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CABINET

Monday 6 June 2016 at 7.00 pm

MINUTES

PRESENT:

Cabinet Members:

Councillor Donatus Anyanwu
Councillor Matthew Bennett
Councillor Jennifer
Brathwaite
Councillor Jim Dickson

Councillor Jane Edbrooke
Councillor Paul McGlone
Councillor Lib Peck
Councillor Jane Pickard
Councillor Imogen Walker

Portfolio:

Lead Member for Community Relations (attending Cabinet)
Cabinet Member for Housing
Cabinet Member for Environment & Transport
Cabinet Member for Healthier and Stronger Communities
(job-share)
Cabinet Member for Children and Schools
Deputy Leader of the Council (Investment and Partnerships)
Leader of the Council
Cabinet Member for Families and Young People
Deputy Leader of the Council (Finance)

Apologies for absence

Councillor Jack Hopkins and Councillor Jackie Meldrum

*Action
required by*

1. DECLARATIONS OF PECUNIARY INTEREST

There were none.

2. MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the last meeting held on 11 April 2016 be agreed as a correct record of proceedings.

3. THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE AND THE COUNCIL'S RESPONSE TO ALLEGATIONS OF CHILD SEXUAL ABUSE.

The Leader of the Council, Councillor Lib Peck, and the Chief Executive, Sean Harriss, introduced the paper and noted:

- the principles which Lambeth would embrace on an incredibly sensitive and important area of work, recognising Lambeth's historic failings and the damaging impact of these, and how the Council would work with those affected including the Shirley Oaks Survivors Association (SOSA);
- support of victims was of the utmost importance and the agenda pack (pages 7-13) detailed the Council's response to date and future work in this area;
- transparency was another key area, and the Council owed those affected the support and help they needed get to some measure of truth and acknowledgement;
- there were many activities undertaken by Lambeth since the SOSA presentation to Full Council on 22 July 2015 and this support would continue;
- the Independent Inquiry for Child Sexual Abuse (IICSA) was a formal statutory inquiry, and had specifically identified Lambeth as a core participant;
- the report detailed the information the Council had or would provide the Inquiry and redacted copies would be available for public viewing in Lambeth Archives;
- the IICSA would hopefully conclude its preliminary hearings in autumn 2017;
- Council evidence had already been used in a successful prosecution;
- the Council was providing funding to help support SOSA and its activities and pay the significant legal and additional resource costs, but further funding would be needed for compensation claims;
- the report highlighted the publicity and further compensation claims work to date, and the Chief Executive noted that it was in the best interests of victims to deal with these quickly and effectively and was why he sought Cabinet approval to delegate the authority to formulate a draft compensation scheme to him; and,
- this was a top priority for Lambeth and it would significantly impact the Council's time, capacity, and budgets, however it was a necessary expenditure.

The Leader of the Council, Councillor Lib Peck, added a statement from SOSA:

- SOSA had a productive relationship with Lambeth and believed it could be replicated with other survivor groups across the country;
- they welcomed the Council's moves to set up a compensation mechanism; and,
- SOSA was willing to constructively discuss ways of resolving the

Council's historical failings.

The Chief Executive, Sean Harriss, answered Cabinet's questions:

- SOSA was the focus of the initial campaign, but it had developed into a Lambeth-wide survivors' organisation representing most children's homes during the period in question and the IICSA scope related to all Lambeth children's homes;
- support was a key point, and the Council was not limiting this specifically to SOSA, as it was dealing with other organisations and individuals outside this body;
- the Council had contacted current and historic employees or those with a connection with the Council during the period in question, to uncover further information;
- there were ongoing discussions with IICSA as to how best to share information and encourage further participation, and it was envisaged that the Council would regularly liaise with IICSA to develop this as the Inquiry proceeded;
- the significant period of the Inquiry was, but not limited to, 1983 when the homes closed;
- the review of documentation was to professional standards, following the IICSA's strict protocol requirements; and,
- Alison McKane, Head of Legal Services, had lead responsibility to engage with IICSA, to ensure they were content with the Council's approach, criteria and results; and document handling was done in supervision by a team of dedicated lawyers and paralegals.

