

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 8 March 2021	<b>Meeting Name:</b> East Central Multi Ward Forum
<b>Report title:</b>		Cleaner Greener Safer 2021-22: Capital Funding Allocation	
<b>Ward(s) or groups affected:</b>		Nunhead & Queens Road, Peckham, Peckham Rye, Rye Lane, Old Kent Road	
<b>From:</b>		Head of Service – Highways (Acting)	

## RECOMMENDATIONS

1. To approve the reallocation of underspent funds carried forward from previous years underspend, current programme underspend and current programme project cancellations
2. To approve the allocation of funds for the 2021-22 Cleaner Greener Safer capital programme in the East Central Multi Ward Area from the list of applications set out in appendix 1.

## BACKGROUND INFORMATION

3. The council's cleaner greener safer capital programme has been running since 2003.
4. £1.88 million has been allocated every year since 2003 for capital projects within the borough.
5. Funding is allocated to individual wards based on a per councillor calculation.
6. Examples of the types of projects that have been funded include:
  - Parks, community gardens, landscaping, tree planting and wildlife areas
  - Children's playgrounds, youth facilities, ball courts and cycle tracks
  - Lighting, security measures, pavements, streets, and tackling 'grot spots'
  - Grants to local groups to self-deliver projects

## KEY ISSUES FOR CONSIDERATION

7. There is £ 417,777 available for the 2020-21 CGS capital programme for

new projects in the East Central multi ward area.

8. There is no additional funding from previous years underspend, current programme underspend and current programme project cancellations.
9. Eligible proposals must bring about a permanent improvement and make an area cleaner, greener or safer.
10. Proposals with revenue costs, including salaries, costs for events, festivals, workshops or other one-off events are not eligible for capital funding. CCTV proposals and internal improvements to housing property and works on schools where there is no access to the general public are also not eligible. Works on private property are not eligible unless there is a long-term guarantee of public access or a demonstrable public benefit.
11. The application form invited expressions of interest for the applicants to deliver projects themselves. A due diligence exercise to ensure that this is both practical and realistic has been undertaken as part of the feasibility process. In such cases, the council would give the funding allocation to the applicant in the form of a capital grant, with appropriate conditions attached.

### **Policy implications**

12. The cleaner green safer programme is fully aligned with the council's policies around sustainability, regeneration and community engagement.

### **Community impact statement**

13. The roles and functions of multi ward areas include the promotion of involvement of local people in the democratic process and to take decisions about local matters.
14. The multi ward forums have delegated authority in the following key areas: The neighbourhoods fund, cleaner greener safer and devolved highways capital programmes and community project banks.
15. An explicit objective within multi ward areas is that they be used to actively engage as widely as possible with, and bring together, Southwark's diverse local communities on issues of shared or mutual interest. The cleaner greener safer programme is an important tool in achieving community participation.
16. In fulfilling the above objectives of multi ward areas to bring together and involve Southwark's diverse local communities, consideration has also been given to the council's duty under The Equality Act 2010 which requires the council to have due regard when taking decision to the need to:

- a. Eliminate discrimination, harassment, victimisation or other prohibited conduct
  - b. Advance of equality of opportunity between persons who share a relevant protected characteristics and those who do not share it
  - c. Foster good relations between those who share a relevant characteristic and those that do not share it.
17. Of particular regard are issues of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
18. Having due regard to the need to advance equality of opportunity is further defined in s.149 as having due regard to the need of:
- a. Remove or minimise disadvantages connected with a relevant protected characteristic
  - b. Take steps to meet the different needs of persons who share a relevant protected characteristic
  - c. Encourage persons who share a relevant protected characteristic participate in public life or any other activity in which they are under-represented.
19. When undertaking the duties under section 149 the council must ensure:
- a. The duty must be fulfilled before the decision in question is enacted
  - b. The duty must be exercised in substance with 'rigour and an open mind'; it is not a matter of ticking boxes and
  - c. The duty is continuing; it does not end with the completion of any EIA and due regard must be had as policy evolves and is implemented.
20. Ideas for CGS projects come from the local community, the majority via a simple project nomination form available in electronic and paper format.

### **Resource implications**

21. The funding for the CGS capital programme from 2011 to 2021 was approved by the cabinet and is part of the council's overall capital programme as detailed in the capital programme 2011–2021 report dated 21 June 2011.
22. The allocation of funding per ward for the CGS capital programme was approved by the cabinet member for Transport Environment and Recycling as detailed in the Launch of cleaner greener safer capital programme 2015-16 report dated 6 August 2014.

23. The funding for the 2021/22 CGS capital programme was approved by the cabinet member for Environment, Transport Management and Air Quality as detailed in allocation of funds to wards via cleaner greener safer and devolved highways programmes report dated 20 December 2018.
24. All professional fees related to the project are also treated as the capital costs of the project. Where projects are awarded as a grant to organisations, the award amount announced at community council includes professional fees. The community council award notification to grant recipients details the grant amount only, excluding these fees.
25. CGS projects must be completed within two years of award of funding. Projects that are unlikely to be completed within two years will be reported to community council and available budgets may be reallocated to other projects. Revenue costs not covered by maintenance or the contractual liability period will fall upon the asset owner. The department will be notified of the likely costs before the schemes proceeds, in order to secure permission to implement the scheme.
26. After the defects and liability period, or three year maintenance period in the case of planting works, all future maintenance is assumed by the asset owner, for example housing, parks, highways, or in some cases external asset owners. Therefore, there are no revenue implications to the highways division as a result of approving the proposed allocation.
27. The total expenditure and sources of funding for the scheme will be monitored and reported on as part of the overall capital programme.
28. Value for money will be ensured when the contract is procured by following the council's contract standing orders.

