

# MINUTES OF THE MAYOR AND CABINET

Wednesday, 7 March 2012 at 5.37 pm

PRESENT: Sir Steve Bullock (Mayor), Councillors Chris Best, Damien Egan, Helen Klier, Joan Millbank, Crada Onuegbu and Susan Wise

ALSO PRESENT:

Apologies for absence were received from Councillor Peggy Fitzsimmons, Councillor Paul Maslin and Councillor Alan Smith.

## 243. Declarations of Interests

Councillor Millbank declared a personal and prejudicial interest in Item 16 as a Governor at Crossways Academy and she withdrew from the meeting during consideration of that item.

## 244. Minutes

RESOLVED that the minutes of that part of the meeting of the Mayor and Cabinet, which was open to the press and public held on February 15 2012, be confirmed and signed.

## 245. Scrutiny References

The Mayor received a report on issues which had previously been considered that awaited the responses requested from Directorates.

RESOLVED that the report be received.

## 246. Regeneration of Excalibur Estate - CPO

The Cabinet Member for Customer Services, Councillor Susan Wise, confirmed the Home Loss Payment was 7.5% as shown in paragraph 8.1 and not as depicted in paragraph 9.18.

RESOLVED That

(i) a Compulsory Purchase Order be made in accordance with Section 17 of Part II of the Housing Act 1985 and the Acquisition of Land Act 1981, for the compulsory acquisition of all interests in the land and

buildings known as Excalibur Phases 1 and 2, other than those interests already in the ownership of the Council;

(ii) authority be delegated to the Head of Asset Strategy & Development, in consultation with the Head of Law, to determine the final extent of the land to be included within the CPO provided that the CPO shall not include any additional land outside the area shown;

(iii) the appropriate Chief Officers be authorised to take such other action as may be necessary to make, obtain confirmation and effect the Compulsory Purchase Order and to acquire all interests under it; and

(iv) authority be delegated to the Executive Director for Resources & Regeneration (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Compulsory Purchase Order) to confirm the Compulsory Purchase Order if the Executive Director is satisfied that it is appropriate to do so.

#### **247. Torridon ASD Resource Base**

A supplementary paper was tabled at the meeting which set out a revised consultation timetable.

RESOLVED That

(i) consultation be carried out for the development of an ASD resource base for sixteen primary school aged children at Torridon Infant and Junior Schools; and

(ii) officers report back on the outcomes of the consultation.

#### **248. Provision of Primary Places Knights Temple Grove**

RESOLVED That

(i) subject to the results of any required further feasibility work which shows options to be affordable in the light of Lewisham's recent capital settlement, and of consequent outline agreement with potential providers and other stakeholders, funding should be allocated to the proposal that Funds from the Basic Need allocation received by the Council should be allocated to fund the enlargement of Haberdashers' Aske's Knights Academy Temple Grove from 1.5 fe to 2 fe

(ii) should the enlargement proceed, capital works be undertaken through the local authority's framework for the procurement of educational buildings, and that officers bring a subsequent report to Mayor & Cabinet (Contracts) with recommendations for the award of contract for these works.

#### **249. Surrey Canal Triangle Regeneration**

RESOLVED That

(i) "in principle" the Council use its Compulsory Purchase powers to acquire or appropriate the Site shown for planning purposes pursuant to Sections 226 and/or 237 of the Town and Country Planning Act 1990 (as amended);

(ii) authority be delegated to the Director of Regeneration and Asset Management, in consultation with the Head of Law and Head of Asset Strategy & Development (interim), to negotiate the terms of and enter into an indemnity agreement with Renewal;

(iii) authority be delegated to the Director of Regeneration and Asset Management, in consultation with the Head of Asset Strategy & Development (interim) and the Head of Law, to carry out and complete the land referencing exercise with Renewal to identify all owners, tenants, occupiers and others with a legal interest affected by the Scheme and which may be included in any future Compulsory Purchase Order or become eligible for compensation under Section 237;

(iv) the Director of Regeneration and Asset Management be appointed as the authorised officer pursuant to S.15 of the Local Government (Miscellaneous Provisions) Act 1976 for the purposes of the Scheme;

(v) the Director of Regeneration and Asset Management be authorised, in consultation with the Head of Asset Strategy & Development (interim) and the Head of Law, to issue requisitions for information pursuant to Section 16 of the Local Government Act (Miscellaneous Provisions) Act 1976 to all potential owners of legal interests affected by the Scheme;

(vi) an Equalities Analysis Assessment be undertaken of the potential impact of the proposed Compulsory Purchase Order;

