

LONDON BOROUGH OF LEWISHAM

MINUTES of that part of the meeting of the MAYOR AND CABINET, which was open to the press and public, held on WEDNESDAY, 7 MARCH 2012 at LEWISHAM TOWN HALL, CATFORD, SE6 4RU at 5.37 p.m.

Present

The Mayor (Sir Steve Bullock)(Chair); Councillors Best, Egan, Klier, Millbank, Onuegbu and Wise.

Apologies for absence were received from Councillors Maslin, Smith and Fitzsimmons.

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1.	<u>Declarations of Interests</u> (page 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.	
2.	<u>Minutes</u> 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.	
3.	<u>Outstanding References to Select Committees</u> (page 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.	
4.	<u>Regeneration of Excalibur Estate – CPO</u> (page 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	Dir Regen/ Head of Law

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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;

Dir Regen/
Head of Law

(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.

ED Resources

5. Torridon ASD Resource Base (page

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.

6. Proposals to consult on the provision of additional permanent primary places (page

RESOLVED That

(i) subject to the results of any required further ED CYP

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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.

ED CYP

7. Surrey Canal Triangle Regeneration – "In Principle" resolution to make a Compulsory Purchase Order and Appropriation of Land
(page)

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);

Dir Regen/
Head of Law

(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;

Dir Regen/
Head of Law

(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

Dir Regen/
Head of Law

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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;

Dir Regen

(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;

Dir Regen/
Head of Law

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

Dir Regen

(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;

Dir Regen/
Head of Law

(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:

Dir Regen/
Head of Law

- 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

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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.

8. Comprehensive Equalities Scheme 2012 – 2016 (page

RESOLVED That

(i) the Comprehensive Equalities Scheme 2012-16 be approved; ED Resources

(ii) the draft equality objectives for the next four years be agreed; ED Resources

9. Matter referred by the Lee Green Assembly – parking and CPZ report (page

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 `Statement of Community Views' from the Lee Green Assembly.

ED Customer/
ED Resources

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10.	<u>Responses to matters referred by Housing Select Committee – Review Private Rented Sector Housing.</u> (page	
	RESOLVED That the proposed response be agreed and reported to the Housing Select Committee.	Head of Committee
11	<u>Private Sector Housing Assistance Policy</u> (page	
	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	ED Customer
12	<u>Appointment of Local Authority Governors</u> (page	
	RESOLVED That the persons listed below be appointed as School Governors,	ED CYP
	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 Buntten 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	

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Ms Teresa Young

Torridon Infants

Mr Simon Nundy

Trinity

13 Leathersellers Federation of Schools – Variation of Instrument of Government (page

RESOLVED That the instrument of government for ‘The Leathersellers’ Federation of Schools be made by the Local Authority by order. ED CYP

14 Management Report (page

RESOLVED That the report be noted.

15. Exclusion of the 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:

The following is a summary of the items considered in the closed part of the meeting:

16 BSF Crossways Sixth Form - Stage 1 (page)

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;

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(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; ED Resources
Head of Law

(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 ; ED Resources
Head of Law

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

(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 ED Resources

(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 ED Resources

The meeting ended at 6.16pm.

Chair