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MINUTES OF THE MAYOR AND CABINET

Wednesday, 21 June 2017 at 6.00 pm

PRESENT: Sir Steve Bullock (Mayor), Alan Smith, Best, Kevin Bonavia, Janet Daby, Damien Egan, Paul Maslin, Joan Millbank and Rachel Onikosi.

Apologies for absence were received from Councillor Joe Dromey.

1. Declaration of Interests

None were made.

2. Outstanding Scrutiny Matters

The Head of Business & Committee reported there has been a great deal of movement related mainly to the timing of the General Election.

RESOLVED that the report be noted.

3. Deptford Wharves CPO

The report was presented by the Deputy Mayor who outlined the authority's involvement with the scheme and commended the recommendations to the Mayor.

The representative of the Executive Director for Resources and Regeneration advised the Mayor Planning consent had been obtained; the scheme was deemed viable and LendLease were able to deliver the scheme. He outlined the social and environmental benefits of the proposals and concluded these were very positive.

The representative of the Executive Director for Resources and Regeneration advised the Mayor that a replacement Appendix 3, the CPO Plan, had been tabled. He drew the Mayor's attention to several corrections to the report. Paragraph 5.1 should have made reference to 'London Power Networks Ltd' rather than 'Northern Power Networks Ltd'. In paragraph 9.1 '2013' should be deleted. Paragraphs 6.2 & 6.6 needed to make clear all interests in Phase 1 had to be acquired before works commenced.

The Mayor asked if any residential properties were involved and was told there were none. He asked the Head of Planning if a CPO was envisaged at the time when Planning Permission was given. She said this area was a strategic site allocation and a delivery strategy including land assembly requirements had been reported factually.

The Mayor sought an assurance that every reasonable effort had been made to achieve acquisition via negotiation. He was informed all expectations had been met in that regard and that efforts were still continuing. The Mayor stressed he expected efforts to reach agreement to continue.

Councillor Millbank queried the level of affordable housing in the proposals as she thought this was not high enough. The Mayor sought clarification that planning application issues were not valid in a CPO consideration. The Head of Law stated planning matters were for the Planning Committee and the Mayor should take into account the relevant matters referred to in the report. Once internal council processes had been completed the approval of the Secretary of State would still be required.

In conclusion the Mayor said this was not a decision to be taken lightly. He said he had been persuaded that case was strong and all reasonable efforts had been made to reach agreement. He was satisfied land assembly was essential and would ensure the scheme was viable. He asked that further efforts to negotiate a settlement should be made.

Having considered an officer report and a presentation by the Deputy Mayor, Councillor Alan Smith, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) a Compulsory Purchase Order be made pursuant to powers under Sections 226(1)(a) of the Town and Country Planning Act 1990 (in accordance with the procedures in the Acquisition of Land Act 1981) for the acquisition of the land shown coloured pink on the plan attached, save for the interests of the Council and Lendlease;

(2) delegated authority be granted to the Executive Director for Resources and Regeneration in consultation with the Head of Law:

(i). to negotiate the terms of and enter into a Compulsory Purchase Indemnity Agreement with Lendlease, together with a Parent Company Guarantee (or other satisfactory agreement providing appropriate security for performance by Lendlease of its obligations under the Compulsory Purchase Indemnity Agreement), such terms to include disposal by the Council of the land acquired to Lendlease pursuant to Section 233 of the Town and Country Planning Act 1990;

(ii). to carry out any further or additional land referencing as may be considered appropriate, including service of requisitions for information pursuant to Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 or Section 330 of the Town and Country Planning Act 1990;

(iii). subject to the Compulsory Purchase Indemnity Agreement and Parent Company Guarantee (or other satisfactory agreement providing appropriate security as referred to in recommendation i) being entered into), to take all necessary and appropriate steps to secure the making, confirmation and implementation of the Compulsory Purchase Order (CPO) including the publication and service of all notices and promotion of the Council's case at any Public Inquiry, including but not limited to the steps described below;

(iv). to make any amendments, deletions, or additions to the draft Order Map and/or draft Schedules to the CPO so as to include and describe all interests in land required to facilitate the carrying out of the Scheme;

