INDEPENDENT REVIEW INTO SOUTHWARK COUNCIL'S EQUALITY & DIVERSITY FRAMEWORK

ANNEX

SCHEDULE OF BACKGROUND DOCUMENTS, KEY SUBMISSIONS & DETAILS OF PARTICIPANTS

FEBRUARY 2005

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Section 1 - Policy Documents Considered

DOCUMENT NAME	CONTENT
MORI REPORT - JAN. 2001	Overview of research related to BME communities – 2002
MORI REPORT - OCT. 1999	Understanding Southwark Residents
MORI PROJECT BRIEF - 2002	Summary Findings Area Forums
SOUTHWARK RESIDENTS SURVEY 2004	Topline Results
REPORT OF RESEARCH AND CONSULTATION FINDINGS JULY 2003	Race Impact Assessment – Issue 2
BEST VALUE REVIEW: COMMUNITY HOUSING SERVICES – AUG/SEPT. 2001	Final Report
BEST VALUE REVIEW COMMUNITY HOUSING - JAN. 2001	Consultation Overview Report
TRANSLATION AND INTERPRETING SERVICE REVIEW - NOV. 2002	Main consultation findings
BEST VALUE REVIEWS 2001/2002	Desk Research - Children and Young People
RESPONDING TO THE STEPHEN LAWRENCE INQUIRY - JAN/FEB. 2000	Researching Young People's Attitudes in Southwark
RESPONDING TO THE LAWRENCE INQUIRY/ QUALITY OF LIFE - FEB. 2000	Researching Parents' Attitudes
QUALITY OF LIFE ISSUES AUG. 2000	Researching the Opinions of Southwark's Black and Minority Ethnic Communities
LIDDLE WARD RESIDENTS 2000 DECEMBER 2000	Summary Report
QUALITY OF LIFE ISSUES - AUG. 2000	Research BME
SUPPORTED HOUSING NEEDS OF OLDER PEOPLE - APR. 2003	Interim Consultation Report - Stage One, Issue 1
SUPPORTED HOUSING NEEDS OF OLDER PEOPLE - SEPT. 2003	Consultation Report - Stage Two
SUPPORTED HOUSING NEEDS OF OLDER PEOPLE - JAN. 2004	Consultation Report - Stage Three

HOUSING NEEDS - NOV. 2001	Focus group findings
HOUSING INITIATIVES – 2004-2006	Celebrating diversity – Southwark's Black & Multi Ethnic Community
EDUCATION DEVELOPMENT PLAN	Raising Attainment in Early Years and the Foundation Stage - Annex 2: EDP2 Activities for 2004-2005
EDUCATION DEVELOPMENT PLAN COUNCIL ASSEMBLY REPORT	Annual Review of Education Development Plan 2 21 July 2004
CORPORATE EQUALITIES ACTION PLAN – 2003	Council-wide framework for addressing improvement & development of equality, diversity & social cohesion
EQUALITIES IMPACT ASSESSEMENTS – 2003-2004	List of EIAs Council-wide, including PWC Review of Diversity & Equality Process, Policy Impact Assessment Process, EDP Minutes, EIA Phase Two Rollout Tracker
SOUTHWARK RACE EQUALITY SCHEME – 2002-2005	The Council's response to the Race Relations Amendment Act 2000
EQUALITIES & DIVERSITY ACTION PLAN	Equalities & Diversity Scoping document - Summer 2004
CEA STRATEGIC MANAGEMENT PLAN	Extension to April 2005
PLANNING & TRANSPORT SERVICES REPORT TO EXECUTIVE	Progress Report on Equality Impact Assessment 12 October 2004
IMPERIAL GARDENS ACTION PLAN	Action Plan to address issues raised in the Audit Commission Report on award of Planning Permissions October 2004
SOUTHWARK UDP	Written Statement as adopted by Southwark Council July 1995
THE SOUTHWARK PLAN	November 2002
THE SOUTHWARK PLAN	Revised UDP - March 2004
THE SOUTHWARK PLAN SECOND DEPOSIT	UDP Second Deposit - Draft North, Middle and South
PECKHAM PROGRAMME FINAL EVALUATION REPORT	End of Scheme SRB Evaluation – the Peckham Partnership
RESPONDING TO THE STEPHEN LAWRENCE INQUIRY - JAN/FEB. 2000	Researching Young People's Attitudes in Southwark

MORI RESIDENT SURVEY	Summary presentation for Strategic Services
BOROUGH & BANKSIDE COMMUNITY COUNCIL WORKSHOP - FEBRUARY 2003	Brief summary of creation of Community Councils
SOUTHWARK ALLIANCE	Southwark Enterprise Strategy – Oct. 2003
REGENERATION – ECONOMIC DEV. & STRATEGIC PARTNERSHIP UNIT	Tackling Poverty. Building prosperity – 2004
REPORT ON COMMUNITY COUNCILS FOR INLOGOV - OCTOBER 2003	Consultation by CIDU with former Area Forums
EDUCATION STATISTICAL DATA	Analysis of School Staff – Leadership Group by gender/ethnicity/disability, Engagement & Consultation – Case Study [a] Traveler Children & Families Case Study [b] – Youth Connexions Case Study [c] – Attendance Case Study [d] – Supplementary schools Grant aided Supplementary Schools, Homework Clubs, Mother Tongue Schools
EDUCATION STATISTICAL PROFILE FOR EDUCATION IN SCHOOLS IN SOUTHWARK 210	OFSTED Office for Standards in Education School Adult population by gender/ethnicity/disability Teacher population by gender/ethnicity/disability Leadership Group by gender/ethnicity/disability
EDUCATION LEA STATISTICAL PROFILE SECTION 1: CONTEXTUAL DATA	OFSTED Office for Standards in Education Educational Advantage, Special Educational Needs, Free School Meals, Ethnic Minorities, English as an Additional Language, Attendance, Pupil Teacher ratios, Exclusions -January 2004
EDUCATION LEA STATISTICAL PROFILE SECTION 2: PUPILS' ATTAINMENT	OFSTED Office for Standards in Education KS1, KS2, KS3 – 1997-2003 GCSEs/GNVQs– 1997–2003 GCE A/AS Levels – 1997–2000 Advanced GNVQs – 1998-2000 GCE A/AS/VCE/Advanced GNVQs – 2001 GCE/VCE A/AS Levels – 2002 onwards Vocational Qualifications 1998-2003 - Second version April 2004

EDUCATION LEA STATISTICAL PROFILE SECTION 3: SCHOOL LEVEL INSPECTION GRADES	OFSTED Office for Standards in Education Last Inspection Composite Grades Comparison between latest and previous inspection Composite Grades, Second Cycle Inspection Composition Grades, Foundation Stage Inspection Grades - First version January 2004
EDUCATION LEA STATISTICAL PROFILE SECTION 4: DETAILED INSPECTION JUDGEMENTS	OFSTED Office for Standards in Education First version March 2004
EDUCATION LEA STATISTICAL PROFILE SECTION 5: LESSON OBSERVATIONS DURING INSPECTIONS	OFSTED Office for Standards in Education January 2000 – July 2003
EDUCATION LEA STATISTICAL PROFILE ANNEX A: INDIVIDUAL SCHOOL LEVEL INSPECTION GRADES	OFSTED Office for Standards in Education Last Inspection Composite Grades Second Cycle Inspection Composite Grades Foundation Stage Inspection Grades
EDUCATION LEA STATISTICAL PROFILE ANNEX B: 2001 CENSUS INFORMATION FOR SCHOOLS' WARDS	OFSTED Office for Standards in Education - First version January 2004
EDUCATION – YOUTH STRATEGY	Bermondesey Community Council Slides - 17 November 2004
SOCIAL INCLUSION	Southwark Community Cohesion Pathfinder Southwark Community Councils & Priority Neighbourhood Areas map
SOUTHWARK CPA	Audit Commission Inspection Report June 2004
UNISON	Workforce Statistics
REGENERATION DEPARTMENT ECONOMIC DEVELOPMENT TEAM	Overall Projected Enterprises & Business Projects Performance 2004-2005 (Projected figures) November 2004
REGENERATION DEPARTMENT ECONOMIC DEVELOPMENT TEAM	Previous years Enterprise & Business Development User Profile 2001-2002 (Actual figures) November 2004

REGENERATION DEPARTMENT **ECONOMIC DEVELOPMENT TEAM**	Monitoring Information held by Projects at Source - November 2004
REGENERATION DEPARTMENT	Equalities data on planning applications, analysed by gender/race/ethnicity or other helpful characteristics over past 2 years
REGENERATION DEPARTMENT	Staff characteristics in the Business Advisory Services run by the Council or supported by the Council

Section 2 – Representatives of Organisations and Local Groups who contributed to the Review

NAME	ORGANISATION
Cllr Nick Stanton	Leader, Lib-Dem Group
Cllr Columba Blango	Executive Member Equalities Culture & Sport
Cllr Peter John	Leader, Labour Group
Cllr Kim Humphreys	Leader, Tory Group
Cllr Cathy Bowman	Deputy Leader, Lib-Dem
Cllr Aubyn Graham	Labour Group, Ex-Chair Southwark Race Equality Council
Cllr John Friary	Labour Group
Cllr Jonathan Hunt	Lib-Dem
Cllr Caroline Pidgeon	Chair Walworth CC and Executive Member, Education
Cllr Richard Porter	Executive Member, Regeneration
Keith Broxup	Strategic Director Housing
Chris Bull	Strategic Director Social Services & CE SPCT
Gill Davies	Strategic Director Environment & Leisure
Paul Evans	Strategic Director Regeneration
Simon Jenkin	Director CEA
Bill Murphy	ACE – Improvement & Development
Sarah Naylor	ACE – Strategy & Performance
Deborah Holmes	Borough Solicitor
Natalie Hadjifotiou	Head of Social Inclusion
Tony Berry	Housing, Principal Project Officer
Simon Bevan	Manager Planning & Transport Policy
Chris Carter	SLS Information Officer
Nuala Conlan	Manager Community Involvement & Dev.

NAME	ORGANISATION
Chris Domeney	Social Services Youth Offending Service
John East	Regeneration, Head of Planning & Transport
Nikki Fashola	Principal Lawyer SLS & Member COT Equalities Sub-Group
Carol Hughes-Young	SLS Senior Lawyer
Tod Heyda	Social Services, Special Projects Manager
Phil McCarvil	Social Inclusion, Policy Officer
Karl Murray	Education Youth & Connexions
Bernard Nawrat	Head of HR
Pauline Nee	Borough Architect & Building Surveyor
Karen O'Keefe	Regeneration, Manager Economic Dev.
Jules O'Mahoney	Social Inclusion, Social Policy Manager
Russell Profitt	Head of Peckham Programme & Social Renewal
Kate Sturdy	Education, CEA Marketing
John Mulrenan	Unison Branch Secretary
Kym Wingfield	Unison Branch Assistant Secretary
Adrian Rabot	Southwark Police Consultative Cttee
Zafar Iqbar	Southwark Muslim Women's Association
Martin Seaton	Chair, Strategic Ethnic Alliance
Linda Bellos	Chair, LGBT & member Equality & Diversity Panel
Angela Stanworth	Southwark Community Care Forum
Rev. David Wade	Southwark Alliance & Multi-Faith Forum
Helena Kowalska	Southwark Race Equality & Diversity Panel
Mr. Yuruten	Southwark Cyprus Turkish Association
Althea Smith	Chair Southwark Police Consultative Cttee
Sonya Murison	Chair Southwark Race Equality Council
Louis Sadler	Vice Chair
Nikoi Kotey	Senior Race Worker
Krishna. Murthy	Treasurer

NAME	ORGANISATION
Bertha Joseph	Community Support, Victim Support Manager
Sumit Chada	Peckham Town Centre Management Group
Mr. Kumar	Local Businessman
John Bland	Resident and Campaigner on planning issues around Dulwich Park
David Stock	Southwark Disablement Association & member SREC
Dena Amer, Michael Bukola, Omar Faruk, Victoria Olisa	BME Residents Association Southwark Alliance
Neal Southwick	Southwark Travellers Action Group & member Equality & Diversity Panel
Ian Fraser and others	Elephant & Castle Traders Association
Roger Lynch	Ex Home to School Contractor
James DeCosta	Friends of Burgess Park
Emma Williamson	Planners Aid & member E&DP
Janet Yatak	Local resident – Elephant & Castle
Public Meetings	Black Planners Group
Raymond Stevenson	Black Awareness Group
Lucia Hinton	- ditto -
Rev. David Wade	Heartbeat Int. Missionary
J. Hoarey	Urban Concepts
Tim Summers	Green Party
S. Eighteen	Southwark News
Aboo Jahtata	Galaxy Radio
Cllrs Columba Blango,	LBS
Peter John, Vicky Naish,	- ditto -
Alfred Banya	- ditto -
Al-Issa Munu	Elephant & Castle Resident
M. Welford	Southwark News
M. Jansen	
Bockarie Marah	Globalcrest Service
Yusuf Wurie	Business Training Centre
Derek Partridge	Ex-Councillor
Richard Lee	Elephant & Castle Resident
Paul Francis	Strategic Ethnic Alliance

NAME	ORGANISATION
Mr. Henshaw	Camberwell Business man
Dr. Joseph Healy	Camberwell Resident
Hughie Rose	UK Black Panther Party
Vasi & Murat Karabetcha	Peckham, Dry Cleaners
David Afolabi	Camberwell Business man

Section 3: Summary of some of the Submissions of Evidence in support of allegations of unfair treatment which are already in the public domain and which are subject to further review, assessment and resolution

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Submission No.1 – Statement of Mr. & Mrs. [redacted]

Mr. & Mrs [redacted], experienced considerable unreasonable and unfair treatment [redacted]

Offered a five year lease on the premises in early 2001 they were also invited to make a bid for the acquisition of the freehold interest for which bid £90k in June 2001.

They had no response until March 2002 saying they could have it for £280k as it had advertising potential on a flank wall (which eventually was proved to be wrong).

They were shocked and took the matter up and received another letter from the Council stating that they were prepared to accept £250k for the freehold interest.

Mr. & Mrs. [redacted] contacted their bank, arranged loan facilities [redacted] on 7 August 2002 agreed to dispose but only on a leasehold basis (99 years) and not on freehold as originally agreed.

Mr. & Mrs. [redacted] found out that adjoining premises were valued by the Council at only £100k as freehold interest yet was asking £250k for Mr. & Mrs. [redacted] property and only as a leasehold with numerous restrictions on use of the residential accommodation above and the rear of property. Throughout the entire period, the Council was seeking to develop the rear of [redacted] (together with other adjoining sites) and was in discussion with potential developers (currently 2005, the subject of planning application).

By December 2002, following representations from local Councillors and the local M.P. a response was made to grant a lease in January 2003. By then, however, in December 2002 a rent hike was proposed from £8k per annum to £30k per annum, which was later found to be calculated wrongly and reduced to £29k per annum!

It was not <u>until</u> July/August 2003 that the Council responded saying that it could not proceed with the lease because of the development potential of part of the site, especially the rear of the building at [redacted] Yet, Mr. & Mrs. [redacted] were not interested in the rear, if they could proceed with the shop as their original bid as business was essentially the shop premises.

By 19 December 2003 the Council put four options to Mr. & Mrs. [redacted] of how to proceed. By then Mr. & Mrs. [redacted] had been demoralised, accrued debts, were unable to function effectively, became separated, daughter left home and both suffered ill health, all of which they attribute to the way in which the Council handled these matters.

Eventually, on 22 June 2004 Mrs. [redacted] gave up the lease which was assumed by Mr. [redacted] from 30 September 2004 on a five year term at £8k per annum.

Mr. [redacted] is insecure, could be evicted at anytime. This matter, which required independent investigation sometime ago, when formal complaints were made [redacted], including dealing

with and responding directly to complaints about [redacted] – should be the subject of an urgent independent assessment to determine why it took so long, why this family was treated so badly, whether or not the treatment was discriminatory, and what redress is available to them now.

Submission No.2 – Statement of Derek Partridge, former Southwark Councillor

My career *was* in H.M. Diplomatic Service. Several of my overseas postings were in developing countries and from 1986 to 1991 I *was* British High Commissioner to Sierra Leone. On retirement I came to live in Rotherhithe and from 1994 to 2002 I was a Southwark Councillor representing Dockyard Ward. During my first term I took a particular interest in equalities, especially race relations. In my second term, following dedesignation by the LDDC when Southwark took over as the planning authority, planning dominated my case-work. This was because house prices in the Surrey Docks area, particularly near the river, escalated immensely. Most of my case-work involved supporting local residents in objections to over-development. Developers were anxious to acquire consent for massive developments of one or two-bed units as these were most profitable. I had limited success. Developers invested large resources and displayed great guile. But an area where strong and well-directed community resistance is having effect is in redevelopment

When I was first elected as a Liberal Democrat, my group contained no black members and we were taunted by the Labour group on this account. I therefore encouraged my friend Columba Blango, who is Sierra Leonean, to enter public life and I was very pleased when he was elected to the Council, for the some ward as myself, in 1998. Last year he was the first black African-born Mayor of Southwark, a position which he held with great distinction.

It was on account of my background and interests that I came with CB to your public meeting on 12 January. Unfortunately I had to leave at 6.45 to attend a Planning meeting which involved a development very close to my property. I therefore only heard Richard Lee's lengthy presentation and the beginning of Raymond Stevenson's evidence. What I did hear *and* also what CB has told me of subsequent contributions has prompted me to write to you. I hope you will accept this late submission.

Mr. Lee told you of the unsympathetic attitude of Southwark Council to small black businesses. It was my experience as a Councillor that Southwark Property is rigid in its application of its rules and does not yield to arguments based on the special circumstances of its tenants. On occasions when I tried to advance compassionate circumstances on behalf of constituents who were white. I got nowhere. I therefore agree that Southwark Property lacks compassion; but my personal experience does not support the allegation that it is racist.