### **Consultation**

29. All cleaner greener safer projects require consultation with stakeholders, including the project applicant, local residents, tenants and residents associations and local community groups where appropriate.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Law and Governance**

30. The Local Government Act 2000 ('the 2000 Act') gives the Leader the power to delegate any executive function to whoever lawfully can undertake the function. The allocation of the CGS capital fund is an executive function.
31. Multi ward forums are 'area committees' within the meaning of the 2000 Act and executive functions can be delegated to them by the Leader. The terms of the delegation are set out in part 3H of the council's constitution.

32. This report recommends that that East central multi ward forum approves the allocation of funds to the individual projects specified at Appendix 1. Paragraph 14, Part 3H of the Constitution enables multi ward forums to approve “the allocation of neighbourhood funds, cleaner, greener, safer and devolved highway capital schemes of a local nature, using the resources and criteria identified by the cabinet”.
33. Multi ward forums have further powers under Part 3H of the Constitution to oversee and take responsibility for the development and implementation of the local schemes.
34. In allocating funding under the CGS programme, multi ward forums must have regard to the council’s equality duty set out in section 149 of the Equality Act 2010. The report author has demonstrated how those duties need to be considered in the body of the report in the community impact statement above.

**Strategic Director of Finance and Governance – (CAP20/030)**

35. This report seeks the approval of the East Central multi ward forum for the allocation of funds (£ 417,777) for the 2021-22 Cleaner Greener Safer (CGS) programme in the East Central multi ward area from the list of applications set out in Appendix 1.
36. The strategic director of finance and governance notes the resource implications in the report and that the proposed allocations will be contained within the CGS element of the council’s capital programme.
37. It is also noted that officers’ time and any other costs connected with this recommendation will be contained within existing departmental revenue budgets.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
<p>Cabinet Report: Capital Programme 2011–2021 – 21 June 2011</p> <p><a href="http://moderngov.southwarksites.com/documents/s20034/Report%20Capital%20Programme%202011-2021.pdf">http://moderngov.southwarksites.com/documents/s20034/Report%20Capital%20Programme%202011-2021.pdf</a></p>	<p>Environment and Leisure / Highways 160 Tooley Street</p>	<p>Craig Dove 020 7525 0955</p>
<p>Appendix F: General Fund Capital Programme 2011-21 – 21 June 2011</p> <p><a href="http://moderngov.southwarksites.com/documents/s20040/Appendix%20F%20General%20Fund%20Capital%20Programme%202011-21.pdf">http://moderngov.southwarksites.com/documents/s20040/Appendix%20F%20General%20Fund%20Capital%20Programme%202011-21.pdf</a></p>	<p>Environment and Leisure / Highways 160 Tooley Street</p>	<p>Craig Dove 020 7525 0955</p>
<p>Launch of Cleaner Greener Safer Capital Programme 2015/16 - August 2014</p> <p><a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=4798">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=4798</a></p>	<p>Environment and Leisure / Highways 160 Tooley Street</p>	<p>Craig Dove 020 7525 0955</p>
<p>IDM report – 20 December 2018 Cabinet Member for Environment, Transport Management and Air Quality</p> <p><a href="http://moderngov.southwark.gov.uk/mgIssueHistoryHome.aspx?IId=50018979&amp;Opt=0">http://moderngov.southwark.gov.uk/mgIssueHistoryHome.aspx?IId=50018979&amp;Opt=0</a></p>	<p>Environment and Leisure / Highways 160 Tooley Street</p>	<p>Craig Dove 020 7525 0955</p>
<p>Cabinet Meeting Minutes 17<sup>th</sup> September 2019</p> <p><a href="http://moderngov.southwark.gov.uk/documents/g6415/Agenda%20frontsheet%20Tuesday%2017-Sep-2019%2016.00%20Cabinet.pdf?T=0">http://moderngov.southwark.gov.uk/documents/g6415/Agenda%20frontsheet%20Tuesday%2017-Sep-2019%2016.00%20Cabinet.pdf?T=0</a></p>	<p>Environment and Leisure / Highways 160 Tooley Street</p>	<p>Craig Dove 020 7525 0955</p>

## APPENDICES

No.	Title
Appendix 1	All East Central Multi Ward CGS Applications 2021-22

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden, Head of Service – Highways (Acting)		
<b>Report Author</b>	Craig Dove, Senior Project Manager		
<b>Version</b>	Final		
<b>Dated</b>	8 February 2021		
<b>Key Decision</b>	Yes		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>			
	<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
	Director of Law and Governance	Yes	Yes
	Strategic Director of Finance and Governance	Yes	Yes
<b>Date final report sent to Constitutional Team</b>			25 February 2021