MAYOR AND CABINET

Date:        WEDNESDAY, 16 JULY 2003 at 6.30 p.m.

Committee Room 2  **Please note time of meeting**
Civic Suite
Lewisham Town Hall
London SE6 4RU

Enquiries to:    Mike Brown
Telephone:      020-8-314-8824 (direct line)

MEMBERS

The Mayor (Steve Bullock)  (L) Chair
Councillor Moore          (L) Vice-Chair and Deputy Mayor
Councillor Best           (L) Cabinet Member for Environment
Councillor Donnelly      (L) Cabinet Member for Lifelong Learning
Councillor Holder        (L) Cabinet Member for Social Care & Health
Councillor McGarrigle    (L) Cabinet Member for Culture
Councillor Singha        (L) Cabinet Member for Social Inclusion
Councillor Whiting       (L) Cabinet Member for Resources
Councillor Wise          (L) Cabinet Member for Housing and Community Safety

Members are summoned to attend this meeting

Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: 8 July 2003

The public are welcome to attend our committee meetings, however, occasionally, committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.
## ORDER OF BUSINESS - PART 1 AGENDA

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Minutes</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Declarations of Interests</td>
<td>1</td>
</tr>
<tr>
<td>3</td>
<td>Exclusion of the Press and Public</td>
<td>10</td>
</tr>
<tr>
<td>4</td>
<td>Best Value Review for Enhancing the Benefits and Awards Services in Lewisham - Recommendations and Improvement Plan</td>
<td>11</td>
</tr>
<tr>
<td>5</td>
<td>Supporting People: Memorandum of Understanding</td>
<td>18</td>
</tr>
<tr>
<td>6</td>
<td>Appointment of LEA Governors</td>
<td>35</td>
</tr>
<tr>
<td>7</td>
<td>Consultation on the Future of Malory School</td>
<td>38</td>
</tr>
<tr>
<td>8</td>
<td>Matters Referred by the Public Accounts Select Committee</td>
<td>46</td>
</tr>
<tr>
<td>9</td>
<td>Traffic Management and Pedestrian Programme</td>
<td>49</td>
</tr>
<tr>
<td>10</td>
<td>Accident Investigation and Prevention Programme</td>
<td>58</td>
</tr>
<tr>
<td>11</td>
<td>Trading Standards Service Delivery Plan</td>
<td>74</td>
</tr>
<tr>
<td>12</td>
<td>Homelessness Review and Strategy</td>
<td>81</td>
</tr>
<tr>
<td>13</td>
<td>Decanting of Sundermead Estate</td>
<td>88</td>
</tr>
<tr>
<td>14</td>
<td>Lewisham Gateway - Disposal of Council Land</td>
<td>102</td>
</tr>
<tr>
<td>15</td>
<td>Applications for Licensed Deficits in 2003/04</td>
<td>116</td>
</tr>
<tr>
<td>16</td>
<td>Appointments to Education Appeals Panel</td>
<td>124</td>
</tr>
<tr>
<td>17</td>
<td>Silwood SRB Compulsory Purchase Order (Phase 3)</td>
<td>135</td>
</tr>
<tr>
<td>18</td>
<td>Best Value Scoping Reports</td>
<td>149</td>
</tr>
<tr>
<td>19</td>
<td>The 2004/2007 Financial Survey (To follow)</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Revenue Budget Monitoring 2003/04 and Growth Allocations (To follow)</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Capital Strategy and Asset Management Plan (To follow)</td>
<td></td>
</tr>
</tbody>
</table>

The public are welcome to attend our Committee meetings, however, occasionally committees may have to consider some business in private. Copies of reports can be made in additional formats on request.
**Recommendation**

It is recommended that the Minutes of the meeting of the Mayor and Cabinet, held on 25 June 2003 be confirmed and signed (copy attached).

**Members are asked to make any declarations of pecuniary interests or other interests they may have in relation to items on this agenda (if any). Members are reminded to make any declaration at any stage throughout the meeting if it then becomes apparent that this may be required when a particular item or issue is considered.**
LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the MAYOR AND CABINET, which was open to the press and public, held at LEWISHAM TOWN HALL, CATFORD, SE6 4RU on WEDNESDAY, 25 JUNE 2003 at 6.35 p.m.

Present

The Mayor (Steve Bullock); Councillor Moore (Vice-Chair); Councillors Best, Donnelly, Holder, McGarrigle and Whiting.

Under Standing Orders: Councillors Kisicki and Fletcher.

Apologies for absence were received from Councillors Singha and Wise.

Minute No. Action

1 MINUTES (page
RESOLVED that the Minutes of the meetings of the Mayor and Cabinet held on 4 and 11 June 2003 be confirmed and signed.

2 DECLARATIONS OF INTERESTS (page
None was declared.

3 EXCLUSION OF THE PRESS AND PUBLIC (page
RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3, 7, 8 and 9 of Part 1 of Schedule 12(A) of the Act:

101 Minutes

4 ENNERSDALE AND HITHER GREEN PRIMARY SCHOOLS: DETERMINATION OF PROPOSALS FOR CLOSURE OF ENNERSDALE SCHOOL AND EXPANSION OF HITHER GREEN SCHOOL (page and Appendix page
RESOLVED that
(i) in accordance with the powers set out in Schedule 6 to the School Standards and Framework Act 1998, the Authority does determine to implement the proposals for Ennersdale and Hither Green Schools, as set out in the Public Notice issued on 2 April 2003 and attached as an appendix to the report; and

(ii) in accordance with the powers set out in Schedule 6 to the School Standards and Framework Act 1998, the School Organisation Committee for Lewisham be informed of the decision to determine the proposals.

5 ANERLEY SCHOOL (page

John Collins, UNISON, addressed the meeting.

RESOLVED that formal consultations, in accordance with the requirements of Section 31 of and Schedule 6 to, the Schools Standards and Framework Act 1998 and the Education (Maintained Special Schools)(England) Regulations 1999 be carried out on a proposal to close Anerley School at the end of summer term 2004.

6 DOCKLANDS LIGHT RAILWAY UPGRADE (page

RESOLVED that

(i) in principle the Council supports the project recognising the underlying need for the increase in capacity; and

(ii) delegated authority be given to the Executive Director for Regeneration in relation to Executive functions, to formally respond to, and to negotiate with Docklands Light Railway Limited in respect of the Transport and Works Act Order application and the detailed proposals contained in it and to finalise the Council's statement of case in response to the
application.

7 BOROUGH SPENDING PLAN 2004/05 - TRANSFER FOR LONDON (page and Appendix page

Subject to the deletion of the reference to Girton Road Car Park on page 40 of the Appendix to the report it was

RESOLVED that

(i) the Borough Spending Plan be approved for submission to Transport for London by the 1 August 2003;

(ii) following further consultation, any amendments or changes be made by the Head of Transport, in consultation with the Deputy for Regeneration; and

(iii) the interim changes in parking for disabled bays be noted.

8 SILWOOD SRB REVISED PHASE 3 PROPOSALS (page and Appendices page

Item 15 on the agenda was taken before this item.

RESOLVED that

(i) the results of the consultation carried out with residents on the revised Phase 3A proposals be noted;

(ii) the revised Phase 3 proposals detailed in paragraph 6 of the report be approved in light of the consultation;

(iii) subject to the approval of the Housing Corporation of the transitional LA SHG funding arrangements for Silwood Phase 3A:

(a) agreement be given to proceed with the proposals for Phase 3A and to continue to decant the blocks 1-98 Lamboume
<table>
<thead>
<tr>
<th>Minute No.</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

House, 49-63 Alpine Road and 64-93 Alpine Road; and

(b) that, where necessary in order to obtain possession, Notices of Seeking of Possession be served and possession proceedings brought against secure tenants of those blocks underground 10 of Schedule 2 to the Housing Act 1985.

9 LBL RESPONSE TO GLA CONSULTATION REPORT "SAFEGUARDED WHARVES ON THE RIVER THAMES" (page

RESOLVED that

(i) the comments made in the report as the official response from the Council to the GLA consultation report "Safeguarded Wharves on the River Thames" be approved;

(ii) the GLA be requested to:

| (a) | provide evidence for its conclusions in respect of the use of Convoys Wharf as a site for waste processing; |

| (b) | substantiate the proposed area for continued safeguarding; and |

| (c) | in the light of the evidence presented in this report, propose the reconfiguration and reduction of the safeguarded area. |

(iii) in respect of point (c) above, the Council inform the GLA that it considers that a total safeguarded area of 2ha is appropriate to meet both the operational requirements of a waste recycling facility (1ha) and the back up area a further 1ha.
<table>
<thead>
<tr>
<th>Minute No.</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>HOUSING BENEFIT REFORM - PATHFINDER AUTHORITY FOR HOUSING ALLOWANCE (page 42)</td>
</tr>
<tr>
<td></td>
<td>RESOLVED that Lewisham implements the HB Reform Pathfinder changes with effect from 3 November 2003 on a phased basis. ED Res.</td>
</tr>
<tr>
<td>11</td>
<td>THE NEXT FOUR REGENERATION SITES (page 47)</td>
</tr>
<tr>
<td></td>
<td>RESOLVED that (i) agreement be given to the proposal to commission feasibility studies of the four proposed estates/areas mentioned in paragraph 4.8 of the report i.e. Deptford High Street/Convoys, Lethbridge and Heathside/Lewisham Urban Renaissance, Milford Towers/Catford Town Centre Redevelopment; and North Downham Estate/Neighbourhood Renewal Fund target area; and (ii) officers report back to the Mayor with the results of the studies and for consideration of further proposals for the estates and the financial implications of those proposals. ED Regen.</td>
</tr>
<tr>
<td>12</td>
<td>MAKING LEWISHAM A SAFER PLACE: BEST VALUE REVIEW - RECOMMENDATIONS AND IMPROVEMENT PLAN (page 47 and Appendix page 48)</td>
</tr>
<tr>
<td></td>
<td>Comments from the Social Inclusion Select Committee on the Best Value Review were circulated at the meeting (copy attached at page 48)</td>
</tr>
<tr>
<td></td>
<td>RESOLVED that (i) the recommendations and improvement plan be agreed; and (ii) the views of the Social Inclusion Select Committee set out in section 4 be noted; and ED SC &amp; H</td>
</tr>
</tbody>
</table>
(iii) the relevant Executive Directors be asked to draft a response to the matters raised by the Select Committee.

RESOLVED that

(i) transfers to and from Directorates' earmarked reserves in 2002/03 totalling £1.053m and -£1.655m as detailed in paragraph 5.5.1 and Appendix 2 of the report be agreed;

(ii) the final outturn for all Directorates of £331.863m for 2002/03 as set out in Appendix 1 be noted;

(iii) the use of the net underspend on Corporate Provisions of £3.984m and a drawing of £0.208m from General Fund balances to meet the net overspend on service expenditure of £4.192m. (This will reduce the General Fund balance to £7.6m as at 31 March 2003) be noted;

(iv) action will be taken to restore General Fund balances to 2.5% of the net revenue budget (which equates to £8.600m) during 2003/04, in line with the advice of the Executive Director for Resources and Deputy Chief Executive be noted;

(v) the final outturn for schools and the determination of the schools reserve has yet to be finalised and will be reported to Mayor and Cabinet on 16 July be noted;
(vi) Housing Revenue Account (HRA) reserves and balances of £13.560m at 31 March 2003 (£12.387m at 31 March 2002) be noted; and

(vii) approval of the 2002/03 Statement of Accounts by the Mayor as required by the Audit Commission Act 1998 is required by 30 September 2003 be noted.

14 STREET NAMING AND NUMBERING - SITE OF THE FORMER HITHER GREEN HOSPITAL, SE13 (page

Copies of correspondence received from local residents and Bellway Homes suggesting alternative names for the naming and numbering of the site were circulated at the meeting (copy attached at page    )

In view of this the Mayor agreed that delegated authority be given to the Executive Director for Regeneration to agree the revised list of names, subject to no objection from the relevant bodies.

RESOLVED that delegated authority be given to the Executive Director for Regeneration to agree the revised list of names, subject to no objection from the relevant bodies.

ED Regen.

15 LOCAL AUTHORITY SOCIAL HOUSING GRANT TRANSITIONAL ARRANGEMENTS - THE IMPACT ON LEWISHAM REGENATION SCHEMES (page

RESOLVED that

(i) the changes to the LASHG programme detailed in paragraph 7.6 of the report be agreed;

(ii) the proposed LASHG expenditure on Silwood and Kender estate regeneration schemes in 2003/04 of £18.1 million be approved; and

(iii) if the Housing Corporation cannot approve the schemes through the transitional arrangements the proposed
<table>
<thead>
<tr>
<th>Minute No.</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LASHG expenditure on Silwood and Kender estate regeneration schemes in 2003/04 with the resultant loss of revenue income of £150,000 be approved.</td>
</tr>
</tbody>
</table>

The meeting ended at 7.50 p.m.

Chair
**Recommendation**

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 7, 8 and 9 of Part 1 of Schedule 12(A) of the Act:

1. **101 Disposal of Land between 66-90 Evelyn Street, SE8**
2. **102 Update on Heathside Estate and Associated Works**
3. **103 Pearcefield Avenue Car Park - Exchange of Land**
4. **104 Disposal of Limberg, Millard and Marlowe Houses to Hyde Housing Association**
Summary

1.1 This report sets out the recommendations of the Best Value Review for ‘Enhancing Benefits and Awards Services in Lewisham’. It includes the context and background to the review and the range of services that are provided. Furthermore, it summarises the key findings on the broad service areas of the review, including issues such as housing benefit, student and pupil support services, and fraud and overpayments administration.

1.2 This report sets out the recommendations arising from the review and has grouped them under the 5 strategic headings. As part of the review, it includes financial, legal, crime and disorder, environmental and equalities implications.

1.3 There are three key documents provided which set out the findings and the recommendations of this robust and complex review. They are:

- This formal committee report which includes the findings and recommendations cross-referenced to the detailed Recommendations Report in order that members can refer to the information and analysis that supports each of the recommendations;

- A comprehensive, detailed ‘Recommendations Report’;

- A ‘Service Improvement Implementation Plan’ that sets out how the Council will address and deliver the review’s recommendations once Members have formally agreed them.
2 Purpose of the Report

2.1 The purpose of this report is to present the key findings and recommendations arising from the Council’s best value review for ‘Enhancing Benefits and Awards Services in Lewisham’ and to seek agreement from the Mayor & Cabinet on the recommendations and service improvement implementation plan presented.

3 Background and Policy Context

3.1 Section 5 of the Local Government Act 1999 and the Statutory Instrument 1999/3251 guidance, placed a requirement on Local Authorities to carry out Best Value Reviews of all their functions within a five-year period ending 31st March 2005.

3.2 Statutory Instruments 305/2002 revoked the requirement for authorities to review all functions over a five-year period but did not remove the legal requirement to review functions. Government guidance explains that this flexibility should enable authorities to focus on shared and local priorities and take a proportionate approach to addressing weaknesses and opportunities of improvement identified through performance management systems and improvement planning arrangements.

3.3 The Council has recently reviewed and revised its Best Value Review programme. The scope of the reviews has shifted from those of a service specific nature to broader and more thematic reviews.

4 Recommendations

4.1 The Mayor is asked to agree the recommendations and the service improvement implementation plan.

4.2 The review makes recommendations, as set out in the report appended to this item. They are designed to ensure that the Council’s strategic arrangements for these specific benefits and awards services under review, comply with legislative requirements, keep pace with best practice, continue to perform well, remain efficient and cost effective for the next 5 year period and beyond.

4.3 The service recommendations are categorised under the following 5 cross-cutting strategic objectives and are set out in the following pages:

- Improving our service processes, leading to enhanced performance and greater cost effectiveness
- Improving accessibility and the customer service interface for the services being delivered to our wide and diverse communities
• Improving leadership, management and staff development and engagement
• Improving awareness, take-up and levels of understanding
• Improving partnership and joined up working arrangements to strengthen seamless service delivery for the customer

4.4 The Recommendations Report also provides a separate section on the service improvements for the short service review carried out on the Financial Assessments (FA) Team, based within the Social Care & Health (SC&H) Directorate.

5 Review Programme and Scope

5.1 The Council agreed its 2002/03 Best Value Review Programme in February 2002. The following six cross-cutting thematic reviews made up the 2002/03 BVR Programme:
• Community Development & Empowerment
• Making Lewisham a Safer Place
• Improving Lewisham’s Streets, Estates & Parks
• Making Lewisham a Cleaner, Greener Place, Waste Management
• Improving Benefits, Awards and Concessions
• Creating a Better Informed Lewisham

5.2 The scope for this review had originally been devised by the Corporate Best Value Review Group to encompass the 3 broad service areas, these being Benefits, Awards and Concessions. Following rigorous scrutiny of the initial scope, the service element for Concessions was removed, principally due to the lack of ‘strategic fit’ with the other two broad service areas being considered as part of this review. Furthermore, it was felt that Concessional services would be best considered as part of one of the future year SC&H Directorate service reviews.

5.3 As part of the continued scrutiny process, the Executive Director for Resources & Deputy Chief Executive, requested that the means testing function and administration of the FA Team be reviewed. Given the fact that this was a late inclusion into the review process, it was agreed that this would be a ‘quick’ non-BVR service review, designed to identify synergies with Housing Benefit and any improvements that could be made quickly.

5.4 The FA Team forms a part of the Financial Management Division of the SC&H Directorate and is responsible for the administration of means tested benefits for adult clients being financially assessed for care services in residential and nursing home accommodation.
Having an agreed scope, which was formally approved by this Committee on 31st July 2002, the review team specifically set out to investigate the effectiveness and relative strengths of the following service areas. These have been set out in Table 1 below:

### Table 1 - Benefits & Awards Service Areas

<table>
<thead>
<tr>
<th>ENHANCING BENEFITS &amp; AWARDS SERVICES</th>
<th>HOUSING BENEFIT &amp; COUNCIL TAX BENEFIT</th>
<th>STUDENT &amp; PUPIL SUPPORT</th>
<th>FINANCIAL ASSESSMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Benefit</td>
<td>Free School Meals</td>
<td>Management of work processes</td>
<td></td>
</tr>
<tr>
<td>Council Tax Benefit</td>
<td>Clothing Allowances</td>
<td>Client Visits</td>
<td></td>
</tr>
<tr>
<td>Preventing, Detecting and Prosecuting Fraud</td>
<td>Home to School Travel Allowances</td>
<td>Client Assessments</td>
<td></td>
</tr>
<tr>
<td>Overpayment Recovery</td>
<td>Student Loans and Grants</td>
<td>Debtors Management</td>
<td></td>
</tr>
<tr>
<td>Customer Service Interface</td>
<td>Education Maintenance Allowances</td>
<td>Fairer Charging Administration</td>
<td></td>
</tr>
</tbody>
</table>

6 **Summary of Key Findings**

6.1 The services that form part of the main programme, these being Housing Benefit & Council Tax Benefit (HB/CTB) and Student & Pupil Support (SAPS), are recognised both internally and externally as being excellent services. This fact is reflected in the summary of key findings and throughout the body of the Recommendation Report generally. For example, only recently the SAPS Unit were re-accredited for the British Standards Institute (BSI) ISO 9000 (ISO 9001 – 2000). This is an International Standard Organisation accreditation that covers the quality of service delivery to the client. This particular award has been held since 1996 and no other SAPS Unit in the United Kingdom holds this prestigious Standard with the BSI.
6.2 The SAPS Unit currently provides a range of additional services that are not common to other local authorities. One such initiative is the John Smith Scholarship for Law, which is designed to reduce the traditional elitist nature of the law by providing one Lewisham student with the fees necessary to enable qualification as a solicitor or a barrister. The Scholarship has benefited those from minority cultures and those in receipt of low incomes.

6.3 The HB service has undergone a number of external inspections. A most favourable report was received from the Benefit Fraud Inspectorate (BFI) in December 2000, while more recently as part of the Comprehensive Performance Assessment (CPA) framework, the HB section received the top score for the Authority of ‘4’.

6.4 Lewisham Council is committed to employee training and development for all staff that are required to provide advice to customers on HB/CTB and SAPS. In March 2001, an Access Point survey indicated 83% customer satisfaction with the knowledge of staff. As a consequence, specifically targeted training for front-line staff was implemented. The effect of this resulted in the Access Point survey undertaken in March 2002 showing customer satisfaction with staff knowledge rising to 97%.

6.5 There were some issues of concern, which were identified during the review process, and these have been fully addressed through the implementation of appropriate measures during the lifetime of the review and feature in the five-year service improvement plan. For example, the seemingly insignificant introduction of an internal letterbox situated at the Access Point, Laurence House has led to minimising waiting times and has thereby lead to improved efficiencies in processing claim forms.

7 Financial Implications

The review assumes that many of the proposed changes can be financed internally by re-directing current spending and introducing more efficient and effective work practices. External funding has been identified to undertake specific pieces of work and these have been illustrated in the Recommendations Report.

8. Legal Implications

The Best Value Review has been carried out in accordance with the Local Government Act 1999 and the associated guidance that requires the Council to conduct reviews of all its services to secure continuous improvement in the Council’s services.