Mr. Stevenson has a quarrel with Southwark Planning. So do 1. The District Auditor in his Public Interest Report of February, 2004 wrote: “My investigations have revealed serious deficiencies in the planning processes and procedures of the Council which have not been satisfactorily explained. I believe that urgent action is required by the Council to ensure that there is openness, honesty, transparency and public confidence in all planning-related matters and to prevent similar failings In the future”. I therefore wrote to [redacted] on [redacted] 2004 pointing out that [redacted] that I had put to him, asked that [redacted] now do so and that [redacted] ensure that the District Auditor's strictures were heeded and that the "urgent action" recommended by the District Auditor was taken. [redacted] and I co-signed a letter [redacted]. Both letters received eventual acknowledgments of receipt, but no action resulted. [redacted]

[redacted]. I accordingly wrote to the District Auditor on 8 October (copy enclosed) pointing out that [redacted] and detailing all the matters on which I had complained to no effect. I received an acknowledgment from Mr. Elliott's replacement, Kash Pandya and a further letter of 23 December in which he said that he would be investigating the matters I had raised as part of his follow-up to his predecessor's report, planned for February/March, 2005. I attach a copy of my letter of 7 January to Mr. Pandya welcoming this.

There is no evidence of any racial influences in [redacted]

There is one of the cases which I have requested should be investigated where I have suggested the Council may be vulnerable to an allegation of racism. In the second paragraph of my letter of 8 October to Mr. Elliott I referred to my complaint that [redacted] had been permitted to provide [redacted], contrary to [redacted]. This development was a case where the appellate Authority had sustained a refusal of planning consent *inter alia* on grounds of dwelling mix. The UDP (Policy H1.5) on dwelling Mix of New Housing says that some provision should be made for larger units suitable for large families and its explanation refers to the fact that ethnic minorities in particular tend to have large families. I have to say [redacted]. However the Inspector on this occasion accepted the argument. [redacted] in its revised application incorporated a block of affordable housing with family and disabled provision. This was to be in partnership with [redacted].

I learned through a chance meeting with a former neighbour after construction had been completed that the plans had changed. There was no affordable housing on site. Instead [redacted] had accepted off-site provision at a noisy location [redacted]. This will have been of great financial benefit to [redacted]. The effect is that the black community has been denied good housing in a desirable location by the Thames river and has had substituted a site on a congested, noisy main road with greater danger to children. This was achieved [redacted] for which I have been unable to obtain any satisfactory explanation.

[redacted]

I hope you find these comments helpful. I shall be happy to give you any further assistance that I can.

Yours sincerely, Derek Partridge
CC Kash Pandya, District Auditor
Bob Coomber, Chief Executive
Simon Hughes M.P.
Cllr Nick Stanton – Leader of the Council
Cllr Cathy Bowman – Deputy Leader
Cllr Richard Porter – Executive Member for Regeneration
Cllr Jeff Hook – Chair of Planning
Cllr Columba Blango – Executive Member for
Surrey Docks Councillors
Cllr Jonathan Hunt
Rev. Andrew Doyle
Pauline Adenwalla
David Brunskill

Submission No.3 – Statement of Al-Issa Munu, Southwark Council Tenant

Good afternoon, firstly may I start by taking this opportunity to congratulate on you on your appointment to serve and oversee this review. I believe in my heart of hearts that God has put you in a position to effect an historical change and to improve the lives of victims of the suppressed.

I came to live in Southwark from Sierra Leone over 24 years ago and I have been blessed with a family brought up here in Southwark. Despite differential treatment endured I have integrated, participated and contributed through numerous voluntary involvement in BME organisations and various local and borough-wide community initiatives. I am therefore positive to state that, without hesitation, that I have successfully passed Norman Tebbit's "cricket test". As a result of this breadth of involvement and immense contributions I was a recipient of Southwark's first Civic Awards in 1996.

I wish to state that throughout my endless involvement and contributions in Southwark this is the second time I have ever been invited to a public event in Southwark to make a presentation. The first was when I was privileged to be a keynote speaker at the Southwark Council's Community conference on 8 September 2000. The Stephen Lawrence conference was entitled "After the Stephen Lawrence McPherson Report One year on What has Changed?" The fact of the matter is the Stephen Lawrence presentation has continuously made me reflect upon what has really changed in Southwark for the BME communities since 8 September 2000. In spite of the disquiet, suspicions and no respite of the BME community for me personally I believed your inquiry might serve as an historical moment and hopefully be a watershed to make racial prejudice by Southwark Council and our detractors a thing of the past.

May I also take this opportunity of extending my congratulations, appreciations and general solidarity to Mr. Raymond Stevenson for raising race issues in Southwark to the forefront without doubt, Raymond may not realise how he has really knocked me off from the No.1 spot of Southwark Council's racist chart of troublemakers. Without Raymond's bravery and resolve none of us would have been here today, hence I want to assure Raymond, his colleagues and all those who have made this session possible that they are not alone in with this trouble and constant survival in facing Southwark Council's deliberate act of bullying, harassment, intimidation and discrimination. The BME community are facing daily similar experiences of differential treatment but our views are not being sought.

Hopefully my contribution in this session will assist you in your review based on my endless involvement, experience and other community people in dealing with the reality of Southwark Council's equality and diversity policies. Firstly, as part of the human race we live in an age where words, phrases and statement of intent meant different things to different people. Therefore as victims of slavery and prejudice for over 400 years we mostly aspire and believe that we can all share and enjoy the same opportunities rather than embark on the continuous exploitation and differential and a suppressed community. Unfortunately equality of opportunity and mutual respect is non-existent from Southwark Council.

The BME community live in a London borough where [redacted], have too much power, influence and control in our daily lives without transparency and accountability for

their action or inaction. In such a covert hostile climate the BME community is expected to believe that [redacted] would really allow genuine equality and diversity of opportunity which would empower BME communities. Lord Ouseley and my peers this is a myth because the BME community has failed to constructively mobilise for far to long to allow Southwark Council and our detractors to continue to show and have scant regard for our community and use us like "toilet roll".

In light of such BME community experiences we are seriously concerned and bound to be very cautious about any review. As we do not know how independent and comprehensive your review will be there has been no serious publicity about your review, very few BME tenants in Southwark knew about your review and your review is being conducted with [redacted]. I will now reflect on the Stephen Lawrence conference on 8 September 2000 where I identified eight themes, Housing, Police, diversity & equality policies, mental health, Education, Employment and Regeneration.

For this session I will only provide a synopsis on housing, Southwark Black & Minority Ethnic Tenants Resident Organisation, (SBMETRO), [redacted], Regeneration Initiatives and Equality & Diversity Policies in order to demonstrate the reality of the continued "differential treatment" that the BME community face in Southwark. Our throes of concerns are evidentially based on our predicament at the hands of Southwark Council's institutional racism, a malignant disease that must be dealt with and eliminated for good. Because of time constraints I intend to relate briefly on our daily experiences with special reference to Southwark Council's equality & diversity policies

Before I start with my first theme, (SBMETRO), I will ask your indulgence to allow me to state as a sign of respect and condolence to the Taylor family that Damilola Taylor had his last breath of life at steps of SBMETRO's office at Hordle Promenade in Peckham. As you know Southwark Council is a public body with statutory obligation under both the 1976 and 2002 Race Relations Acts not to adopt or practice policies of differential treatment directly or indirectly on the BME community. Yet there is no grass roots borough-wide BME organisation or participation and involvement in any of Southwark Council's statutory bodies [redacted]. Consequently SBMETRO was born on 6 July 1995 in order to tackle the imbalance and lack of involvement and participation of BME tenants in the Council's consultation structures. Some of us felt, at that time, if the Council was really serious in its endeavours to bring about genuine equality of service and opportunity then SBMETRO should have been the beginning of a genuine process of removing these barriers that prevents the participation and involvement of the BME community.

But this was not to be. We later found out through the experiences of our experiences and predecessors and our own experiences that [redacted], were hell bent on destroying SBMETRO using old colonial methods of "divide and rule" tactics. Firstly Southwark sets the organisation to fail like previous organisation, secondly SBMETRO was starved of vital resources and permanent premises, thirdly [redacted] tried to vilify the organisation's leadership. Then funding, premises and survival of the group became a battleground. Despite Southwark Council setting the group up, only £500 was provided for the group's inauguration in 1995 and £1000 for its AGM n 1996.

In fact as a result of SBMETRO's narrow terms of reference, which were similar to T&RA's, we were only allowed to apply for £1000 funding [redacted] as a start up grant in 1995, £1500 for the AGM in 1996 and £91,000 for 1997, 1998, 1999. As part of Southwark Council's continued ploy in trying to destroy the group and its leadership in 1997 we received a letter inviting us to attend a meeting at Housing HQs in Larcom Street, to clarify our funding application. I went with [redacted] and [redacted] When we arrived at [redacted] we were told at Reception that there was no meeting; we tried in vain to see [redacted] and [redacted], who informed us that he was not allowed to participate in [redacted] either, even though members from other organisations whose funding was being considered were allowed at the meeting.

As [redacted] refused to leave the premises claiming to be being treated differently, the Police were called and [redacted] was arrested for breach of the peace without charge. To add insult to injury, myself, as Chair, [redacted], and [redacted] were later served with ex-parte injunctions banning us from Southwark Council premises. To date was no explanation was given as to why [redacted] and [redacted] were not served with injunctions. We can only guess that Southwark Council as part of its "divide and rule" tactic planned to use [redacted] and [redacted] as stooges against us. Surely a public body such as Southwark Council that prides itself on having an equal opportunities policy, and an equality and diversity framework would be expected to at least honour a reasonable request from an organisation representing over a third of the borough's BME community.

Some of us felt that we had no choice but to continue the struggle despite the "differential treatment" and humiliation endured from Southwark Council. After a long hard fight for 5 years our resilience appears to have paid off, surprisingly, a short let premises and funding of £91,000 was made available in 2000. We had to refurbish the premises from scratch and funding was only made available in May 2001. The Group bumped into a problem with one of our executive members and informed Southwark Council [redacted]

To our surprise, [redacted]. At first we took our complaint to the Tenants Council and then to the courts but to no avail. The issue is still outstanding. At the same time, Southwark Council was engaged in the setting up of [redacted] and celebrating Southwark's black and multi ethnic community through glossy magazines.

If Southwark Council's equality and diversity policies are to be taken seriously it must mean the BME community should be actively and fully involved to participate at every stage in the development and every aspect of it. It must also mean real consultation and participation instead of relying on [redacted]

The fact of the matter is the main interest of [redacted]

For real equality and diversity policies must mean getting the widest possible response from the BME community who live and work in the area. Ideas must come from our actively involved leaders chosen by us. We know what we want, do not want and our views must at all times be given top priority. Southwark Council's officers too often think that they know what is good for our community rather than what we want for ourselves.

It has always been the norm for Southwark Council engaging a policy of "divide and rule" tactics and treating the BME community traditionally as idiots and corrupt. For instance the easiest way out for Southwark Council is to carefully invite, select and appoint [redacted] to fulfil Southwark Council's basic equal opportunity policy requirements. This by and large helps the Council to continue to receive substantial Government grants for capacity building, equality and diversity issues. This in effect perpetuates and allows a level of "differential treatment" against our community to remain under the carpet unchallenged. To ameliorate such practices, we believe, these barriers will only be removed when fundamental changes are made with checks and balances to be monitored by the CRE to allow a genuine quality of justice and opportunity for all.

Yet the Planning and Transport service claimed to conduct an Equality Impact Assessment as part of its response to the Race Relations Amendment Act 2002 which ran for a year and was hailed as a model for best practice by the CRE. The reality today is Southwark Council's equality and diversity policies are troublesome, to say the least, if not racist to the core.

On the [redacted] you may well be asking what is the connection between [redacted] and your review. Well, it is the reality of Southwark Council's equality and diversity policies at work. The connection is with the regeneration at the Elephant & Castle since [redacted] is situated in the development core area. There is no genuine BME input as [redacted] connived with [redacted] aided by [redacted] are responsible for "differential treatment" against [redacted] whilst [redacted] supports the community. Clearly, [redacted] want to control all activities taking place in the Elephant & Castle redevelopment area and to ensure the development is not impeded by any genuine BME community consultation and scrutiny. This contravenes the Council's equality and diversity policies. Furthermore, despite representations I have made concerning Southwark Council's Plan (UDP), it still contains nothing for the BME communities.

[redacted] is a black led community organisation at the heart of a rich, vibrant, multi-racial community. Yet [redacted] has subjected [redacted] to a sustained campaign to take away its independence in the name of regime change. [redacted]

When the [redacted] the BME's leadership they then embarked on Police involvement for assistance. Therefore on [redacted] 2002 I called the Police [redacted]. I ended up being arrested with my wife who was charged with assaulting Police Officer and convicted. We appealed against my wife's conviction and won. [redacted], which had nothing to do with [redacted], has [redacted], this has been [redacted] and it is only now it is claimed [redacted]- although it is difficult to see [redacted] in our own home.

When faced with a letter seeking possession, we responded that there was a pattern of "differential treatment" compared to white led community centres and gave reasons why [redacted] failed to acknowledge or respond to our letter, which in itself was a contravention and abuse of the Council's own procedures in responding to correspondence [redacted]. The Council wrote that they would no longer pay the insurance [redacted]. Since [redacted] in the borough have their insurance paid by [redacted] is being excluded and subjected to "differential treatment".

[redacted] said it is not their responsibility to [redacted] that funds to do this have been sought from [redacted] who insist on regime change. Again, this was inaccurate and misleading. Under Clause 23 of the Tenancy Agreement, it specifically mentioned that tenant halls are covered by the same repairs obligation as individual tenants. The Housing Department has a Consultation Agreement with the Rockingham Estate under the Housing Act 1985 and the new Tenants Compact.

[redacted] operate as [redacted] providing a wider range of functions and general interface with Council services but never before has it been suggested that as a result they should distance themselves from [redacted] At the Tenants Council meeting on 12 January 2004 it was minuted:

"[redacted], a tenant representative, asks how [redacted] makes decisions on [redacted] when [redacted] can make a decision on [redacted]".

What is happening at [redacted] is a sleight of hand in which [redacted], have been instructed to look the other way whilst [redacted] comes and [redacted]. In a report presented to [redacted] 2004, [redacted] was among a list of [redacted] to be part of the Best Value Review of [redacted]. Yet, [redacted] has been excluded from a survey to evaluate [redacted] and their current use, with no reasons provided by [redacted]. We cannot understand why we are being treated differently.

On [redacted] 2004, [redacted] wrote to [redacted] and said "Having attended the Court hearing on [redacted] 2004, it is clear that these proceedings are not taking place in the best interests of the Council". Despite offering to help broker an acceptable compromise, my offer was never taken up. In my opinion, [redacted]

[redacted], and the matter could have and still can be settled without recourse to legal proceedings".

A sum of £46,000 is available as legal fees for [redacted] repossession when such funds would be better spent on services [redacted] provides. This is the reality of Southwark Council's equality and diverse polices.

I now turn to housing matters briefly. The Council has a statutory obligation under the 1985 Housing, 1976 and 2002 Race Relations Acts but from 1991 to 2000 out of 19 Housing Neighbourhood there was only 1 black Housing Manager and no Director or senior manager and in the current structure of 8 Neighbourhoods, there is only 1 housing manager and no director or senior manager who are black. Therefore, where have the Council's equality and diversity policies gone whey they claim to be hailed by the CRE as best practice? What a perverse statement.
In November 2004, I was elected for the second time as tenant representative to the Housing Scrutiny Sub-Committee. Despite my presence, the work programme for Housing Scrutiny has no reference to any issues affecting BME tenants or to the response of [redacted] to tackling racism. With frustration this is not without trying on my part.

A BME workshop at a recent Tenants conference held on [redacted] 2004 revealed serious gaps in the services being provided to BME tenants and residents in Southwark. At [redacted] meeting on [redacted] 2004. I requested these issues should be scrutinised urgently by the Sub-Committee and placed in the work programme in time to be included in your review. My plea fell on stony ground. I was told, and this is minuted, that my request would be considered at the next meeting, so I was surprised the agenda for the next meeting did not contain my item nor did the agenda for the [redacted] meeting.

The minute states:"Mr. Munu said he was disappointed that race issues were not included on the current work programme. He had written a briefing paper relating to his concerns and circulated it to the meeting. [redacted] determined the work programme, and it was not there because none had suggested it previously. [redacted] Mr. Munu's paper be included on the meeting agenda for discussion about inclusion in the work programme." Unbeknown to me, and other members of [redacted] then sent my report to another Council Committee [redacted], for them to decide how to respond and the minutes state that my report was "noted" [redacted]. No wonder I heard nothing further!

In our next meeting on [redacted] 2004, I attempted to question [redacted], under matters arising, why my report was sent to [redacted] without my knowledge and why [redacted]. This was minuted as follows:

"Mr. Munu was concerned that his briefing paper on race issues had not been included in the agenda for discussion as had been noted in the minutes from the [redacted] meeting. He accused [redacted] of racism and did not allow [redacted] the chance to explain why [redacted]

[redacted] recommended that Mr. Munu put his concerns in writing for consideration by [redacted]."

Following the meeting on [redacted] 2004 I discovered that it was inaccurately minuted when it said I called [redacted] racist, I brought up the accuracy of the minutes under matters arising and stated that I did not call [redacted] racist. Rather, I had advised [redacted] during the exchanges that if he did not change his behaviour on race issues, I would report him to the CRE. [redacted] confirmed my version and the minutes were corrected. [redacted] then said that my briefing paper has now been placed in the work programme but could not state when it would be discussed. Yet I could not find my briefing paper on the work programme.