RESOLVED:

1. To agree the Council's approach to the preparation for the Goddard Inquiry (IICSA).
2. To agree the allocation of £2.2m to enable the preparation for the Independent Inquiry.
3. To delegate to the Chief Executive the authority to formulate a draft compensation scheme on behalf of the organisation in consultation with stakeholders including survivors and insurers.

4. DELEGATION OF POWERS TO LONDON BOROUGH OF WANDSWORTH TO ENFORCE PARKING CONTROLS ON THE PATMORE ESTATE

The Cabinet Member for Environment and Transport, Councillor Jennifer Brathwaite; and Ian Baker, Head of Service Highways and Enforcement, introduced the paper and noted:

- it sought agreement for Lambeth to delegate its enforcement and administration of parking on Patmore East Estate to Wandsworth Council; and,
- it was good news for residents and businesses who had suffered for a number of years, and was a good example of two councils of different political colours working together.

Councillor Andy Wilson, Larkhall ward, made the following comments:

- a small proportion of individuals paid rent to Wandsworth and council tax to Lambeth, a higher rate on each side, and so expected a high level of service; and,
- it had taken a long time to achieve a solution and Cabinet was asked to endorse the solution to mitigate the current restrictive parking and substantial waste issues.

Ian Baker, Head of Service Highways and Enforcement, and Councillor Andrew Wilson, answered questions from Cabinet:

- the agenda detailed the proposed plan (pages 29-53) and it was now for Wandsworth to ratify;
- the Chair of the Patmore Cooperative had commended the proposal for a long time, whilst many businesses had requested parking controls; and,
- there were no financial obligations as residents would contact Wandsworth Council to apply for parking permits contact them for future parking related issues.

The Cabinet Member for Children and Schools, Councillor Jane Edbrooke, commended the inter-borough and bipartisan working to provide the best deal for residents.

The Cabinet Member for Environment and Transport, Councillor Jennifer Brathwaite, thanked officers for their hard work, and also to Councillor Wilson for bringing to this issue to Cabinet's attention and in his tenacity to resolve the issue.

RESOLVED:

1. To delegate the Council's executive function under the legislation identified in section 2 below in relation to the Council's land on the Patmore East Estate as shown on the plan attached at Appendix A to the London Borough of Wandsworth's executive pursuant to Section 9EA of the Local Government Act 2000 and the Local Authorities (Arrangement for the Discharge of Function)(England) Regulations 2012.
2. To enter into a Delegation Agreement (Appendix B) with the London Borough of Wandsworth to record the delegation described in the previous paragraph and related matters.

5. RESIDENT INVOLVEMENT IN HOUSING SCRUTINY COMMISSION REPORT

The Cabinet Member for Housing, Councillor Matthew Bennett, and Councillor Mary Atkins, co-chair of the Housing Scrutiny Commission, introduced the Report and noted:

- it represented a huge amount of work over a significant period of time and contained 62 recommendations, along with an Action Plan and officer response;

- the decision to bring Lambeth Living back in-house was made in 2014, a survey of residents took place in which only 37% of tenants and leaseholders rated engagement as satisfactory;
- the Commission ran in parallel to consulting residents on plans for future resident engagement as a separate process looking at best practice for the future; and,
- the recommendations were aimed at making residents and leaseholders central to processes and improvements of housing-related works and services, but was not about changing specific policies;
- it doubled as a learning experience for Lambeth and was research- and evidence-led and based, and had both professional and resident input;
- certain recommendations were not ground-breaking and focused on culture change and basic tasks, but it was hoped being codified would help effect change and mitigate the frustrations of residents;
- recommendation one held the work together, enshrining cooperative co-regulation and putting officers in residents' shoes, representing a cultural shift that empowered residents through coproduction, recognising there were no blanket policies for all, and that a range of structures was needed to facilitate resident involvement;
- it had become clear when receiving evidence on structures and processes that an outcome-based approach was more important than structure, as flexibility was wanted;
- the report highlighted the rigorous use of evidence and value for money; and,
- the Action Plan would continue housing management improvements and would be monitored by resident involvement structures, Housing Management and OSC.