9. Crime and Disorder Implications
Section 117 of the Crime and Disorder Act requires local authorities to consider the crime and disorder implications of all its decisions. The review specifically addresses this issue through measures and recommendations designed to combat fraudulent activity.

10. Environmental Implications

The impact of the review on the environment is one of the 6 E’s of Best Value. The environmental issues have been considered as part of the overall review process, and are included in the main body of the Recommendations Report.

11. Equalities Implications

11.1 The Best Value Review has considered the equality implications of the service on all equalities areas, race, gender, disability, sexual orientation and age. The key equality action points are detailed in Section 29 of the Recommendations Report.

11.2 Duties under the Race Relations Amendment Act 2000 require Local Authorities to assess all their services in relation to the following criteria:

- That they do not discriminate
- That they promote equal opportunity
- That they promote good relations among groups in the community

11.3 The review was supported by a member of the Corporate Equalities Unit, who provided guidance and advice on equality issues throughout the duration of the review. Furthermore, a thorough audit of the services against the new Equality Standard for Local Government has been carried out as part of the review process.

12. Conclusion

The recommendations flow from the Council’s robust and comprehensive Best Value Review and are designed to ensure that the Council’s strategic arrangements for enhancing benefits and award services comply with legislative requirements, keep pace with best practice and remain efficient and cost effective for the next 5 year period and beyond.

BACKGROUND PAPERS

<table>
<thead>
<tr>
<th>Short title of key reports</th>
<th>Date of document</th>
<th>Location</th>
<th>Ref.</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>myr_cab_ag_16jul03</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meeting/Committee</td>
<td>Date</td>
<td>Scope Document Type</td>
<td>Lead Consultant</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>------------</td>
<td>--------------------------------------</td>
<td>-------------------------</td>
<td></td>
</tr>
<tr>
<td>Mayor &amp; Cabinet Meeting - BVR Benefits &amp; Awards Services: Scope Document</td>
<td>31st July 2002</td>
<td>Strategic Finance &amp; Advice</td>
<td>Selwyn Thompson</td>
<td></td>
</tr>
<tr>
<td>Public Accounts Select Committee - BVR Progress Update</td>
<td>26th Nov 2002</td>
<td>Governance Support</td>
<td>Ian Williamson</td>
<td></td>
</tr>
<tr>
<td>BVR - Project Initiation Document (PID)</td>
<td>2nd April 2003</td>
<td>Strategic Finance &amp; Advice Group</td>
<td>Selwyn Thompson</td>
<td></td>
</tr>
<tr>
<td>BVR - Recommendations Report</td>
<td>9th June 2003</td>
<td>Strategic Finance &amp; Advice Group</td>
<td>Selwyn Thompson</td>
<td></td>
</tr>
<tr>
<td>BVR - Service Improvement Implementation Plan</td>
<td>9th June 2003</td>
<td>Strategic Finance &amp; Advice Group</td>
<td>Selwyn Thompson</td>
<td></td>
</tr>
</tbody>
</table>

For more information about this report, please contact Ralph Wilkinson, Head of Public Services on 020 8314 6040 or Selwyn Thompson, Strategic Finance Consultant on 020 8314 6932.
Summary

Supporting People is the Government's long term policy to enable the planning, commissioning and provision of quality support services to help vulnerable people live independently in the community. The funding framework came into effect on 1 April 2003, bringing together several funding streams - transitional housing benefit, social housing management grant, probation grant and pooled HRA funding.

The programme is a strategic partnership between Housing, Social Services, the NHS and Probation. The Commissioning Board comprises representatives of these partners. The Council is the administering authority for the grant and the memorandum of understanding has been drafted to clarify roles and responsibilities of both the Board and the administering authority.

There are implications for the Council in terms of its role as the administering authority, as a partner on the commissioning body, and as a provider of services funded by the supporting people grant. This report explores these and proposes a way forward to ensure that decisions taken by the Board are within the Council’s scheme of delegation and standing orders.

Policy Context

In September 2002, the Mayor and Cabinet agreed the Supporting People Shadow Strategy and the priorities for the first year of the programme.

In December 2002, the Mayor and Cabinet agreed to introduce charging for housing related support services.
The Council has signed grant conditions accepting the terms of the Supporting People Grant made by the Office of the Deputy Prime Minister (ODPM) to the London Borough of Lewisham. The grant aid is provided under Section 93 of the Local Government Act 2000. The grant requirements set out the purpose of the grant, the outputs that are required, arrangements for administering grant, accounting and audit requirements and other matters relating to the grant.

**Purpose of the report**

To describe the main elements in the memorandum of understanding.

To report what this means for the Council, both as a partner on the commissioning body, and as the administering authority.

To clarify the governance arrangements for the Council with respect to decision making.

**Recommendations**

The Mayor and Cabinet endorses and agrees the memorandum of understanding.

The Mayor and Cabinet agrees the governance arrangements set out in Option 1 at para 6.1.

**Background**

The memorandum of understanding records the agreements by the partners (the Council, the Primary Care Trust, and the Probation Service): how they will work together in the Commissioning body to allocate and co-ordinate work, and how the Commissioning Body and the Administering Authority will work together. It is not a legally binding document, but it is a requirement of the ODPM that the Administering Authority must enter into a Memorandum of Understanding with the Commissioning Body, describing how the two bodies will allocate and co-ordinate work. The Administering Authority must also use its best endeavours to ensure that the Commissioning Body is able to:

- agree a Supporting People strategy and annual plan, in consultation with service providers, service users and other interested parties, and having regard to any statutory guidance;
- have due to regard to any comments made by the Secretary of State on the strategy or annual plan, or any significant changes proposed to those documents;
- consider any significant changes proposed to the approved strategy or annual plan;
- review the strategy in accordance with any statutory guidance.
The memorandum of understanding includes the following:

♦ Partnership aims
♦ Definitions
♦ Decisions, membership, voting and conduct of the commissioning body
♦ Role of the Administering authority
♦ Legal disputes.

The memorandum of understanding performs the same role as the Terms of Reference and Board Constitution for the New Deal for Communities or the Single Regeneration Budget boards where the Council is represented but is also the accountable body. The difference however, is that for Supporting People, the commissioning body members have to be officers of the Council, in accordance with ODPM rules.

It is important that Mayor and Cabinet is aware of how the Supporting People system works at a governance level, and approves proposals on some main issues which arise. These are in two linked areas: what happens if Mayor and Cabinet disagrees with the view of the Commissioning Body?; and what level of close scrutiny is desired of Supporting People decisions which affect or might affect Council or Council funded services?

5.5 For example, the Supporting People strategy (which is itself approved by Mayor and Cabinet and partner organisations) might indicate that there was a need for a reduction in the number of places in a particular service area. The review procedure which is about to start, carried out by Supporting People officers, might then produce a recommendation for the withdrawal of Supporting People funding from a particular scheme operating in that service area. That scheme might be an internal Council service, or one which (before Supporting People grant began) had been funded by either Social Care and Health or Education & Culture Directorates.

The Memorandum of Understanding approaches these issues in three areas:

5.6.1 issues of delegated authority. The Commissioning Body does not make decisions. However, Council officers, as members of the Commissioning body can make certain funding decisions under the Council’s scheme of delegation, and are required by the Memorandum of Understanding to take into account the views of the Commissioning Body. Mayor and Cabinet may wish to consider whether normal levels of delegation are appropriate, or whether they wish to adopt a different process for Supporting People.
5.6.2 Questions of potential conflict of interest arise where decisions are being made about services provided by the Council (or by our Health or Probation partners), as the officers on the Commissioning body representing the Council (or Health or Probation) are also responsible for delivering some of the services. This is a requirement of the ODPM and applies to all the partners on the board. The Memorandum of Understanding required Commissioning Body members to be aware of and declare those conflicts of interest and sometimes to withdraw.

5.6.3 As the administering authority, the Council has the ultimate financial responsibility which it must under ODPM Guidance, exercise within the strategy agreed by the Commissioning Body. However, in practice, circumstances might arise where the view of the Council and of the Commissioning Body differ. The memorandum of understanding includes machinery, such as local dispute resolution (with disputes ultimately being referred to the OPDM). Further, it makes clear that decisions which under the Council’s Scheme of Delegation are reserved to Members, have to be made by Members. Neither the Commissioning Body nor the Council officers would be able to make those decisions under these circumstances. Such referrals to Mayor and Cabinet would give an opportunity to regularly consider the impact of whichever Supporting People decisions are reserved to Members – such as, for example, whether Council funding from outside the Supporting People grant should be made available to fund a service which is to have SP funding withdrawn.

5.7 In terms of composition of the Board and the potential conflicts of interests for individual officers, the ODPM prescribes that each partner body has one vote only on the Commissioning Body – although this does not preclude attendance by more than one person representing a partner body. It is proposed that the Executive Director for Regeneration should perform this function as the budget grant is administered by his Directorate/Housing.

5.8 Under the Council’s/Mayor’s scheme of delegation, Executive Directors may vary expenditure within a budget so long as it is intended for that purpose. Should purposes vary from the purpose of that budget, Executive Directors may vire between budget heads by up to £0.5m with the approval of the Executive Director for Resources & Deputy Chief Executive. In the case of Supporting People, it is likely therefore that decisions/sums involved will always fall within officer delegations unless the Mayor & Cabinet wish to vary this with regard to Supporting People, because the nature of the financial decisions to be made for this grant will affect which services do and do not take place.
Options

There are 3 options for dealing with these issues:

♦ Option 1: Existing scheme of delegation to apply to SP decisions (e.g. funding decisions worth over £500,000 to go to Mayor and Cabinet; most other decisions to be made by Executive Director, although officers would, as now, refer decisions which were likely to be sensitive to Mayor and Cabinet);

♦ Option 2: Refer all SP decisions to Mayor and Cabinet – that is, revoke the Scheme of Delegation as it affects SP decisions;

♦ Option 3: Have a scheme of delegation specific to SP decisions, for example setting a lower financial level at which decisions have to be referred to Mayor and Cabinet.

Owing to the need for decisions to be made by the Board, which according to guidance is an officer level body in terms of representation, the option recommended under the circumstances is option 1. This is because it offers a combination of practicality, allowing decisions to be made under the existing Scheme fairly quickly, and acknowledgement of the level of political sensitivity which might attach to certain, but not all, decisions. However, it has uncertainty, in that it relies on officers picking up which decisions are sensitive, both in service and political terms; although the service sensibilities can, it is hoped, be picked up in discussion at the Commissioning Body. The lead officer making these decisions for the Council at the Board will need to exercise diligence on this matter, and seek advice from the Constitution’s 3 statutory officers as appropriate.

Option 2 would mean that there is a transparent decision making process but there could be difficulties in timing, and it would be likely to make taking decisions cumbersome and slow. It might make it difficult to reach the savings targets which have been imposed by the ODPM on all Supporting People funds.

Option 3 would lessen the risk of not picking up political sensitivities, by bringing more decisions to Mayor and Cabinet than would usually be the case. However, it might be difficult to come to a view of what level of spend Members would want to make decisions about; and would be likely to involve Mayor and Cabinet in many detailed operational decisions. Depending on the level of delegation, it might carry the same risk as in Option 2.

Financial Implications

Supporting People expenditure covered by grants in 2003/4 totals £18m. This nets down to zero in Regeneration’s cash limited budget on the assumptions that expenditure is fully covered by grant aid.
Although there is a Memorandum of Understanding and disputes resolution procedure, any overspend by the Board/arrangements falls to the council, and therefore the Regeneration Directorate.

To exemplify this, were SC&H or E&C to anticipate income to their directorates from SP that was not forthcoming, the overspends on their schemes would fall to their directorates. On the other hand, if more grant is awarded to recipients (including Council services) than is covered by central government funding, the budget pressure will fall on Regeneration.

In order to ensure transparency and budget holder accountability, it is strongly recommended that the Executive Director who represents the Council on the Board is the same as the directorate that administers the grant and bears the financial risk.

At present the team is managed by Regeneration, who also administer the grant claim, and so it is recommended that the Executive Director for Regeneration should henceforth represent the Council on the board supported by the Head of Resources (Regeneration). Our arrangements to date, for the shadow board, have been that financial support has been provided by the centre (Head of Strategic Resources), who has acted as the co-ordinating officer for this purpose.

8. **Legal Implications**

8.1 Section 93 of the Local Government Act 2000 provides powers to the Secretary of State to make grants for the provision of welfare services. Such grants are to be made to Local Authorities. Welfare services provide support, assistance, advice or counselling to individuals for particular needs. Local authorities, when administering and applying the grants, must have regard to guidance and directions issued by the Secretary of State. The Secretary of State has issued extensive guidance and consultation on matters concerned with the implementation of these provisions.

8.2 The Council is, as set out in the report, a participant in the Supporting People Commissioning Body and is also obliged to perform a role equivalent to the Accountable Body in an SRB project – called, for Supporting People, the Administering Authority. Practically, this Administering Authority role means that the financial and contractual risks of the Supporting People programme are borne by the Council alone.

8.3 It is the Council’s practice and also a requirement of the guidance that the relationship between the Commissioning Body and the Administering Body is set out. This report asks Members to consider and approve the Aims and Memorandum of Understanding which seek to do this. It is for
members to consider whether they wish to accept the Memorandum put forward.

9. Equalities implications

The Supporting People services are delivered to some of the most vulnerable groups in the local population. The Council’s policies in relation to these groups will be applied in the normal way to the commissioning of such services. In particular, it will be necessary to carry out an equalities impact assessment of the Strategy and Plan to ensure no adverse impact and that good relations across groups across the community are promoted.

10. Environmental implications

None

10. Crime and Disorder implications

None.

BACKGROUND PAPERS


If there are any queries on this mater, please contact Caroline Mikardo, Head of Strategic Resources, extension 48456.
Supporting People

Aims and Memorandum of Understanding

Introduction and Aims

‘Supporting People’ is the Government’s long-term policy to enable the planning, commissioning and provision of quality support services to help vulnerable people live independently in the community. It is intended that the Supporting People programme will offer vulnerable people the opportunity to improve their quality of life by providing a stable environment which enables greater independence. It will deliver high quality and strategically planned housing-related services which are cost effective and reliable, and complement existing care services. The planning and development of services will be needs-led.

The Supporting People programme is a strategic partnership between housing, the NHS, social services and probation. It will help local authorities, probation and the NHS to deliver their own local strategies and joint prevention strategies. Supporting People teams will need to engage with probation, health, housing and social services strategies in order to identify the need for housing-related support, mapping supply and contributing to the joined-up local agendas for meeting needs in a planned and coherent way. Housing, the NHS, social services, the probation service need to be fully involved in the local Supporting People strategy, helping to set priorities for service development.

Supporting People began operation in April 2003. From that date, various funding streams (e.g. support element of Housing Benefit, Housing Corporation’s Supported Housing Management Grant, and Probation Accommodation Grant) were put together into a single budget. This budget is to be administered by local authorities. This duty involves the administration and payment of funds for support in relation to housing need. The Council will have the job of distributing these funds to providers (including in-house providers), and of monitoring the provision of the support services.

The London Borough of Lewisham ("the Council") has signed Grant Conditions accepting the terms of the Supporting People Grant made by the Office of the Deputy Prime Minister ("ODPM") to the London Borough of Lewisham. The grant aid is provided under Section 93 of the Local Government Act 2000. The grant requirements set out the purpose of the grant, the outputs that are required, arrangements for administering grant, accounting and audit requirements and
other matters relating to the grant. The Council is the Administering Authority in relation to that grant.

Prior to April 2003, the Council, the PCT and Probation (together called “the Partners”) have been working together on the development of Supporting People. These organisations now wish to record how they will work together in the future. For that purpose, this Memorandum of Understanding records the arrangements agreed by the Partners and in particular how the Partners (including the Council) will work together in the Commissioning Body to allocate and co-ordinate work; and how the Commissioning Body and the Administering Authority will work together. The Council’s work on the Commissioning Body is separate to its work as Administering Authority. This document is not intended to be legally binding on the Partners.

This document lasts for the life of the Lewisham Supporting People programme, and may be changed by agreement between the Partners.

Aims

The organisations which have signed this document have come together to work towards the aims of the Lewisham Supporting People programme. Through these Partnership Aims, the Partners agree to:

1. agree a Supporting People strategy and annual plan and submit this to local authority members for approval. These documents are to be prepared in consultation with service providers, service users and other interested parties; having regard to any statutory guidance; so that implementation and expenditure is prudent; and prepared in the light of other relevant local strategies, community programmes and initiatives in particular the Community Strategy; and subject to the procedures set out in this Memorandum of Understanding;

2. have due to regard to any comments made by each other, by other local parties interested in the Supporting People programme (such as the Housing Corporation, police authority, local education authority and other education bodies, Employment Service and Benefits Agency and other local interested statutory and voluntary sector agencies) and by the Secretary of State on the strategy or annual plan, or any significant changes proposed to those documents;

3. consider any significant changes proposed to the approved strategy or annual plan;

4. review the strategy in accordance with any statutory guidance;

5. consider bidding for new resources in light of priorities agreed by the Commissioning Body to the Supporting People Team;

myr_cab_ag_16jul03
6. endorse the Supporting People budget annually and allocate resources, or make recommendations to do so, depending on the source of funding; and to predict the budget requirements for services in future years, having monitored the service development and likely income and expenditure requirements for future years;

7. Work together for the implementation of these aims, including where appropriate and where agreed, the commitment of resources in cash or in kind and the identification of complementary resources; and to ensure the Administering Authority has the necessary resources, to fulfil the annual plan by monitoring expenditure throughout the year. (Note; services which are eligible for SP Grant can be funded from other funding streams, including for example community care, probation or health budgets – ODPM Grant Determination para 19);

8. Consider the exercise by the Supporting People team of their responsibility for commissioning and decommissioning Supporting People services in line with both the Strategy and Annual Plan and take advice from the Administering Authority on financial and propriety and other matters;

9. put in place protocols for informing the DTLR of any substantive changes or reduction or withdrawal of services where the Administering Authority does not have the necessary resources to continue the service.

10. Agree a timetable for the work to be done;

11. Delegate commissioning of Supporting People services and day to day management to the Administering Authority;

12. Establish and oversee the work of the Core Strategy Development Group;

13. Other objectives which may be agreed between the Partners during the Lewisham Supporting People programme

Memorandum of Understanding

Contents

1. Definitions
2. Decisions of the Commissioning Body
3. Membership of the Commissioning Body
4. Commissioning Body meetings
5. Voting of the Commissioning Body
6. Conduct of Commissioning Body members, interests and declarations
7. Role of the Administering Authority
8. No legal partnership
9. Disputes
1. **Definitions**

This is what the following expressions mean in the Aims and in the Memorandum of Understanding:

1.1 “Administering Authority” means the Council or any successor to the Council which takes on the duties of the Administering Authority;

1.2 “the Commissioning Body” or “the Commissioning Body” means the meeting of representatives of the Partners appointed in accordance with clause 3 of these Memorandum of Understanding for the purposes set out in Clause 8.

1.3 “the Council” means the London Borough of Lewisham;

1.4 “the Partners” means the Council, the PCT and Probation and such other persons and bodies who have formally committed themselves in writing to this document;

1.5 “the Commissioning Body” or “the Commissioning Body” means the meeting of representatives of the Partners appointed in accordance with clause 3 of these Memorandum of Understanding for the purposes set out in Clause 8;

1.6 “the PCT” means Lewisham Primary Care Trust or any successor to it;

1.7 “Probation” means London Probation

1.8 “Provider” means any organisation which is or may be involved in the delivery of Supporting People services

1.9 “ODPM” means the Office of the Deputy Prime Minister or such other department of Government which becomes responsible for Supporting People Grant.

1.10 “Service User” means any individual who is receiving or may become in need of Supporting People Services

1.11 “the Supporting People Programme” means the implementation of Supporting People Grant within the London Borough of Lewisham area

1.12 “the Supporting People Team” means the team of officers who will be responsible for the day to day implementation of the Supporting People Programme and who are employed by the Council
2. **Decisions of the Commissioning Body**

2.1 The Commissioning Body is not a legal entity. It does not make decisions in relation for example, to which Providers SP Grant should be made although it will consider such matters and where possible reach decisions by consensus. Decisions are the responsibility of the Administering Authority. Where there is a difference of view between the Administering Authority and the Commissioning Body about a course of action, the procedure set out in this Memorandum of Understanding will be followed, in particular the principles set out in this Clause and the procedures set out in the Disputes Clause.

2.2 In some circumstances, before a decision on a particular course of action is made and implemented, it may have to be decided on or considered by one of the Partners acting outside the Commissioning Body - at the Council’s Executive, or the PCT’s Board. In certain circumstances, this is required by the Council’s Constitution. For example:

2.2.1 the implementation of the SP strategy and plan, or the result of a SP service review might mean the withdrawal of SP Grant from a service. Where that service is one run by the Council, or one which was (before the commencement of Supporting People Grant) commissioned by the Council or the PCT, the withdrawal of SP Grant might mean closure of the service. That decision on closure might require consideration by the Council’s Executive or PCT Board;

2.2.2 in particular, the granting or withdrawing of financial support over £10,000 to any voluntary sector organisation where this would mean suspension or withdrawal of funding is, for the Council, a key decision which can only be made by the Council’s Mayor and Cabinet;

2.2.3 it might not be possible under the Constitution of a Partner for a Partner to delegate authority to take a decision to the Representative of the Partner; the decision might need to be referred to a meeting of the Partner itself;

2.2.4 The Strategy and Plan might, after consideration by the Commissioning Body, require consideration by the Council Executive and/or PCT Board and/or Probation.