No other request for inclusion on the work programme of [redacted] was treated in this way. Why does Southwark Council have such a problem when faced with requests from the black community? The following are some of the gaps between the policy and the practice when it comes to the diversity framework of the Council.

According to [redacted], no [redacted] have been trained in equal opportunities during the last year let alone in the previous years. This was despite all [redacted] recommendations that this was a key proposal for action.

Furthermore there is a detailed equal opportunities skill manual produced by Community Development (Housing), but those attending the workshop had never come across it. Every TRA and every tenant on Tenants Council and on Area Forums should be strongly encouraged to attend equal opportunity training. There should also be resources and training available to raise awareness of the real issues affecting BME communities in order to overcome the fear of challenging racism. The Housing Department promoted the "Tell US" campaign in liaison with the Police, ("Stamp out Racial Harassment"), and there are still posters about this at many Council offices. When you phone the number one discovers it has been discontinued.

Additionally, there is no longer any collation of statistics on the number of racial incidents. The aim had been to provide information and support through the Campaign Against Hate Crimes, an SRB funded partnership, which began in 2001 but, 3 years into the project, there are no policies and procedures, nor educational materials on racial harassment. Housing Neighbourhood offices are publicised as reporting centres for incidents of racial harassment but there has been no evaluation of the effectiveness of this service. An Asian tenant has been subjected to racism for over 10/15 years on my Estate, he still lives there as I speak. The Council and Police did nothing.

We are told that the key document for addressing the concerns of the black community is the newly published "[redacted]". This has deliberately excluded BME [redacted] who are involved in [redacted] and the document makes no reference to how BME organisations can be supported. When participants at the workshop expressed surprise at hearing for the first time of this document they were informed that the views of the BME

communities were being represented [redacted]. Now the question you would like to ask is what is the composition [redacted]. No one at the workshop had heard [redacted], and there was great concern that [redacted] document and the chosen consultation mechanism of [redacted], the majority of whom are [redacted], were being imposed on BME [redacted] without their input.

On [redacted] I will only briefly comment on [redacted]. It is supported by a [redacted] programme, known as "[redacted]" which is supposed to provide [redacted] for the local community and small businesses. The [redacted] approved in 1999 included 4 signatories from BME groups so as to meet the Government's criteria on social inclusion and community involvement. So why does the black community feel they were used by Southwark Council to obtain Government funding and then abandoned? The mechanism for implementing [redacted] is [redacted]. Each year BME community groups had to fight for their projects to be included in [redacted] but these projects were not delivered. [redacted] and [redacted] have produced analyses of where [redacted] money had been spent. The vast majority of [redacted] money went to Council hired consultants and projects put forward by Council Departments.

Very little was spent on community led projects and even less on black led projects. In year one for example, the records show that 4 black projects were put forward and all were rejected ([redacted]). This pattern was repeated in future years. I would like to give one detailed example out of many, that of the [redacted] to show how the policies and practices of the Council ignored, discouraged and frustrated the needs of the black community.

There were 7 BME [redacted] in the Elephant & Castle area and these [redacted] were even mentioned in the bid document. But when [redacted] wanted proposals for [redacted] spending on educational initiatives, they commissioned a report from the Council's Education Department.

This report proposed [redacted] resources for [redacted] be spent on [redacted] and be channelled through a [redacted] Group. Zero funds were allocated for [redacted]. Supported by [redacted], the [redacted] produced their own report (there was no assistance from [redacted].

We took this report to [redacted] and succeeded in gaining allocation of £1000,000 for a full-time co-ordinator and running costs for each [redacted]. However [redacted] then put every obstacle in the way to frustrate this project, because it would create pressure from other

[redacted] in the borough that only received nominal grants from the Council and because [redacted] wanted all the [redacted] funding to go to the [redacted].

[redacted] used funding regulations to [redacted] from spending time developing the [redacted] project and the [redacted] resigned citing frustration with [redacted]. The [redacted] project was never developed, the funding never released. Exactly the same pattern occurred with other BME projects, such as the community languages project led by [redacted] and [redacted], which sought to represent the 25 BME groups at the Elephant & Castle. All the time there were obstacles, frustration and the refusal to honour resources, which had been agreed.

The other key issue at [redacted] was BME representation. At first, I was the only black person on a Board of 20. Don't forget, this is an area where 30% of the community is BME. I raised this in the keynote speech at Southwark's Stephen Lawrence Conference on 8 September 2000. I then asked for my speech to be an agenda item at the Elephant Links Board meeting. [redacted] refused, on the basis that my speech was detrimental to the [redacted] programme. So I brought along 20 copies of my speech and gave it out [redacted] meeting.

Can you believe at the next meeting of [redacted], [redacted] introduced a new regulation that documents couldn't be circulated at the meeting, even though this had been the practice for over a year. Once again a restriction was introduced in direct response to a race and diversity issue being raised. This is an example of institutional racism at Southwark Council.

As a result of my speech, in 2000, the Community Forum proposed and [redacted] accepted the Government's Race Equality Checklist for Regeneration Partnerships is adopted. It was agreed full use should be made of the checklist in any of their reports. Due to this inaction, the Community Forum put forward a resolution in March 2001 that the BME representation on [redacted] be increased to reflect the make up of the local community.

[redacted] then held a series of meetings with [redacted] trying to persuade them any attempt at proportional representation on [redacted] would be illegal. At [redacted] AGM in April 2000, the Community Forum Director gave a presentation on race equality initiatives, a positive action resolution was supported and within 3 months there were 7 BME representatives on the [redacted].

This shows what can be achieved when there is a genuine commitment, but this commitment to race equality came from the community, and not from Southwark Council. Unfortunately for [redacted], at the next [redacted] meeting a rule change was introduced which sought to ban him from speaking at [redacted] meetings. Once again, [redacted] introduced a restrictive rule in response to the demand for race equality.

The issue at [redacted] was not to do with the competence of [redacted]; it was something else which one had to put down as racial discrimination. There was, and is, no coherent policy by Southwark Council on race and diversity at the Elephant, there is no strategic direction on race and as a

result [redacted] have failed in their statutory responsibility to promote equal opportunities and good race relations.

In line with Southwark Council's restructuring, [redacted]. The overall management is all white, they will not work directly with BME organizations instead setting up [redacted], which are not accountable to no one and are used as a rubber stamp. The Council will not work with the community base, [redacted] will not fund BME organizations in the borough which are independent and which have a broad remit. For example, [redacted] 2004) lists three sectors, which used to have independent funding but where the Council now manages the funding. [redacted] All of these are BME organizations that have lost their funding.

As a result we are overwhelmed with policy documents, which look good and sometimes even win race awards, but there is no substance behind the policy document. Too often, the practice is for the policy to be backed up with a detailed action plan, produced without any consultation with any community bodies. I was amazed that this exact formula was used with the Stephen Lawrence Action Plan, which of course came to nothing, and now is being used with the so-called Equalities Impact Assessments. These are called a model of best practice – perhaps they are for Southwark Council, but certainly not for the black communities of Southwark whom they are supposed to benefit.

The BME community will further urge you no to compromise your integrity by fitting in with a limited remit by the Council and produce a report that exonerates the Council of institutional racism. We repeat the call for a full **public** inquiry, in which full publicity about the inquiry is given to the public and all members of the public have the opportunity to present their evidence in the public domain. Private interviews are not conducive to a transparent democratic and accountable process and should be the exception not the norm.

We hope this is just the first of a series of **public** sessions where the BME community will have the opportunity to meet you and give evidence. I will repeat my invitation for you to [redacted] for public sessions at Elephant & Castle. We would expect that the draft of your report be shared with BME individuals and groups ensuring there are no gaps in the evidence and analysis. This is our inquiry too Lord Ouseley and we want to feel that we are full and genuine participants, therefore please work with us too. I am quite convinced that the BME community will not forgive you for generations to come if Southwark Council is exonerated when there is ample evidence to prove otherwise. Remember as Martin Luther King said "Justice delayed is justice denied". The attached list of documents will follow in due course to support my evidence.

Al-Issa Munu

SELECTED CORRESPONDENCE IN SUPPORT OF AL-ISSA MUNU'S EVIDENCE PRESENTED TO LORD HERMAN OUSELEY'S INDEPENDENT REVIEW OF SOUTHWARK COUNCIL'S EQUALITY & DIVERSITY POLICIES FRAMEWORK

SBMETRO

Chair's Report Annual General Meeting 1999/2000
Southwark Council Community Conference 8 September 2000 – After Stephen Lawrence: McPherson's Report "One Year On, What has Changed?
SBMETRO's letter dated 10 December 1999 to Community Development Section
South London Press dated 11 January 2002 – SBMETRO

ROCKINGHAM COMMUNITY CENTRE

Southwark Council's letter dated 10 September 2002 – Suspension of Grant
Southwark Council's first letter dated 6 December 2003 – Notice to Quit
Rockingham Community Centre response dated 24 December 2003
Southwark News-Rockingham Community Centre's response dated 24 December 2003
Chair of Library Street Neighbourhood Forum's letter dated 14 January 2004 to Strategic Director of Housing on Rockingham Community Centre's complaint
Southwark Council's second letter dated 11 February 2004 – Notice to Quit
Tenant Council's Minutes of meeting 12 January 2004 – Rockingham Community Centre
Tenants Council's minutes of meeting 15 December 2003 – Rockingham Community Centre
Tenants Council's minutes of meeting 2 February 2004 – Rockingham Community Centre
Cllr Barnard's E-mails dated 21 and 26 January 2004 to Stan Dubeck
Strategic Director of Housing report to Tenant Council on Rockingham Community Centre
Cllr Mick Barnard's letter of support dated 22 June 2004
Community Support Voluntary Sector Programme dated 14 September 2004
Southwark Council's letter dated 12 August 2004 request for a meeting
RCC's response to Southwark Council's letter dated 12 August 2004
Southwark Council's letter dated 16 October 2004 withdrawing offer of meeting
SGTO Chair's letter dated 1 March 2004 to Mr. Egan, Legal Department
SGTO Chair's letter dated 25 February 2004 to RCC Management Committee

HOUSING

Briefing paper – Equality & Diversity Policies Housing Scrutiny Sub-Committee
Housing Scrutiny Sub-Committee's meeting dated 9 February 2004 on Tenants Halls
Housing Scrutiny Sub-Committee's meeting dated 11 May 2004 on Tenants Halls
Housing Scrutiny Sub-Committee minutes of 6 October and 10 November 2004
Strategic Director's Progress Report on Tenants Halls to Housing Scrutiny Sub-Committee

REGENERATION INITIATIVES

Community Forum's letter dated 18 January 2002 to Board Members
BME's letter dated 8 February 2002 to Council Leader
Community Forum's letter dated 15 February 2002 to Board Members
Community Forum's letter dated 24 May 2002 LDA Chief Executive

Community Forum's letter dated 30 May 2002 to Ms Angela Eagle MP
Board Chair's letter dated 18 June 2002 in reply of Mr. Munu's letter dated 5 June 2002
Late Anne Kean's letter dated 17 July 2002 to LDA Board Members
Mr. Munu's letter to all LDA Members
Mr. Munu's briefing paper – Proposals on the Composition of New Board
SAVO's Discussion paper – Proposed to Elephant Links Community Forum
Ms Janet Yatak's letter dated 18 March 2004 to LDA Chief Executive Michael Ward
CRE Policy Adviser (Regeneration) letter dated 3 April 2003 to Paul Evans

Submission No.4 – Statement of [redacted], Director of [redacted]

Alleges corruption and racism which is the subject of a current independent investigation by the Council

[redacted].
London [redacted]

Dear X,

Re: Tender for the Provision or [redacted] London Borough of Southwark - AMENDED

I *am* writing following the decision of Southwark Council to award the contract for the provision of [redacted] The London Borough of Southwark to [redacted]. to request written feedback as to why [redacted] was not successful. As a Southwark based company employing primarily Southwark residents I am obviously disappointed that the Council decided not to choose a local company to provide this service. Your verbal feedback has been that the only reason that [redacted] was not successful was that the tender from [redacted] was cheaper than that provided by my company. By definition this implies that [redacted] and [redacted] were identical in all other aspects of their respective tenders. Local Authorities are charged with a duty of providing "Best Value" which may or not be the cheapest service. I understand that [redacted] will have reached their decision following recommendations made to them by [redacted], I respect the process and the decision if it has been reached in a fair and open manner but I would like clarification on the following points.

- Can you confirm that this decision was made on the ground* of best value?
- Can you also confirm that all of the requirements of the tender will be delivered within the price accepted by the Council?
- Can you confirm that the level of service, Including all [redacted] and other tender requirements including [redacted] were matched by [redacted]?
- Can you also confirm that the weighting system for deciding the tender decision, as described in the invitation to tender was applied correctly?

This decision has raised a number of pertinent questions from both my company and myself as a voting resident of Southwark. My Initial observation of the company that has been awarded the contract is one that I am sure you considered very carefully in the course of making your recommendations to the Council and the process that followed.

One of the moat basic requirements of a company's ability to deliver a viable service is that it is a going concern. You put a great deal of emphasis on the financial ability to deliver the contract during [redacted] presentation and subsequent conversations, with particular reference to expansion.

The latest set of accounts filed with Companies House for [redacted] that are available to the public are those for the year ended 30* April 2004, show the following figures (extracted). I have added my accountant's interpretation of these figures.

- Can you confirm that the financial viability of [redacted] was considered by the tender panel and was not seen an issue in terms of delivering the contract?

- Can you confirm that when [redacted] was placed on the Council's approved contractor list, a check on their financial position was canned out?

Balance Sheet

Description	As At 30/4/04 - £	Observation
Fixed Assets – Net Book Value	[redacted]	Includes [redacted]

Current Assets Debtors	[redacted]	Debtors are [redacted] of turnover i.e. it takes two months for the company to collect their debts assuming that all their sales are credit sales. If some sales are cash, their credit collection and therefore ability to pay their bills are even worse
Current Liabilities Due within one year	[redacted]	The company's current assets exceed their current short term liabilities by only £[redacted] i.e. if they collected all of their debts and paid all of their bills due within one year, they would only have £[redacted] in the bank Included in the creditor's is a bank overdraft/loan of £[redacted] and VAT of £[redacted]
Current Liabilities Due in more than one year	[redacted]	This brings the company's total current liabilities to £[redacted] and their current assets are only £[redacted] They have virtual no fixed assets that they could be liquidized and are therefore technically insolvent i.e. they don't have enough money to pay their debts

Profit and Loss Account

Description	**Year ended 30/04/04**	**Year ended 30/04/03**	**Comments**
Turnover	[redacted]	[redacted]	[redacted]% increase in turnover i.e. rapid growth. Potential cause of cash flow issues
(Profit)/Loss before Tax	[redacted]	[redacted]	[redacted]% profit – would possibly less, but no tax paid presumably due to prior year losses
Deficit Carried Forward	[redacted]	[redacted]	Deficit 7 months ago of [redacted]

The company has a negative equity. [redacted] was technically insolvent as at 30" April! 2004 with total assets being £[redacted] less than total liabilities.

The share capital is £[redacted] and the majority shareholder (£[redacted]). As per the notes to the latest financial statements has loaned the company additional funds and is willing to rnake more funds available.

This means that the company, which for the year ended 30* April had a profit of £[redacted], has
£[redacted]-bank overdraft
£[redacted] shareholder loans

- Additional shareholder loan
- Appears to be dependant on the funds of one individual

As a Southwark resident I am concerned that a contract worth in the region of £20 million over seven years can be awarded to a company that:

- Is technically insolvent
- Has only just made a profit

Had a deficit brought forward of nearly [redacted] only seven months ago.
Has fixed assets of only £[redacted]

- Is financially dependant on shareholder loans?

To expand, a company needs either cash or credit. Internally generated cash is obviously not an option. Any credit check would show the company's liquidity, or rather lack of it. This only leaves further loans from shareholders as confirmed by the company's accounts. Is this really the kind of company that Southwark Council should be placing such a large, long-term contract with? What happens if the major shareholder has a change of mind or has insufficient funds?

Cash flow is the major reason for the failure of growing companies. I am sure you are aware of this, but for clarity I will explain why.

Services / goods are sold on credit but expenditure needs to be paid for before debtors physically pay the bills. This leads to a situation where creditors aren't being paid on time, they become unhappy and will take action to recover their money. If this is a bankruptcy order, all creditors require paying immediately. The first people to receive their money are Custom's & Excise and the Inland Revenue. These two bodies at the 30* April represented [redacted]% of [redacted] short-term creditors, with the bank representing [redacted]%.

As a businessman and local resident, I cannot understand how a Local Authority can award a tender in the region of £3 million a year to a company with this financial standing. Technical insolvency is just once step before bankruptcy.

Other areas that you placed a great deal of emphasis on were prior experience, both in providing [redacted].

How can Southwark therefore award a contract to a company who's prime business is to [redacted]?

I would also like to take this opportunity to explain my previous experience of the relationship between Southwark Council and [redacted].

In June 2002, an employee of Southwark Council approached me with a request for [redacted] to relinquish [redacted]

so that they could be handed to [redacted]. As you can imagine, I declined.

I was then approached on three subsequent occasions with the same request. When I again declined, I was informed that [redacted], from the Council was [redacted]

I made an official complaint, naming the person who originally approached me, also stating that this person had emails from [redacted].

[redacted]

I never received an answer to my complaint and [redacted] and given to [redacted], (untendered).

I have also been approached by yourself today with a view to [redacted] taking over [redacted] from [redacted] before the official commencement of the contract. This practice, I believe is an illegal one. However, as you say, it is your business and you do as you see fit

At this time, the eleventh hour, I would like to know the involvement of [redacted], had in the decision making and awarding of this contract at the [redacted] on [redacted] 2004.