Cabinet next heard from Stephen Gyte, Chair of Leaseholders' Council and Chair of the North Lambeth Area Leasehold Forum; and Malcolm Baker, member of Tenants' Council and of the Housing Scrutiny Commission:

- the Chair of Leaseholders' Council had not been invited to speak to the Commission;
- the Action Plan was commendable and contained some good points;
- the resident involvement survey from Tenants' Council (11 May 2016), which related to the proposals put forward in the October Cabinet report as opposed to the commission's recommendations, only had 51% in support of the changes and a third did not know enough to comment, whilst the low response rate (6.5%) highlighted a lack of endorsement;
- Tenants' and Leaseholders' Councils sent their own surveys to tenants and residents associations (TRAs) and 84% said they did not support the changes proposed in October's report;
- there was a lack of detail of how the proposed bodies would function;

- Tenants' and Leaseholders' Councils executives were keen to work with the Council, but felt they and key resident representatives should have been involved from the beginning, and did not reflect well on the Council's wish for co-production;
- it was stated that Leaseholders' Council suggested many of the proposals when aiming to achieve better value for money on major works;
- it was unclear to many representatives why the Commission had met in private when they could offer relevant insight into housing management;
- concern was raised that the Deputy Cabinet Member for Housing had asked to meet with the Chairs of Tenants' and Leaseholders' Councils to provide balance to her officer briefing and especially to hear residents' concerns directly;
- co-optees had been selected without input from Tenants' and Leaseholders' Councils and did not go through the appropriate channels;
- non-Council persons had to find out about these plans informally;
- members of Tenants' Council had concluded that the Council did not view its residents as important and that the report did not go far enough to meet their concerns or sufficiently engage them at the beginning of the process;
- it appeared councillors were defining the best way forward over democratically elected housing representatives, whilst removing the latter's oversight and accountability;
- one Commission member felt they had been put into an unfair predicament as a Tenants' Council member being used to divide tenants and leaseholders who did not sit on the Commission; and,
- it was questioned why the existing structures should be replaced (recommendation 28).

Councillor Ed Davie, Chair of OSC, added:

- his commendation of the exhaustive work, with 62 recommendations, taken from a large evidence base consisting of seven councillors from different wards, two tenant co-optees, one leaseholder co-optee, over many sessions and the Commission's survey, which contained both open and closed questions;
- there were some reasonable criticisms over timing and in getting Leaseholders' and Tenants' Councils recommendations for co-optees and these would be borne in mind in future;
- the above oversight could have been partly down to inexperience related to the newly introduced Scrutiny arrangements and the need for the Commission to act in a timely manner whilst wanting both elected members and residents to engage, but the Commission had done well to have co-optees and comprehensive surveys at short notice;
- the Commission could have been advertised more widely, but there was sometimes merit in having closed sessions as this made some

participants feel more able to speak openly; and,

- residents and councillors had produced excellent work, and this was recognised by the two previous representations' commendation of the Action Plan, based on residents' and democratically elected persons' experiences and it reflected residents' views.

Councillor Mary Atkins, Commission co-chair; Neil Wightman, Delivery Director for Housing Management; and, Rachel Sharpe, Strategy and Commissioning Director for Housing and Communities, answered questions raised:

- Cabinet (12 October 2015) endorsed the administration's initial proposals for new engagement structures following consultation;
- the Lambeth500+ had 700 members and was a key part of the policy to broaden engagement and get more people involved with housing management services;
- a protocol for behaviours was a key point for improved future engagement;
- recommendations 1-38 dealt with housing management services, and 39-62 were around regeneration;
- officers wanted to be as positive as possible, but there were resource implications particularly around training. The recommendations around shadowing or joint sessions with residents and staff were being considered;
- the recommendations and Action Plan would benefit the current estate regenerations during the early stages of this programme, and a lot of indicators had been put in place which could be fed back through as a whole or on individual estate resident groups;
- estate regeneration required a lot of work and time, and was a stressful experience for residents, but the Council recognised there was no blanket formula and this area needed to be kept under review;
- it was hard for officers to form judgments about the social impact of regeneration and this was a key area for residents to feed back on. Site tours had already started, which were important to involve residents and enable them to talk to others who had been through similar experiences
- the Resident Engagement Panels (REPs) were set up as a first stage and were now under review, but the Council had introduced clearer membership, codes of conduct, and greater representation of the borough's leaseholder-tenants balance. REPs also included independent advisors;
- there were good examples of resident-involved coproduction around the re-procurement of contracts and the Council was analysing how residents could set key performance indicators (KPIs), how meaningful they were to residents, and how residents would like these to be monitored and managed;
- officers would like to set up new resident involvement in stage 2 complaints so residents could inform the Council directly on how well it was doing;

- flexibility was key so that people could choose when to be a part of discussion. The monitoring of representation of the Lambeth 500+ took place monthly and was reported directly to the Director of Housing Management; and,
- the flexibility of structures was important, but concerns of Tenants' and Leaseholders' Council around ensuring future mechanisms could adequately challenge the Council were valid points and the commission would be looking at this.

The Leader of the Council, Councillor Lib Peck, commented that she was heartened to see coproduction embedded throughout the report and the example of the Lambeth500+ in reaching out to a broader group, but that its input and representation would need monitoring along with the Action Plan. She concluded discussion of the item by recording Cabinet's thanks for contributions to the Commission's work, noting it as an example of good practice, and reiterated the importance of ongoing engagement with tenants and leaseholders.

RESOLVED:

1. To receive the report and recommendations of the Resident Involvement in Housing Scrutiny Commission (Appendix 1).
2. To approve the Action Plan prepared in response to the Commission's recommendations (Appendix 2).

**6. RESOLUTION OF THE OVERVIEW AND SCRUTINY COMMITTEE
CALL IN: INVESTING IN BETTER NEIGHBOURHOODS AND
BUILDING THE HOMES WE NEED TO HOUSE THE PEOPLE OF
LAMBETH - CRESSINGHAM GARDENS ESTATE**

The Chair of Overview and Scrutiny, Councillor Ed Davie, introduced the paper and noted:

- housing management and regeneration was often a fraught process, and this was the second time Cressingham Gardens estate had come to Overview and Scrutiny;
- it had been a heated meeting and praise was given for resident's input, and to the ward councillor, Mary Atkins, for her representation of residents who had expressed feeling intimidated;
- the Council wanted residents to be involved in decision-making but it was unacceptable for persons to feel frightened and unable to take part, and this was reflected in recommendation 3 calling for a protocol to set out standards of behaviour;
- recommendation 1 noted that the regeneration process had not been ideal, and it was important that a lessons learnt exercise take place when appropriate, but subsequent regeneration programmes had better resident involvement and were less controversial;
- recommendation 2 was to consider the recommendations of the Resident Involvement in Housing Scrutiny Commission to ensure future best practice;
- recommendation 4 was for further scrutiny over the total costs for

those living on the estate so that these did not become prohibitive, as the council wanted to genuinely create affordable housing for present and future residents;

- recommendation 5 was to review part-owned/part-rent and section 20 notices;
- recommendation 6 detailed the Council's commitment to financial transparency and full and robust financial risk management to look at the long-term viability of the scheme and of the Housing Revenue Account; and,
- that OSC had been near a complete consensus on its recommendations.

The Leader of the Council, Councillor Lib Peck, thanked Councillor Ed Davie for his comprehensive feedback.

RESOLVED:

1. To receive the resolution and report of the Overview and Scrutiny Committee Call-in: Cressingham Gardens Estate.
2. To agree the response to be provided to the Overview and Scrutiny Committee (Appendix 1).

The meeting ended at 8.15 pm

CHAIR
CABINET
Monday 11 July 2016

Date of Despatch: Monday 13 June 2016

Call-in Date: Monday 20 June 2016

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