2.3 It is for a Partner to decide whether they need a decision or consideration by the Partner’s own decision making machinery. Where a Partner notifies that this is needed, the Commissioning Body will not come to its final view of a matter until it has been able to consider the decision or view of the Partner’s own decision making machinery.

2.4 The Commissioning Body’s job is to assist the performance of the Aims as set out above.

myr_cab_ag_16jul03
2.5 Where a Partner ceases to exist or it is no longer possible for their representative to participate in the Partnership, the business of the Commissioning Body can continue in the absence of that Partner’s representative, pending the appointment of a replacement Partner.

3 Membership of the Commissioning Body

3.1 The Commissioning Body will consist of:

3.1.1 Three Partner’s Representatives (who have voting rights); being
- the Council’s Executive Director of Regeneration
- the Chief Executive of the PCT
- the Chief Executive of London Probation: and

3.1.2 Observers, who do not have voting rights; being as at July 2003
- the Council’s Executive Director of Social Care and Health, or in her place the Head of Adult Services, Social Care and Health Directorate
- the PCT’s Joint Commissioner, Mental Health
- Supporting People Project Manager.

Where an observer is made the nominee or deputy of a Representative, they will then attend meetings as that nominee or deputy and not with the status of observer. The Commissioning Body may also invite others to attend meetings as appropriate.

3.2 Each Representative shall be entitled to nominate a deputy or nominee to represent his or her Partner, including exercising their voting right in the absence of the main voting member. If a Representative nominates an individual as their nominee or deputy, and that person is also an Observer, then when that person attends the meeting, they attend in their capacity as Representative and may therefore vote.

3.3 The Representative or their deputy or nominee must be of a sufficiently senior level and have sufficient delegated authority to allow the business of the Commissioning Body to proceed. For the Council’s Representative, this means that they can only act within the limits of the delegated authority given to them under the Council’s Constitution.

3.4 The membership of the Commissioning Body may be changed in relation to Observers, by a majority vote of the Commissioning Body. The membership of the Commissioning Body may be changed in relation to Representative, only by a unanimous vote of the Commissioning Body.

3.5 Chair The Chair of the Commissioning Body will be one of the Representatives elected from amongst voting members, who will hold the Chair for a year and may be re-elected.
3. **Commissioning Body Meetings**

3.1 **Meetings** of the Commissioning Body must take place at least quarterly and more often if needed, aiming to align meetings with bidding cycles for funding and other commissioning cycles.

3.2 **Quorum** for meetings is all of the Representatives.

3.3 **Urgent Matters** For urgent matters, decisions may be made without a meeting, after consultation of all Commissioning Body Members with voting rights by phone, post or email. Such decisions must be reported to the next Commissioning Body meeting. Further, there may be a need for Representatives or Observers to contribute views and make written comments on specific proposals between meetings.

3.4 **Notice of meetings** - At least seven days notice of meetings must be given. Agendas and papers will normally be distributed at least 72 hours prior to meetings; however, items of a minor or urgent nature may be considered at the discretion of the Chair.

3.5 **Minutes** The Chair will make sure that Minutes are kept of all Commissioning Body meetings, recording the Commissioning Body Members present and decisions taken, and that they are given to the Administering Authority for record keeping purposes.

4. **Voting of the Commissioning Body**

4.1 The Commissioning Body will make decisions by general consensus and only vote where absolutely necessary.

4.2 No decision of the Commissioning Body can be taken in the absence of the Representative of the Council, and without consideration of the views of any Observer whose views have been made known to the Commissioning Body, whether at the meeting or otherwise.

4.3 A Commissioning Body Representative can require that it be recorded in the Minutes how s/he voted on a particular item or if s/he abstained.

4.4 Every motion or amendment which is in order must be put to the meeting by the Chair and a vote taken by a show of hands. Decisions are to be made by a majority of Members present and voting except where this Memorandum of Understanding indicates otherwise; in particular,

4.4.1 As set out in para 3.4 above (Change to number or identity of Representatives);

4.4.2 As set out in para 4.1 above (requirement for presence of Representative of the Council);
4.4.3 There must be unanimous approval of the Strategy and Plan. Where this is not initially possible, the matter must be referred to the Partner organisations for consideration and then considered again by the Commissioning Body and if no agreement can be reached, the dispute procedure must be used.

5. **Conduct of Commissioning Body Members, Commissioning Body Member’s Interests and Declarations of Interest**

5.1 A “Commissioning Body Member” includes both a Representative and an Observer.

5.2 Commissioning Body Members are expected to carry out their duties to the highest standards of professionalism and integrity bringing experience, judgement and critical detachment to their duties and are expected to be uninfluenced by business, political or personal relationships external to their Partnership duties. They must not use their position improperly to secure an advantage or disadvantage for themselves or for any other person.

5.3 Commissioning Body Representatives must always act in good faith and in the best interests of the SP Programme. Where there is a conflict between the interests of the SP Programme and any interest of the Partner or any part of the Partner, then the Representative must state what that conflict is and set aside the interests of the Partner. The Representative may ask for the interest of the Partner or part of the Partner to be recorded, and where the Representative feels those interests to be irreconcilable with those of the SP Programme, may refer the matter to the Partner (see para 2.2 above - consideration by one of the Partners acting outside the Commissioning Body) and/or use the Dispute Procedure.

5.4 Commissioning Body members must be aware that it is not enough to merely avoid actual impropriety but they should at all times avoid any cause for suspicion or any appearance of improper conduct.

5.5 All Commissioning Body Members must declare any interest of any sort or any conflict of interest which they have in any matter to be considered by the Commissioning Body, and must where there is or could be any conflict of interest which might affect or be seen to affect the position, declare that interest, take no part in the discussion and (if the degree of interest is close or prejudicial) leave the meeting. An example of such a matter is one discussing a decision about funding projects they are involved in delivering.
6. **Role of the Administering Authority**

6.1 The Administering Authority is the body with legal status to which SP Grant is paid, and it has ultimate financial responsibility. The Administering Authority must exercise this responsibility within the framework of the Aims of this document and the strategy agreed by the Commissioning Body, and taking into account the advice of the Commissioning Body. The Administering Authority is accountable to the Commissioning Body for the performance of the duties set out in this Memorandum, although since it is the local authority it’s activities are subject to the Council’s Constitution and it is therefore also accountable to the Members and Chief Executive of the London Borough of Lewisham.

6.2 The functions of the Administering Authority are to organise the proper administration of the Supporting People grant and include the following:

6.2.1 compile and maintain information on all Supporting People services in the Commissioning Body area. This will include the information authorities hold on contracted services.

6.2.2 ring-fence the Supporting People grant, to prevent Supporting People grant being spent on any services that are not eligible under the Grant Conditions; interface with central Government administrative systems. This includes the submission of regular statistical information

6.2.3 ascertain grant receipts and expenditure at any given time, including ensuring appropriate payments are made;

6.2.4 advice to the Commissioning Body on general financial, management, best value and compliance matters relating to the Supporting People grant, including: administration of the programme, budgetary constraints, monitoring information and quality of services, contractual risks, the type of service that can be funded, attainment of strategic objectives and key performance indicators, and whether any decision of the Commissioning Body complies with the Directions, Grant Conditions and statutory guidance;

6.2.5 advice to the Commissioning Body on whether the proposed arrangements for access to services (set out in the strategy or annual plan) would meet cross-authority baseline targets;

6.2.6 advice to the Commissioning Body on whether a particular cross-authority service has been designated as of regional or national importance, and whether the strategy or annual plan would result in the termination of funding to a designated service;

6.2.7 assistance to the Commissioning Body in preparation of the Supporting People Strategy and Plan, sending it to the Secretary of State when appropriate, and referring any significant changes to the Commissioning Body;
6.2.8 preparation and maintenance of a list of all Supporting People services in the area, and maintain a record of levels of cross-authority access to services within the area;
6.2.9 Provision of staffing and resources (within the budgets allowed by SP Grant) for the implementation of the SP Programme.

7. No Legal Partnership

7.1 It is hereby agreed that the references in these Memorandum of Understanding to the Partnership are intended solely to illustrate the spirit of active co-operation among the Partners and no arrangements made expressly or impliedly pursuant to these Memorandum of Understanding or anything done in connection therewith (whether expressly or impliedly arising from such arrangements) shall create an agency or a partnership or give rise to any legal obligations, rights or consequences whatsoever or shall be legally enforceable by means of litigation or judicial review or in any other way.

8. Disputes

8.1 It is intended that the following procedure will be used for disputes, including where:
8.1.1 the Commissioning Body and the Administering Authority do not agree on a course of action – for example, the withdrawal of SP Grant from a service; or
8.1.2 there is a disagreement between Partners about whether a particular Partner is performing its duties under this Memorandum of Understanding.

8.2 If any dispute arises between the Commissioning Body and the Administering Authority, or between any of the Partners, or if the Commissioning Body felt itself unable to discharge its responsibilities, then the Partners must attempt to resolve the matter amicably. For example, the matter could be put before a meeting of the Commissioning Body for discussion and if possible resolution. This shall be done by each of the parties in dispute setting out as briefly as possible in writing the substance of the dispute, for circulation before the Commissioning Body Meeting, and the discussion of those documents at the Commissioning Body meeting.

8.3 If it is not possible to resolve the matter, it may be referred to the Chief Executives of the Partners involved.

8.4 If it is not possible to resolve any dispute, then the Administering Authority or the Commissioning Body may refer the matter to the Office of the Deputy Prime Minister.
8.5 Nothing in this document in any way affects, diminishes, or prejudices the exercise of the powers or discretion of the Administering Authority or of any other partner.

List of Signatories

Signed by  
Name  
Position

On (date)  
On behalf of XXXX

[ADD LIST OF SIGNATURES]
1. Summary

The report sets out details of nominees for appointment as authority governors.

2. Purpose of the Report

To consider and approve the appointment of authority governors detailed below.

3. Policy Context

Authority governors fulfil the core value of local government serving local communities.

4. Recommendation

It is recommended that the Mayor re-appoints the nominees set out in paragraph 6.1 below as authority governors.

5. Background

Every governing body, under Section 36 and Schedule 9 of the School Standards and Framework Act 1998, is required to have at least one representative of the Local Education Authority (LEA) as part of its membership. A vacancy has arisen on the governing body of the educational establishments listed in paragraph 6.1 below, and a new appointment is required.
### Nominations

<table>
<thead>
<tr>
<th>Name</th>
<th>School</th>
<th>Constituency</th>
<th>Reappointment</th>
<th>New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr T Livingstone</td>
<td>Brent Knoll</td>
<td>Lewisham West</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr T Curson</td>
<td>Coopers Lane</td>
<td>Lewisham East</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rev Paul Butler</td>
<td>Elfrida</td>
<td>Lewisham West</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms S Rees</td>
<td>Eliot Bank</td>
<td>Lewisham West</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Conservative</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cllr T Scott</td>
<td>Deptford Park</td>
<td>Lewisham West</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mrs Elsie Sutherland</td>
<td>Greenvale</td>
<td>Lewisham West</td>
<td>No, but Ms Sutherland is already a governor at another Lewisham School</td>
<td>No</td>
</tr>
<tr>
<td>Non-party</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mrs J Paschoud</td>
<td>Holy Trinity CE</td>
<td>Lewisham West</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr P Dawson</td>
<td>Holy Trinity CE</td>
<td>Lewisham West</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mrs M White</td>
<td>Monson</td>
<td>Lewisham Deptford</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr J Williams</td>
<td>Northbrook CE</td>
<td>Lewisham East</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mrs L Thauoos</td>
<td>Our Lady &amp; St Philip Neri RC</td>
<td>Lewisham West</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr M P Fahey</td>
<td>Prendergast</td>
<td>Lewisham Deptford</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Non-party</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mrs J Deschamps</td>
<td>Prendergast</td>
<td>Lewisham Deptford</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr A Gordon</td>
<td>St Augustine’s RC</td>
<td>Lewisham West</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mrs N Clarke</td>
<td>St Joseph’s Academy RC</td>
<td>Lewisham East</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms P Hounsom</td>
<td>St Margaret’s Lee CE</td>
<td>Lewisham East</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Labour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr K Jeffrey</td>
<td>St Mary’s CE</td>
<td>Lewisham East</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>
Name          School            Constituency    Reappointment New

Mr T Livingstone  Brent Knoll  Lewisham West  Yes     No
**Labour**        
Mr T Curson        Coopers Lane Lewisham East  Yes     No
**Labour**        
Rev Paul Butler    Elfrida        Lewisham West  Yes     No
**Labour**        
Ms S Rees          Eliot Bank    Lewisham West  Yes     No
**Conservative**  
Cllr T Scott       Deptford Park Lewisham Deptford Yes     No
**Labour**        
Mrs Elsie Sutherland     Greenvale    Lewisham West No, but Ms Sutherland is already a governor at another Lewisham School

Mrs J Paschoud    Holy Trinity CE Lewisham West  Yes     No
**Labour**        
Mr P Dawson       Holy Trinity CE Lewisham West  Yes     No
**Labour**        
Chief J Sobotie   St Mary Magdalen’s RC Lewisham Deptford Yes     No
**Labour**        
Ms M Boyle        St William of York Lewisham Deptford Yes     No

Appointments to school governing bodies are usually for a four-year term.

7. **Legal Implications**

These are contained in the body of the report.

8. **Financial Implications**

There are no specific financial implications arising from this report.

9. **Crime and Disorder Implications**

There are no specific implications arising from this report.

10. **Equalities Implications**

Lewisham Council’s policy is to encourage all sections of the community to be represented as authority governors. In particular, we would
encourage further representation from the black community and minority groups, including disabled people, who are currently under-represented, as authority governors.

11. Environmental Implications

There are no specific financial implications arising from this report.

BACKGROUND PAPERS

None

If there are any queries arising from this report, please contact Lineth Allen, Governors’ Services, 3rd Floor, Laurence House, telephone 020 8314-7993
1. Summary

This report sets out a proposal for Malory Secondary School to become an Academy from September 2005. It is proposed that Malory will join with Haberdashers Aske’s Hatcham College City Technology College (CTC) to become a Federated Academy, to raise standards and broaden educational opportunities. To allow for the opening of the Academy Malory will need to formally close as a community school from the end summer term 2005. This report seeks approval to open consultation on this proposal. At the same time the Academy sponsors will consult on the opening of the Federated Academy.

2. Policy Context

2.1 Improving the educational achievement of young people and providing access to lifelong learning for all is one of the Council’s top priorities. All young people deserve the best possible start in life. Now, more than ever, life chances and opportunities depend upon good education.

2.2 High expectations and achievements within local schools are therefore key to ensure this Council achieves its vision.

2.3 The Education and Culture Directorate has three strategic objectives:

- to raise the achievement of all children and young people 0-19;
- to improve the quality of people’s lives through personal, community and cultural development; and
- to ensure that Lewisham’s residents have the knowledge and skills they need for continuing education and employment.
3. Recommendations

It is recommended that the Mayor agrees that consultations, in accordance with the requirements of Section 29(4) of the Schools Standards and Framework Act 1998, be carried out on the proposal that Malory Secondary School be closed at the end of the summer term 2005 in order for the new academy to be opened for the Autumn term 2005.

4. Background

4.1 Malory came out of 'Serious Weakness' in November 2001. It is still designated by the DfES as a school facing challenging circumstances. The teaching and learning in the school is good and the school has a number of initiatives designed to accelerate learning. In the summer of 2001 9% of the Year 11 pupils gained 5 A* - C grades and this rose to 18% in 2002. However the school is unlikely to reach and sustain the DfES floor target of 25% 5A*-C by 2005. A partnership with Haberdashers' Aske's Hatcham College (HAHC) had been set up to support school improvement. The school also participates in the Downham and Bellingham EAZ improvement programmes and is a partner in the Behaviour Improvement Project.

4.2 In light of these challenging circumstances and added to this the school's failure to recruit to its admissions limit over a number of years the Executive Committee agreed on 23 January 2002 to the Council's proposal to reduce the admissions limit of the school from 270 to 180. Although estimates of demand for school places in the Borough showed that there would be pressure on places, Malory continued to have a high number of surplus places, with all the educational disadvantages of high pupil turnover and excessive casual admissions that this brings. The reduction to the school's admissions was essential to bring the school stability and to assist it in its efforts to raise standards of education.

4.3 The Secondary Strategic review of school places report considered by the Mayor and Cabinet on 20 November 2002 set out strategic proposals for Malory. It was agreed that discussions with the DfES (Schools facing challenging circumstances section) that investigations should be carried out to achieve Academy status for the school with the advantages that this would bring. Academies are a new kind of school that will be independent schools that are publicly funded, providing first class free education for all pupils of all abilities. Academies provide facilities in line with the best in the maintained sector and open their facilities to the local community. Academies also offer exciting and innovative approaches to learning and aim to meet the needs of the most able pupils as well as those who need additional support to achieve their goals.

4.4 As a result of the investigation Haberdashers Livery Company, sponsors of Haberdashers Askes Hatcham College, expressed their interest to
create the Federation Academy. As a consequence of the Academy proposal Malory School has been removed from the Lewisham Grouped Schools Modernisation Programme (PFI).

4.5 The Federated Academy would be achieved by replacing Malory School with an Academy and changing the status of Haberdashers Askes Hatcham College from a City Technology College (CTC) to an Academy.

4.6 The DfES have funded CAPITA Strategic Education Services to oversee the feasibility stage of the Academy project. A steering group has been set up with representatives from the School and the Council.

4.7 It is proposed that the Federated Academy has complementary specialisms but would have a single, overarching governing body and a chief executive responsible for the direction and leadership of both. The Academies would have shared values, ethos and pedagogy and will benefit from each other’s resources and areas of expertise which will in turn expand the range and depth of learning opportunities for pupils.

4.8 Malory and Haberdashers Askes Hatcham College (HAHC) propose to emphasise their strengths of ICT in a shared identity and ethos. In addition, each Academy will have a specialism, Malory in sport and HAHC music.

4.9 HAHC is a very successful CTC and oversubscribed. The development of the Malory Academy with the Haberdashers would give greater opportunity to meet the demand for school places in the borough.

4.10 The benefits to Malory and HAHC of an Academy Federation are many. For Malory, the federation provides the school with the opportunity to share in the expertise which both Haberdashers Livery Company and HAHC have in terms of school leadership, management and improvement.

4.11 The physical improvement to the schools would be substantive from the Academy status. It is proposed that Malory would require extensive refurbishment or be rebuilt to bring it up to Academy standards and that HAHC would benefit from improved disabled access; improved sports facilities and an extension to current 6th Form learning resource facilities. It is also proposed that the HAHC site be networked to the Malory site by improved ICT facilities to permit video conferencing for staff and pupils.

4.12 The Federated Academy is committed to ensuring that their admissions policy leads to a fully comprehensive intake. It is proposed that fair banding will be used and over subscription criteria will include measures to ensure that both Academies serve their local communities.
4.13 The Federated Academy would provide an innovative curriculum to ensure all pupils reach their potential and that the setting up of the Academies would provide new opportunities to develop educational strategies to raise standards. Each Academy will provide a learning environment fit for the 21st Century.

5. **School Organisation Issues**

5.1 The current need for Secondary School places in Lewisham means that the places provided by Malory School are required and that closure without an option for replacement is not viable.

5.2 If the Federated Academy plans are accepted then the final date for the closure of Malory will be confirmed to match the date for the opening of the Academy. All pupils in Malory School at the time of its closure will have an automatic right of transfer into the Academy.

5.3 Table 1 shows the deficit of Lewisham secondary school places over the next five-year period based on the projected demand for places for 11 year olds.

<table>
<thead>
<tr>
<th>11 year olds</th>
<th>2003/4</th>
<th>2004/5</th>
<th>2005/6</th>
<th>2006/7</th>
<th>2007/8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Places</td>
<td>2374</td>
<td>2344</td>
<td>2344</td>
<td>2344</td>
<td>2344</td>
</tr>
<tr>
<td>Projected need</td>
<td>2492</td>
<td>2386</td>
<td>2435</td>
<td>2581</td>
<td>2594</td>
</tr>
<tr>
<td>Deficit places</td>
<td>-118</td>
<td>-42</td>
<td>-91</td>
<td>-237</td>
<td>-250</td>
</tr>
</tbody>
</table>

Table 1 - Deficit of places based on existing agreed admission numbers

5.4 The Lewisham School Organisation Committee would be required to make a conditional decision on the closure of the school dependent on the successful completion of the feasibility phase.

5.5 Part of Lewisham’s strategy to ensure appropriate levels of school places for the future is to expand provision at Malory. The Executive Committee in of January 2002 agreed that the admissions limit would be raised to 210. This will assist in the provision of additional secondary school places within the borough. It is further proposed that the school becomes an 11-19 school with a joint sixth form with Askes. Consideration will be given to provide sixth form provision at both sites of the Federated Academy.

