and the process will be open and transparent from start to finish.

It is anticipated the review will be ready from mid-February. All stakeholders will be provided with a clear timeline and scope of the review. The brief for the review, and the proposed monitoring and engagement plans will be published to the council website.

All stakeholder submissions to the engagement element of the review will be given full consideration and reported accordingly.

2. Clive Rates

When will Southwark publish the objections and other representations it received in connection with the Phase 1 Emergency Traffic Orders in Dulwich Village and when will it respond to those objections and representations?

Response by Councillor Catherine Rose, Cabinet Member for Leisure, Environment and Roads

The council will be carrying out a comprehensive review of all of the Dulwich LTN schemes, including Dulwich Village, East Dulwich and Champion Hill. The review will include the schemes implemented under Phase 1 for Dulwich Village.

Part of the review will include a complete analysis of all representations to date, including objections to ETOs.

The review is anticipated to be ready from mid-February. All stakeholders will be provided with a clear timeline and scope of the review. The brief for the review, and the proposed monitoring and engagement plans will be published to the council website.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 19 January 2021 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept this item as urgent (the requests had been received in line with the council's constitutional deadline for the receipt of deputation requests).

RESOLVED:

1. That the following deputation requests be heard:
 - Ledbury Resident Project Group
 - Dulwich residents support for low traffic neighbourhoods.
2. A representative from each of the above deputations addressed cabinet for five minutes and questions were asked of each deputation for a period of five minutes.

8. PETITION: END THE 24/7 CLOSURES AROUND DULWICH VILLAGE JUNCTION AND MELBOURNE GROVE AND IMPLEMENT AN AREA-WIDE, CAMERA-CONTROLLED PERMIT SCHEME THAT ALLOWS FAIR AND REASONABLE ACCESS

Cabinet heard representations from the petition spokesperson and asked questions.

RESOLVED:

1. That the petition be received.
2. That the evidence presented by the petition be noted and fed into the review process.

9. LEDBURY ESTATE TOWERS - LEDBURY TOWERS RESIDENTS' BALLOT

RESOLVED:

Decisions of Cabinet

1. That the detailed resident engagement to date be noted and Ledbury Resident Project Group be thanked for their work to date.
2. That it be noted that the proposals align with the Great Estates programme for redevelopment proposals and as such the below five tests will be achieved.
 - a positive ballot on any new estate regeneration (as per the commitment in the Council Plan 2018-2022)
 - a net increase in social rent homes alongside increased density, to meet the acute need of families on our waiting list
 - a right to remain for all rehoused tenants and leaseholders, for keeping communities together
 - intensive co-design of redevelopment proposal, to become co-authors of a new estate plan
 - a clear rationale for any redevelopment proposal, including an explanation of how this would increase housing supply (based on comprehensive density modelling) and/or a transparent stock condition survey.
3. That it be agreed to proceed to a resident ballot for the final option, on the basis of the proposals and commitments within the landlord offer document, for the Ledbury Towers in March 2021. The final option is that the Towers will be demolished in phases, starting with Bromyard House first and replaced

with up to 333 homes.

4. That authority be delegated to the strategic director of housing and modernisation in consultation with the cabinet member for housing any amendments to the landlord offer document in advance of the resident ballot.
5. That it be agreed to receive a report on the outcome of the ballot and a further report on the consequent delivery programme and financial implications in July 2021.
6. That a variation to the housing investment programme, making provision for the estimated costs of developing the delivery programme and assessing financial implications in advance of the cabinet report in July be agreed.

Decisions of the Leader of the Council

7. That the authority to approve a dedicated Ledbury Estate local lettings policy subject to a majority vote in favour of the redevelopment option in the resident ballot be delegated to the cabinet member for housing.
8. That the authority to agree a bespoke shared equity lease for the existing leaseholders in the Ledbury Towers which will allow sub-letting be delegated to the cabinet member for housing.

10. POLICY AND RESOURCES STRATEGY 2021-22

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent as cabinet were required to prepare a budget proposal for submission to council assembly. This was the last cabinet meeting before council assembly on 24 February 2021. The council was required to set a lawful budget by 11 March 2021.

Councillor Ian Wingfield, chair of the overview and scrutiny presented the committee's recommendations to cabinet.

RESOLVED:

1. That it be noted that the 19 January 2021 cabinet report was considered by overview and scrutiny committee on 25 and 26 January 2021 and that the response to the recommendations arising be agreed (Appendix I of the report).
2. That it be noted the final local government finance settlement had not been published at the time of writing this report, no changes from the provisional settlement published on 17 December 2020 are anticipated.
3. That it be noted that the report presents the final balanced general fund

budget proposals for 2021-22 including:

- Efficiencies and improved use of resources savings of £12.175m
 - Income generation proposals of £0.446m
 - Savings impacting on services of £2.611m
 - Commitments and growth of £16.757m
 - Pay awards and contractual inflation of £4.200m (excluding children's and adults services).
4. That this balanced one year 2021-22 budget be submitted to council assembly for approval and
 5. That it be noted that a refreshed outlook of the financial position and local government financing will be considered in the spring to initiate the 2022-23 budget planning process, which is much earlier than previous years.
 6. That the following be removed from the schedule (at Appendix F of the report, public health budget proposals): "PH306 Long acting reversible contraception GP service - end funding for GP LARC service."