I am aware that [redacted] has been forced to resign following race legislation infringements. All of his decision making and involvement on [redacted] must be called into question.

[redacted] is, as you are aware, a black owned business. We have always worked to achieve and gain credit on our merits. However. in the light of recent developments within the Council ([redacted]) along with the issues I have raised regarding the process and the decision making, ***we formally ask for the tender process* to be *stopped. I would also ask that*** [redacted] ***be Independently* investigated *and their links with*** [redacted] ***exposed.***

[redacted] is willing to continue to *work* in the same vein as we currently do until my concerns and allegations have been investigated and satisfactorily answered. Depending on your answers, we are minded to take legal redress in the courts, via either an injunction and/or a claim for loss of earnings and damages.

As you told me earlier today that you have not received my original letter, even though it was hand delivered on Friday, I am emailing this to you. I will also have a copy delivered by hand.

I would appreciate a rapid response to the Issues that I have raised.

[redacted]

Director

[redacted]

Submission 5 - A Joint Paper from the Black Awareness Group, Black Planners Network and SIBEMG

Institutionalised Racism & ethnic Cleansing within Southwark Council from 1995 – and continuing

Report January 2005

This report will be made available to Lord Ouseley, Councillors, media, and other interested parties. It will be used as a barometer to judge if subsequent inquiries have reached a fair and honest conclusion.

Authors of the document: Black Awareness Group
Black Planners Network
S.I.B.E.M.G

Contributions: Lee Jasper (Race Advisor to the Mayor)
Harriet Harman MP
Cllr Jonathan Hunt (Lib Dem)
Camberwell Road Businesses
Jade Dry Cleaners

Documents relied on and referred to: Race Relations Amendments Act
District Auditor's Public Interest Report
Black Planners Network report
Planning Aid for London Report
Overview & scrutiny report
Camberwell Train Station files
[redacted] files
[redacted] file
Imperial Gardens file
Thameslink 2000 file
Andrew Arden QC
Michael Webster (Webster Dixon)

Audio evidence relied on: [redacted]

IMPERIARL GARDENS **BACKGROUND**

Prior to opening the Imperial Gardens the reputation of THK World Entertainment's had been established for ten years: From the back streets of south London we ran a prolific production company. If you needed it, we supplied it, dancers, musicians singers sound equipment or just expertise. As well as exporting and staging dance shows to Italy, Japan, and Switzerland, we were consultants for Palladium Nightclub New York. Such was our profile we were even invited to the 'Houses of Parliament' to meet MP Bill Cash to deliver our solution to the rise in the illegal acid house party phenomena that was sweeping the county. Our solution was simple: Firstly allow night-clubs to open till six in the morning - they listened. Secondly allow companies to stage outdoor all night licensed events under the existing structure of occasional licenses: They listened:

One of our biggest claims to fame was staging and promoting the WORLD PARTY events. With an average audience of over 20,000 people it was a logistical nightmare. The events where staged up and down the country and run all night in outdoor arenas with funfairs, market stalls and an international line up of DJs and a live music arena. Not only did we have to get police approval we had to adhere to all their requirements as well as co-ordinate with the emergency services, local Council and residents.

The Mail On Sunday stated: World Party came to town- all the clubs in the south of England were forced to close. Once the government extended nightclub operating hours we were inundated with requests to act as consultants to nightclubs. Over the next few years we worked in every major nightclub whilst promoting up and coming black talent.

In 1995 after working in the corporate nightclub industry for over ten years we decided to open our own nightclub, in our local borough Southwark. This should have been a simple operation considering the expertise we were bringing to the table. However, my personal experience of this time was not a good one. For the first time in my life I had the feeling that the very essence of my skin colour was having a detrimental effect on how I was being treated. I was soon to realise how quickly the illusion of equality can come tumbling down.

Aside from the problems with the Council the Imperial Gardens quickly established itself as a production house /nightclub with a commercial and community ethos. The profits from the nightclub were used as a funding mechanism for aspiring black artists, producers, writers and musicians. The success of our development programme culminated in international notoriety for artists that established themselves at what the Guardian recently called our prolific 'talent factory': The accolades came in thick and fast: Marsha one of the first artists to receive our talent sponsorship fund went on to win a Grammy for her writing on Michael Jackson album, Alex Wheatle attended our writing classes and went on to published Brixton Rock, Bless-d (nominated for the Smash Hits best newcomer award), Raymond & Co recent MOBO winners for their Gospel Album. Our artists appeared on Kilroy, GMTV, Smile TV, The Box, MTV. To mention a few of the household names from our stable; Big Brovazs, Damage, Mykyla, Nathan, etc.

However, it was the work we did at our DJ, acting, writing and dance classes, which was most applauded. Such was the empowering nature of our work thousands of children came through our door, 80% of which were from black and ethnic backgrounds.

In the year 2000 ITV community affairs programme aired a six week campaign of 'Your Shout', which high-lighted the work we were doing within the youth community. The extensive media coverage meant the existence of Imperial Gardens was known by young and old alike, especially those living in Southwark. From 1997 -2001 we even held Southwark's Major show and events for Camberwell Arts week at the club.

Background: Black Awareness Group

In Sep 2001 the Council granted planning permission to build flats three metres from our nightclub Imperial Gardens without informing us. As far as we were concerned [redacted].

The Black Awareness Group was formed by members of the Imperial Gardens nightclub who were frustrated at Southwark Council's failure in their duty to address our complaints. We were soon joined by other BME businesses who were also effected by Southwark's actions on the same site that we occupied. This has now lead to us setting up our own monitoring group called Southwark Black & Ethnic Independent Monitoring Group, of which the constitution is currently being drafted.

We have spent the last year lobbying the CRE to investigate discriminative practises, which appear to be endemic within Southwark Council. The reluctance of [redacted] to curtail the discriminative attitude [redacted], has led them to believe that they can get away with deliberately compromising BME business in pursuit of the Council's wider agenda.

The response to our accusations that discrimination was a motivating factor in the treatment we and others have received has been blind denial. [redacted] has publicly stated in regards to our claims of discrimination that we should bring the evidence to them; even though they have a statutory obligation to monitor the impact their actions and decisions have on the BME community. Instead of addressing our case in the appropriate manner they have sought to undermine our accusations by flagging up the fact that their Southwark Race Equality Scheme 2002-2005 has been commended by the CRE. What is most disturbing, about the arrogance of this wholly inadequate response, is the suggestion that the Council's commitment to race equalities is solely based on their reliance on policies. But we all know that the proof of the pudding is in whether the policies are being monitored and carried out.

- In regards to planning procedures and the DA states the Councils policies and procedures were ignored.

- We state that the Council's obligation under the Race Relations Acts and their own statutory and moral duty to promote race and equality were also ignored.

Since our concerns have been raised Unison have come forward with the latest Council statistics that if you are black or Asian you are more likely to be disciplined than your white colleagues. This is most disturbing because if the Council is failing it's own staff how can they expect to offer a fair and equal service to BME communities. Even more cause for concern is that the Black Planner's Network made these accusations to the Council [redacted] denied that there had been complaints from BME staff of discriminative treatment in favour of white staff.

In hindsight it now appears that [redacted] initial response comments seem to be part of the conspiracy of blind denial.

The result of our lobbying for a public inquiry has resulted in the appointment of Lord Ouseley conducting a review of the equalities and diversity framework. We have publicly stated that we believe the narrow remit is a deliberate attempt by the Council to create a sterile report. But we hope that Lord Ouseley's independence will not be

restrained by this obvious attempt to suppress the truth. Any legitimate inquiry into race must consider all actions and how they have impacted on the BME community.

A letter from, the CRE to [redacted] which states: *the scope of the Council's inquiry should include: the issues associated with Imperial Gardens and wider issues concerning allegations of racism and racial discrimination* [redacted] *in Southwark Council.*

[redacted] response on the [redacted] 2004 (APPENDIX 1) was once again blind denial, a common theme with this Council: *I was not aware of the nature of the alleged discrimination and the deferential treatment by Southwark in reference IGN and* [redacted] *therefore discrimination on racial grounds. And that the Black Awareness Group claim this was part of a concerted effort to ethnically cleanse a regeneration area.*

[redacted] response can either be judged as:

- **A denial of something he clearly knows about**
- **Or a lack of understanding as to what discrimination is**

The chances of [redacted] not knowing the nature of the allegations are diminished by the fact that B.A.G submitted to [redacted] in December 2003, (a year before his above statement), a document entitled, 'Ethnic Cleansing Report', which detailed our claims and beliefs that Southwark Council set out to compromise BME businesses that conflicted with their regeneration plans.

(APPENDIX 2) Enclosed is a copy of our 'Ethnic Cleansing Report', which the Council ignored even though they have a statutory obligation to investigate claims of racial discrimination.

(APPENDIX 3) Prior to this we did another report that went to [redacted]. Copy enclosed. 90% of our allegations were included in the DA's final report.

The Council should have instigated some kind of formal inquiry into our claims but chose to ignore it. Add to this extensive coverage in the media and The London Programme on ITV and evidence presented to the OSC in May 2004 from Imperial Gardens and The Black Planners Network we find it hard to believe the Council is unaware of the nature of our complaint.

Ignoring [redacted] apparent amnesia it is clear there has been a blatant attempt by this Council to ignore the claims in the hope that they will go away. In the meanwhile they have pursued an agenda of harassment, victimisation and discrimination in their attempts to discredit members of the Black Awareness Group. This Council has failed its duty under the Race Relation Act to investigate any claims of racism in a fair and appropriate manner.

Setting aside the failures of the Council to investigate our claims, which were first presented in a letter dated August 1996, we take comfort in the fact that [redacted] now acknowledges the CRE's insistence that this inquiry has to satisfy their remit. In the same letter dated [redacted] states that he assumes that the CRE has had extensive contact with Lord Ouseley and been assured that the remit will now met the wider objects that the CRE wish to see included.

Executive Summary

Black Awareness Group Statement:

When we are not being cynical: The Black Awareness Group view regeneration as the governments response to the growing deprivation and the social and economic impact it has on certain sections of the community, especially those who live in and around the blighted areas. Therefore regeneration should improve the lives of the BME communities and not have a detrimental effect on it.

We are not anti-regeneration: The Black Awareness Group believe that urban areas should be incorporated in the general growth of towns or cities. However regeneration should not be an excuse to abuse BME communities and pursue actions that are clearly meant to destabilise their existence, especially if the Council is then found to have its own interest in their demise. Council's are allocated extra, or match funding, from the Government to create artificial climates that will enable these areas to flourish on their own. Setting out to gentrify these areas, deliberately or accidentally, creates more poverty. When its done as blatantly as Southwark Council it creates anger and distrust and a disproportionate effect of the BME community, who already operate under the economic restraints of under investment and lack of support from banks and other financial institutions.

The Black Awareness Group is however against any attempts to gentrify areas without due consideration for those people who have spent a lifetime developing their businesses in areas previously considered undesirable. If you destroy these businesses it has a disproportionate effect on the black and ethnic community and therefore the Council is failing in its statutory duty to promote equal opportunities:

- Most BME businesses employ staff from their own communities
- Most of these businesses provide a valuable service to their own communities

In reference to the Council's acknowledged failures the Black Awareness Group does not accept that the allegations are simply discrimination that effect small businesses and any inquiry that formulates this opinion can be considered a cover-up. If you look at the discriminative cycles Southwark has a history of regeneration gentrification, which always encroaches on the equalities of BME businesses.

Aims & Objectives of this document

In this document we set out to hi-light the discriminative behaviour patterns that were placed on a triangular site, occupied by a community of black and ethnic businesses. Even though the Council has admitted wrongdoing the Council fail to acknowledge, the overwhelming evidence that they are guilty of discrimination and institutionalised racism.

The Council states that the previous inquiries by the District Auditor, Ombudsman and OSC did not find racism or discrimination as a central theme to the treatment, which the Council has publicly confirmed and apologised for. However, the District Auditor confirmed in a response letter to the Overview Scrutiny Committee:

T*he remit and scope of the report was confined to two main issues, the failure to consult Imperial Gardens in* relation to Fairview Homes, the delay in granting planning permission to Imperial Gardens in respect of their own planning *permission. At no stage was the remit ever extended to any other issues connected with institutionalised racism or similar matters. Any such investigation would entail a much more detailed investigation.*

Judging by the DA's comments the Council's narrow remit of this inquiry doesn't give sufficient scope to carry out what the DA states is needed - to carry out such a detailed investigation.

The Ombudsman comments that he couldn't find any racism is justified because we refrained from giving him the evidence because he only has the power and expertise to investigate mal administration.

We have no intention on going back over issues that the DA, Ombudsman and OSC have covered in their reports, however to analyse whether discrimination has taken place, the findings in these reports need to be assessed to see if any of the failings constituents a failure in the Race Relations Act and Amendment Act; or constituents discrimination. And whether the Council's own failures are in conflict with their duty to provide an equal and adequate service to the BME communities affected on this regeneration site.

We set out to prove:

1. From as early as 1995 Southwark Council were pursuing plans to build a train station on the site occupied by Imperial Gardens and other BME businesses and this was the motivation for the Council failing to apply the correct policies and procedures in regards to [redacted].

2. In doing so they conspired to cover up this aspiration denying the BME businesses their rights under the race relations act 1976 as amended in 2000.

3. That [redacted] in breach of their own statutory requirements under the Race Relations Act.

4. That [redacted] and created points of conflict with Imperial Gardens to compromise their existence.

5. That [redacted]

6. That [redacted] conspired with [redacted] to inform them of the [redacted] and [redacted]; thereby applying deferential treatment.

7. That [redacted] discriminated against Imperial Gardens and other BME businesses [redacted].

8. The Council failed to engage with the BME businesses in conflict with their regeneration site even though they promoted by there own studies as the obvious casualties to their regeneration aspirations.

Comments from past reports

District Auditor

The District Auditor has confirmed in relation to award of planning permission for FNH and Imperial Gardens nightclub that the Council's process was not adhered to and the Council's policies were ignored. He also confirmed that the evidence from [redacted] was contradictory and therefore untenable.

[redacted] stated at the Overview scrutiny Committee meeting on 20th May 2004 that in all his time in planning [redacted].

Planning Aid For London

As experienced planners the failures of the Council is in explicable. As we have already stated in the absence of a rational explanation it is easy to understand how allegations can develop from a deliberate strategy to withhold information.

Patrick Anderson (BPN)

The Black Awareness Group has asked Patrick Anderson from the Black Planners Network to explain BPN's definition of what discrimination is and what statutory duties are put in place to protect BME businesses from discrimination. To further explain the Council's policies and how it failed the Imperial Gardens and the other BME businesses situated on a triangular site split by a railway.

The **Black Planners Network** (BPNet) is a group of black town planners who practice in the UK. They found it necessary to organise themselves into a network in order to share information, among themselves and externally, on the practice of town planning in the UK, and to analyse the impact that the planning system at all levels is having on black town planners working in the system and black communities.

When BPNet became aware of the District Auditor's (DA) report on the conflict between the owners of the Imperial Gardens Nightclub (IGN) and London Borough of Southwark (LBS) we endeavoured to read the report and obtain further information from the nightclub owners. The owners were adamant that racism and discrimination were the reasons that LBS behaved the way it did to IGN and to other black businesses that operated in the vicinity of the railway arches.

BPNet's interest was piqued when we became aware that all the businesses that operated in the vicinity were BMEs and that, over time, they all suffered similar or the same fate as the IGN. Upon hearing these tales of woe, reading the various documents produced by the owners of the IGN, reading the DA's and speaking to [redacted] LBS we were convinced that racism and discrimination were major factors in the Council's action.

Racism and Discrimination

In recent times two notions of racism and discrimination have emerged. The first is direct discrimination based on race and or ethnicity whilst the latter is indirect or systemic/institutional discrimination. More recently in order to more effectively and strategically fight racism and discrimination greater emphasis has been placed on using the systemic/institutional approach to combat racism and discrimination. That is not to say that individual acts of racism has stopped taking place, far from it.

In the UK the McPherson Inquiry into racism and discrimination into the policies and practices of the Metropolitan Police Force which followed the murder of teenager Stephen Lawrence promoted the notion of institutional racism and defined it for its own purposes. It is that definition that BPNet applied to the actions of LBS to the owners of the IGN and other black businesses in the vicinity of the railway arches. McPherson defined institutional discrimination as:

> ***The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority people.***

It is this definition of racism and discrimination the Black Planners Network used in its analysis of the DA's Report, interviews with [redacted] and documents prepared by former IGN owners.

IMPERIAL GARDENS **SET OUT THEIR CLAIM**

Contained in this document is conclusive proof that the destruction and compromising of Imperial Gardens and other BME businesses was part of a concerted effort by Southwark to clear the site of BME businesses in preparation for their regeneration aspirations. This resulted in:

- deliberate procedural failings
- 6 counts of mal administration
- a failure to provide equal goods and services
- indirect discrimination
- institutionalised racism
- personal discrimination
- breach of Race Relations Acts
- victimisation

A running theme to institutionalised racism can be detected in the way complaints are handled. A failure to investigate BME complaints in an appropriate and fair manner could constituent discrimination and clear signs of institutionalised racism.

Our original complaints were sent to [redacted] who instructed [redacted] then [redacted] that nothing untoward had taken place, which we now know is not the case. Why were we not afforded a proper and through inquiry.

In the light of the damming DA's report and evidence that has surfaced since, it's fair to say [redacted].

It later transpired that [redacted].