6. **Consultation Programme**

6.1 If approval were given to this proposal the consultation would begin at the start of term in September and end 10 October 2003. A consultation
The results of consultation would be reported to a meeting of the Mayor and cabinet in November 2003. If approved by the Mayor in November 2003, the public notice would be issued shortly thereafter. There would then be a period of two months for any person to make objections to or comment on the proposals for closure of Malory School. The School Organisation Committee could meet at the end of January 2004 to consider conditional approval to the closure.

7. **Financial Implications**

7.1 With effect from September 2005 Malory will be seeking Academy status. Academies are companies limited by guarantee and will receive direct funding from Government to meet both their capital and revenue needs. This will impact on the Council in 2005-06.

7.2 As funding will be provided directly by the DfES, the Council’s pupil numbers will be reduced accordingly with less resources distributed to the schools. In addition, the Council currently provides some services directly to Maintained Schools and the proposals imply that funding for these services would be withdrawn from the Council and the budget provided directly to the Academy. Some economies of scale will be lost as a result of these changes and the impact will require detailed modelling to determine the effect on local funding. This will be covered in the report scheduled for October 2003 on completion of the consultation process.

7.3 The proposals imply both a transfer of land and the potential TUPE of staff. Both these involve complex legal and staffing matters and will be given further coverage in the report in October 2003.

7.4 The school had a licensed deficit agreed in 2002 of £352k repayable over a period of 5 years. These proposals now imply that the school will not have repaid its deficit on closure in July 2005. It is proposed that officers enter into discussions with the Headteacher and Governors to explore the potential for any revised arrangements to address the new situation. Should the deficit not be closed this would be a first call on the LMS contingency.

8. **Legal Implications**

8.1 The Human Rights Act 1998 safeguards the rights of children in the Borough to educational provision, which the Council is empowered to provide in compliance with its duties under domestic legislation.
8.2 Section 14 of the Education Act 1996 obliges each Education Authority to ensure that there are sufficient primary and secondary schools available for its area i.e. the London Borough of Lewisham although there is no requirement that those places should be exclusively in the area.

8.3 Statutory proposals are not required for the establishment of an Academy. The legal basis for Academies is section 282 of the Education Act 1996, which provides for the Secretary of State to enter into funding agreements with persons.

8.4 Section 29 of the School Standards and Framework Act 1998 stipulates that LEAs must publish proposals if they intend to discontinue a community school. This would pertain to the proposal to close Malory School.

8.5 Subsection 4 of Section 29 of the School Standards and Framework Act 1998 stipulate that, before publishing proposals, proposers should consult such persons as seem appropriate, having regard to any guidance issued by the Secretary of State. That guidance is set out in Circular 9/99 which advises as follows;

“The Secretary of State considers that those bringing forward proposals should consult all interested parties. In doing so they should allow adequate time, and provide sufficient information, for those being consulted to from a considered view on the matters on which they are being consulted, and should make clear how their views should be made known. Those bringing forward proposals should be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals. Where, in the course of consultation, a new option emerges which the proposers wish to consider, it will probably be appropriate to consult afresh on this option before proceeding to publish proposals.”

8.6 The Secretary of State considers that the interested parties who should be consulted include;

- Any school which is the subject of proposals (head, staff, governors and parents).
- Any LEA likely to be affected by the proposals, including in particular neighbouring LEAs where there may be a significant cross-border movement of pupils.
- Other schools in the area, including schools in an adjoining LEA that may be affected by the proposals, whether community, foundation, voluntary or community special schools.
- Parents and teachers in the area who may be affected by the proposals, including those living in or who have children attending, a school in the area of an adjoining LEA.
- The appropriate diocesan authorities (in the case of Lewisham
schools, the CE Southwark Diocesan Board of Education and the RC Archdiocese of Southwark Commission for Schools and Colleges).

- Any other interested party

8.7 If, after consideration of the outcome of consultations the Mayor decides to proceed with the proposals for Malory School a public notice will need to be issued in accordance with detailed procedure laid down in Schedule 6 to the School Standards and Framework Act 1998 and supplemented by Schedule 2 to the Education (School Organisation Proposals) (England) Regulations 1999.

8.8 Once published, there is then a period of two months for any person to make comments or objection to the proposals.

9. **Equalities Implications**

It is essential that children who come from disadvantaged backgrounds are able to find places and good primary schools within a reasonable distance from their homes. The Authority presents proposals to ensure that there should be sufficient high quality secondary places for all Lewisham residents who seek one.

10. **Crime and Disorder Implications**

The strategies in this report are aimed at the raising of standards in Lewisham secondary schools which is an essential part of the agenda to combat crime by improving the life and employment opportunities of the Borough’s young people.

11. **Human Resources Implications**

There will be the necessity to consult with existing Malory staff and their representatives over the implications of moving to a Federated Academy. The Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE) may apply.

12. **Environmental Implications**

Malory will require extensive refurbishment / redevelopment to bring it up to Academy standards. Improvements would need to take account if the recommendations of ‘Creative Lewisham’ which seeks to provide a high standard of design of new municipal buildings. This should help to raise the morale of staff and pupils and thereby assist in the drive to raise standards.

13. **Conclusions**
That formal consultation is carried out on the closure of Malory School from the end of the summer term 2005 in order that the school becomes an Academy.

**BACKGROUND PAPERS**

<table>
<thead>
<tr>
<th>Short title of document</th>
<th>Date of document</th>
<th>Location</th>
<th>Reference</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lewisham School Organisational Plan 4th edition</td>
<td>December 2002</td>
<td>2nd Floor Laurence House</td>
<td>N/A</td>
<td>Trish Costello</td>
</tr>
</tbody>
</table>

For more information about this report, please contact Stephen Belk, Head of School Effectiveness, Education & Culture Directorate on 020 8314 9971.
1. Summary

This report informs the Mayor of the comments/views of the Public Accounts Select Committee on various matters. These are set out in section 4.

2. Purpose of the Report

To inform the Mayor of the views/comments of the Public Accounts Select Committee on various matters.

3. Recommendation

The Mayor is recommended to:

(i) note the views of the Public Accounts Select Committee set out in section 4; and

(ii) agree that the relevant Executive Directors be asked to draft a response to the matters raised by the Select Committees and to report back to the Executive on 10 September 2003.

4. Select Committee Views

On 24 June 2003 the Public Accounts Select Committee considered a report on the use of agency staff by the Council over the past two financial years. Following consideration of this report, the Public Accounts Select Committee wish to draw the Mayor’s attention to the following matters:

4.1 Agency Spend Analysis

4.1 PASC understand that there are requirements to have a flexible workforce which is supported, when appropriate, by the use of temporary and agency staff with specific skills or for cover at specific times.
However, we are concerned that over the past few years there has been an increase in the use of agency staff to cover for permanent posts and we would like to reiterate our position that in principle we support the appointment of permanent Council staff to permanent positions rather than using agency staff.

4.2 PASC are also concerned that as the central expenditure panel has ceased to operate and central control been removed, directorates will start to become more relaxed about their use of agency staff which could lead to a Council wide increase and the inappropriate use of agency staff. During the period of the expenditure panels there has obviously been a tightening up in the use of agency staff and PASC would recommend that:-

1. An assessment be carried out to see what impact there has been on the Council’s key performance indicators as a result of not filling posts.
2. A full review of the Council’s staffing levels if KPIs have not been affected substantially because of not filling posts.
3. We would like to see some controls continue to exist on the use of agency staff to ensure that agency staff are not used unless absolutely necessary.

4.3 Members heard that as part of the action being taken to increase the number of social workers employed by the Council, we are actively trying to recruit to permanent posts some social workers we currently employ through agencies. PASC is concerned by the levels of the buy-out payments demanded by these agencies, which we understand can be as high as the equivalent of six months salary. We support the action being taken by the Council to tackle this particular recruitment issue but would like to underline that large payments are being made to agencies and urge the Council to also pursue alternative options to recruit people into social work in Lewisham.

4.4 PASC were also informed that there is now a major recruitment issue in Early Years because of a national shortage of qualified childcare staff. This has led to a large increase in the use of agency staff. PASC would like to see the Council develop a long-term strategy for the recruitment of these staff to prevent the development of a similar situation to that of the social work staff, which among other things leads to ‘poaching’ by our neighbouring boroughs.

5. Financial Implications

There are no financial implications arising from this report.
6. **Legal Implications**

The Constitution provides for the Select Committees to report to the Mayor and Cabinet and for the Executive to consider the report within one month of receiving it.

**BACKGROUND PAPERS**

None.

If you have any queries on this report, please contact Helen Klier, Chair of Public Accounts Select Committee or Mike Brown, Head of Committee Business, extension 48824.
1. Summary

This report gives detail on the small-scale traffic schemes carried out last year. In addition it proposes a priority list of schemes to be implemented this year for a budget of £30,000.

2. Purpose of the Report

To report a priority list of traffic management and pedestrian facilities of which the top 19 schemes are proposed to be implemented this financial year.

3. Policy Context

3.1 The Council’s current deposit Draft Unitary Development Plan policies for sustainable transport and parking include an undertaking in TRN20 and TRN21 to take measures to reduce the number and severity of road accidents in the borough and introduce traffic calming measures on the road network so as to:

- reduce traffic to achieve the role assigned to roads in the hierarchy;
- allocate road space to essential traffic and environmentally friendly modes of transport;
- reflect the requirement of land uses along the road, in terms of access, essential movement and environmental needs;
- reduce motorised traffic in residential areas and improve the environment for residents.

4. Recommendations

4.1 That the Mayor agrees:

myr_cab_ag_16jul03
(a) to the priority list for small scale traffic management measures in Appendix B, but notes the limited funding for this area of work and therefore the limited ability of officers to be able to respond to requests for action;

(b) that £30K of the traffic management schemes budget of £255K be allocated for small scale traffic management and pedestrian facilities;

(c) that if any funding is identified via S106 or other external sources, items from the priority list are investigated and treated, even if this results in schemes being addressed out of priority;

(d) that officers report back next year on additional requests received and action taken in respect of this year’s priority list;

(e) to note the schemes carried out in 2002/3 listed in item 4.3.

5. Narrative

5.1 On 25 July 2001 the Executive Committee approved a report that:

(a) agreed the priority assessment criteria for traffic management measures;

(b) agreed the criteria for the assessment of formal Pedestrian crossings;

(c) officers to report next year on additional requests received and action taken in respect of this year’s priority list.

5.2 This report deals with requests for action that are not dealt with under the Area Studies, Parking and the Accident Investigation and Prevention Programmes. These schemes are dealt with under separate policies and programmes. Where possible, requests for minor schemes are incorporated into this year’s Area Studies Programme. Requests for minor traffic schemes are registered, assessed and prioritised as listed in Appendix B. It is intended that the proposed prioritised list is reviewed regularly and reported to Mayor and Cabinet.

5.3 Schemes implemented last year

5.3.1 Only a limited number of schemes have been implemented in the last few years. The last financial year schemes were implemented in accordance with the current policy of prioritising. Most of the schemes proposed last year, as listed in the Executive Committee report on the
17 July 2002, were carried out.

5.3.2 The list below shows the schemes that have been implemented in the last year (schemes that are primarily traffic calming and AIP schemes have not been listed as these are dealt with in the other two Committee reports pertaining to these areas):

- Bolina Rd warning signs
- Pepys Rd/Sherwin Rd signing to enhance the one way
- Pepys Rd signing to width restriction
- Brockley Park road markings to new school entrance
- Verdant Lane pedestrian refuge near Sandhurst Rd
- De Fene Rd bend hazard signs and markings
- Kirkdale/Kelvin Rd school wig wag
- Kirkdale near Mount Ash pedestrian crossing refuge
- Woodyates Rd/Burnt Ash Hill junction moving of guard railing
- Woolstone Rd/Cranstone Rd junction tactiles and signs

**Priority Listing 2003/04**

5.4 The number of requests for Traffic Management and Pedestrian Facilities to control and facilitate safer and easier movement by traffic, cyclists and pedestrians has continued to increase. All requests are registered and reviewed by Engineers. However, some of the requests are found not to be viable. Many of the requests include works such as banned turns, road islands, mini roundabouts, one-way working, signing and lining, pedestrian crossing facilities and enforcement of existing measures. A priority listing has been devised to ensure that schemes are implemented where there are specific safety concerns or a traffic/pedestrian problem and that can be contained within the budget.

5.5 A list of sites has been compiled where requests have been received from either residents, Members or via petitions and where a prima facie case for treatment exists. The priority list together with the approximate cost of each scheme is shown as Appendix B to this report. The top 19 schemes can be carried out this financial year as they generally fall within the agreed budget. The total estimated funding required to implement all the schemes is £588,300. In order to introduce as many schemes as possible every avenue of potential funding will be explored e.g. Transport Programmes, Capital bids, S106 from new developments, Regeneration and Renewal programmes.

5.6 If finance can be identified from any other source for specific schemes from the priority list, then these will be pursued following consultation with the relevant Ward Members, even if this results in treating schemes lower down the priority ranking than currently being worked on. In this way the benefits of any opportunistic funding will not be lost whilst still ensuring a data based approach is applied to any Council funding available.
The Department of Transport issued Local Transport Notes 1/95 and 2/95 in April 1995, provided up-to-date guidance on the assessment and design (respectively) of pedestrian crossings. Based on this guidance the criteria for the assessment of pedestrian crossings was agreed by the Executive Committee on 25 July 2001. The assessment is somewhat involved and the Mayor is asked to acknowledge that a wide range of factors are now taken into consideration in determining whether a pedestrian crossing is provided and can be used to rank the provision of pedestrian crossings in terms of priority.

6 Financial Implications

6.1 The Traffic Management Schemes revenue budget for 2003/04 is £255,000. The key priority of implementing traffic calming in the Telegraph Hill and New Cross (West) areas are covered in the Area Traffic Calming and 20mph Zones Report, requires spending £200,000 of this budget. £20,000 of this budget will be spent on minor parking schemes such as yellow lines at junctions and footway parking, £5,000 on the use of lifter to move vehicles obstructing highway works. It is proposed that the balance of £30,000 is set aside to meet the cost of Traffic Management and Pedestrian Facilities set out in Appendix B, but it will be necessary to explore other avenues of finance, if any, but the highest priority schemes, are to be proceeded with.

7. Legal Implications

The Council has a broad duty to maintain those highways for which it is responsible. The Council can also take pro-active steps in improving highways, by virtue of various powers given to it under the Highways Act 1980. The Road Traffic Regulation Act 1984 gives the Council the ability to provide pedestrian crossings, and introduce other measures that complement physical alterations to the roads themselves, such as speed limits or one-way restrictions. Both Acts give the Council implicit powers to incur expenditure to achieving those ends.

8. Prevention of Crime & Disorder Implications

There are no implications for the prevention of crime & disorder.

9. Equalities Implications

The proposed schemes should reduce hazards for blind and partially sighted people and for people with impaired mobility.
10. Environmental Implications

The proposed schemes will reduce hazards and make the road environment more attractive for pedestrians and cyclists.

11. Conclusion

The proposed list of minor schemes have been assessed by officers and prioritised in accordance with a scoring system that generally favours the viable and low cost schemes. As a consequence 19 minor schemes are proposed from this years budget.

If there are any queries on this report, please contact Tom Henry, Transport, Traffic Design on 020 8314 2562.

### BACKGROUND PAPERS

<table>
<thead>
<tr>
<th>Short Title</th>
<th>Date</th>
<th>File</th>
<th>File Ref</th>
<th>Contact Officer</th>
<th>Exempt Infn.</th>
</tr>
</thead>
<tbody>
<tr>
<td>List of minor traffic schemes</td>
<td>2003/4</td>
<td>Wearside</td>
<td>HAT/Proforma/List of Traffic Schemes</td>
<td>Tom Henry</td>
<td>None</td>
</tr>
<tr>
<td>Executive Committee Report</td>
<td>July 2001</td>
<td>Laurence House</td>
<td>Margaret Hennessey</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>
Procedure for Assessment and Priority Rating for Traffic Management and Pedestrian Facilities

The schemes were prioritised using a weighted assessment criteria. The criteria and weighting is listed in the following:

- Pedestrian Safety - Weighting 30
- Prevention of Rat Running - Weighting 10
- Prevention of Traffic Violations - Weighting 10
- Perceived Accident Risks - Weighting 30
- Scheme Viability - Weighting 20
- Scheme Cost

Schemes were assessed by Engineers to give a weighting value to each criteria listed above. The weighted values were added and divided by the estimated cost to give a total value, thus allowing a priority ranking to be made as in Appendix B.
Notes on Appendix B

1. The schemes are prioritised. All schemes and costings are subject to detail design. The costs are only budget estimates to give Members an indication of possible costs and these costs could vary. Following analysis it may not be possible to progress some schemes for engineering, cost or safety reasons.

2. Road Safety Schemes are not included in the above list and will be dealt with under the AIP programme.

3. Traffic Calming Schemes are not included in the above list and will be dealt with under the area based traffic calming programme.

   (i) Larger more expensive schemes above £50,000 are not included in the list and where appropriate will be dealt with via the Borough Spending Plan submission.
1. Summary

1.1 This report gives details on the Accident Investigation and Prevention (AIP) programme. It presents a list of AIP schemes carried out in the last 5 years and the priority list of sites to be investigated for accident schemes in the current financial year.

1.2 The accident sites to be investigated are at locations with the highest number of recorded accidents and in accordance with the policy agreed by the Executive Committee in April 2001 and further endorsed by Mayor and Cabinet in July 2002.

2. Purpose of the Report

2.1 To confirm that the Council employs a data-led, prioritised approach to achieving a reduction in the numbers of personal injury accidents occurring in the borough as agreed by Executive Committee on 4 April 2001 and Mayor and Cabinet on 17 July 2002.

2.2 To present a list of Accident Investigation and Prevention schemes to be investigated for potential implementation during 2003/04 and to inform Members of recently introduced schemes.

3 Policy Context

3.1 The Council’s current draft UDP policies for Sustainable Transport and Parking include an undertaking in TRN 20 where “The Council will take measures to reduce the number and severity of road accidents in the Borough.”
3.2 National targets have been set by the Government to reduce road casualties. These targets are to be achieved by 2010 compared with the average for 1994 to 1998. The interpretations of these targets and the reported casualties for 2002 for Lewisham's borough roads are included in the table below:

<table>
<thead>
<tr>
<th>Casualty Category</th>
<th>Reduction (% on Base)</th>
<th>Base (Average 1994/98)</th>
<th>Target (by 2010)</th>
<th>2002 Reported casualties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Numbers of people killed or seriously injured</td>
<td>40%</td>
<td>111</td>
<td>67</td>
<td>106</td>
</tr>
<tr>
<td>Numbers of children killed or seriously injured</td>
<td>50%</td>
<td>29</td>
<td>15</td>
<td>26</td>
</tr>
<tr>
<td>Numbers of people slightly injured (per 100 million vehicle kilometres)</td>
<td>10%</td>
<td>740</td>
<td>666</td>
<td>586</td>
</tr>
</tbody>
</table>

*there is no government guidance on how to measure the numbers per 100 million vehicle kilometres. Therefore the total number of people slightly injured is reported.*

3.3 Specific London-wide targets have been set by Transport for London (TfL). The interpretations of these targets and the reported casualties for 2002 for Lewisham’s borough roads are included in the table below:

<table>
<thead>
<tr>
<th>Casualty Category</th>
<th>Reduction (% on Base)</th>
<th>Base (Average 1994/98)</th>
<th>Target (by 2010)</th>
<th>2002 Reported casualties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pedestrians killed or seriously injured</td>
<td>40%</td>
<td>47</td>
<td>28</td>
<td>32</td>
</tr>
<tr>
<td>Cyclists killed or seriously injured</td>
<td>40%</td>
<td>8</td>
<td>5</td>
<td>9</td>
</tr>
<tr>
<td>Motorcyclists killed or seriously injured</td>
<td>40%</td>
<td>13</td>
<td>8</td>
<td>26</td>
</tr>
</tbody>
</table>

3.4 The above targets have been adopted by Lewisham and are incorporated into the Road Safety Plan.
4. Recommendation

That the Mayor agrees:

4.1 the Borough Spending Plan capital allocation for 2003/4 of £380,000 be allocated to the implementation of accident remedial schemes as listed in the priority lists in Appendices C and D;

4.2 that officers report back next year on the action taken in respect of this year’s priority list; and

4.3 to note the schemes carried out in 2002/03

5. Narrative

5.1 The Executive Committee and the Mayor and Cabinet considered reports on 4 April 2001 and 17 July 2002 that:

   (i) agreed a data-led, prioritised approach to achieving a reduction in the numbers of personal injury accidents in the borough;
   (ii) approved the implementation of the accident remedial programme for the financial year;
   (iii) agreed to adopt the Government’s and Transport for London’s road safety programme; and
   (iv) agreed the proposed implementation and consultation procedure for AIP schemes.

5.2 This report deals with the AIP programme and seeks to explain the proposed prioritised data-led approach to reduce road accidents in the borough. It is intended that the proposed prioritised list is reviewed and reported annually.