(vii) in the event that Renewal are unable to complete the assembly of the Site by agreement/private treaty by 30 September 2012, a further report be presented to Mayor & Cabinet seeking authority to make a full and unconditional CPO for the Site and to acquire or appropriate the Site for planning purposes so as to trigger the provisions of Section 237;

(viii) any resolution to make a full unconditional CPO and/or for the Council to appropriate land for planning purposes for the purposes of Section 237 for the Site will be subject, in particular, to the following pre-conditions being met:

- I. the Mayor being satisfied that Renewal have used their reasonable endeavours to complete the assembly of the SCT Development Site by agreement/private treaty and that the redevelopment proposals cannot otherwise be delivered;
- II. the requirements of Section 122 of the Local Government Act 1972 and Sections 226, and 237 of the Town and Country Planning Act 1990 being met;

- III. the Mayor being satisfied that there is a compelling case in the public interest to make a Compulsory Purchase Order;
  - IV. the Mayor being satisfied that there is a delivery mechanism with Renewal and/or others in place, which ensures that there is a comprehensive redevelopment of the whole Site and that the new development will be built and completed within a reasonable time period;
  - V. the Mayor being satisfied that Renewal has a viable business plan and funding strategy to deliver a comprehensive regeneration scheme, together with a full and sufficient indemnity agreement(s) and appropriate financial bond covering the costs of making and confirming any such CPO/appropriation for the purposes of Section 237; and
- consideration of any issues raised by the Equalities Analysis Assessment on the potential impact of the Compulsory Purchase Order.

## **250. Comprehensive Equalities Scheme**

RESOLVED That

- (i) the Comprehensive Equalities Scheme 2012-16 be approved;
- (ii) the draft equality objectives for the next four years be agreed;

## **251. Matter Referred by Lee Green Assembly - parking and CPZ**

RESOLVED That the Executive Directors for Customer Services and for Resources and Regeneration to consider and report back to him on the implications of the

**252. Response to Housing SC Private Rented Sector**

RESOLVED That the proposed response be agreed and reported to the Housing Select Committee.

**253. Housing Assistance Policy**

The Cabinet Member for Customer Services, Councillor Susan Wise, updated paragraph 4.2 by saying £1.45m would be made available for five boroughs to use.

RESOLVED That the revised Housing Assistance Policy be adopted

**254. School governor appointments**

RESOLVED That the persons listed below be appointed as School Governors,

Ms Annabel Walker	Baring
Mr Pankaj Chugh	Edmund Waller
Ms Prerna Patel	John Ball
Mrs Dahlia Douglas-Martin	New Woodlands
Ms Gillian Harewood	New Woodlands
Ms Catherine Bunten	Sandhurst Infants
Mr Christopher Mitchell	Sandhurst Infants
Ms Sarah Shaw	Sandhurst Junior
Miss Odiri Obiakpani	Sandhurst Junior

Ms Sarah Wainer	Sedgehill
Mr Luc Altman	Stillness Junior
Mrs Amoy Chung-Saunders	Torridon Infants
Ms Teresa Young	Torridon Infants
Mr Simon Nundy	Trinity

**255. Leathersellers Federation new instrument**

RESOLVED That the instrument of government for 'The Leathersellers' Federation of Schools be made by the Local Authority by order.

**256. Management Report**

RESOLVED That the report be noted.

**257. Exclusion of Press and Public**

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, 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 paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

**258. BSF Crossways College Stage 2 Approval**

RESOLVED That

(i) the PfS approval of the Stage 0

Business Case given on 18th March 2010 be noted;

(ii) the receipt of the Stage 2 submission and subsequent clarifications from the LEP and the observations arising from the evaluation of this submission be noted;

(iii) the update on the BSF programme be noted;

(iv) the update on progress with design development and the timetable for development as set out and the comments re Value for Money, the financial implications, legal implications and key risks as set out be noted;

(v) authority be delegated to the Executive Director for Resources & Regeneration, on the advice of the Head of Law, to approve the LEP's Stage 2 submission, the procedure for which is summarised, with the key financial data as set out;

(vi) authority be delegated to the Executive Director for Resources & Regeneration, on the advice of the Head of Law, to further negotiate on the detailed scope of the project, subject to the price not exceeding the contract sum as set out ;

(vii) the outstanding approval as set out be required to be satisfied prior to contract close;

(viii) the Design & Build Agreement with the LEP, as set out be entered into on the technical and commercial terms set out in the Stage 2 submission; and

(ix) Crossways 6th Form be incorporated into the existing ICT Framework contract between LBL and LSFLEP Ltd as signed at the original BSF Financial Close on 13th December 2007

## **259. BSF Sydenham School Stage 1 Approval**

This item was not considered at the meeting.