Due to [redacted] failure to carry out a proper internal inquiry we undertook our own investigation. [redacted] response was to refuse us access to public documents as confirmed in the OSC final report. We soon realised that our rights to fair an equal treatment was just an illusion. At this point we had a simple choice to accept that all avenues to the truth were being closed in our face or to up the anti. The DA notes *that the methods used by the complaints have included aggressive access to Council's premises and by their own admission the use of misrepresentation in order to illicit responses and reactions and to unsettle or alarm members of the Council itself.*

Judging by the Council's blatant discrimination in refusing to allow us to see public documents these methods were clearly justified when you consider the damning findings in the DA's report. We hope no other BME organisation is ever forced to go down the route we did.

At point 79 of the DA's report it sates: *There are other unsatisfactory elements regarding the manner in which the Complainants written complaints were initially handled and subsequently dealt with.* **This statement from the DA confirms the Black Awareness Statement that out complaints were not being addressed appropriately.**

In accordance to our original complaint the DA states that sways of documents were missing from Council files. This blatant attempt by [redacted] to cover up its activity was the first indication that this Council had something quite serious to hide. The second indication, was the Council's attempts to lie their way out of what they originally stated was just a lapse in policy which led to our business not being canvassed. We believe if we were a white corporate business or [redacted] we would have been dealt with in an appropriate manner and not forced to spend the last 18 months disproving the Council's lies.

The DA confirms that the Council's initial account of events are not reflected in his findings. This means either the Council has conspired to lied or they fail to carry out a proper investigation of events. Either way they failed to offer us the service of a proper investigation.

- Imperial Gardens were canvassed for the [redacted] application.(lie)
[redacted] stated they canvassed [redacted] (lie)
- Imperial Gardens were not on the ordnance survey map (lie)
[redacted] state that Camberwell After School (BME business) were canvassed (lie)
[redacted] state [redacted] was unaware of our existence (lie)
[redacted] had carried out the statutory requirements (lie)
- The delay in dealing with Imperial Gardens application was due to high staff turnover (lie)
- The delay for our application was due to not having relevant documents (lie)

Whilst undertaking our initial inquiry it became blatantly obvious by the Council's attitude, behaviour, and racist stereotyping, that they either believed we didn't deserve to be told the truth or we wouldn't be able to comprehend the attempts to mislead us.

New Information confirms that [redacted] made discriminative comments about Imperial Gardens and Raymond Stevenson:

[redacted]

THE BLACK PLANNERS NETWORK

The Case showing Institutional Racism

As mentioned above racism does not have to be direct. We are of the opinion that institutional racism and direct racism took place in this particular case. [redacted] were aware of the owners of the Imperial Gardens nightclub, who their clientele were and the work they do in the locality they operate in. Mr Stevenson from all accounts had had contact with them over a period of time and this is well documented in the DA's report. There is no denial that his ethnicity and race, as well as those who predominantly use the Imperial Gardens nightclub are known [redacted].

The Council also has an obligation to respond to an applicant for planning permission within 8 weeks of the application being made or within 13 weeks if it is a complex application or to extend the application with the consent of the applicant. Application made by the Imperial Gardens nightclub was made on April 13 1999. Planning permission was not received until July 22 2002 a time lapse of four years. Application made for planning permission by [redacted] Imperial Gardens nightclub on May 14 2001 and ten months after IGN was approved on October 24 2001. [redacted] application took a matter of 5 months and ten days. Why the discrepancy? The question is, is it because one was from a black organisation and the other from a white organisation? Another question is, is it because the benefits of regeneration are to accrue to white organisations and not to black organisations? Did IGN get planning permission belatedly because Mr Stevenson, his fellow owners of the IGN and the local media created a situation that forced the Council to grant planning permission in order to stall accusations of racism and differential treatment? Knowing the pervious permission to grant [redacted] was in conflict with IGN existence. Is there a pattern of non-determination with regard to black and minority ethnic applicants at Southwark Council? Or did IGN suffer discrimination because they and are BME businesses were in conflict with the Council's regeneration plans. The DA's confirms that the Council had the information on IGN, the fact they refused to consider it is not in doubt.

At page 30 of the DA's report a Council staff member stated that Mr Emanuel Allanah's written English was very poor and that many of his reports had to be re-written. The DA stated that there was "very little evidence to support this contention". Mr Allanah is a black planner. Based on our definition of systemic / institutional racism our contention is that this is an example of racism [redacted]

It has been mentioned that it was not only the IGN that was impacted by the Council's actions in this case although only Mr. Stevenson pursued the matter. However further research confirms that [redacted] had received a written complaint from the Camberwell After School Project another BME business [redacted] who were also not canvassed even though

they appeared on the canvass list. This children's project is a prominent feature in the locality and confirms that selective canvassing did not only affect IGN but affected other BME businesses on the site. Planning in this period of neo-liberalism and neo-conservatism does not operate in the public interest. Market forces drive planning. It is our view that businesses such as IGN were standing in the way of 'progress' for those who think that regeneration can bring in millions of pounds. What regeneration has done is to further marginalize BME and this is a pre-eminent example. Medium and small black businesses do not have a chance against powerful white interests. IGN by definition of its size, employment ratio and its impact on the community with thousands of users should not fall into the bracket of medium or small business and should be compared favourably with the other corporate businesses on the regeneration site.

1. The DA further found that even though IGN had been previously consulted on planning issues related to adjoining sites and including [redacted] in the past, on this occasion:

    - They were not consulted

    - Committee failed to make further inquiries about [redacted] application when questions were raised for example by Mr Huckerby (para.55 DA report) before the [redacted]. Ample time for IGN to be canvassed. What's most damming is that parts of his letter were contained in the pre-hearing planning report [redacted] failed to consider the reference to IGN.

    - [redacted] also failed to consider Mr Huckerby's point in his letter even though [redacted]

    - That arrangements for ensuring that compliance with planning decisions were poor, and

    - At paragraph 50 the DA said that planning staff stated that they were "unaware of their [IGN's] existence". This is a very common response to BMEs by the dominant culture - they don't exist so why bother about them. It is now known they did in fact know of IGN's existence.

2. There was no mechanism for ensuring that the Council's policy on consultation was consistently followed. Was there any mechanism in place to ensure that national anti-discriminatory policies were? Because if THEY were we would like to know what the Planning Department's responsibilities and instructions were regarding this policy, why they weren't followed and who is accountable.

3. Performance management mechanisms of planning staff were inadequate. Did those mechanisms include review for discriminatory practices?

4. Institutional racism is usually identified through examination of practices that should emanate from policies and procedures. The reasons that anti-discriminatory policies and procedures are in place are to ensure that practices can be objectively assessed and that identifiable groups are not disadvantaged. The DA said that there are weaknesses in processes and procedures and since these are combined with poor record keeping the Council is "unable to rebut conclusively allegations of corrupt and improper practices". On the one hand we suspect that the Council will say no discrimination took place and especially since The Ombudsman's Report said there is no evidence of discrimination. On the other hand, Mr Stevenson and his business partners are saying that they know discrimination took place and have been saying so since at least 1996. Mr Stevenson wrote a letter dated August 21 1996 to the Council pointing that fact out. In all this time it would appear that the Council did not take the time to investigate. However its clear that they were in discussions with [redacted] which identified IGN's site as a necessity [redacted] and these documents were being shared with white corporate businesses, [redacted] and [redacted]. Rather than investigate they called the police to have Mr Stevenson and his colleagues arrested. This suggests a familiar pattern of dealing with BMEs when they complain. Call the police and have them thrown in jail; show them who are in charge.

5. To the credit of the police, on one occasion they had to point out that the documents that Mr Stevenson should have access to were public documents and he had a right to see them.

6. IGN was not the only black business [redacted] referred to at paragraph 8 by the DA report that were destroyed or blighted by the actions of the Council. Other black businesses in close proximity to [redacted] were also adversely impacted.

    - A business by the name of CASP, located opposite to IGN, was not consulted regarding [redacted]. This resulted in the owners of CASP sending a letter of complaint dated [redacted] 2001 to [redacted].

    - [redacted] submitted a planning application for redevelopment on the former scrap yard site located adjacent to IGN. He withdrew his application [redacted].

    - It would appear that the same happened to the leaseholder of [redacted]

    - Aristocrats, another black owned nightclub in the vicinity, was reportedly refused a music and dance licence. Motivated by [redacted]

[redacted].

- It is also said that the proposed road alignments to accommodate the [redacted] application and [redacted] had an adverse impact on black businesses and those BMEs [redacted]. Whilst all of this was going on [redacted] and the Council were attempting to have tenants removed under various pretexts, manufactured scenarios and guises whilst this information along with the intention to [redacted] remained a secret other than to white [redacted] and businesses effected or in the close proximity.

7. The DA confirms that there was a non-professional relationship between [redacted] This clearly shows the Council ignored this obvious conflict of interest, which could only be to the detriment of Imperial Gardens.

What is most disturbing about the evidence we have found is [redacted] denied knowledge of IGN's existence which the DA has confirmed was untenable. Therefore [redacted] deliberately failed to engage with IGN with the knowledge confirmed by the DA that IGN was in conflict with the Council's own regeneration scheme and would need to be acquisition. There is no more conclusive proof that IGN were discriminated against.

<u>Statutory Duties</u>

The duty to promote race equality performance guidelines for police forces and authorities:

All police forces and authorities have a statutory general duty to wok towards eliminating unlawful racial discrimination, and to promote race equality and good race relations. The duty is not optional and police forces and authorities must meet it even if the ethnic minority populations they serve are very small.

CRE

In response to an RR65 issued in 2002 by the CRE, [redacted] responded with the statement that the Council carried out the statutory requirements. However *the statutory requirements for publicity for application for planning permission are set out in the Town and Country General Development Procedure Order 1995 The minimum requirement is to notify owner and occupies of adjourning properties. With a common - boundary and those within 15 metres of the boundary of the application site.*

Under the Race Relations Act 1976 the Council had a statutory duty under section 71 to eliminate discrimination, promote good race relations and equal opportunity.

In February 1993 the Council committed itself to make it standard custom and practise to carry out more consultation than the statutory minimum.

- *To notify adjourning properties with a common boundary*
- *Those within 15m of the boundary application site*
- *And those beyond 15m who may be effected*

No where does it state in their policies that this does not apply to BME businesses. If anything the Council has a special duty to make sure all communities receive this treatment.

The failure to offer Imperial Gardens the statutory requirements and the Council's own requirements is a failure to offer us an equal and fair service in accordance to the Council's own guidelines. In addition to the above the Council's UDP extended similar protection to BME's in terms of consultation to ensure they are not disadvantaged.

It must be noted that when [redacted] canvassed to oppose our own planning application for the nightclub in 1995, the Council of course did more than the statutory requirements and even superseded their 1993 commitment. In 1995 [redacted] even attempted to do a second consultation to find more objectors to our planning application. In 2002 when we had our final planning hearing after it being delayed for 4 years [redacted] did in fact do a second consultation to find objectors.

[redacted] **not only failed to give us the statuary requirements, in dealing with our application the consultation process was extended to the reference of Imperial Gardens only to the determent of Imperial Gardens.**

THE DA CONFIRMS [redacted]

The Council cannot rely on Mark Dennett's statement that he was unaware of our existence as a plausible excuse as to why we were not canvassed in regards to Fairview Homes application. His evidence has been contradicted by the DA's confirmation that he was the line manager for both bordering applicants and therefore must have known of the existence of Imperial Gardens and its close proximity to Fairview Homes.

Therefore [redacted] and it was [redacted]

Mark Dennett's subsequent denial that he was aware of Imperial Gardens existence and its relevance is further contradicted by the DA, who confirms that he had canvassed Imperial Gardens on other applications for the same site. That he had discussed Imperial Gardens with other developers, most notably Fairview and Sainsbury's. The DA concluded that Mark Dennett's evidence was untenable and contradictory. Judging by the fact that the missing documents identified by the DA related to [redacted] it doesn't take a genius to realise [redacted] to cover up their involvement and knowledge of our existence.

Phil Chambers (planning Officer) stated to the DA that it was inconceivable that officers did not know of Imperial Gardens existence.

Furthermore we rely on evidence in the DA's report that race was an issue by analysing the comments from [redacted] This was not investigated which is indicative of institutionalised racism.

This telling indictment was not mentioned in the DA's report and therefore we conclude that this evidence was not made available. The Council have stated publicly that they do not believe discrimination was relevant but this is contradicted by information from their own staff, in which [redacted] who paint a picture similar to the one we have confirmed in our own investigation that racism is a dominant factor in [redacted]

DA's conclusion – [redacted]

So why did [redacted] lie in regards to [redacted] and was this just an isolated case or part of a conspiracy of lies?

We have evidence to confirm that [redacted] was motivated by their attempts to cover up the discriminative behaviour that had previously engaged in which had led to the compromising of BME businesses occupied on the same site as Imperial Gardens.

THE FACTS ABOUT [redacted]:

- Southwark Council's UDP in 1995 stated: *The Council's Unitary Development Plan identifies in its proposals map (proposal* 106) [redacted]".

- [redacted] goes on to state in a letter to [redacted]: *"It is therefore not quite correct to say that this is a draft proposal. The proposal forms part of the UDP and was therefore formally adopted as a firm proposal when the UDP was adopted in 1995".*

- Why did [redacted] the Imperial Gardens [redacted] not inform us of [redacted] in light of the comments above? [redacted] was happy to provide this information to deter another black developer from the site? The fact that this developer was a [redacted] is maybe the reason why he was afforded this privy knowledge.

For the [redacted] to have appeared in the Councils UDP there were pre-discussions with [redacted] When we asked for these documents in 2003 the Council refused to let us see these public documents. We consider this to be part of the Council's discriminative practise and an obvious attempt to cover up what was really going on. Extract from letter dated [redacted] 2003 from [redacted]: "*Historical records for the Regeneration department are archived in Council premises elsewhere and it is not felt appropriate for the Council to use the significant staff resources which would be necessary to review these records for information which may relate* specifically to [redacted] at *this time".* This response is clearly discriminative especially in light of the fact that Imperial Gardens had produced and published a document accusing the Council of discrimination and ethnically cleansing BME businesses from Council regeneration sites.

SUBMISSION N0. 6 - -Statement of patterns of discrimination

Pattern of Discrimination 1995 – 2004

Produced January 2005

1995 Imperial Gardens makes application for planning permission for nightclub/production house in arches 299 343 342 341 340.

The Council's policies state that they are there to assist and advise [redacted]

In stark contrast to [redacted] *I have to say that Raymond Stevenson proved to be very diligent in covering the issues we raised. He contacted all relevant authorities,* [redacted] *etc for their input. Arranged multi site visits for these parties and was responsive to their concerns. This gave me an inclination that he was a serious* [redacted] *who intended to carry out a legitimate business on the site.*

[redacted]

The DA's report confirms that the Council failed to inform Imperial Gardens of future development plans even though the Council later insisted that [redacted]. The Council had a statuary duty to inform us of proposed developments. This was [redacted]

1. In 1995 [redacted] opposed our original planning application [redacted] *The proposal, which includes a nightclub, would have customers leaving the premises during the early hours of the morning, the resulting noise would lead to a loss of amenity enjoyed by nearby residents. Therefore the proposal is contrary to the policy E3.1 Protection of Amenity) of the Southwark Unitary Development Plan.*

In 2001 Southwark Council subsequently granted planning permission to [redacted] metres away from Imperial Gardens. The inconsistency conflicts with their original opposing of our license as the sound for a nightclub would cause disturbance to residents 40 metres away. If this was legitimate reason granting planning permission to build flats 3m away is more likely to effect peoples amenities, that's to say nothing of 500 people leaving the nightclub at 6am.

A) We accuse Southwark Council of opposing our original application for full planning on unsubstantiated grounds and therefore discriminating against us. This subsequent opposing was an attempt to deny Imperial Gardens their right to start up their business.
B) We accuse Southwark Council of granting planning permission for [redacted] knowing it would conflict with the Imperial Gardens right to continue to operate its business.

2. In 1995 [redacted]. This had a detrimental effect in that we were unable to raise revenue from banking institutes causing financial restriction. More importantly the onus was on the Council to monitor this for a year and come back to us. This would have automatically triggered the full planning and with the successful monitoring full planning would have been granted unopposed. [redacted].

3. It has been confirmed [redacted]

We believe this was a ploy to give [redacted] and later led to [redacted] finding ways to compromise our business using methods that were clearly in breach of the Race Relations Act 1976 and the Amendment of 2000. It must be noted that [redacted]

4. [redacted]

5. [redacted], knowing this would have a financial impact on our business.

6. [redacted]

7. From 1996 – 1997 as confirmed in the DA's report and in accordance to the conditions with the one-year temporary planning permission [redacted]

8. In 1996 we made an official complaint that the Council were victimising us and deliberately delaying the opening of our nightclub. [redacted]

District Auditor's Report

The DA states that: "it is not plausible that officers who were involved in these proposals would not have been aware of the contents of a train station feasibility Study, and thereby the references in it to Imperial Gardens nightclub and its exact location". (And that the acquisition of Imperial Gardens was required)

QUESTION) [redacted]

In 1996 [redacted] Southwark Council failed to inform us they were in talks about our site for [redacted]. This resulted in [redacted]

In 1997 in pursuit of the 1995 UDP agenda [redacted] on Imperial Gardens site [redacted] feasibility [redacted]

Extract Feasibility Study

> The option would require the permanent acquisition of the tenancy at 299 Camberwell New Road; this tenant currently occupies Arches 342 and 343. The tenancy arrangements in this case could be terminated within 6 months. It may be possible to relocate this tenant to an alternative arch site but given its use as a nightclub, opportunities for relocation within the area may be limited.

[redacted]

In 2003 [redacted] confirmed to Raymond Stevenson (Imperial Gardens) and Lord Ouseley that £50k was spent by the Council (1997) in order to conduct a feasibility study and consultation into [redacted] on the site covering the Imperial Gardens nightclub and a community of BME businesses. The final feasibility study was produced in 1998. (Reference to this contained in APPENDIX 7 Ratification Committee report).