5.3 Lewisham’s AIP programme is aimed at obtaining the greatest accident reduction for the money available. The proposed accident priority listing is based on the reported personal injury records for the preceding three years and deals with the identification, design and implementation of accident remedial schemes. This structured approach for accident investigation ensures that the Council adopts the most positive way to achieving the Government’s target for the reduction of accidents. The approach also ensures that the Council achieves the best rate of return on the money invested in each new scheme by treating the worst sites first.
5.4 Most traffic uses the main road network, with the majority of accidents tending to be restricted to this network of roads and junctions. A priority list showing the numbers of accidents occurring at junctions (nodes) and on lengths of road (links) on the main road network is produced each month by the London Accident Analysis Unit (LAAU), with a time lag of 2 to 6 months from the date of the accident to the report. Roads not on the main road network will be treated under the area traffic calming programme, or after a substantial number of sites from this priority list have been treated with accident remedial measures.

5.5 The worst accident sites will be investigated each year with a view to designing remedial schemes as appropriate. It is important that resources for engineering measures are directed to locations where a higher than average incidence of accidents is evident. From London Research Centre data, typical accident rates per year for Inner London are; 3.37 for a signal junction, 1.10 for a pelican crossing, 0.96 for a zebra crossing and 0.60 for a mini roundabout.

5.6 In some cases it will be found that there are no common accident problems which can be ‘engineered out’. Others may have commonly occurring accident factors, which can be addressed by the use of tried and tested engineering measures. Of these sites, where remedial measures can be designed, some will be ‘low’ cost schemes of up to about £10,000, whilst others are likely to require extensive works e.g. junction re-design, costing in excess of £50,000. The intention to maximise the reduction in accidents from the money available by designing, where possible, low cost schemes. Members need to be aware that this task is becoming increasingly more difficult. Engineering methods have already been carried out at many of the most hazardous locations in the borough. Our intention is, where possible, to investigate up to 10 accident sites on borough roads each year and thereby identify and compile a priority list of sites. Where the investigation indicates that a substantial scheme is required, it is probable that the implementation will be delayed until sufficient funding is available. Due to their nature, large schemes would normally require a year or more to prepare and every opportunity will be taken to seek funding from other sources.

5.7 The Mayor should be aware that the above process becomes increasingly more difficult for each site, the further down the list we go and this will have a significant drain on resources both in terms of staff time and scheme cost. The proposed structured approach has been praised by the Department for Transport (DfT) and suggested as a model for good practice.
5.8 From the latest LAAU top 20 ranked accidents in Lewisham, for the 36 months prior to December 2002, it is evident that a majority of high accident sites occur on Greater London Authority (GLA) roads. TfL are the highway authority for these roads and therefore will carry out any accident reduction schemes.

5.9 This report seeks to inform the Mayor of schemes that have been recently implemented and to provide an initial list of sites, on borough roads, for investigation this year.

**Implemented schemes and monitoring of schemes**

5.10 In the five years to December 2002 the Council carried out 23 accident remedial schemes. A list of these schemes is shown in Appendix A. All accident remedial schemes are closely monitored to assess their effects. Only schemes for which full three-year ‘after’ data is available can be properly assessed. There are 4 schemes for which full, three year ‘after’ data is currently available. When compared with the three year, ‘before’ period it can be seen that accidents have been reduced at those sites from 57 to 32 (56% saving). Using a DETR economic assessment model, this gives estimated savings of £1,633,000 to the community.

**Borough-wide accident trends**

5.11 It can be seen from the tables in items 3.2 and 3.3 that casualty reductions were achieved in 2001 when compared against the base figures. Cyclist and motor-cyclist casualties have increased but this must be viewed against the national increasing trend.

5.12 It is clear that longer-term additional resources and effort will be required if the borough is to achieve the accident reduction targets set by the Government in their road safety strategy document, ‘Tomorrow’s Roads – Safer for Everyone’ March 2000. The latest Government targets are to achieve reductions compared with the average for 1994-98. The targets are set out in item 3.2 of this report and will require extensive road safety improvements to be made, together with greater enforcement and education.

5.13 A list of recently completed AIP schemes, funded from the capital works, local safety schemes budget is included in Appendix B.
List of likely sites for future accident investigation

5.14 An initial list of nodes and links on borough roads, with the highest rank from LAAU statistics, are included in the tables in Appendix C. Nodes are ranked in order of the number of accidents at each site and links by accident rates per kilometre. Investigation and detailed design will be undertaken on some of these sites to produce schemes to be carried out in the next financial year. The incidence of accidents, occurring off the main road network (cell accidents), will also be investigated. Any clusters or high concentrations of accidents found off the main network, will be the subject of detailed analysis and, wherever possible, accident remedial treatment.

5.15 Appendix D lists the sites currently being investigated for AIP schemes from this year’s programme. These sites were identified from last year’s priority list and are at locations with the highest number of accidents where viable engineering solutions are likely to be found.

5.16 If, during the course of the accident investigation process, it becomes apparent that accident reductions can be achieved within the area studies programme (subject of another report on this agenda), then there will be scope for diverting funding from the AIP budget to those projects.

5.17 Engineers will review the effects of scheme changes on the numbers of road accidents, thus enabling appropriate remedial action to be taken.

5.18 Safety Audits will be carried out on all accident reduction schemes and monitoring will be continued to ensure that these physical measures have been effective in reducing the accident numbers.

Public Consultation

5.19 It is proposed that schemes will be implemented in line with the procedure as agreed at the Executive Committee in April 2001 and detailed below:

i. Details of each scheme will be sent to the Deputy Mayor, relevant Ward Councillors and the Chair of the Planning Committee.

ii. Residents/frontagers to the highway will be consulted by letter, with an attached plan, where they are physically affected by proposals such as traffic islands, pedestrian guard railing etc. The consultation letter will explain that the proposed measures are aimed at reducing accidents and will give residents time to object, should they have good reason. Where proposals consist only of lining schemes, high skid resistant surfacing or the like and have little effects on residential amenity, residents will be informed of the situation beforehand with an apology for any temporary disruption.
iii. If any objections or comments are received with regard to the proposal, which cannot be readily resolved by Officers in consultation with the Chair and Ward Councillors, if appropriate, the details will be reported to the Planning Committee for further guidance. The Head of Transport using delegated powers will take the final decision.

iv. If no comments are received the scheme will proceed to implementation.

6. **Financial Implications**

6.1 Any revenue works expenditure will have to be contained within Lewisham’s General Fund budget of £255,000 for the purpose.

6.2 The Council makes bids to Transport for London under the Borough Spending Plan process for capital funds. For 2003/4, Transport for London has approved £380,000 as the budget for Local Safety Schemes in Lewisham.

6.3 Where possible, every opportunity will be taken to fund schemes from other sources such as; S106’s from nearby developments, leverage from other authorities and regeneration bids.

7. **Legal Implications**

The Council has a legal duty under S39 of the Road Traffic Act 1988 to prepare and carry out a programme of measures designed to promote road safety; it must carry out studies into accidents arising out of the use of vehicles on its roads; and in the light of such studies it must take such measures as appear to it appropriate to prevent such accidents. The Highways Act 1980 imposes a broad duty on the Council to maintain those highways for which it is responsible, which includes taking steps to remove dangers of which it becomes aware. The Road Traffic Regulation Act 1984 gives the Council other powers that complement physical alterations to the roads themselves, such as speed limits or one-way restrictions.

8. **Prevention of Crime & Disorder Implications**

There are no implications for the prevention of crime & disorder.

9. **Equalities Implications**

A reduction in hazards resulting from accident remedial schemes will help people with impaired mobility. The use of tactile paving and dropped kerbs will help people with impaired vision.
10. **Environmental Implications**

10.1 The proposed schemes will reduce hazards and where possible make the road environment more attractive for pedestrians and cyclists.

10.2 Each scheme in the programme will result in different measures aimed at reducing accidents. The type of schemes chosen for implementation will include measures to meet the London targets for the reduction in pedestrian and cycling casualties.

11. **Conclusion**

11.1 In accordance with agreed policy at the Executive Committee in April 2001, AIP work will be carried out at sites with the highest number of recorded accidents as prioritised in the two tables in Appendix C. Sites that are currently being investigated are listed in Appendix D.

11.2 Recently treated accident sites are listed in Appendices A and B.

11.3 The capital budget for the AIP programme in 2003/04 is £380,000.

If there are any queries on this report or you require further information, please contact Tom Henry, Traffic Design, Wearside Service Centre, Telephone 020 8314 2562

**BACKGROUND PAPERS**

<table>
<thead>
<tr>
<th>Short Title</th>
<th>Date</th>
<th>File Location</th>
<th>File Ref:</th>
<th>Contact Officer</th>
<th>Exempt Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001 List</td>
<td>April 2001</td>
<td>Wearside Depot</td>
<td>John Bishop</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>April 2001</td>
<td>Laurence House</td>
<td>Margaret Hennessey</td>
<td>None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>July 2002</td>
<td>Laurence House</td>
<td>Margaret Hennessey</td>
<td>None</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**APPENDIX A**

**Personal Injury Accident (PIA) sites treated between 1998 and 2002**

Note: accident comparisons given in the table above are based upon data recorded by the Metropolitan Police during a 36 months pre and post-scheme study period.

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
<th>Date</th>
<th>No of PIAs (Pre-scheme)</th>
<th>No of PIAs (Post-scheme)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baring Rd /Downham Way</td>
<td>Signal Improvements</td>
<td>Apr 1998</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>Malpas Rd /Florence Rd</td>
<td>Traffic Calming scheme</td>
<td>Jun 1998</td>
<td>13</td>
<td>7</td>
</tr>
<tr>
<td>Torridon Rd /Hither Green Lane</td>
<td>Signals</td>
<td>Sept 1998</td>
<td>8</td>
<td>4</td>
</tr>
<tr>
<td>Hither Green Lane</td>
<td>Traffic calming</td>
<td>May 1999</td>
<td>24</td>
<td>15</td>
</tr>
<tr>
<td>Eliot Hill</td>
<td>Traffic Management</td>
<td>Feb 2000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Fordmill Rd</td>
<td>Traffic calming</td>
<td>Mar 2000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Avignon Rd</td>
<td>Traffic calming and junction improvements</td>
<td>Jun 2000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Shroffold Rd /Moorside Rd</td>
<td>Speed Table</td>
<td>Jul 2000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Brookehowse Rd</td>
<td>Traffic calming</td>
<td>Nov 2000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Evelyn Street</td>
<td>Pelican crossing near Magnolia House</td>
<td>July 2001</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>North Downham Estate</td>
<td>Area traffic calming and “Safe Routes to Schools” initiatives</td>
<td>Dec 2001</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Location</td>
<td>Description</td>
<td>Date</td>
<td>No of PIAs (Pre-scheme)</td>
<td>No of PIAs (Post-scheme)</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-----------</td>
<td>-------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Glenbow Road area</td>
<td>Area traffic calming and “Safe Routes to Schools” initiatives</td>
<td>Dec 2001</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Manor Lee Ward</td>
<td>Area traffic calming and “Safe Routes to Schools” initiatives</td>
<td>Dec 2001</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Ravensbourne Park / Manwood Rd</td>
<td>Traffic calming scheme and 20 mph zone</td>
<td>April 2002</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Drakefell Road</td>
<td>Road humps and raised zebra crossing</td>
<td>May 2002</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Blackheath Village</td>
<td>Modifications to pelican crossing and junction improvement</td>
<td>Aug 2002</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Brockley Rise</td>
<td>Junction improvements near Duncombe Hill</td>
<td>Feb 2003</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Brockley Road</td>
<td>Improvements for pedestrians near Crofton Park station</td>
<td>Mar 2003</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Evelyn Street / New King Street</td>
<td>Junction improvements</td>
<td>Mar 2003</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Evelyn Street / Oxestalls Road</td>
<td>Installation of automatic traffic signals</td>
<td>April 2003</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Mayow Road / Perry Vale</td>
<td>Introduction of mini-roundabout</td>
<td>May 2003</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Downham Way / Northover</td>
<td>Introduction of mini-roundabout</td>
<td>May 2003</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Downham Way</td>
<td>Carriageway resurfacing near Glenbow Road</td>
<td>May 2003</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
## APPENDIX B

### Personal Injury Accident Schemes in 2002/3

<table>
<thead>
<tr>
<th>Scheme Name</th>
<th>Description</th>
<th>Scheme Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evelyn Street / Oxestalls Road</td>
<td>Removal of pelican crossing and installation of automatic traffic signals</td>
<td>£174,500</td>
</tr>
<tr>
<td>Brockley Rise</td>
<td>Improvements near the junction with Duncombe Hill</td>
<td>£110,500</td>
</tr>
<tr>
<td>Northover / Downham Way</td>
<td>Installation of a mini-roundabout</td>
<td>£32,000</td>
</tr>
<tr>
<td>Mayow Road / Perry Vale</td>
<td>Installation of a mini-roundabout</td>
<td>£40,000</td>
</tr>
<tr>
<td>Brockley Road</td>
<td>Improvements to pedestrian facilities around Crofton Park Station</td>
<td>£35,000</td>
</tr>
<tr>
<td>Evelyn Street / New King Street</td>
<td>Junction improvements</td>
<td>£60,000</td>
</tr>
<tr>
<td>Downham Way</td>
<td>Carriageway resurfacing near junction with Glenbow Road</td>
<td>£21,000</td>
</tr>
<tr>
<td>Evelyn Street</td>
<td>Link improvements</td>
<td>£15,000</td>
</tr>
<tr>
<td>2001/2002 local safety schemes</td>
<td>Completion</td>
<td>£43,000</td>
</tr>
</tbody>
</table>

**Total Cost:** £531,000
Nodes: Accident remedial investigation sites (junctions on Borough roads)

<table>
<thead>
<tr>
<th>Rank</th>
<th>Location</th>
<th>No of PIAs</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Deptford High Street / Evelyn Street / Creek Road</td>
<td>26</td>
<td>Toucan crossing March 2001. Modifications to junction: March 2003</td>
</tr>
<tr>
<td>2</td>
<td>Stondon Park / Honor Oak Park</td>
<td>17</td>
<td>Signalling modifications planned for Autumn 2003</td>
</tr>
<tr>
<td>3</td>
<td>Evelyn Street / Grinstead Road</td>
<td>13</td>
<td>Hump-backed bridge over former canal obscures drivers’ visibility.</td>
</tr>
<tr>
<td>4</td>
<td>Downham Way / Northover</td>
<td>12</td>
<td>Local safety scheme May 2003</td>
</tr>
<tr>
<td>5</td>
<td>Baring Road / Chinbrook Road</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Verdant Lane / Whitefoot Lane</td>
<td>11</td>
<td>Junction improvements planned for winter 2003</td>
</tr>
<tr>
<td>7</td>
<td>Southend Lane / Stanton Way</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Southend Lane / Bell Green</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Westwood Hill / Crystal Palace Park Rd</td>
<td>11</td>
<td>Local safety scheme April 1994</td>
</tr>
<tr>
<td>10</td>
<td>Southend Lane / King Alfred Avenue</td>
<td>10</td>
<td>Local safety scheme planned for winter 2003</td>
</tr>
<tr>
<td>11</td>
<td>Brockley Cross</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Deptford Church Street / Borough boundary</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Bell Green / Perry Rise</td>
<td>9</td>
<td>Anti-skid surfacing June 1994</td>
</tr>
<tr>
<td>14</td>
<td>Brockley Road / Adelaide Avenue</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Prince Charles Road / Montpelier Row</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Westwood Hill / Kirkdale</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Chinbrook Road / Marvels Lane</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Hither Green Lane / Torridon Road</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Sydenham Road / Stanton Way</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Rank</td>
<td>Location</td>
<td>PIAs</td>
<td>Local safety scheme: April 1998</td>
</tr>
<tr>
<td>------</td>
<td>---------------------------</td>
<td>------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>20</td>
<td>Baring Road / Dowham Way</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

**Accident remedial investigation sites (nodes on borough roads)**

Note: Nodes are ranked in the above table by numbers of PIAs occurring during the 36 months period to the end of December 2002 (Source: London Accident Analysis Unit)
## APPENDIX C

### LINKS Accident remedial investigation sites (links on Borough roads)

<table>
<thead>
<tr>
<th>Rank</th>
<th>Location</th>
<th>No of PIs</th>
<th>PIs per kilometre</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lewisham High Street (between Lewis Grove and Molesworth St.)</td>
<td>24</td>
<td>109</td>
<td>Subject to separate bid for improvements</td>
</tr>
<tr>
<td>2</td>
<td>Evelyn Street (between Grinstead Road and Bestwood Street)</td>
<td>41</td>
<td>71</td>
<td>Signals introduced at junction of Oxestalls Rd / Evelyn St: March 2003</td>
</tr>
<tr>
<td>3</td>
<td>Evelyn Street (between Grove St. and Deptford High Street)</td>
<td>29</td>
<td>63</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Sydenham Rd. (between Newlands Pk. and Kent House Rd.)</td>
<td>36</td>
<td>62</td>
<td>Local safety scheme Nov 1994</td>
</tr>
<tr>
<td>5</td>
<td>Brockley Rise and Stondon Park</td>
<td>38</td>
<td>51</td>
<td>Local safety scheme at junction with Duncombe Hill February 2003</td>
</tr>
<tr>
<td>6</td>
<td>Evelyn Street (between Grove Street and Grinstead Road)</td>
<td>21</td>
<td>50</td>
<td>Minor junction modifications: March 2003</td>
</tr>
<tr>
<td>7</td>
<td>Lewisham Road (between Morden Hill and Lewisham High Street)</td>
<td>25</td>
<td>44</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Sydenham Road (between Kirkdale and Newlands Park)</td>
<td>11</td>
<td>44</td>
<td>Subject to separate bid</td>
</tr>
<tr>
<td>9</td>
<td>Bumt Ash Hill/Bumt Ash Road (between Eltham Rd and St Mildreds)</td>
<td>51</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Stondon Park - Brockley Road (between Honor Oak Park and Brockley Grove)</td>
<td>24</td>
<td>37</td>
<td>Local safety scheme: March 2003</td>
</tr>
<tr>
<td>11</td>
<td>Brockley Road (between Mamock Road and Adelaide Road)</td>
<td>19</td>
<td>37</td>
<td>Local safety scheme May 1995</td>
</tr>
<tr>
<td>12</td>
<td>Ladywell Road (between Lewisham High Street and Adelaide Avenue)</td>
<td>20</td>
<td>36</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Southend Lane (between Stanton)</td>
<td>18</td>
<td>36</td>
<td>Town centre</td>
</tr>
<tr>
<td>Rank</td>
<td>Location</td>
<td>No of PI As</td>
<td>PIAs per kilometre</td>
<td>Comments</td>
</tr>
<tr>
<td>------</td>
<td>---------------------------------------------------</td>
<td>-------------</td>
<td>--------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>14</td>
<td>Brockley Road (between Wickham Road and Brockley Cross)</td>
<td>18</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Blackheath Village</td>
<td>6</td>
<td>31</td>
<td>Local safety scheme: March 2002</td>
</tr>
<tr>
<td>16</td>
<td>Chinbrook Road</td>
<td>21</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Royal Parade/Tranquil Vale</td>
<td>8</td>
<td>30</td>
<td>Environmental works scheme: 2002</td>
</tr>
<tr>
<td>18</td>
<td>Kirkdale (between Dartmouth Rd. and Westwood Hill)</td>
<td>19</td>
<td>28</td>
<td>Local safety scheme Oct 1996. Anti-skid surfacing Mar 01</td>
</tr>
<tr>
<td>19</td>
<td>Lewisham High Street (between Lewis Grove and Lee Bridge)</td>
<td>4</td>
<td>28</td>
<td>Market area</td>
</tr>
<tr>
<td>20</td>
<td>Deptford Church Street</td>
<td>20</td>
<td>27</td>
<td>Roundabout improvements planned for 2003-2004</td>
</tr>
</tbody>
</table>

**Appendix C Continued**

**Accident remedial investigation sites (Links on borough roads)**

*Note: Links are ranked in the above table by the rate of PIAs per kilometre occurring during the 36 months period to the end of December 2002 (Source: London Accident Analysis Unit)*
## Sites Currently being investigated for AIP Schemes 2003/4

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
<th>Estimated cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whitefoot Lane / Verdant Lane</td>
<td>Modifications to signal controlled junction</td>
<td>£40,000</td>
</tr>
<tr>
<td>Honor Oak Park / Stondon Park</td>
<td>Accident reduction scheme at traffic signals</td>
<td>£40,000</td>
</tr>
<tr>
<td>Southend Lane / King Alfred Avenue</td>
<td>Modification to pedestrian crossing and junction</td>
<td>£100,000</td>
</tr>
<tr>
<td>Deptford Church Street</td>
<td>General improvements to reduce accidents at roundabout</td>
<td>£40,000</td>
</tr>
<tr>
<td>Sydenham Road (between Kirkdale and Tannsfield Road)</td>
<td>Accident reduction scheme along link</td>
<td>£100,000</td>
</tr>
<tr>
<td>Chinbrook Road / Luffman Road</td>
<td>Minor junction modifications to improve visibility</td>
<td>£5,000</td>
</tr>
<tr>
<td>Minor works</td>
<td>To be identified</td>
<td>£25,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>£350,000</strong></td>
</tr>
</tbody>
</table>
1. Summary

1.1 This report seeks approval for the trading standards service delivery plan for 2003/2004. This is the second year of the national performance framework for trading standards services as devised by the Department of Trade and Industry [DTI]. The framework introduced standards designed as a basis for the development of a modern service working towards national and local priorities in a coherent way across the UK.