NOTE: In accordance with overview and scrutiny procedure rule 16.2 (a) (budget and policy framework) these decisions are not subject to call-in.

11. POLICY AND RESOURCES STRATEGY: CAPITAL MONITORING REPORT, INCLUDING CAPITAL PROGRAMME UPDATE 2020-21 (MONTH 8)

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent as the council regularly updates cabinet on the capital monitoring position. This was vitally important in the current circumstances of the Covid-19 pandemic, and its financial impact on the council's overall financial position.

RESOLVED:

1. That the forecast outturn and resources for 2020-21 and future years for both the general fund and housing investment programmes as detailed in Appendices A, B and D of the report be noted.
2. That the virements and variations to the general fund and housing investment capital programme as detailed in Appendix C of the report be approved.
3. That the inclusion in the programme of the capital bids set out in Appendix E of the report be approved.
4. That the significant funding requirement of £384.1m which needs to be identified for the general fund programme to be fully delivered over the remaining term of the programme, as detailed in Appendix A of the report be

noted.

5. That the significant funding requirement of £103.9m which needs to be identified for the housing investment programme to be fully delivered over the remaining term of the programme, as detailed in Appendix B of the report be noted.

12. AYLESBURY REGENERATION PROGRAMME: DELIVERY OF NEW COUNCIL HOMES ON THE FIRST DEVELOPMENT SITE

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent due to the need for the council to conclude the revised contractual arrangements with Notting Hill Genesis (NHG) in order to secure the delivery of new council homes along with the associated and additional grant funding and, in turn, to be able to let the contract for Package B now on the basis of the negotiated tender.

RESOLVED:

1. That in principle approval to the arrangements set out in the report for the delivery of 581 new council homes on the First Development Site at the Aylesbury Estate be confirmed.
2. That authority be delegated to the strategic director of housing and modernisation, in consultation with the strategic director of finance and governance and director of regeneration, to approve the detailed arrangements in line with the principles set out in the report.
3. That a further budget of £2.4m to meet the increase in estimated construction cost be approved and a reduction in anticipated Greater London Authority (GLA) grant available of £3.5m be noted.

13. EMPTY HOMES ACTION PLAN

RESOLVED:

1. That officers be instructed to review the resources required to deliver the empty homes action plan, including the capital requirement needed from the housing investment programme.
2. That the following proposed actions be agreed, which will be included in a new Empty Homes Action Plan, to bring empty homes back in to use and increase the supply of homes for homeless households in Southwark: (see paragraphs 35-44 of the report for further detail):
 - Maximise use of empty homes designated for redevelopment

- Explore offering enhanced grants tied to long-term leasing
- Plan proactive purchase and repair of empty homes
- Further consider use of Empty Dwelling Management Orders
- Improve the data on empty homes
- Raise awareness and provide advice on options to bring properties back in to use
- Incentivise property owners to let their homes through the council's social lettings agency to homeless families.

3. That representations be made to government concerning the limitations of legal powers and national policy with regard to the ability of local authorities to take action to return empty properties to use.

14. GATEWAY 1 - ACCESS AGREEMENT FOR TRANSPORT FOR LONDON FRAMEWORK CONTRACTS

RESOLVED:

That the council entering into agreements with Transport for London (TfL) for access to their Surface Transport Infrastructure Construction (STIC) framework agreement and to their Highways Maintenance and Projects framework agreement (HMPF) from 1 April 2021 for an initial duration of eight years for potential future award of construction projects following comparison of price, quality, programme and social value with the council's appointed contractor for highways maintenance and projects works be approved.

15. GATEWAY 3 - VARIATION DECISION: EXTENSION OF THE AGENCY WORKER CONTRACT

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent to ensure the one-year contract extension can be implemented before the expiry of the existing contract (April 2021). The financial impact of not extending the contract would be significant for the council's existing agency workers and for the council regarding the cost savings the contract provides.

RESOLVED:

That the extension of the agency worker contract with Comensura Limited for a period of one year commencing 1 April 2021 at an estimated cost of £30m, making the total value of the contract £111.5m be approved.

16. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL CONTRACTOR SERVICES FOR THE BELLS GARDEN AND LINDLEY ESTATE PROJECTS

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to consider this item as urgent as the scheme was due to go into planning shortly and any delay in the cabinet decision would push back the procurement time frames and the ability for the scheme to commence on start prior to May 2022.

RESOLVED:

1. That the procurement strategy for new build works at Lindley Estate and Bells Garden at an estimated cost of £46,000,000 with an contract duration of a maximum of 4 years be approved.
2. That the delegation of the gateway 2 award decision to the strategic director of housing and modernisation, in consultation with the cabinet member for housing, for the reasons outlined in paragraphs 38 to 39 of the report be approved.

EXCLUSION OF THE PRESS AND PUBLIC

That the press and public be excluded form 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 decisions taken in the closed part of the meeting.

17. MINUTES

RESOLVED:

That the minutes of the closed section of the meeting held on 19 January 2021 be approved as a correct record and signed by the chair.

The meeting ended at 1.00pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 10 FEBRUARY 2021.

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.