[redacted] confirms that [redacted]. Imperial Gardens and the other businesses on the site state that they were also never consulted. However the DA confirms that the feasibility studies were presented to:

[redacted]

The above are all white corporate businesses and none of them were effected by the proposal. The only businesses that were not consulted were the BME businesses that were in conflict with the Council's [redacted].

At APPENDIX 8 is an email from [redacted] Extract ' *my view is we are being bounced again into approving an initial step in an overall scheme without the full financial implications/risk to the Council being properly discussed'.* With our current claims against the Council [redacted] wasn't far wrong.

In a memo from [redacted] 2001 entitled [redacted] he states, '*I have produced an internal position statement for internal use only. It contains some quite sensitive material. I intend sending a copy* [redacted]

What was in this document that was so sensitive that the elected Councillors didn't need to know about?

Extract position statement Jan 2001 '[redacted]. *A new pedestrian walkway would be built between Medlar Street and Camberwell New Road.* This statement fails to establish that the proposed walkway would run through the Imperial Gardens fire exit therefore rendering the club unusable and in contradiction to health and safety regulations. This was the same fire escape [redacted].

The position statement also mentions [redacted]. *This would offer scope to open up the* [redacted] *for redevelopment and therefore would have enlarged space for letting. ((* [redacted] were currently in the possession of BME businesses. This was [redacted]

<u>Harriet Harman MP confirms</u> [redacted]

In 1999 still unaware of the [redacted] proposal we complained to Harriet Harman MP that [redacted]

In April 2004 having discovered [redacted] proposal we informed Harriet Harman who responded on the 15th April 2004 stating,

Extract from letter (APPENDIX 9)

- *'Proposals for* [redacted]*, which would involve the acquisition of* [redacted] *Imperial gardens operated from were not mentioned to the owners of Imperial Gardens.*
- [redacted]

[redacted]

[redacted]

In a confidential email [redacted] 2001 it states the following:

APPENDIX: 10

[redacted]

[redacted]

Planning Aid For London Points Out The Obvious

Imperial gardens hired Planning Aid for London (PAL) to independently assess whether or not it should be consulted by the Council during [redacted] application process

Extract from Jon Durbin (PAL report) *'occupiers of business premises have certain rights regarding compulsory purchase of land for infrastructure projects. We would*

observe that the cost of compulsory purchase proceedings, including compensation payable, [redacted] would be significantly reduced if there were no businesses to be displaced by the engineering works for the station. The failure of our client's business will reduce the cost of [redacted].

[redacted]

From this you can ascribe motive for the treatment we have received and you can appreciate why the Council didn't want us or any of the other BME knowing about this firm proposal. In doing so they deliberately ignored statutory requirements and their own procedures and engaged in a conspiracy of lies and more importantly attempts to compromise Imperial Gardens.

[redacted]

Each study that was undertaken should have resulted in consultation for those affected. The Council's attempt to hide this information begs the question how far would they go to try and get rid of us. The Council has a statutory duty in informing all those affected on future redevelopment sites.

List of studies undertaken between 1996 - 2000

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

Extracts from letters and documents from Council's files

The chosen extracts clearly outline that this Council was pursuing vigorously their agenda [redacted].

Letter from, Southwark Council dated 22nd November 1999 to applicant [redacted]. (Site based at [redacted]

With reference to your client's concerns regarding the future location [redacted] nearby and its implications for your development site, the Council may

wish to assist you in acquiring a new site that will be suitable for your needs. Attached are site plans of two Council sites for disposal at [redacted]

In a document titled [redacted], it clearly illustrates [redacted].

[redacted]..

They are of course talking about the Imperial Gardens site.

[redacted]

In the Document Transport Study – [redacted] by Colin Buchanan and Partners

It states that, ' the price range of flats varies from £80k – 100k for 1 bed flats with 2 bed flats ranging from £100k – 120k in the immediate area. [redacted] would fuel demand in the area, and sites located nearby, a variety of [redacted] would see greater demand for housing.

There are now two major constructions of flats; both bordering our site isn't this ironic. In accordance to Council procedures we were not canvassed on both accounts.

In the document called Camberwell Station: Position Statement, January 2001, it states, In reference to the site now occupied by [redacted]

[redacted] have indicated that the car showroom at [redacted] Camberwell New Road may be available for redevelopment. This raises the possibility that if a developer were interested this site could form part of the redevelopment of the area, which could also include the air rights [redacted]

It's clear from this that [redacted]. This is why we believe they deliberately failed to canvass us on this development. The fact that they wanted our site for a Train station adds credence to our claims of racism and victimisation

Southwark [redacted] blatant discrimination

[redacted]

In 1997/98 Southwark Council delayed our full planning from the statutory eight weeks to four years [redacted]. We made repeated requests for our application to be dealt with. In April 1999 our legal representative at the time Chrysos & Co eventually put the Council on notice by stating, 'the applicant will wish to rely on the detail in the studies which have already been sent to you'. (APPENDIX 11). The Council insists that they were still waiting for information. This is contradicted by the fact that they eventually granted our application in 2002 with information we have submitted in 1995, 1998 and again by our legal team in 1999. This is made reference to in the DA's report.

[redacted]

In July 1999 [redacted] submitted a planning application for a site on Badsworth road opposite Imperial Gardens. His proposed site was adjacent to the proposed [redacted].

> **Extract from [redacted] 2000**
> The letter makes reference to pre-application discussions on [redacted] July. [redacted] goes on to state that the file notes of the first of those meetings makes it clear that the long term plans for the [redacted] might have implications for the site. This could range from effecting the proposed layout to effecting possibility the entire site. The question of potential of Compulsory Purchase was also raised [redacted] The note of the meeting held on the 16th June [redacted]

Why did Southwark [redacted] not mention this to Imperial Gardens or other BME businesses?

In another letter from Southwark Council on page 86 of the bundle prepared for OSC 13th May it states, *The Council's Unitary Development Plan identifies in its proposals map (proposal 106) the provision of* [redacted] *This proposal is further mentioned in Policy T.3.2* [redacted]*". Is it therefore not quite correct to say that this is a draft proposal. The proposals forms part of the UDP and was therefore formally adopted as a firm proposal when the UDP was adopted in 1995*

[redacted]

Why did Southwark Council not mention this to Imperial Gardens or other BME businesses?

Southwark Council tried to appease Mr [redacted] by offering him an alternative site.

[redacted]

[redacted]
Imperial Gardens and other BME businesses that conflicted with the station aspiration. [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

ARCHES WORTH A GOLDMINE

What is most disturbing is that we have audio evidence that white [redacted] were informed [redacted] *'to* [redacted] *as they were going to be worth a goldmine'*. This information was not shared with any of the BME arch tenants [redacted]. This new damning evidence gives you an insight [redacted].

[redacted]

[redacted]

<u>Ethnically cleansing a community of BME businesses</u>

The Council set out to cleanse a whole regeneration zone of a consortium of black businesses, which included: Two night-clubs (Imperial Gardens and Aristocrats, Latin American Shopping Centre, Grafcom Ltd, Lomand Cars, Corporate Restaurant. They therefore failed to offer an adequate service to BME businesses.

[redacted] **Summary**
Full evidence @ Doc 1 [redacted]

In 1999 /2000 [redacted] was informed by a letter that his proposal for art studios may be subject to CPO due to the Council's aspirations for a [redacted] on the site adjacent to his proposal. He was also informed by the Council that his proposed site was [redacted]. To date the Council have approved flats which are now built on the site. [redacted] the train station proposal. [redacted]

<u>Wally Popoola</u>
Full evidence @ Doc 2 Wally Popoola
Wally Popoola [redacted] (Imperial Gardens neighbour) was forced to move under false pretences. [redacted] When Mr Popoola complained [redacted]. Confirmed in audio evidence [redacted] We contacted [redacted] who denied this was so and there was [redacted]

[redacted]

[redacted]

CASP
Full evidence @ Doc 3 CASP
Like Imperial Gardens [redacted]. What is most astonishing is that [redacted]. The Council responded with the argument that the place was under development. [redacted]

Camberwell Road Businesses
Full evidence @ Doc 4 Camberwell Road businesses
[redacted] To date the businesses have been told the site is going to be redeveloped for flats.

Aristocrat Nightclub (part of Camberwell Road businesses)
[redacted]

Below is evidence of how LB Southwark treated BME businesses

1. The Council failed to canvass Imperial Gardens in regards to [redacted] The Council failed to canvass us and other black businesses in regards to [redacted]

3. [redacted]

4. [redacted].

5. [redacted] (APPENDIX 13) Extract '*as you can appreciate the timescale for the Pre Qualification Bid absolutely did not allow us to consult'.* We know this is incorrect because they had spoken to other white businesses i.e. [redacted] who were being enticed on the regeneration zone by supporting information in regards to a [redacted]. However a [redacted] report dated [redacted]2001 it states *'in October 1999 the shadow strategic authority sSRA suggested the Council* [redacted]. *The sSRA would fast track the bid* [redacted]. *The Council lodges a Pre Qualification Bid with the sSRA in November 2000 (*a year later). The Council clearly had enough time to consult those BME businesses that were most affected.

7. Southwark Council used [redacted] to discourage developer [redacted] on a site adjacent to [redacted]

<u>Letter from, Southwark Council dated 22nd November 1999 to applicant</u> [redacted](Site based at the corner of Badsworth/Medlar Street – opposite Imperial Gardens)

With reference to your client's concerns regarding the future location of a rail interchange nearby and its implications for your development site, the Council may wish to assist you in acquiring a new site that will be suitable for your needs. Attached are site plans of two Council sites for disposal at [redacted]

Other Discrepancies

The DA has confirmed that there were inconsistent dates on documents on Council files, which were used to try and justify the Council's assertion that the policies and procedures were adhered to.

1. The Ombudsman has concluded that there were 6 counts of maladminstration so the Council therefore failed to provide us an adequate service.

Southwark Council failed to respond to a letter sent [redacted] 2002, which made reference to us opposing the [redacted] planning application. As part of their commitment to offer an adequate service they did not respond until [redacted] 2002. When they did respond they commented that time had elapsed for a judicial review. [redacted]

2. The Council failed to advise us of our rights to judicial review and therefore denied us our rights to take the Council to court to oppose the conflicting application.

3. The Council failed [redacted]

4. The Council failed to appoint [redacted].

5. The Council gave false information to the Ombudsman in regards to [redacted]

6. The Council has subsequently turned down other planning applications on the basis that noise from the adjacent business would have a detrimental effect on a new proposed development. This is blatant discrimination because the Council failed to rely on this argument in reference to opposing the planning application for [redacted].

[redacted]

[redacted]

[redacted]

1. [redacted]

2. [redacted]

3. [redacted]

4. [redacted]

5. [redacted]

6. [redacted]

7. [redacted]

8 . [redacted].

9 [redacted]

[redacted]

1. Southwark Council failed to canvass Imperial Gardens to a planning application bordering our site however they willingly [redacted] and therefore discriminated against us.

2. [redacted]

3. [redacted]

4. [redacted].

5. Southwark Council tippex-ed out the number of our premises 299 on ordinate survey maps.

6. [redacted] However on the Council files this typed reference does not appear.

7. [redacted] Southwark deliberately passed on drawings to the Council, [redacted] without the reference to nightclub [redacted]

8. [redacted]

[redacted]

1. [redacted]
2. [redacted]
3. [redacted]
4. [redacted]
5. [redacted]
6. [redacted]
7. [redacted]
8. [redacted]
9. [redacted]
10. [redacted]
11. [redacted]

Individual claims of direct discrimination

1. [redacted]

2. [redacted] We believe this to be discrimination.

3. [redacted], which is discrimination

4. [redacted]

5. [redacted]

6. [redacted]

7. [redacted]

[redacted]

We charge [redacted]. That Southwark Council failed to consider the relevance of the BME business community [redacted]

- The Council [redacted]
- The Council failed to consider the relevance of Imperial Gardens [redacted]
- The Council [redacted]
- The Council [redacted].
- The Council [redacted]
- The Council [redacted]

It must be noted that if [redacted] Imperial Gardens we would have not been denied our rights to oppose the [redacted]. [redacted] and therefore the Council deliberately discriminated against us. Even if this was not the case the Council failed to offer us an a failure to offer a fair and equal [redacted]

[redacted]

[redacted]

[redacted] Southwark Council failed to afford us our rights [redacted]

[redacted] (APPENDIX 14)

[redacted] in fact we had obtained them from Government Office For London.

[redacted]

[redacted]

All of the above are contrary to the European Charter of Human Rights 1998 which allow us fair and equal treatment under the law.

Other Acts of Discrimination

- The Council have set out to victimise Raymond Stevenson personally and the Black Awareness Group most notably [redacted].
- The Council have on numerous occasions blocked letters to Councillors
- The Black Awareness Group have had to put up [redacted] This is evidence of direct racism against a group identified by race
- Whilst lobbying for a race inquiry [redacted]
- [redacted]

[redacted]

[redacted]

- The Council have used discriminative and deliberate delaying tactics concerning [redacted]. Councillors voted that it should be sent [redacted] This process should have taken 2 weeks. We are nearing closure on this matter on [redacted] 2005.

Acts of discrimination

- In 1995 the Council failed to inform us about the UDP and that the Council had aspirations for the site.
- [redacted].

[redacted]

- The Council delayed our opening
- The Council failed to canvass us [redacted].
- The Council failed to consult us [redacted]
- The Council failed to consult other black businesses [redacted]
- The Council shared information [redacted] with white [redacted] (conformed by the DA)
- The Council delayed [redacted](confirmed by DA)
- The Council delayed [redacted](confirmed by DA)
- The Council failed [redacted]
- The Council failed to [redacted].
- The Council [redacted].
- The Council failed to [redacted]

- The Council ignored [redacted]
- The DA confirms [redacted]
- The Council failed to [redacted] 2002.
- The Council [redacted] clearly discriminating against Imperial gardens.
- The Council failed [redacted]
- The DA confirms [redacted]
- The Council refused [redacted]

[redacted]

- The Council failed [redacted]
- The Council were found guilty of 6 counts of mal administration by the Ombudsman which means they failed to offer us a fair and equal service.
- The Council have set out to discredit the claims of imperial Gardens and us as individuals.

[redacted]

- The Council initially [redacted]

Submission 7 – Email from Black Awareness Group to Southwark Councillors [redacted] 2005

Dear Councillor,

In reference to [redacted] which every elected councillor should be fighting to expose.
Once again we make our position abundantly clear. [redacted]

Update

We [redacted]

It read:

[redacted]
Add to these comments the audio evidence played at the public hearing Dec 04, where white [redacted], while the black [redacted]. We ask Southwark Council [redacted]

[redacted]
We would like a written response [redacted]
In response [redacted] this is a clear case of discrimination. After stating [redacted]
In reference to Southwark Council it is clear the black community are in a lose, lose situation, whatever we do we will be treated like shit. May be the youth on the street are right – what is the point of them aspiring to achieve in this borough when faced with this obvious bigotry and discrimination. And as for most of you councillors [redacted]

Black Awareness Group

-Justice By Any Means Necessary-

Submission No.8 – Mr. Christopher Tarrant, local resident provided an interesting submission and useful suggestions on how to improve the system

I have been aware of your enquiry for some time but, ironically, have not had time to contact you because any spare time has been taken up with respect to a planning application concerning a proposed development at the back of our house and many other residents.

The present position is that the initial application was refused, there has been an Appeal and, even though the applicant was appealing, he has put in a further application with only minor amendments. We are waiting for the Inspector's decision.

A member of your staff told me that yesterday may be the last possible today to bring new matters to your attention. I hope that it is not now too late and I apologise if it is apparent that this has been prepared in haste.

I do not know the scope of your enquiry or indeed have little information about the issues that led to the enquiry. However what I do know is that that the procedures used are not at all 'user friendly' towards residents/objectors and much more information could be supplied at all stages.

Taking you through the stages of the matter that causes us concern I would > comment as follows with proposed improvements;-

(i) If a development has a bearing on two roads it should refer to the two roads in the description. The proposed access road is in our road but, arguably, the disruption will be greater in the other road.

Although both roads were circularised it is hardly surprising that the main response has been from our road.

(ii) It would help if an A4 plan could be sent at the same time so that residents have some idea of what the development will look like without having to travel to Chiltern House the extra cost would be minimal.

(iii) It would also help if the relevant planning policies could be forwarded with the circularised letter. At a time when the UDP is about to change it is very confusing to ascertain what are the applicable policies. It would also help residents formulate their objections and possibly give more valuable input from their local knowledge when replying.

If this would be too expensive perhaps the letter could indicate that the relevant policies will be forwarded if specifically requested?

(iv) Another problem that has emerges with a renewed application is that the Planning Office will only take into account new objections and ignore objections to the previous application on the basis that it cannot be assumed that they are still objecting to the proposal!

The concern of the Planning office could be resolved by indicating in the initial circularised letter that they should notify the Planning Office if they change their mind. At the moment the assumption is that if an objector does not renew his objection once there is a new application it cannot be guaranteed that he still objects and, therefore, the earlier objections can be ignored!

It is logic which residents/ objectors find difficult to follow.

(v) The present policy is that objectors usually have less that 7 days notice of the planning hearing and, at the same time, receive the Case Officer's Report and, for the first time, the objector becomes aware of the specific relevant planning policies but, in my experience, the details of the policies are not outlined and we are simply told that the policy ahs been met.

It follows that, unless you find the time to go to Council offices, in the limited time available, you do not become aware of the details of the policies.

(vi) The other problem with short notice is that objectors cannot make arrangements to be available.