1.2 The report format laid down by the DTI comprises three parts. Part one covers core responsibilities of the service, objectives, local structure, resources and community expectations. Part two sets out priorities for the year, and makes provision in respect of the standards. Part three sets out arrangements for reviewing progress.

1.3 The plan is the basis upon which local authorities will be monitored and audited nationally on their provision of a trading standards service.

2. Purpose of the Report

This report requests executive approval of the plan. This is a DTI requirement of each local authority. The 2003/04 plan is attached to this report.

4. Recommendation

That the plan be approved and notified to the DTI as the Lewisham Trading Standards Service Delivery Plan for 2003/04.
5. **Narrative**

5.1 1999 white paper 'modern markets: confident consumers' set out the government's commitment to modernising trading standards and taking forward work on performance measures. It also stated the key role that trading standards is considered to play in the community: helping consumers, tackling unfair and unsafe trade practices and providing support for business.

5.2 The framework standards and measures have been derived from the key aims of 'quality of life' and 'economic and social well being' and seeks to enable them to be met through:

- confident and knowledgeable consumers and businesses
- support for competitiveness and enterprise in the community
- a fair and safe trading environment

5.3 Local authority trading standards services are considered to be at the heart of these aims and the provision of a high quality, consistent and responsive service is considered crucial to the national economic and competitive framework.

6. **Financial Implications**

Whilst there are no additional financial implications with this report, as the work programme will be contained within existing budgets, attention is drawn to an application for funding in 2003/4 of £26,000, (£45,000 in a full year) for a growth bid from the budget for investment in services. This request has been made to enable more effective use of powers granted under the Enterprise Act 2002 to tackle rogue traders. The government has now made additional funding available through general grant settlement to local authorities to allow use of these powers for the benefit of consumers and honest businesses. The plan includes an objective to improve our ability in this area and failure to secure this funding will compromise achievement.

7. **Legal Implications**

7.1 The production and formal approval by the authority of the trading standards service delivery plan, is a DTI expectation and an information return has now been developed which replaces the data [primarily statistical] previously required to be submitted under section 70 of the Weights and Measures Act 1985. Work is currently in progress to review and revise current trading standards information systems in order to provide all the information now required by DTI.

7.2 **Human Rights**

7.2.1 The Human Rights that are of particular significance to Members’ decision
in this matter are those contained in Articles 8 (right to respect for private life and home) and Article 1 of Protocol 1 (peaceful enjoyment of possessions).

7.2.2 Article 8 provides that there should be no interference with the existence of the right except in accordance with the law and, as necessary in a democratic society in the interests of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of Protocol 1 provides that no one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law, although it is qualified to the effect that it should not in any way impair the right of a state to enforce such laws as it deems necessary to control the uses of property in accordance with the general interest.

7.2.3 In determining the level of permissible interference with enjoyment, the courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued.

7.2.4 Therefore, in reaching their decision, Members need to consider the extent to which the decision may impact upon the Human Rights of affected residents and visitors to the Borough and to balance these against the overall benefits to the community which the implementation of the trading standards service delivery plan would bring.

8. **Crime and Disorder Implications**

Trading standards activities can contribute to the Council community strategy priority to 'reduce crime and make Lewisham a safer place'. Relevant areas include:

- enforcement of the laws concerning the supply of age restricted goods [alcohol, knives, solvents etc]
- illegal street trading of cars
- raising awareness of issues around doorstep selling which has proven links with criminal activities
- Product counterfeiting activities have been known to link to organised crime

9. **Equalities Implications**

9.1 The trading standards service can positively impact on the lives of the socially excluded and vulnerable and other priority groups. Examples are as follows:
• enforcement of age restricted goods law helps to safeguard children and may also assist in protecting other citizens most at risk from crime and other anti-social behaviour associated with the abuse of such products

• ensuring that electric blankets are safe and raising awareness of consumer doorstep selling rights can be of particular benefit to the elderly and housebound

• removal of unsafe skin lightening from retail sale particularly impacts upon black consumers

• provision of consumer advice and information can improve consumer confidence and the exercise of consumer choice

9.2 Trading standards is working with other local advice agencies to develop a consumer support network in order to widen access to relevant information. As part of network development, a survey of local community organisations has been undertaken to identify those which receive [or are likely to receive] consumer related enquiries, areas of specific interest and their information requirements. The data obtained will be used to appropriately target future network activity.

9.3 Under the Race Relations 1976 and the Race Relations (Amendment) Act 2000, the Council has a general duty to promote race equality. In carrying out these duties the Council is required to consider the impact of its policies and services on the promotion of good relations between people of differing racial groups and to eliminate unlawful racial discrimination. Business regulatory services [of which trading standards forms part], is scheduled to undertake an equalities impact assessment in 2003-2004.

10. Environmental Implications

Trading standards impact here is as follows:

• Spray paints are commonly used in the production of graffiti which spoils the appearance of the environment as well as increasing fear of crime. As these products are solvent based and [arguably] subject to age restricted supply, trading standards assistance in preventing their inappropriate sale can help reduce the blight caused by graffiti

• Action to prevent the illegal street trading of cars also helps reduce environmental blight
The service is also responsible for enforcement of domestic appliance energy efficiency labelling requirements and of waste packaging regulations.

Enforcement of regulations controlling the composition of fertilisers and animal feeding stuffs can also positively impact on the environment.

New regulations prohibiting the supply of creosote products to consumers have been enacted. Trading standards is preparing a trader fact sheet on the new requirements.

### 11. 2002-2003 Activities

Although a separate report on outcomes from last year's plan is in preparation, some matters relevant to 2002/2003 activities are summarised below:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Remarks / Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Routine Inspection of high and medium risk rated premises</td>
<td>KPI target = 45%. Actual = 47% [630 visits]</td>
</tr>
<tr>
<td>Meaningful responses to service requests</td>
<td>KPI target = 100% within 10 working days. Actual = 98%. 95% within 5 working days. Increase in service requests received - 2863 in 2002/03 compared to 2394 in 2001/02</td>
</tr>
<tr>
<td>Score against a checklist of trading standards best practice</td>
<td>Target = 70%. Actual = 75%</td>
</tr>
<tr>
<td>Increased access to trading standards consumer advice</td>
<td>Introduction of proposed additional session delayed. Additional advice session commenced June 2003</td>
</tr>
<tr>
<td>Trading Standards Displays</td>
<td>3 displays held in Lewisham shopping centre [now ongoing programme]</td>
</tr>
<tr>
<td>Electric Blanket safety</td>
<td>Blanket safety testing event held at civic suite to coincide with pensioners' forum. 60 blankets tested with a 50% defect rate.</td>
</tr>
<tr>
<td>Consumer rights for senior consumers</td>
<td>'Think twice' information leaflet widely circulated and distributed through community groups and LBL 'home carers'</td>
</tr>
</tbody>
</table>
Doorstep crime/itinerant rogue builders[1]  Programme of awareness raising talks implemented in conjunction with Lewisham Police Consultative Committee

Doorstep crime/itinerant rogue builders[2]  1. Information campaign undertaken involving community groups, local banks and post offices.
2. Increased liaison with police
Consumers saved a minimum of £70,000 as a result of early trading standards/police intervention following campaign

Registered builders scheme  Launch delayed - now scheduled for 2003/04

Safety of second-hand gas cookers  Survey undertaken and trader & consumer advice and information sheets produced and distributed

12. Conclusion

The appended service plan seeks to address aspects of the national performance framework relevant to Lewisham and identifies how trading standards links with and contributes to, the Council community strategy priorities. Progress against the plan will be monitored and reported as part of the Directorate service performance review system. Production of the plan is part of a nation-wide trading standards improvement initiative connected to a government commitment. Formal executive approval is required to ensure Lewisham’s fullest contribution to the initiative.

BACKGROUND PAPERS

None.

If there are any queries on this report, please contact Tony Mottram, Head of Regulatory Service, tel. no. 020 8314 8063 or John Pye, Principal Trading Standards Officer, tel. no. 020 8314 9259.
1. **Summary**

   The Homelessness Act 2002 (the 2002 Act) requires all housing authorities to have a homelessness strategy based on a review of all forms of homelessness in their district. The first strategy must be published within 12 months of the 2002 Act coming into force (ie. by 31st July 2003) and it must be renewed at least every 5 years.

2. **Purpose**

   2.1 Lewisham’s Homelessness Strategy sets a number of specific objectives and activities for the Council, other public authorities and voluntary organisations. The Homelessness Strategy is intended to be Lewisham’s “blueprint” for its approach to the prevention of homelessness and its provision for those who, despite the policy of prevention, actually become homeless. It will also provide the benchmark against which local authority activity and outcomes can be measured.

   2.2 The purpose of the report is to seek approval to implement the Homelessness Strategy.

3. **Recommendations**

   The Mayor is recommended to agree to implement the Homelessness Strategy.

4. **Homelessness Review**

   4.1 The 2002 Act requires the Homelessness Review to consider:

   - the level of homelessness in the Borough at the present time, and the likely level in the future;
• the services provided to help prevent people becoming homeless, help to find accommodation for homeless and potentially homeless people, or provide support for them, including support to prevent them from becoming homeless again;

• the resources available to the authority and to social services, other public authorities, voluntary sector organisations and other agencies to provide the above services.

4.2 In addition to the requirements outlined in the Homelessness Act, the Office of the Deputy Prime Minister (ODPM) published in March 2002 a report entitled More Than a Roof. This report examines the extent of homelessness, its causes, and its likely future levels. It addresses the likely increase in homelessness that the broadening of priority needs categories by the Homelessness Act 2002 will cause. In common with the Act, More Than a Roof encourages authorities to take a holistic approach to the issues of homelessness. The report contains six key objectives:

• developing a more strategic approach to tackling homelessness
• strengthening the assistance available to homeless people (or those at risk of becoming homeless)
• encouraging new responses to tackling homelessness
• reducing the use of Bed & Breakfast accommodation for homeless families with children
• sustaining the reduction in the number of people sleeping rough
• ensuring a decent home for all

4.3 In response to this legislation and guidance the London Borough of Lewisham has undertaken a Homelessness Review. This document is the final report of that process, and as such provides a comprehensive profile of homelessness in the Borough. It provides the research and information that will inform the development of our first Homelessness Strategy.

4.4 To enable the Review and Strategy process, a Multi-Agency Steering Group was established. The terms of reference of the group included agreeing a plan of action for conducting the Review, and a commitment to providing information for the mapping and auditing of existing provisions and resources. The group members were chosen to reflect the breadth of stakeholders with concern for homelessness in the Borough, and combined those with strategic functions with those delivering front-line services.

4.5 The methodology for conducting the Review was developed in response to the need for detailed quantitative and qualitative information, and by the requirements set out in the Homelessness Act 2002. The Review Methodology was driven by two broad needs:

• Collecting and analysing needs information
• Mapping and auditing existing provision and resources
4.6 To achieve this, a review methodology was developed that embraced a variety of research methods, including:

- a review of relevant Council and other agency strategic documents
- an analysis of demographic and socio-economic data
- consultation with 18 stakeholders including other agencies providing advice and advocacy for homeless people
- face-to-face interviews with 74 existing users of homelessness services in the statutory and voluntary sectors
- conducting a night-time count of rough sleepers in the Borough
- consultation using discrete focus groups comprising of:
  - young people
  - older people
  - teenage mothers
  - victims of domestic violence
  - service users from Black and Minority Ethnic groups
  - front-line homelessness staff
  - housing management staff

4.7 The Review Methodology has allowed for a detailed profile of the context, needs, causes, and services relating to homelessness in the London Borough of Lewisham. This first Homelessness Review is a product of that methodology, and provides an approach and information base from which the Homeless Strategy can be developed.

5. **Homelessness Strategy**

5.1 A homelessness strategy will include specific objectives to be achieved and actions to be taken. Under the 2002 Act, a homelessness strategy can include specific objectives or actions that are to be achieved or delivered through the exercise of the normal functions of either or both the housing and the social services authority.

5.2 Under the 2002 Act, a homelessness strategy can include specific action which the housing authority expects to be taken by other agencies, including:

- other public authorities
- voluntary organisations, and
- other persons whose activities could contribute to achieving the strategy’s objectives

5.3 Housing authorities must consult with other public bodies, voluntary organisations or other persons as they consider appropriate before adopting or modifying a homelessness strategy.
5.4 Lewisham’s Homelessness Strategy is for a period of up to three years and has been developed from the comprehensive Homelessness Review. It addresses those needs, gaps and working issues within the context of the resources available to respond to homelessness.

5.5 The Strategy is closely linked to a range of other strategies such as the Health Improvement Plan, Supporting People Shadow Strategy and the Housing Strategy. The findings of the Review have driven actions that will inform these strategies as well as be instrumental in achieving the strategic aims of these other documents. The Action Plan is set out under nine headings:

- Accessible Services
- Effective Housing Advice
- Preventing Homelessness
- Support to maintain Housing
- Effective Assessment & Decision Making
- Suitable Supply of Temporary Accommodation & Support
- Longer-tem housing options and choice
- Partnership Working

The plan details the objectives, milestones, measurable outputs, target date and lead officer for each action.

5.6 The Homelessness Strategy identifies a number of specific initiatives and key targets to achieve and also recognises the need to develop broader platforms for creating innovative solutions. Alongside delivery of the specific actions contained within the Strategy, it is envisaged that the new forums and consultation routes will produce more actions during the lifetime of the Strategy.

5.7 The Multi-Agency Steering Group will be the main body responsible for monitoring the implementation of the actions identified within the Strategy. This will be carried out through periodic meetings as well as active participation of members within the development of specific actions. Membership of the steering group will be actively reviewed to ensure representation continues to be effective as new partnerships develop. The Steering Group will meet formally three times a year in conjunction with the Homelessness Forum to monitor progress on the Strategy Action Plan.

5.8 The Homelessness Forum has been a valuable point of contact between voluntary sector partners and the local authority. It is recognised that the forum will continue to have a vital role during implementation of the Strategy and responsive identification of future needs. During the review process there has been an identified need for the local authority to support the role of the Homelessness Forum and ensure that membership reflects the broad level of interest in services to homeless people within.

myr_cab_ag_16jul03
the voluntary sector. The Forum meets every two months. Every other Forum meeting will combine with the Homelessness Strategy Steering Group to feedback and monitor progress of the Review.

5.9 Several actions from the Strategy Action Plan require the establishment of specialist working groups. These will be established according to the requirements of the action, and will report to the Strategy Steering Group.

5.10 Recognition of the value and importance of service user involvement in both the design and scrutiny of services. Building on the level of consultation which characterised the review process a representative consultation programme will be developed to ensure that service users particularly users facing broader vulnerabilities and social exclusion are regularly consulted and play a key part in the development of services and implementation of the Strategy.

5.11 The vehicle for delivering the Homeless Strategy 2003-2006 is an Action Plan themed under nine headings. The aim has been to provide a clear structure for achievement, but it is recognised that many of the actions below will give rise to further objectives and actions as services develop and improvements drive change.

6. Financial Implications

6.1 The recent creation of the Housing Needs Group from homelessness and supported housing, private sector housing advice, housing environmental health and rehousing services facilitates the Council having a coherent homelessness strategy. The reorganisation was done within existing budgets with no extra funding from general fund or the Housing revenue account.

6.2 Many of the items in the action plan will stretch the existing teams, particularly on housing advice with such initiatives as advice surgeries, promotion of the housing rights team and specific targets for assisting in cases of unlawful eviction or landlord harassment. There will be extra demands on running costs budgets for newsletters and new leaflets. All of the extra demands on staff and running costs will have to be contained within existing budgets.

6.3 The Council has been very successful in recent years at minimising the general fund cost of homelessness. The Council provides hostel accommodation which is available for temporary accommodation. This is accounted for in the Housing revenue account. Hostel charges fully cover the cost of the service.

6.4 The private sector leasing scheme operates in conjunction with a registered social landlord. The scheme gives a reasonable standard of temporary accommodation at a comparatively low cost. More generous
Government funding of housing benefit will allow an additional 50 units to be taken on in 2003/04.

6.5 There are other Council budgets which support the aims of the homelessness strategy. Examples are Fresh Start and the underoccupation scheme which are funded in the Housing revenue account which free up accommodation, particularly larger units. Capital budgets such as the Cash incentive scheme and long term voids schemes also free up units.

6.6 The aims of Supporting People overlap with the homelessness strategy. Initially only existing services have been funded. As reviews take place between now and 2005/06, some services will be cut which will make resources available to increase funding for other services. The Supporting People strategy will determine which services receive extra funding.

6.7 The action plan includes improvements to the reception area of the Homeless persons unit. This work is likely to be a bid for funding through the Council's capital programme.

7. Legal Implications

7.1 The 2002 Act introduced two new concepts the 'housing review' and the 'homelessness strategy'. The 'homelessness review' requires the Council to 'audit' in respect of its own area:

- the current (and likely future) levels of homelessness;
- the activities which are being carried out to prevent homelessness or contribute to the prevention of homelessness;
- the activities that are being carried out to secure that accommodation is (or will be) available to the homeless, and the activities that contribute to the securing of that accommodation;
- the activities being carried out to provide support to those who are, or may become homeless, or who have been homeless and need support to prevent them becoming homeless again;
- the activities that contribute to the provision of support; and
- the resources available to the Council and other bodies for carrying out these activities.

7.2 The 'housing strategy' must be based on the outcomes of the review and cover:

- the prevention of homelessness
- securing accommodation for those who are, or may become, homeless; and
- the provision of satisfactory services to those actually or potentially homeless.
7.3 Social Services departments are recognised by the act as key players in the development of homelessness strategies. The housing authority is obliged to consult them, and they are obliged to give the housing authority such assistance as it may reasonably require with both the local review and the formulation of a local strategy. The Social Services department is required by the Act to take account of the local homelessness strategy in undertaking their own functions in any particular area. Additionally the act sets out a wider mandatory duty to consult with other public or local authorities, voluntary organisations and such other persons as the housing authority deems appropriate before it adopts or modifies any homelessness strategy.

7.4 The Council is required to publish their first 'homelessness strategy' by the 31st July 2003, and must review the strategy at least every five years.

7.5 Members will need to have due regard to the Councils' general duty under the Race Relations Amendment Act 2000, including the need to assess the likely effects of policies prior to introduction, and how the policies will promote equality of opportunity and good race relations, and do not lead to direct or indirect discrimination. This act further imposes a duty to consult, monitor and publish the results of such analysis on an annual basis.

8. Crime and Disorder Implications

Although the Homelessness Strategy does not, in itself, influence the level of crime and disorder, it does address the fact that people can become homeless or be threatened with homelessness as a direct result of crime and disorder. For example, people who have fled their home because of violence or harassment, tenants in the private rented sector who have been illegally evicted by their landlord etc. Under the headings of Effective Housing Advice and Preventing Homelessness, there are a number of strategic objectives specifically for people who are homeless or threatened with homelessness because of crime and disorder.

9. Equalities Implications

9.1 Members of black and minority ethnic (BME) groups make up 53% of all homelessness applications made to the Homeless Persons Unit. This contrasts with a local BME populations of 24%. For many service users, English is not a first language. Women are also particularly over represented and many of this client group are sole carers for children or are survivors of domestic violence. Over 85% of our users receive some kind of welfare benefit and poverty continues to be a factor for many households.

9.2 Under the Race Relations (Amendment) Act 2000, the Council has a duty to actively promote equality of opportunity and good relations between persons of different racial groups. The Council is under a duty to monitor and consult on the impact of its policies on BME groups and publish the
results of such analysis. In conducting an impact assessment on the effectiveness of the homelessness strategy, the role of the BME consultation forum will be crucial.

9.3 Housing authorities must ensure that their homelessness strategies and homelessness services pay particular attention to the needs BME groups, for example, by ensuring that information about homelessness and the prevention of homelessness is available in a range of other languages and formats.

10. Environmental Implications

There are no specific environmental implications contained in this report.

BACKGROUND PAPERS

None.

If there are any queries on this report, please contact Russell Hudson, Head of Housing Needs Group, ext. 48963.
1. Summary

This report informs the Mayor of the progress of the regeneration scheme on Sundermead Estate and to obtain approval to decant the blocks, agree re-housing arrangements and authorise home loss and disturbance payments so that the decant programme can commence on the Sundermead Estate.

2. Recommendations

The Mayor is recommended to agree:

2.1 to attempt to re-house by agreement secure tenants of numbers 1-157 Elmira Street, 1 to 32 Porson Court, 1 to 83 (odd) Cornmill Lane and 2-48 (even) Cornmill Lane;

2.2 that, where necessary in order to obtain possession, Notices of Seeking of Possession are served and possession proceedings brought against secure tenants of 1-157 Elmira Street and 2 to 48 (even) Cornmill Lane under ground 10 of Schedule 2 to the Housing Act 1985;

2.3 that secure tenants and leaseholders are rehoused in line with paragraphs 5.3;

2.4 that “secondary households” are re-housed in the circumstances set out in paragraph 5.4;

2.5 to restrict the Council’s discretionary rehousing obligations on re-purchase to RTB purchasers whose RTB applications were received prior to the date of the approval of this recommendation, and to other owners who acquired on the open market before that date on the basis set out in paragraph 5.6; and
that home loss and disturbance payments are made to displaced secure tenants and owner occupiers where appropriate in accordance with the Land Compensation Act 1973 (as amended).