- (v). to make such changes as may be considered necessary or appropriate to the draft Statement of Reasons prior to publication;
- (vi). to acquire interests in the Order Land either by agreement or compulsorily (including pursuant to any blight or purchase notices) and dispose of the same to Lendlease;
- (vii). to negotiate, agree terms and enter into agreements with interested parties, including agreements for the withdrawal of blight or purchase notices and/or objections to the CPO and/or undertakings not to enforce the CPO on specified terms, including where appropriate seeking the exclusion of land from the CPO;
- (viii). in the event that the Secretary of State notifies the Council that it has been given the power to confirm the CPO to confirm the CPO if the Executive Director for Resources and Regeneration is satisfied that it is appropriate to do so;
- (ix). in the event the CPO is confirmed by the Secretary of State (or by the Council if given power to do so), to complete all necessary statutory procedures and to take steps to implement the CPO, including by way of General Vesting Declaration and/or Notice to Treat/Notice of Entry;
- (x). to take all steps in relation to any legal proceedings relating to the CPO, including defending or settling claims referred to the Upper Tribunal (Lands Chamber) and/or applications made to the courts and any appeals;
- (xi). to retain and/or appoint external professional advisers and consultants to assist in facilitating the promotion, confirmation and implementation of the CPO, the settlement of compensation and any other claims or disputes;
- (xii). to take all such other steps as may be considered necessary or appropriate to acquire all land interests required for the Scheme (whether by agreement or CPO) and to dispose of the same to Lendlease.
- (xiii). to agree the final terms for disposal to Lendlease of the Council's interest in the plots numbered 4, 10, 11, 13, 14, 15, 16, 17 and 18 on the draft CPO Map attached at Appendix 3 and, subject to the consideration being duly certified as best consideration, to dispose of the same to Lendlease under Section 123 of the Local Government Act 1972.

4. Evaluation of the Sustainable Community Strategy 2008-2020

The Executive Director of Resources and Regeneration's representative introduced the report and acknowledged that since the Strategy had originally been compiled the political and economic landscape had been completely transformed. He believed the Overview & Scrutiny Business Panel had been correct to call for an update and he suggested a new strategy be produced in 2018 after the Mayoral election.

Having considered an officer report, the Mayor

RESOLVED that the key achievements, future challenges and conclusions of the evaluation be noted.

5. MOU for joint working for procurement of the Work and Health Programme

Having considered an officer report and a presentation by the Deputy Mayor, Councillor Alan Smith, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) the positive progress on devolution of employment and skills in London, and the important role of sub regional partnerships be noted:

(2) the Memorandum of Understanding of participation in the Central London Forward Joint Venture Agreement be approved;

(3) the Memorandum of Understanding for joint working by public bodies that will allow Lewisham to be part of the central London sub regional commissioning for the new Work and Health Programme;

(4) the annual membership fee of £20,000 and the additional special projects fee of £20,000 be approved, which will cover the procurement and contract management of the Work and Health Programme, and the policy work required on the devolution of skills to the GLA/ sub regions.

6. Local Authority Governor Nominations

Having considered an officer report and a formal presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor

RESOLVED that the following person be nominated as a School Governor for the school shown.

Ms. Victoria Whittle	Conisborough College
Mr. George Kwasniewski	King Alfred Federation
Ms. Lucy Robertson	Stillness Junior

7. Response to HCSC integration review

Having considered an officer report and a presentation by the Cabinet Member for the Health, Well-Being and Older People, Councillor Chris Best, the Mayor:

RESOLVED that the officer response to the recommendations made by the Healthier Communities Select Committee be approved and reported to the Select Committee.

8. Response to SSC referral on Capacity in the Voluntary Sector

Having considered an officer report and a presentation by the Cabinet Member for the Third Sector, Councillor Joan Millbank, the Mayor

RESOLVED that the officer response to the recommendations made by the Safer Stronger Communities Select Committee be approved and reported to the Select Committee.

9. Response to SSC referral on Local Assembly Programme

Having considered an officer report and a presentation by the Cabinet Member for the Third Sector, Councillor Joan Millbank, the Mayor:

RESOLVED that the officer response to the recommendations made by the Safer Stronger Communities Select Committee be approved and reported to the Select Committee.

10. Response to SSC referral on NPS

Having considered an officer report and a presentation by the Cabinet Member for Community Safety Councillor Janet Daby, the Mayor

RESOLVED that the report be approved for submission to the Safer Stronger Communities Select Committee.

The meeting closed at 6.41pm