This could be remedied by the circular letter indicating the possible dates when the hearing could take place so that contingency plans can be made. Such details are available when such letters are sent out and this is the most sensible time to notify residents of the possible dates.

(vii) A very worrying feature is the assumption that it is acceptable to allow material submitted late to be put before the Councillors in the form of an addendum. Unless you are familiar with this practice you may not even realise that you need to look out for such material. The first indication that there is such material usually is when the Planning Officer opens the case and it is apparent that Councillors do not have an opportunity to fully consider such material before the hearing. By this stage of the evening all spare copies of the addendum have disappeared.

If there is an addendum surely a notice could be placed on the hall indicating its existence?

Without going into detail (as I do not want to prejudice the present application and I am criticising a system that has been allowed to develop rather than any particular person) the applicant was allowed to withhold material to such an extent that the Councillors or objectors were not even aware of letters from the emergency services dating back 4 months until during the hearing even though, in the intervening period, there had been a previous Community Council hearing and a site visit. It is believed that it was only the threat from objectors to seek a postponement of the hearing, as they had not received the requested material, which forced the applicant to hand it over a week before the hearing to the Planning Office who then referred to it in the addendum.

I would suggest that, when it is apparent that the residents/objectors request specific information, the Planning Officer should consider such requests carefully and be obliged to justify non-disclosure in the Report circulated to the Councillors. There should also be an assumption that all information obtained either by the Planning Office or the applicant should be shared with the objectors /residents.

Indeed the residents could be informed in the circularised letter that they are entitled to request further information.

(vii) Finally I would like to suggest that the 3 minute rule in which objectors are allowed to address Councillors should be considerably increased. From personal experience I am aware that it is much more difficult to ensure that a speech lasts less than 3 minutes than in preparing a speech in the first place. It is particularly

intimidating when you are the 'voice' for the objectors and making a speech in very unfamiliar surroundings.

I appreciate that there have to be some constraints on speeches but 3 minutes can sometimes be too short when there is a need to address the Councillors on a variety of issues.

What happens is that the speaker needs to speak as quickly as possible. The noter has to take a longhand note(this is usually at least 2 hours into the Community Council meeting which deals with community matters which also have to be recorded in longhand before moving onto development issues. It is hardly surprising that, in the circumstances, the summary provided leaves out an abundance of material and sometime the information recorded is incorrect!.

It is hoped, therefore, that you can consider suggesting that the 3 minute rule should be abolished and the Council should provide a full transcript obtained from a tape recording of the relevant part of the meeting.

I hope that some of these ideas may be worth considering.

Christopher Kevin Tarrant

Submission No.9 – Statement/evidence from Richard Lee, Southwark Council tenant, into Southwark Council's Equality & Diversity Framework

12th January 2005

Introduction

I am a Southwark Council tenant living at the Elephant and Castle. I am actively involved in the regeneration of the Elephant and Castle, from a community perspective, and for 2 years (2000 – 2002) was paid director of the Elephant Links Community Forum (ELCF), the residents voice in the regeneration. I have a strong sense of justice and it shocks me to witness the various ways in which Southwark Council goes about excluding the Black and Minority Ethnic (BME) communities. It is my evidence that the Council's Race Equality Scheme has not achieved its outcomes of "more culturally sensitive services", "greater trust between the community and the Council" and "a platform for meaningful engagement with the community." The Race Equality Scheme may or may not be well written, but it certainly [redacted] the lived experiences of the BME communities in Southwark.

My particular expertise is community participation. The Elephant and Castle will form my main evidence and I will bring to your attention through direct experience and documentary evidence the ways in which [redacted] have adversely impacted upon BME residents and community groups as well as BME small businesses and traders and how this has been expressed in the [redacted]. This year, the Council is seeking a new developer for the Elephant and Castle; the redevelopment will commence and run until 2012. The Council's position, which they have stated publicly, is that they will not work with the community as a partner **(Document 1 – Regeneration and Renewal, February 20th 2004)**. The Equality Review has to challenge this exclusionary policy and assist the Elephant and Castle community to take its rightful place as a key partner in the Elephant and Castle redevelopment.

To help navigate my evidence, let me say that in the first section I will examine in some detail what was happening [redacted]. I will then give evidence about what has happened since [redacted]. Finally, I will refer briefly to two areas about which I have direct knowledge at present – [redacted], and [redacted].

I would like to start with another live example of differential treatment. There is a court case pending in [redacted] 2005, [redacted]. I am not going to comment on this case at all, but I would like you to consider for comparison what is happening [redacted]

Differential treatment: [redacted]

Southwark [redacted] This situation has been challenged, but is continuing to this day.

At the Annual General Meeting (AGM) in 2000, I moved a resolution to end the [redacted]. My resolution was defeated.

Simon Hughes MP attended the 2001 AGM and said that in the course of canvassing people on the estate for the general election, he had found a lot of dissatisfaction with the way [redacted].

I have made a number of complaints about [redacted]

[redacted] This I did, but I have had no response.

It is significant that [redacted].

Regeneration context
There has been a general failure to engage black and minority ethnic groups in regeneration projects. An investigation by the GLA found that out of 900 Single Regeneration Projects, only 15 are BME-led. This accounts for only £21 million out of £5.5 billion of SRB funding. [redacted]
(**Document 3 – Minority communities miss out on regeneration projects, 1st August 2001).**

[redacted]

Elephant Links Community Forum
The Elephant Links SRB (Single Regeneration Budget) is a 7 year programme (1999 – 2006), providing £25 million to capacity build the local community to engage in the physical development. Its primary function is to tackle social exclusion and engage local people. The SRB is overseen by a Partnership Board, serviced by a Project Team of Council officers, and with Southwark Council as the Accountable Body.

The Elephant Links Community Forum (ELCF) was formed at the very start in 1999 to bring together existing community groups, support the formation of new groups, to provide an infrastructure of support and representation and 2 way information and consultation. The ELCF had a very strong BME involvement, 25 out of 63 member groups were from the BME sector and the majority of the active individuals were BME. The BME groups included the Bengali Women's group, Kulan Women's Catering Project, Arab Cultural Community, Rockingham Somali Support Group, 7 Supplementary Schools and a number of BME faith groups like the Elibariki Church and the Dickens Square Mosque.

Our business was community participation and equality, and we had many achievements:

- We had office premises and a resource centre in the Elephant and Castle Shopping Centre, the heart of the community.
- We provided regular community newsletters, written by local residents and fully translated
- We ran a small grants programme aimed at local community groups and the hard to reach and with a high level of community support built into the programme
- We ran Linking Up Events as an outreach activity, for which we designed props such as a Problem Wall and a Solution Tree
- We set up a local and independent Community Development Trust to provide a social enterprise vehicle for the physical development, ensuring that some of the profits from the development remained local.

The participation we generated supported a real community network of events and activities. Each month, local residents participated in the management committee of the ELCF, the sub-groups on housing, the environment/ open spaces and the community development trust. Every 2 months there were general meetings of the Community Forum, and in addition there were the outreach activities and the representation that we supported at meetings of the SRB and the Development programme. The management committee was 50% BME and the average attendance at general meetings was representatives from 15 member organisations. This level of activity needs to be compared with that generated by the Council [redacted] When Southwark Council produce documents about community participation in Southwark, the models that are available and good practice examples, they never mention the Elephant Links Community Forum – it is as if they are in denial about what happened.

DET – independent technical advice for the community

The Development Executive Team (DET) was set up to ensure community interests were represented in the physical development. I was seconded for 2 days a week for 12 months to set up the DET. We had a team of nine independent technical advisers, covering housing, planning, small businesses, transport, legal issues, financial issues, green space, development trust and creative spaces (using community arts to engage "hard to reach" groups.) i.e. though this was technical advice, an ethos of community participation and equality underpinned the work so that the consultants went out to groups, did street talking exercises, held specialist sessions with the Somali community in the appropriate community language. We got funding for these advisers by lobbying the Government Office for London, as Southwark Council resisted this kind of community empowerment.

Once permanent staff were recruited, and the Council insisted that they should employ the staff and not the Community Forum, the whole ethos of a community project was lost. Requests for BME representation on the Council managed DET were ignored. [redacted]:
"How can you claim to recognise the importance of properly representing the local community in the regeneration work, when you and the DET have sidelined 63 local community groups and consistently disenfranchised the Black and Minority Ethnic (BME) 30% of the local community? So let's try once again, when will the BME subgroup's request for the appointment of 2 BME representatives to the DET be completed?"

Without both the Community Forum and BME representation, [redacted] A retrospective report by the Project Team (21 July 2003) stated: *"The current DET membership is small and it is hard to see how membership can be boosted to a level which gives it some credibility."*

Elephant Links Partnership Board - Equal Opportunities Policy
Regional Development Agencies including the London Development Agency (who oversee regeneration programmes) have adopted benchmarks as a means of measuring the effectiveness of community involvement within regeneration programmes. Some examples of these benchmarks are:- Are Equal Opportunities policies in place and implemented? What support and training is offered to the development of equal opportunities and anti-discriminatory practice? How are you monitoring and reviewing practice in relation to equal opportunities?

[redacted] It was the community which kept bringing these benchmarks forward. [redacted] **(Document 4 – Board minutes December 2000,** [redacted] See New Deal for Communities Race Equality Guidance, Department of Environment, Transport and the Regions, 1999.

[redacted] At the March 2001 Board meeting, a project was agreed to prepare an Equality Statement and Action Plan **(Document 5)**. At the AGM of the Board in April 2001, I made a presentation on race equality issues. This was in support of a paper from the Community Forum, seeking proportionate representation and resources for a BME support group, to provide a reference point and accountability for the BME representatives. The paper was agreed and BME representation on the Board increased from one to seven. **(Document 6 – Board minutes 23rd April 2001).**

[redacted]

[redacted] **(Document 7).**

[redacted], a consultancy firm Mann Weaver was recruited in July 2001. The methodology included interviews with key stakeholders. [redacted]

The consultant was concurrently given a separate contract by the DET/Community Forum advising a housing working group on BME issues as part of the physical development at the Elephant and Castle. [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] **(Document 12)**

[redacted]
(Document 13)

[redacted] **(Document 14)**

[redacted]
(Document 15)

BME sub-group

The BME community argued that there needed to be programmes specifically targeted at BME needs. , in October 2001 the Board approved up to £6,000 to employ a temporary worker/consultant to support a BME sub-group (BMESG). The recruitment did not commence until March 2002, All of this is well documented.

(Document 16 –

(Document 17 – 13th June 2002).

(Document 18).

(Document 19)

[redacted] **(Document 20 –** [redacted]**.**

[redacted]

Community Forum Funding

[redacted]

[redacted]

[redacted]

(Document 21).

Document 22 –

I now turn to what has happened since . Every announcement about the Elephant and Castle regeneration is always couched in terms of benefiting the community. What community? We have not seen how the £25 million SRB has benefited the residents of the Elephant and Castle. Instead it has been spent on the Community Advocacy Project (Elephant Angels) £4 million, Community Information Exchange £1.75 million, Employment Access Centre £3.6 million, Business Extra, the Education Department and the administrative costs of the Project Team. An analysis of the annual delivery plans or a reading of the research reports commissioned by South Bank University make clear where the SRB money was spent.

What happens in practice when community organisations, and particularly BME organisations seek Elephant Links SRB funding? It goes something like this. The Elephant and Castle Residents Regeneration Group (ECRRG) requested funding in 2003. **(Document 23 –**

(Document 24).

I have a letter from Mrs Bari of the Bengali Women's Group, who wrote to the London Development Agency (29 January 2003):
"It would also be helpful if you can advise the Bengali Women's Group how to obtain SRB funding. Apart from the small grant from the Community Forum, we have never

received any SRB funding even though we provide a vital service to women who are socially excluded. [redacted]." **(Document 25)**

[redacted]

In June 2003 (in response to my involvement of Cllrs and request for scrutiny) [redacted]. This I did in a letter of [redacted] 2003 **(Document 26).** I pointed out the following:

- BME representation [redacted] I could see no reason for this other than the fear of a united community. I asserted this was racially divisive.

[redacted]

[redacted]

[redacted]

I asserted that the organisational infrastructure and the allocation of resources [redacted] was racist and should be subject to an external as well as internal investigation [redacted] **Document 27):**

"Your letter contains inaccurate and offensive comments that I will not dignify with a reply. Please cease all further correspondence with this office."

[redacted]

[redacted]

BME small businesses
The Elephant and Castle Shopping Centre has some 100 small business units, the majority BME, and also 55 market traders around the perimeter, all BME and many of them from refugee communities. In April 2001, the Elephant and Castle BME Small Business Working Group was formed from a number of small businesses in the E&C Shopping Centre. This was a unique project, fitting in exactly with Government objectives within a very difficult sector to mobilise, and it did some very positive work **(Document 28 - EC-BME Small Business Working Group Report 15/10/01).** The business support project was then transferred (by the Council) from the Community Forum to Elephant Jobs, with a much wider remit to advise businesses across North Southwark, the dedicated support for the BME businesses was no longer there and the working group collapsed.

The small businesses working group was formed due to the outreach work carried out by a Community Forum worker, Giorgia Sharpe, and received expert business and legal support from the DET. A retail masterplanning meeting was held on 26th September 2001, attended by 15 small businesses from the Shopping Centre, together with a masterplanner and a business presentation from Catella Property Consultants. A list of concerns were raised by the small businesses:

- Relocation will kill established businesses
- Small businesses in the shopping centre will suffer if left to last in the demolition process
- Small businesses in the area will die when the larger businesses move in
- Could there be a centre built specifically for the small businesses?
- Could the small businesses be within a social enterprise structure?
- What will be the buy-out and compensation package for the shopping centre businesses?

One of the main areas of concern for small businesses was being left out of the regeneration process, and they said they needed continuous support, a small business working group as part of the masterplan process, a business broker to develop the involvement of the small businesses from the grassroots level and research into the specific needs and development opportunities for the BMR small businesses e.g. the development of the catering trade.

The Community Forum put in a proposal in October 2001 for interim funding of £3,000 to give one days support per week for the BME businesses. [redacted] despite substantial regeneration funding for Elephant Jobs (£32,000) and Business Extra (£600,000). The resentment of traders and small businesses has increased, an opportunity was lost.

In September 2003 there were three petitions to Southwark Council from the Elephant and Castle Shopping Centre small businesses (95% of whom signed the petition), the market traders, and customers using the Shopping Centre. [redacted]

[redacted] **(Document 29** [redacted] **2003)**. [redacted] and now the Elephant and Castle Shopping Centre is being subsumed into a scoping exercise on the general issue of support to small businesses in the borough ([redacted] 2004).

This is an example of how Southwark Council deflects attention away from locality and race. It manages [redacted] that of small businesses and particularly BME small businesses that are best placed to assess impact on the ground. [redacted] reporting "praise from the Director of the Black Business Initiative at the Black Business Awards ceremony on October 20th 2004 for the Council's support." This is despite the controversy over Imperial Gardens and despite the petitions from the Elephant and Castle Shopping Centre.

In response to the petitions, the Council formed a town centre liaison group, but the small businesses complain that it goes over the same ground, it talks about the general development like the traffic roundabout and the Heygate housing estate and not the issues directly concerning the businesses. Meanwhile the Shopping Centre is dying, as rents increase and units stand empty, [redacted] **(Document 30 – press coverage of Elephant and Castle Shopping Centre).**

Further, local resident and community campaigner Janet Yatak who did most of the work to collect the petitions and who has been commended [redacted] for her good work [redacted] **(Document 31 –** [redacted] **2005)**. Janet had pointed out that BME traders found it hard to follow what is presented at liaison meetings, [redacted]

Another example is an estate comprising artists workshops, called the Pullens Yard, which is also part of the Elephant and Castle. These workshop units have been here for a century and are unique in the borough. Examples of those using the units are sculptors, weavers, lutemakers and swordsmiths. For many years they have survived in conditions which are not ideal, but at a rent they can afford. They are a jewel in the crown and should be a key beneficiary of the regeneration. Instead their rents were increased dramatically in the 2004 rent review, from £2,750 to £5,250 per

annum, forcing some to move out, with the more commercial sector moving in. [redacted] **Document 32 –** [redacted] **2004)** [redacted] 2004. Cllrs tried to help and find a reasonable solution, [redacted]

Diversity Panel (Elephant Links SRB)

The replacement structure for involving the community is called the Diversity Panel. [redacted]

I wrote [redacted] 2003 requesting scrutiny of the Elephant and Castle Regeneration. It was agreed there should be a scrutiny focusing on community engagement since the closure of the Community Forum in June 2002. [redacted], I did make a written submission. I pointed out that to the best of my knowledge there was

- No community involvement strategy
- No equal opportunities policy and strategy
- No funding of community groups to enable them to act as partners in the regeneration process
- No role for community groups in the development.

[redacted]

[redacted]

[redacted]

"That further research be conducted to assess the best way to contact hard to reach communities
Specific attention should be given to attracting and retaining hard to reach groups onto the E&C Diversity Panel
Outreach work should commence on existing and potential E&C Diversity Panel members to ascertain why turnout is so low. Strategies should be adopted to address these issues."
All this after a 5 year programme of capacity building around social inclusion
(Document 33 – [redacted] 2004).

[redacted] **(Document 34 - Southwark News December 2nd 2004).**

Following this [redacted] the Elephant Links Project Team. [redacted] **(Document 35 – 2005).** [redacted]

[redacted]

[redacted]

[redacted] - what is going on here?