3. Policy Context

3.1 One of the key objectives of the Councils’ 2001/2 Housing Strategy is to diversify tenure and create sustainable communities. This key objective was greatly influenced by the findings of the Lewisham Housing Commission and although our main objective is to provide affordable social housing, in addition we need to increase shared ownership options and assist tenants to purchase their own homes.

3.2 For Lewisham the regeneration and development of a small number of key estates is a high priority. On these estates the cost of tackling the range of physical and social problems means that solutions fall outside the normal scope of the capital programme and an imaginative and innovative approach has been taken to link housing to the wider agenda to improve the lives of residents in terms of housing and social inclusion.

3.3 On the Sundermead Estate, Lewisham is working in partnership with London and Quadrant and Tower Homes to regenerate the area by demolishing 177 properties and building 204 new homes of which 125 will be for social housing and 79 for equity ownership and shared ownership/sale units.

4. Background

4.1 The estate comprises a total of 177 properties located at Cornmill Lane, Elmira Street and Porson Court. 79 properties have been sold under the Right to Buy Scheme.

4.2 The properties have not had any major works carried out since they were built in the early 1960s and overall are in a generally poor state of repair with other problems including failing roofs and poor insulation.

4.3 On 4 April 2001 the then Executive Committee agreed in principle to the redevelopment of the Sundermead Estate and to carry out a competitive tendering process to select a preferred partner to undertake the housing element of the development. This redevelopment and competitive process was worked up in close consultation with residents on the estate.

4.4 On 26 September 2001, the Executive Committee agreed to confirm London and Quadrant Housing Trust and Tower Homes as the Council’s development partners for the Sundermead redevelopment. Tenant and leasehold representatives played a key role in both the selection of the RSL partners and in the pre-selection stage of contractor interviews.
4.5 On 3 September 2002, the Strategic Planning Committee authorised the Head of Planning to grant planning permission for the RSLs’ proposed scheme subject to resolution of certain issues. These issues include GOL not calling-in the application (as a departure from the UDP), the Environment Agency withdrawing their objections relating to flood prevention issues and the conclusion of a satisfactory Section 106 agreement. GOL subsequently wrote to the Council confirming that they did not intend to call in the application and the Environment Agency withdrew their objections relating to flood prevention. The Section 106 agreement was completed on 6 March 2003 and Planning permission for Phases 1 and 2 of L&Q’ s and Tower’s proposed development was granted on 10 March 2003.

4.6 On 30 October 2002, the Mayor agreed to the proposed disposal to the Council’s chosen RSL partners, London & Quadrant Housing Trust and Tower Homes Limited and the disposal terms of the Council’s freehold interest in three sites being (1) the Silver Road depot, (2) the site of Nos. 33-157 Elmira Street and adjacent open space and (3) the adjoining former garages site. The Mayor also approved the terms of a development agreement with the RSLs under which they will develop the sites in two phases. On 6 March 2003 the Council entered into the development agreement and completed the disposal to the RSLs of the phase 1 sites (former Silver Road depot and Elmira Street garages).

4.7 On 15 May 2003 the Planning Committee - Lewisham East resolved to grant outline planning permission for the redevelopment as a new park of the sites of 1-31 Elmira Street, a garage block fronting Elmira Street and Part of the block 2-48 Cornmill Lane. The extent of the site is shown in heavy black edging on plan number 2.

4.8 The proposed development programme for the new social housing has been and continues to be developed in consultation with local residents and as an on-going process is being managed by the Council’s Sundermead Programme Team, London and Quadrant Housing Trust and Tower Homes Ltd.

4.9 There have been over 50 meetings, visits, drop-in sessions and exhibitions on Sundermead Estate. Consultation work commenced in April 2000 with two officers working closely with residents, building up an effective working relationship. An independent survey was carried out by an independent consultation company, Public Participation Consultation & Research (PPCR) in April and May 2000. The survey’s primary objective was to explore the views of residents of the estate regarding issues to improve their homes and the area prior to the submission to the Government of the SRB6 bid. A response rate of 76% was achieved.

4.10 The findings of the survey generally showed that residents were content living...
in the area but were not happy with the general condition and state of repair of their properties, particularly those that did not have central heating. Residents were also very concerned about the level of security within their homes and also felt that the general environment of the estate could be improved considerably. There is also a high level of ‘fear of crime’ on the estate.

4.11 Residents were asked to look at proposals for the estate in April/May 2000 with architects from BPTW organising ‘planning for real’ events to ensure resident participation in the process.

4.12 A stock condition survey was carried out in July 2000 by BPTW Architects and Quantity Surveyors. The report concluded that the scope of works required to give the buildings a further 30 year life would be very extensive and could not be undertaken with residents in occupation without causing considerable inconvenience and disruption.

4.13 As soon as the Single Regeneration Budget Round 6 bid (SRB6) was approved in October 2000 a comprehensive consultation programme was drawn up and residents were involved in an Open Day run by BPTW, to re-visit the options and further proposals.

4.14 A steering group was set up on the estate in October 2000 and continues to meet regularly with a good attendance by residents. Council officers have worked closely with key members of the steering group to ensure that they receive as much information as possible. Officers from Strategic Rehousing, RSL partnerships, Valuers and the Legal Department have all attended steering group meetings. The Director of Tower Homes gave a presentation to leaseholders on issues surrounding shared ownership and equity ownership and the Head of Housing Management at SLFHA (who were ultimately not selected as one of the Council’s RSL partners for the scheme) met with the steering group to discuss issues specific to RSL’s.

4.15 Public Participation Consultation & Research (PPCR) carried out a second survey in February 2001 to gain resident’s views on the redevelopment proposals, where residents were asked to comment on 3 options. The first option was around basic health and safety refurbishment and options two and three were around total redevelopment, showing new housing, a possible leisure centre, and new park. With a return rate of 68% out of the 177 households surveyed the results of the survey showed that 78% of residents were in favour of either option 2 or 3. Resident’s final preference was for option 3 where it provided for a different housing layout with the park located to the end.

4.16 In the course of the overall consultation process there have been 3 visits to new build properties for residents. These visits were very popular with residents where they had the opportunity to look around properties, speak to residents and members of staff from various housing associations.
4.17 Overall it is proposed that London and Quadrant and Tower Homes will build 204 new homes of which 125 will be for social rented housing and 79 for equity ownership and shared ownership/sale units.

4.18 The redevelopment will be carried out in two phases. Phase 1 began in March 2003 with the demolition and redevelopment of the depot site and the redundant garages in Elmira Street to provide 96 new homes, of which 58 will be for social housing and 38 for either equity/shared ownership or private ownership. Phase 1 will take approximately 18 months and be completed in 2004/2005. Residents from Elmira Street have the option to move into the new properties in Phase 1 when they become available. Those who do not or for whom a property cannot be found in the new build development that meets their needs will be found suitable alternative accommodation elsewhere. This may include new build properties in other regeneration schemes or other Council or housing association-owned properties within their choices of location.

4.19 Once Elmira Street has been decanted phase 2 will start demolition and construction in 2004/2005 and take another 18 months or so with completion in 2006/2007. 108 units will be built, with 67 for social housing and 41 for either equity ownership and shared ownership/sale units.

4.20 It is proposed that a new park will ultimately be laid out in an area adjacent to the Phase 2 residential site. The proposed park area comprises the current properties 1-31 Elmira Street and approximately half of the block comprising 2-48 Cornmill Lane, a garage block on the frontage to Elmira Street and a small part of the Metropolitan Open Land between the estate and the river Ravensbourne. The extent of the site is shown in heavy black edging on plan number 2. Outline planning permission for the park was agreed on 20 May 2003. It is expected that the permanent park will be laid out as part of the Town Centre improvements to be carried out under the Lewisham Urban Renaissance SRB in partnership with the LDA and the LDA’s development partner, once appointed following a tendering process. However there is a need to provide the replacement open space on a temporary basis pending the laying out of the permanent park to act as a flood storage area to protect the new residential development, the remainder of the estate (pending its redevelopment) and the surrounding area. The development agreement with the RSLs requires the Council to lay out the temporary open space for this purpose within 12 months of obtaining possession of the open space area, which is a pre-condition to the disposal and redevelopment of the Phase 2 site.

4.21 The extent of proposed replacement open space indicates that overall an equivalent area of open space can be achieved, with the potential for a marginal increase in MOL in the overall scheme (1.08 hectares compared to the existing 1.06 hectares, discounting the Loampit Vale
frontage areas). Although approximately half of the block comprising 2-48 Cornmill Lane does not fall within the area to be reprovided as MOL it would be necessary for health and safety and amenity reasons to clear the block before demolition. It would not be practical or economic to demolish only part of the block and it is therefore recommended that the entire block is decanted at this stage and then demolished once vacant possession is obtained. The development agreement with the RSLs allows the Council to require the RSLs to demolish the building as part of their building contract (thereby hopefully achieving economies of scale) at a price tendered by the RSLs’ building contractor if the Council is satisfied at that time that the tender price represents value for money.

4.22 There are currently 30 secure tenants, 29 leaseholders and 20 non-secure tenants in the Elmira Street blocks and 8 secure tenants, 9 leaseholders and 7 non-secure tenants in 2-48 Cornmill Lane block, (required for Phase 2 and the laying out of the new park), where some of the properties are currently being used for temporary stay. Negotiations are taking place with leaseholders in the Elmira Street blocks in an attempt to re-acquire their properties by agreement. If it does not prove possible to re-acquire all the leasehold properties required in order to carry out the development of phase 2 and the new park it may be necessary for the Council to consider use of its compulsory purchase powers. This would be the subject of a future report should a CPO become necessary.

4.23 Porson Court and the northern part of Cornmill Lane which make up the Loampit Vale frontage are earmarked to be regenerated through SRB6. The nature of the development on the Loampit Vale frontage has not yet been agreed but will be informed by a town centre design and development study to be commissioned shortly by the LDA and by the masterplan that emerges for the adjacent interchange area.

4.24 Authority is being sought to rehouse by agreement tenants of the Porson court and Cornmill Lane blocks so that the decanting of these blocks can be progressed as far as possible once the proposals for this part of the estate are finalised through the process mentioned in paragraph 4.22 above. Pending their use for the redevelopment these properties would be available for temporary use as much-needed temporary accommodation for customers of the Homeless Persons Unit to help the Council continue to avoid the use of unsuitable and expensive bed and breakfast accommodation and/or for temporary decants for Sundermead and other regeneration schemes. Authority to issue NOSPs and possession proceedings if necessary in respect of these properties would be sought once the development proposals for this area of the estate have been worked up.

myr_cab_ag_16jul03
Decanting

5.1 All secure tenants and leaseholders have to be decanted in Elmira street and 2 - 48 (odd) Cornmill Lane blocks in order to enable phase 2 and the new park to go ahead. The decanting of secure tenants and repurchase of properties sold under the Right to Buy will give rise to entitlement to home loss and disturbance payments in most cases.

5.2 On 19 December 2001 the Executive Committee agreed that the Council reacquire, at current market value, those properties which have been sold under the Right to Buy, to rehouse secure tenants, leaseholders who wish to be re-housed. Where appropriate home loss and disturbance payments as prescribed by the Land Compensation Act 1973 will be paid.

5.3 Under the Council’s recently amended decant policy, secure tenants and leaseholders who are being decanted are entitled to up to two offers of alternative accommodation with the prospect of court action being used to enforce acceptance of the second offer if necessary. In practice, offers are carefully assessed against the residents expressed wishes as to area and property type before they are actually made and very rarely has any legal action had to be considered in any of the Council’s regeneration schemes.

5.4 In some cases there will be "secondary households" in residence, typically children who have reached adulthood and who may also have children of their own. It is recommended that in such circumstances, if it helps to rehouse all the household more quickly and assuming that it is the wish of those concerned, separate rehousing be offered to the "secondary household". This is provided that they fall within the definition of a member of the family household in section 113 of the Housing Act 1985 and have been resident continuously for the 12 month prior to the decant being commenced.

5.5 Existing Council policy in relation to rehousing freeholders and leaseholders in schemes such as this is to treat them in the same way as secure tenants and make offers of rehousing under the decant policy. If members were minded to try to deter tenants from taking advantage of this situation, the only way to do so would be to change policy for those tenants exercising the RTB now that the scheme is public. The Council has a more limited statutory duty to rehouse owner occupiers displaced by a CPO to do so only where there is no suitable alternative accommodation otherwise available on reasonable terms.

5.6 Some prospective RTB purchasers applying for the Right to Buy after the date of this meeting might be deterred from buying if they were made aware at that stage that the Council would not automatically rehouse
them on a repurchase but it would be necessary to examine each case to see whether suitable alternative accommodation is available on the open market on reasonable terms. If the Mayor agrees to this recommendation then it would only apply to secure tenants who submit Right to Buy Applications and for new owner/occupiers who buy after the date of this meeting.

5.7 Whilst it is hoped to complete the decanting programme by agreement with all the secure tenants, the decanting policy provides for the use of court action to gain possession where tenants refuse the offers made to them. The courts will only grant possession where the Council can prove one of the grounds for possession set out in Schedule 2 of the Housing Act 1985 the relevant ground in this case being ground 10.

6. Legal Implications

Section 84 of the Housing Act 1985 provides that the Court shall not make a possession order of a property let on a secure tenancy other than on one of the grounds set out in Schedule 2 to the Act, the relevant ground in this case being ground 10. Ground 10 applies where the local authority intends to demolish the dwelling house or to carry out work on the land and cannot reasonably do so without obtaining possession. The demolition works must be carried out within a reasonable time of obtaining possession.

6.2 Where the Council obtains possession against a secure tenant it is required to provide suitable alternative accommodation to the tenant. This is defined in the 1985 Act and requires consideration of the nature of the accommodation, distance from the tenants' family's places of work and schools, distance from other dependant members of the family, the needs of the tenant and family and the terms on which the accommodation is available.

6.3 There is a more limited re-housing liability for homeowners whose properties are re-acquired by the Council under CPO or shadow of CPO powers. The duty imposed by Section 39 of the Land Compensation Act 1973 is to secure that any person displaced from residential accommodation is provided with suitable alternative accommodation where this is not otherwise available on reasonable terms.

6.4 However, in order to facilitate early possession of properties which have been sold under the Right to Buy officers are recommending that the Council should follow the same decanting and rehousing policies for displaced owner occupiers as those to be followed for displaced tenants subject to the exception for new RTB applicants and open market purchasers referred to in paragraph 5.6.
6.5 Government Guidance (DoE Circular 73/73) on the rehousing duty acknowledges that local authorities in CPO situations commonly accept rehousing responsibilities which go beyond their statutory duty and urges authorities to adopt a sympathetic attitude as possible in dealing with displaced owner occupiers. The proposal to extend the same rehousing policies to owner occupiers is therefore consistent with the Government Guidance.

6.6 The Mayor may consider it reasonable that the offer to rehouse displaced owner occupiers should only apply to those who have submitted their Right to Buy applications or owner occupiers who buy before the date of the Committees’ decision unless there is a statutory duty to rehouse under Section 39 of the 1973 Act. This is because any tenants who apply for the Right to Buy after this date would (if the Mayor approves this recommendation) be advised that the Council would not be offering them alternative accommodation (unless obliged to do so under the 1973 Act) in the event of their properties being reacquired under CPO powers or under the shadow of those powers.

7. Financial Implications

7.1 The overall cost to the Council in obtaining vacant possession of the Sundermead Estate is estimated at £11,892,203. This is made up of £11,632,203 in repurchase and associated costs for the leasehold properties and £260,000 in home loss and disbursement payments to secure tenants. Provision has been made in the Housing Capital Programme for this purpose (03/04 £1.5m). The table below illustrates that provision in future years Housing Capital Programmes needs to be made for the £6.5m of costs to be incurred in 04/05 and 05/06. However, actual purchase prices, disturbance and disbursement costs may fluctuate over time from the provision made, given the buoyancy of the property market at the present time.

<table>
<thead>
<tr>
<th></th>
<th>Buyback Costs</th>
<th>Receipts</th>
<th>Shortfall</th>
<th>Cumulative Shortfall</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/02</td>
<td>1,833.0</td>
<td>181.1</td>
<td>1,651.9</td>
<td>1,651.9</td>
</tr>
<tr>
<td>02/03</td>
<td>2,082.0</td>
<td>2,082.0</td>
<td>3,733.9</td>
<td></td>
</tr>
<tr>
<td>03/04</td>
<td>1,184.0</td>
<td>1,184.0</td>
<td>4,917.9</td>
<td></td>
</tr>
<tr>
<td>04/05</td>
<td>3,454.0</td>
<td>3,864.8</td>
<td>410.8</td>
<td>4,507.1</td>
</tr>
<tr>
<td>05/06</td>
<td>3,080.0</td>
<td>3,080.0</td>
<td>7,587.1</td>
<td>587.1</td>
</tr>
<tr>
<td>FutureYears</td>
<td>7,000.0</td>
<td>-7,000.0</td>
<td>587.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>11,633.0</td>
<td>11,045.9</td>
<td>587.1</td>
<td></td>
</tr>
</tbody>
</table>

7.2 32 properties have already been reacquired and there are currently three properties with a live application in for Right to Buy. These will need to be
reacquired at full market price to progress the programme. The Council will have to bear reasonable legal and surveyor’s fees incurred by leaseholders.

7.3 Delays in securing vacant possession of the properties affected could potentially delay the programme and could lead to increased costs or even put it at risk. This could in tum result in the Council finding itself still owning a large residential block in need of refurbishment with no financial provision to carry it out.

7.4 The Mayor is reminded that this allocation will divert resources this year of £1.5m away from the HRA stock, which will reduce the Council’s ability to meet the decent homes standard. However the expenditure incurred this financial year will be recovered in 2004/05 by making use of the capital regulations to unreserve right to buy receipts. The table above also illustrates that in the coming years the shortfall of receipts from the sale of phases against the costs of repurchasing will need to be financed initially from the Housing programme. Cumulatively £7.6m of costs will need to be borne by the Housing Capital Programme before the final phase receipt is realised after 05/06 and the funds can be applied to the buyback costs.

7.5 The Mayor is also asked to note that the total estimated leasehold buybacks on this scheme amount to £11.6m while current estimated asset sales amount to £11.0m. This shortfall (£0.6m) will be funded through various capital regulations (including 104a) which enable local authorities to increase the usable element of capital receipts. The Mayor should also note that pooling of housing receipts is still being discussed on a national basis under the prudential regime. If changes to the regulations supporting the prudential regime change the way in which we can use these receipts this will jeopardise the resources available and result in a funding shortfall. This position will be reviewed by officers when the prudential regulations are published.


8.1 The Act effectively incorporates the European Convention on Human Rights into UK law and requires all public authorities to have regard to Convention Rights. In making decisions Members therefore need to have regard to the Convention.

8.2 The rights that are of particular significance to the decision in this matter are those contained in Articles 8 (right to home life) and Article 1 of Protocol 1 (peaceful enjoyment of possessions).

8.3 Article 8 provides that there should be no interference with the existence of the right except in accordance with the law and, as necessary in a democratic society in the interest of the economic well-being of the country, protection of health and the protection of the rights and
freedoms of others. Article 1 of the 1st Protocol provides that no-one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law although it is qualified to the effect that it should not in any way impair the right of a state to enforce such laws as it deems necessary to control the uses of property in accordance with the general interest.

8.4 In determining the level of permissible interference with enjoyment the courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck.

8.5 Therefore, in reaching a decision, the Mayor needs to consider the extent to which the decision may impact upon the Human Rights of estate residents and to balance these against the overall benefits to the community which the Sundermead redevelopment scheme will bring. The Mayor will wish to be satisfied that interference with the rights under Article 8 and Article 1 of Protocol 1 is justified in all the circumstances and that a fair balance would be struck in the present case between the protection of the rights of individuals and the public interest.

8.6 It is relevant to the consideration of this issue, that should the scheme proceed most displaced occupiers would be offered re-housing in accordance with the Council’s re-housing policy and compensation in the form of home loss and disturbance payments.

9. **Environmental Implications**

The new homes to be built by London and Quadrant and Tower Homes will be more thermally efficient than the existing ones and hence, apart from being cheaper to heat, will generate less greenhouse gases.

10. **Implications for Law & Disorder**

The London and Quadrant and Tower Homes redevelopment is planned to meet the police’s Secured by Design standards and should lead to a reduction in crime and the fear of crime.

11. **Equality Implications**

London and Quadrant and Tower Homes will deliver an effective and appropriate housing management service to all groups irrespective of race, gender and disability. They will provide a much more attractive built environment than the blocks replaced with increased thermal efficiency and security improvements. London and Quadrant and Tower Homes are
developing homes on Sundermead to a Lifetime Homes standard with facilities such as improved physical access to premises for disabled and elderly residents and much more attractive housing for BME residents who are traditionally concentrated in deprived neighbourhoods.