[redacted]

[redacted]

Some loose ends

Race hate crimes – I chaired a workshop at the Southwark Tenants Conference (2nd October 2004) on the theme of barriers to the involvement of BME tenants. This led me to research Southwark's response to racial harassment on council estates. Despite Southwark gaining Government funding (SRB Round 6) in 2001 for a programme entitled "Campaign Against Hate Crimes" I discovered [redacted]. I have very recently discovered [redacted]

(Document 36 – [redacted] 2004)

Unitary Development Plan (UDP) – Southwark Council is replacing the borough's UDP and the Public Inquiry take place between April and June 2005. [redacted] I have registered objections on all the above, which will be considered at the public inquiry **(Document 37 – Representations to the Southwark Plan).**

Conclusion

The Community Forum was accountable to the community and achieved a high level of community participation. It used consultants of international standing to the benefit

of the community, it had positive relationships with the developer to see monies invested for the benefit of the community. Its story is ultimately one of differential treatment, harassment, lack of equality which I have gone through backed up by an audit trail. You can see the opportunities which existed, which have been squandered because of the attitude of the Local Authority.

Since June 2002, there has been an extremely low level of BME involvement in the Elephant and Castle regeneration. [redacted] has done this so openly, with the message that black people are bad for business. It is as though they feel there is nothing anyone can do to challenge them. I hope that your review will not only provide an audit of the discriminatory activity and unfair treatment [redacted] but most importantly spark a process of culture change which will make the promise of equality real in Southwark.

Richard Lee:

Complaint No.10 – Statement from Ray Simpson, Anagram Music, alleging discriminative treatment [redacted]

After being in the Sojoumer Truth Centre since 1995 operating a studio with a commercial and community ethos (see attached letter [redacted] 2004) agreed by Southwark Council [redacted], which I have documents to substantiate T am now Suffering discriminative treatment from Southwark Council [redacted] to the detriment of my business.

The History

[redacted]

I list below the chain of events (not necessary in order):

1) [redacted]

[redacted]

3) [redacted]

4) [redacted].

5) [redacted]

6) [redacted]

7) [redacted]

8) [redacted]

9) [redacted]

[redacted] We all addressed my issues and how my business had been disrupted by the Council's actions.

[redacted]

This situation is obviously causing me and my family great stress [redacted]

I would like to have a meeting with you to discuss this and show you the documented evidence I have. I also have 3 witnesses to confirm the treatment I have received.

I look forward to hearing from you.

Ray Simpson

Mr. Raymond
Simpson

11 October 2004

Head of Peckham Programme and Social Renewal Project Team
Sumner House
Sumner Road
Peckham

Dear Sir

Re: Use Of Studio Space At STCC

With reference to your letter dated 27 September 2004 and in response to your request, I have outlined my proposal for the continuing use of the studio space I currently occupy and that of the kitchen area which forms part of the studio facility, but which has recently been taken over and access denied without consultation.

In 1995 when I approached PE (former coordinator of STCC), I expressed my Interest In the commercial use of the studio space. Peter in turn, had addition a) ideas for the studio and asked I would explore the idea of running a free music course, which would benefit the children in the local community. He stressed the need of such facilities to realise their musical ambitions, but as a result of a lack of funds to equip the studio a great opportunity for many had b«en lost since the studio was built several years earlier. I thought long and hard about the implications of such an undertaking, which would mean mixing commercial and community activities in the same space. PE further stated that my expertise in the field of music along with the state of the art equipment I could provide to facilitate this cause, would be of great value to the community.

I was sold on the idea even though I realised that sacrifices had to be made (mainly volunteering time and the loss of the occasional professional undertaking). Mr. FC, Mr. TS, PE (representing
Southwark Council) and I, established the courses in 1995.

Over the years I have invited several major recording artists to give guidance, and inspirational talks and to share personal experiences within the music Industry. Artists such as Soul II Soul's, Jazzie B and Caron Wheeler. Maxi Priest, Peter Hunningale, Incognito etc, to name a few.

These invites proved both motivational and rewarding to the students. Some of whom have gone on to pursue professional careers in music.

I have had many invaluable and interesting experiences being part of these courses and I have enjoyed personal satisfaction sharing in the musical development of many. More then ever, young people are inclined to turn to music to express their talents. Music has become a natural option for a great many due to the lack of opportunity in other fields of work. Over the years we have developed children with varying levels of abilities from those who showed great potential to those lacking natural musical ability. The common factors being ambition, a willingness to learn and the great expectations of the applicants. Without the necessary funding over the years it had become increasingly difficult to keep up with the ever-advancing music technology. Funding is required for additional equipment and to update some of the existing equipment to meet the present requirements of teaching and learning all aspects of music production. Over time, in order to meet current requirements, we have added a few additional units, but we are in urgent need of more significant funding. This will allow us to offer courses, which are up-to-date with current procedures and equipment used to produce popular music.

As previously mentioned, through the existing agreement, the music courses have been attended by a great many who have gained valuable knowledge and experience. In order to facilitate a new structured agreement and for the space to be both commercially viable and community oriented, the past agreement needs to be renegotiated to benefit both parties and also to offer the best way forward.

I attach with this letter a full Inventory of my personal equipment which is currently being used at the studio. I also attach an outline of the project.

With kind regards

Yours sincerely

Raymond Simpson

THE PROJECT – (Sojourner Music Course)

The Project aims to provide music courses and Journalism/magazine development for young people aged 14-16 at STCC. The Project purpose is to give students direct knowledge of community and industry standard music and journalism education.

To achieve the above, the Project will provide specialised tutors to deliver the programme. The Project aims to work closely with schools, youth clubs and diversion schemes and as usual will accommodate individual applicants not associated to any of the above but residing within the borough of Southwark.

The Music Courses
1. Instrument tuition
2. Sound engineering
3. Music production
4. Contract study (components/clauses within recording, publishing and management contracts).
5. Demo/master recording
6. Packaging and marketing
7. Singing lessons
8. Composition structuring
9. Artist development
10. A study of the various collection agencies associated to music (Pama/PPL etc).

Magazine/Journalism Courses

Magazine -A study of all components required to compile, produce and distribute a magazine

Journalism -A study of all aspects of journal ism (including interviewing techniques) writing and researching
Course Times

10-week courses - 3hours per day -3 days per week
Wednesday: 16:00-21:00
Thursday: - 16:00-21:00
Friday: 17:00-20:00

Introduction to the music business seminar 3 hours per week (times to be advised).
The above days have been chosen for two reasons:

We find that consecutive days offers continuity ensuring better retention of information.

2. Monday and Tuesday will be free for commercial us« of the studio to operate uninterrupted, to allow production settings to remain undisturbed for those days (each production has unique settings and resetting Is usually a lengthy process).

Additional Workshops
We can supply access for holiday workshops and summer provisions

Studio Hire

To maximise earning potential, we would hire the studio for commercial purposes for independent projects. This includes engineer, technicians and producers.

Partnership

Past courses were run in partnership with Southwark Council. SYPP (Southwark Young Peoples Project) and Anagram Music. In my opinion and through personal experience, I believe that forgoing further alliances with local businesses may well prove confusing and difficult to work effectively but I am prepared to discuss your views on this.

Salary

In my role as Studio and Course Manager, I would propose I be paid a wage of £20 per hour for 20 hours per week, which should be reviewable every 6 months and should be separate from any revenue raised from commercial ventures.

Additional Instruments & Equipment

In order lo achieve valid and successful courses it is essential to purchase additional instruments and equipment. Those range from a digital multi-track console with total recall facilities to additional computer work stations. It is estimated that an approximate budget of £25,000 would be needed to achieve this.

Health & Safety

Apart from the above requirements and in order to meet health and safety standards, a total overhaul of the working environment, (in particular of the control room) is required. The layout needs to be redesigned allowing modules to be securely and safety housed in units to conceal cables. In August 2002, in consultation with PE, I arranged for a visit by Mr. HT who was representing a company called Studio Wizards who specialised in redesigning recording studios. PE left earlier this year and was unable to raise the necessary funds to action this request. In order to move forward we need to address this important Issue.

Advertising

I propose that the Council offer a subsidy to any of their community bodies to use the Studio and the Council will be an equal partner in advertising and promoting the space, with adequate control procedures.

Effective Assessment

I expect the effectiveness of my contribution to be assessed by the success of the courses and general managing of the Studio.

The Return to STCC Draft Project Proposal 2004, recently submitted by FC, I. was drafted in consultation with myself and contains additional and applicable information which need not be duplicated and therefore I would refer you to that draft for further information.

Key Points

Ray Simpson will continue to commit his equipment for (the service of community and commercial projects and the Council will commit to redesigning and re-wring the

Studio and will also make a one-off payment to upgrade the Studio in line with health and safety requirements as necessary.

The council needs to provide a total re-haul of the studio equipment by way of maintenance.

Council to reinstate use of adequate kitchen facilities previously adjacent to the Studio.

Submission No.11 – Elephant & Castle Traders Association

Lord Ouseley
Town Hall
Peckham Road
SE5 8UB

Dear Lord Ouseley,

Thank you for listening to the representatives of the Elephant & Castle Traders Association recently. With your report due shortly we felt that it may be useful to put pen to paper the issues that we raised with you. As you know we represent the independent traders at the Elephant & Castle Shopping Centre, many are black and minority ethnic businesses, most of whom are reliant on their businesses for their livelihoods. Our concerns are with the proposed redevelopment, its effect on our businesses and the Council's handling of our situation.

Although we have been having regular meetings [redacted]. An additional problem is that the shopping centre is already blighted by the publicity surrounding the regeneration and the decline in the shopping centre. Despite this [redacted]

We have raised concerns [redacted] repeatedly, [redacted], but have not received satisfactory answers. Some of the key questions raised are as follows:

- We asked that [redacted]
- We have asked for [redacted]

- We have expressed concern [redacted]

- As there will most certainly be a time gap between moving out of the centre and moving to new premises this will mean a cessation of business, loss of goodwill, loss of earning, and a huge relocation expense. [redacted]

The Council have an obligation to the tenants, as without the regeneration we would be looking forward to an undisturbed continuation of our businesses. We therefore implore you to put pressure on the Council to resolve these issues. [redacted]

We feel that it is important to have diversity in retail planning in the development because small businesses have provided goods and services for the local community since the shopping centre opened in 1965m and we hope to continue doing so.

We thank you again for your time and interest.

Yours sincerely,

Elephant & Castle Traders Association

CC [redacted]

Council's Response

Re Elephant & Castle Shopping Centre

I refer to the letter addressed to you dated 8th February and signed by a number of shop owners from the Elephant & Castle Shopping Centre.

Insofar as there appears to be an expectation on the part of the writers that their comments will influence your eventual report I would like to provide you with some further comments and supporting material that I hope will also be of use to you.

I am passing a copy of this letter on to the shopkeepers (via the Shopping Centre Liaison Group - SCLG), which is the regular forum for meetings with the traders (set up in September 2003) and [redacted] to whom the original letter was copied.

- **Background**

By way of brief background you will, I think, be aware that the Elephant & Castle is an area designated for major change. It is an 'Opportunity Area' within the London Plan introduced by the Mayor last year. It is also is the subject of Supplementary Planning Guidance (SPG) adopted by Southwark in February 2004. Further evolutions of these plans will be introduced over the coming year as the new planning arrangements are introduced.

These plans propose a major reworking of transport infrastructure, the rehousing of households from the 1212 unit Heygate Estate, the decant and demolition of the shopping centre, the development of approximately 6 million square feet of total new mixed-use floor space and the creation or redesign of 5 major open spaces. A host of other elements are contained in the plans and I am enclosing a CD version of the adopted framework should you wish to view this.

More recently, Southwark has secured planning permission for the first phase of new house building that will rehouse tenants moving from the Heygate estate and is in the final stages of selecting housing association developers who will develop the remainder of the first phase of new home building on Southwark-owned land. We have also placed the initial OJEU notice that commences the selection process o introduce a new commercial partner to work with Southwark and the many stakeholders who will be affected by the realisation of these plans over the next 10 years.

- **Shopping Centre Liaison Group**

Given the complexity of the scheme and the long timescales, it is true that we cannot answer all of the questions that the traders have asked of us. The same is probably true of just about any other interest group that one could name. It is in the nature of schemes that are based on large-scale consultation and participation that they are iterative; they propose, test and gradually develop plans in public. They do not arrive pre-packed with all details known and immutable.

However, the Council has a strong commitment to supporting local businesses. This was expressed by the Deputy Leader of the Council at the very first meeting of the SCLG. Since then officers have given a commitment to sharing as much information as possible and to discussing and developing plans with the traders.

Through the SCLG we have prepared and issued to all traders a pack of business information that provides details of the project and gives as much information as is available that is likely to be of assistance to traders. It was issued with a promise that we will update it on a regular basis and some of the material in this copy reflects recent additions in relation to the programme and the options for individual businesses. It is available in translation and support, advice and discussion relating to its contents and to the wider scheme are offered in any language that the traders require.

The pack also refers to the Business Extra support that the Council has offered to all businesses. The Elephant Links Single Regeneration Budget programme established Business Extra as an independent source of advice. It offers a service to all local businesses to assist with the consequences and opportunities arising from the programme of redevelopment. Each business has been offered a formal review session with a professional business advisor. The primary purpose of this is to assist each owner to analyse their options in light of the realities of the project and of a thoroughgoing assessment of their business performance and prospects. As a secondary purpose we hope that this will lead to informed guidance on the space, location, cost and timing requirements for business moves. Unfortunately take-up has so far been low but we are discussing at the SCLG how this might be improved.

It should be apparent that the level of information available has steadily been increasing and this process will accelerate as more and more aspects of the project become fixed.
In relation to some of the specific points raised by the traders I would like to offer some additional comments.

- **Blight**

The traders refer to the centre as being 'blighted by …publicity'. I don't doubt that one effect of the regeneration plans has been to create a public expectation that the centre will be replaced and therefore a view of it as temporary. But that has inhibited the owners, St Modwen, from continuing an active programme of management and new lettings. They have also recently repainted the exterior of the centre, which is an improvement albeit at the cost of the occupying traders.

But there is also blight that can result from doing nothing. The shopping centre is now over 40 years old; its structure is performing poorly, its mechanical and electrical installations are failing and it is prone to unexpected maintenance events that impact on its operation. If the council neglected to plan for the Elephant the need for substantial alteration or redevelopment would happen in any event. The advantage that we see in the council taking a leadership role is that the area as a whole can be considered. The alternative is reactive responses to piecemeal change that would almost certainly happen in any event through private enterprise.

- **Landlord Issues**

It is worth bearing in mind that Southwark does not own the shopping centre and has no direct contractual relationship with the traders. Many of the matters referred to in the letter – rent reviews, lease renewals, rent policy – are governed by leases to which the council is not a party. The council cannot reasonably be expected to intervene in the day-to-day business of landlord and tenant relationships or to fund the professional fees incurred by either party. In the case of a Compulsory Purchase Order the Council would, as the acquiring authority, be responsible for some professional fee costs but we are certainly not at that stage yet.

- **Local shopping provision in new scheme**.

You will see from the business pack that the proposal to secure new premises through planning undertakings forms part of the council's package of proposals to assist businesses. It is a process that would be greatly assisted by traders providing more information about their requirements but as noted above there has been a

surprising degree of reluctance to make even non-personalised details available in a aggregated form, through the free Business Extra business review process

We have also arranged two recent sub-SCLG meetings at the request of traders to discuss early opportunities to achieve new floorspace for relocating businesses but these have been poorly attended.

In practice the quantum of new business floor space will exceed the current level by many times. There is currently approximately 120,000 square feet of floorspace in the shopping centre whereas the adopted plan contains approximately 750,000 square feet.

In the plan the council has committed itself to a scheme that is street-based and where the centre is a continuation of the extended Walworth Road. It has explicitly rejected the 'Bluewater Model' where local and smaller businesses are excluded by an institutional owner's restriction of lettings to national multiples. These are circumstances in which local enterprise should flourish. However it means that local business owners will have to share information about their requirements and collaborate in the development of plans; the council cannot be assumed to know what each will require if it is not told. The purpose of the SCLG's formation was to provide a forum for this information to be exchanged between the council, traders, landlord, Chamber of Commerce and Business Extra.

- **Ongoing council support**

It is a matter of judgement ultimately for each business whether it feels it has been offered adequate help but it is not accurate to say that the council has offered no support. The proposal to secure new premises through early developments and to direct them to existing businesses is a real and practical means of offering help. This is not a cynical or a sham exercise but its success must depend upon trust and a willingness to work cooperatively.

There is one further issue that is not mentioned in the letter but which we have discussed at the SCLG, and that is the interests of customers and the wider public. Consumer spend retention in Southwark is pitifully low. The outflow of expenditure beyond the borough boundaries reflects the public's dissatisfaction with the retail and leisure offer in the borough and with the environment in which those uses are set. That is not in any way a criticism of local businesses or a demand for their replacement by national multiples. It is simply a reflection of the fact that the range of goods and services, and choice within each, is limited to a degree that compels residents to travel further afield. Bringing more of the retail and leisure economy back into Southwark will increase the number of local jobs, expand Southwark's capacity to improve and maintain the public environment and create more opportunities for enterprise. These are all matters that we are trying to develop further with local businesses.

Finally, we do recognise that the changes proposed are bound to cause worry and concern and we aim to be sensitive to this. The timetable is obviously growing shorter but the programme does not propose demolition before mid 2009. With development proposals being prepared for major sites around the Elephant & Castle there is still ample opportunity to secure moves in good if the traders are galvanised into a working team that can define its own requirements and help to secure them. With the best will in the world the council cannot achieve all of that alone.

If you do require any further information, please let me know. I have previously offered you a personal briefing on the Elephant and Castle scheme generally and if this would be helpful to you I am happy to make myself and any of our team available at your convenience.

Yours Sincerely,

[redacted]

Enc.
CD version of Elephant & Castle Framework for Development
Elephant & Castle Shopping Centre Business Kit
SCLG terms of Reference
c.c. [redacted]