12. Conclusion

12.1 The regeneration of the Sundermead Estate is one of the Council’s priorities. An imaginative and innovative programme creating an attractive sustainable environment linking housing to the wider agenda to improve the lives of residents in terms of housing and social inclusion.

12.2 For the programme to proceed to schedule and to avoid the Council incurring costs from any delay it is considered prudent that the Council begins the decant process and serves Notices of Seeking of Possession on secure tenants as a preliminary step to seeking possession orders where necessary. Start of decant programme will commence at the appropriate time.

**BACKGROUND PAPERS**

<table>
<thead>
<tr>
<th>Short title of Document</th>
<th>Date</th>
<th>File Ref</th>
<th>File Location</th>
<th>Contact Officer</th>
<th>Exempt Inf.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Report to Executive</td>
<td>4.4.01</td>
<td>Gov. Support</td>
<td>Minute Book</td>
<td>M Brown</td>
<td>N/A</td>
</tr>
<tr>
<td>&quot;</td>
<td>26.9.01</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>Planning Cttee</td>
<td>3.9.02</td>
<td>Planning</td>
<td>&quot;</td>
<td>L Humphreys</td>
<td>&quot;</td>
</tr>
<tr>
<td>Mayor &amp; Cabinet</td>
<td>30.10.02</td>
<td>Gov. Support</td>
<td>&quot;</td>
<td>M Brown</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

For more information on this report please contact Jo Rowlands, Head of Strategic Development on 0208 314 7071 or Amanda Grant, Sundermead Development Officer on 0208 314 7861
1 POLICY CONTEXT

1.1 London Borough of Lewisham is part of the Urban Renaissance in Lewisham Partnership whose objectives are to improve the transport interchange, create opportunities for local people and promote business success.

2 SUMMARY & PURPOSE OF THE REPORT

2.1 To achieve these objectives, land within the interchange area would need to be sold to a developer to carry out the development. This would include Council owned land, some of which is currently designated as Metropolitan Open Land. The development will follow the principles set out in a Planning Brief that was approved by the Strategic Planning Committee on 10th December 2002.

2.2 This report seeks the Mayor's approval to enter into a legal agreement with the London Development Agency (LDA) that will enable Council owned land required for development following the masterplanning process to transfer to the selected developer and the land required for the road layout transfer to Transport for London (TfL) as required.

3 RECOMMENDATIONS

That the Mayor:

3.1 approves the Lewisham Gateway Planning Brief which was considered by the Strategic Planning Committee on 10 December 2003, a copy of which is attached as Appendix B

3.2 considers the response received to the notices published in the local press of the Council's intention to appropriate and dispose of the areas of open space at Quaggy Gardens and Charlottenburg Gardens

3.3 agrees, in light of that response, to appropriate the Council's landholdings within the proposed scheme (shown in heavy black edging on the
attached plan) to planning purposes and agrees in principle to subsequently to dispose of that land on the terms outlined in the report.

3.4 agrees in principle the main heads of terms, as outlined in the report, of the proposed land owners' Agreement with the LDA that would commit the Council to dispose of all or part of its land, shown edged black on the attached plan, to the eventual development partner selected through the LDA's tendering process with land that will form part of the future road layout transferring to TfL.

3.5 agrees to receive a further report seeking final approval to enter into the Landowners' agreement once the necessary valuation and financial information is available.

4 BACKGROUND

4.1 The Mayor agreed at Mayor and Cabinet on 2nd April 2003 that

(i) the Council's commitment to seeking to effect and implement the proposed redevelopment of the Interchange site in accordance with the adopted Planning Brief in partnership with the London Development Agency (LDA) through the process outlined in the report be affirmed;

(ii) agreement in principle be given to the Council entering into a land owners' Agreement with the LDA that would commit the Council to dispose of its land, shown edged black on the attached plan, to the eventual development partner selected through the LDA's tendering process;

(iii) officers be requested to place statutory notices in the local press of the Council's possible intention to formally appropriate the land at Charlottenburg Gardens and Quaggy Gardens, which are laid out as open space, to planning purposes and then to dispose of the land in order to facilitate the redevelopment of the Interchange site; and

(iv) a further report be submitted detailing any representations received in response to the statutory open space notices and the proposed terms for the Landowners' agreement with LDA.

4.2 For ease of reference a copy of that report is attached to provide the background information.

4.3 A copy of the report to the Strategic Planning Committee is also attached setting out the background to the planning brief.

4.4 Following the publication of the notice indicating the intention to sell Charlottenberg Gardens one objection was received, a copy of which is attached.
4.5 The issues raised by the objector are covered in the Planning Brief, especially enhancing the character of the Riversbourne and Quaggy Rivers and providing open space within the Gateway site. Along with the neighbouring redevelopment of the Sundermead Estate the intention is to end up with the same amount of open space along the Ravensbourne as is there at present.

4.6 The terms of the Landowners Agreement are as previously reported. However the Agreement now addresses how TfL requirements can be met and how the land required for the highway and transport improvements will transfer to them.

4.7 The Agreement also commits the Council to attempt to find a suitable alternative site for the existing Bus stand including the current travellers site as a possible option. No decision about the new bus stand site or the availability of the travellers site for this purpose could be made until proper consideration has been given to the availability and suitability of an alternative location for the Travellers Site. This will be the subject of a future report.

4.8 The marketing of the Gateway sites commenced on 27th May and early indications are that there has been a very good response. Shortlisting by the landowners will take place during October and officers from the landowners aim to be in a position to recommend a development partner by March 2004. The SRB Board are also represented in this process. Once a development partner is selected there will follow a masterplanning exercise which will determine the design of a final development and the process to deliver it.

5 LANDOWNERS AGREEMENT

5.1 The Agreement will be between LBL, LDA, TfL and London Bus Services Ltd (LBSL). It sets out both a protocol for the land transfers and dealings with the development partner.

5.2 A summary of the Heads of Terms for the Agreement are as follows:

a) The landowners will jointly dispose of those parts of the site not required for transport improvements by way of a development agreement for which the LDA will take a lead for the procurement and negotiations.

b) Net proceeds derived from the disposal of the land, after deduction of the costs of the transport improvements, will be shared by LBL and LDA on a proportion based on the value of LBL’s assets and the costs incurred by the LDA in purchasing the privately owned properties.

c) LDA will make reasonable efforts to secure a development partner.

d) LDA will seek to acquire all land not owned by the signatories of the Agreement with the development area. LDA will also use CPO
powers if necessary to acquire these interests and any other land where clear Title cannot be deduced.
e  LBL and TfL will use reasonable endeavors to procure good Title of their land.
f  LBL (as landowner) and TfL will not enter into direct negotiations with the development partner nor deal with the site in any way without prior consent of the LDA.
g  LBL will use reasonable endeavors to find an alternative site for the bus stand.
h  LBL will transfer its land to the development partner and TfL (or its subsidiaries).
i  The landowners will not enter into any new lettings of their land without prior consent of the other landowners subject to obtaining Ministerial Disposal Consent, if required.
j  The developer will procure the transport improvements, the costs of which will be met from any external funding (including SRB funding) which can be attracted and the balance from the developer’s eventual capital receipt from the development (before any residual receipt is distributed between LDA and the Council).

5.3 The net proceeds referred to in [b] will depend on the content of the eventual development, the cost of the transport improvements, the amount of external funding which can be raised to fund the improvements (including SRB funding) and future market conditions. When the different design options were evaluated in 2002 the preferred comprehensive redevelopment option produced a land value in the region of £7.5M. The LDA’s budget estimate for land acquisitions is £4.6M. The Council’s assets are currently being independently valued and this should be complete by the end of July. Earlier appraisal work by LDA assumed a value of the Council’s assets to exceed £3M (including Thurston Road). On this basis it would also be possible for the Council to receive this figure from a Gateway comprehensive scheme.

5.4 However there are significant financial risks associated from this proposal with many variables that will determine the land value and the amount of any capital receipt payable to the Council. While the Council will be committing to sell its land to the selected developer as soon as the Agreement is signed, the final receipt could be significantly less or significantly more.

6 LEGAL IMPLICATIONS

6.1 Section 54A of the Town and Country Planning Act 1990 requires that local planning authorities determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise. Although the Lewisham Gateway Planning Brief does not form part of the Council’s development plan itself, Government Guidance in the form of PPG 1 and PPG 12 makes it clear
that Supplementary Planning Guidance (SPG) in the form of a
development brief may be taken into account as a material
consideration. The weight to be attached to SPG is a matter for the local
decision maker.

6.2 The Guidance requires that such SPG must itself be in accordance with the
adopted development plan (as well as national and regional planning guidance),
should be cross referenced to the relevant plan policy which it supplements and
should be consulted upon before adoption, making its status clear as emerging
SPG. This process was concluded before the brief was considered by the
Strategic Planning Committee in December 2002.

6.3 The proposed transaction with London Development Agency is intended to
facilitate the redevelopment of the Interchange Site in accordance with the
Planning Brief in order to achieve SRB objectives. Because the Council is
proposing to use its land within the site to achieve a planning purpose it will be
necessary to appropriate the land for planning purposes. The Council has power
under the Local Government Act 1972 to appropriate land which is no longer
required for the purpose for which it was acquired to use for any other purpose
for which it has power to acquire land.

6.4 The effect of such an appropriation would be that, under Section 237 of the
Town and Country Planning Act 1990, any covenants or rights affecting the land
which would otherwise prevent the proposed development taking place would be
overridden to the extent necessary to allow the development to take place in
accordance with a planning permission. The rights overridden would be
converted into a right to compensation for the owners whose rights are infringed.
It is proposed that under the Landowners' agreement with TfL and LDA any
compensation payable by the Council under S237 should be taken into account
(in the same way as the LDA's acquisition costs) before the overall net capital
receipt from the joint disposal is divided between the LDA and the Council in
accordance with the agreed formula.

6.5 Where the Council proposes to appropriate land laid out as open space to
another purpose, or to dispose of open space, it must first advertise notice of its
intention to do so in the local press for two consecutive weeks and allow a
reasonable period during which objections may be made to the Council. The
Council must take any such objections into account before making a decision to
proceed with the appropriation or disposal.

6.6 A local authority may only dispose of land held for planning purposes in
accordance with Section 233 of the 1990 Act. This section says that the Council
may dispose of land held for planning purposes to such person, in such manner
and subject to such conditions as appear to them to be expedient in order to
secure the best use of that or other land or to secure the carrying out of any
works appearing to the authority to be necessary for the proper planning of the
area. The consent of the Secretary of State is required where the proposed
disposal is to be at less than the best consideration which can reasonably be
obtained, taking account of any conditions which have been properly imposed on
the sale as mentioned above. It will therefore be necessary to assess, at the
time that a final decision is made on whether to proceed with a sale, whether best consideration is being obtained, or, whether the sale mechanism will achieve best consideration, and, if not, it will be necessary to apply to the Secretary of State for the necessary consent.

6.7 In addition to the statutory requirement to obtain best consideration members also have a fiduciary duty to Council tax payers, similar to that of trustees, to administer Council assets prudently and should not dispose of assets (or commit to doing so) for less than their market value unless satisfied that the non-financial benefits of doing so would outweigh the potential consideration being forgone. In order to properly assess whether it is reasonable in any situation to dispose, or commit to disposing, of an asset potentially at less than its market value Members therefore need to know the value of the asset (or at least the best estimate of value available) and the potential capital receipt that would be obtained from its eventual disposal so that they can then assess the amount of the receipt which may potentially be forgone and balance this against the perceived non-financial benefits of the disposal forgone. This information will therefore be required before Members can properly make a final decision on whether to enter into the proposed landowners’ agreement which would commit the Council to the disposal of its land, subject to the availability of Ministerial Disposal Consent (if required).

7 FINANCIAL IMPLICATIONS

7.1 All land to be transferred to the developer are non-housing assets and therefore the eventual receipts to be shared between the LDA (for their costs of purchasing privately owned property) and Lewisham Council (for assets to be transferred) will be 100% usable. As drawn out in the Legal Implications (6.7) valuations of all assets will be required before members make a formal decision to dispose.

7.2 Previous reports have also highlighted the loss of revenue when Rennell Street Car Park is sold to the developer and income for advertising and car parking will cease. Members will need to make the final decision to sell the assets in light of this loss of income (£110k).

8 EQUALITIES IMPLICATIONS

8.1 There are no implications for this report but these issues will be covered in the future masterplanning process.

9 CRIME AND DISORDER IMPLICATIONS

9.1 There are no implications for this report but these issues will be covered in the future masterplanning process.

10 HUMAN RIGHTS IMPLICATIONS

10.1 There are no human resources implications arising directly from this report. The human rights implications of any proposal to relocate the Travellers from their existing site will be fully addressed in any future report dealing with such a proposal.

myr_cab_ag_16jul03
11 ENVIRONMENTAL IMPLICATIONS

11.1 Public open space will be provided in the future development of the town centre and this report forms part of the process to achieve that end.

11.2 Detail of this provision and other environmental issues will be included in the masterplanning process.

12 BACKGROUND PAPERS

<table>
<thead>
<tr>
<th>Short title of document</th>
<th>Date of document</th>
<th>Location</th>
<th>Reference</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lewisham Gateway Planning Brief SPG(and associated Committee Report of 11/12/02)</td>
<td>December 2002</td>
<td>Planning Service (Regen)</td>
<td></td>
<td>John Miller or Anthony Benson</td>
</tr>
</tbody>
</table>

For more information about this report, please contact Peter Clark, Property Strategy Manager, on 020 8314 9428.
13 POLICY CONTEXT

13.1 London Borough of Lewisham is part of the Urban Renaissance in Lewisham Partnership whose objectives are to improve the transport interchange, create opportunities for local people and promote business success.

14 SUMMARY & PURPOSE OF THE REPORT

14.1 To achieve these objectives, land within the interchange area would need to be sold to a developer to carry out the development. This would include Council owned land, some of which is currently designated as Metropolitan Open Land.

14.2 This report seeks the Mayor's approval in principle to progress the proposed redevelopment on the basis set out below, which would ultimately entail the disposal of the Council's land, and to authorise officers to publish notice of the Council's intention to dispose of open space, if a decision is ultimately made to proceed with the redevelopment and disposal proposals.

15 RECOMMENDATIONS

That the Mayor:

15.1 Affirms the Council's commitment to seeking to effect and implement the proposed redevelopment of the Interchange site in accordance with the adopted Planning Brief in partnership with the London Development Agency (LDA) through the process outlined in the report.

15.2 Agrees in principle to the Council entering into a land owners' Agreement with the LDA that would commit the Council to dispose of its land, shown edged black on the attached plan, to the eventual development partner selected through the LDA's tendering process.
15.3 Requests officers to place statutory notices in the local press of the Council’s possible intention to formally appropriate the land at Charlottenberg Gardens and Quaggy Gardens, which are laid out as open space, to planning purposes and then to dispose of the land in order to facilitate the redevelopment of the Interchange site.

15.4 Agrees to receive a further report detailing any representations received in response to the statutory open space notices and as to the proposed terms for the Landowners’ agreement with LDA.

16 BACKGROUND

16.1 Urban Renaissance in Lewisham is a seven year programme which commenced in late 2000 and is scheduled to conclude in 2007. A funding bid has been successful in attracting £15.9 million in SRB funds and constitutes a commitment between key stakeholders in Lewisham Town Centre (forming the Urban Renaissance in Lewisham Partnership Board) to deliver a set of agreed objectives.

16.2 Thorough and comprehensive consultation with key stakeholders, users of the public transport interchange and the wider town centre community took place in the Summer of 2002 which sought feedback on a number of development options for the interchange area. In order to consider the relative merits of each of these options, an evaluation method was agreed through the Board, taking account of the SRB objectives, technical performance of each of the options and feedback from the wider consultation process. The results of this evaluation process were reported to the Board who agreed to endorse the best performing option, the so called ‘Low-H’ option.

16.3 At its meeting on the 10th December 2002 the Strategic Planning Committee agreed a Planning Brief which sets out the preferred option as the Development Framework for the area. The Planning Brief thus provides guidance, through implementation of this Framework, on how the interchange area should be developed to best achieve the SRB objectives. The adopted Planning Brief constitutes Supplementary Planning Guidance which will therefore be a material consideration in any future planning decisions affecting the site.

16.4 The Development Framework as set out in the Planning Brief would open up a significant development site by rearranging the current road layout and open space provision. This may result in open space and/or amenity land returning to Council ownership. If this does happen then the details of any such property transfer will be included in a later report that will follow the masterplanning process.

16.5 It is expected that the LDA will begin the marketing of the overall Interchange Site development opportunity this Spring to select a
development partner. Once a development partner is appointed a detailed scheme for progressing the Development Framework will emerge from a masterplanning process to be carried out by the developer. It is envisaged that the land required for the development would transfer to the developer once the development is completed while land required for the road layout would transfer to TfL Street Management. Decisions would be required later on in this process regarding the ownership and management of public spaces.

16.6 This will be a complex process and, so as to provide clarity and confidence to the prospective developers as to the availability of the land required for the development, it is envisaged that all land ownerships would be channelled through the LDA. It is proposed that Lewisham and TfL would enter into an Agreement with the LDA to transfer all land required for the development to the developer conditional on the agreed development being completed. The LDA would acquire all other privately owned land within the Interchange Site using their own funds either by agreement or, if this is not possible, using their CPO powers.

16.7 The terms of the proposed landowners' agreement with the LDA are currently under discussion and will be the subject of a further report to the Mayor. Broadly, it is envisaged that the overall capital receipt the receipt from the disposal of the various landholdings to the developer would be divided between the Council and the LDA on a ratio based on the current value of the Council's assets and the money spent by the LDA to acquire the private interests. Any compensation payable by the Council under section 237 of the Town & Country Planning Act 1990, following the appropriation of the sites to planning purposes (should this take place) would also be taken into account in the calculation.

16.8 London Buses will require an alternative site for the buses to be parked. The Planning Brief proposes that one option would be to use all or part of the Council owned Thurston Road Travellers site although no decision has yet been made about the site of any new bus park. Officers are currently investigating possible alternative sites which could potentially be used to relocate the Travellers site if a decision was made to locate the bus park to the existing travellers site. No decision about the possible relocation of the Travellers site is being sought at this stage and any proposal to relocate the Travellers from their existing site would be the subject of a further report decision following full consultation with the residents concerned and proper consideration of their accommodation needs. This would be the subject of a further report that would also deal with the terms of any disposal of the existing site to London Buses.

17 LEWISHAM OWNED SITES

17.1 Odeon Site / Rennell Street CarPark and Rennell Street
Currently used as a pay and display car park with advertisement hoardings. These uses currently produce an income of £110,000 pa. The part of Rennell Street shown on the attached plan as being in Council ownership has been formally stopped-up under the Highways Act and is therefore no longer public highway.

17.2 Charlottenberg Gardens

This is a grassed area designated as Metropolitan Open Land. It is divided by the River Ravensbourne.

17.3 Obelisk Gardens / Station Road

Part of this land is occupied by London Buses as an extension to the bus stand.

17.4 Quaggy Gardens

This land has been landscaped by Lewisham who also maintain it. While Lewisham does not have a registered Title to the land, officers would advise that there is a strong case to claim ownership. It is likely that LDA will seek to perfect the title to this area by including it in any CPO which they may make.

18 LEGAL IMPLICATIONS

6.1 This report recommends that the Council agrees in principle (i) to progress the proposals for the redevelopment of the Interchange Site in partnership with the LDA in accordance with the adopted Planning Brief, (ii) to progress negotiations with the LDA for the possible disposal of the Council’s interests in the site, and, (iii) to take the initial steps necessary before making a final decision on any such disposal.

6.2 The primary purpose of any transaction will be to facilitate the redevelopment of the Interchange Site in accordance with the adopted Planning Brief in order to achieve SRB objectives. Because the Council is proposing to use its land within the site to achieve a planning purpose it will be necessary to appropriate the land for planning purposes. The Council has power under the Local Government Act 1972 to appropriate land which is no longer required for the purpose for which it was acquired to use for any other purpose for which it has power to acquire land.

6.3 The effect of such an appropriation would be that, under Section 237 of the Town and Country Planning Act 1990, any covenants or rights affecting the land which would otherwise prevent the proposed development taking place would be overridden to the extent necessary to allow the development to take place in accordance with a planning permission. The rights overridden would be converted into a right to compensation for the owners whose rights are infringed.
It is proposed that under the Landowners' agreement with TfL and LDA any compensation payable by the Council under S237 should be taken into account (in the same way as the LDA's acquisition costs) before the overall net capital receipt from the joint disposal is divided between the LDA and the Council in accordance with the agreed formula.

6.4 Where the Council proposes to appropriate land laid out as open space to another purpose, or to dispose of open space, it must first advertise notice of its intention to do so in the local press for two consecutive weeks and allow a reasonable period during which objections may be made to the Council. The Council must take any such objections into account before making a decision to proceed with the appropriation or disposal.

6.5 A local authority may only dispose of land held for planning purposes in accordance with Section 233 of the 1990 Act. This section says that the Council may dispose of land held for planning purposes to such person, in such manner and subject to such conditions as appear to them to be expedient in order to secure the best use of that or other land or to secure the carrying out of any works appearing to the authority to be necessary for the proper planning of the area. The consent of the Secretary of State is required where the proposed disposal is to be at less than the best consideration which can reasonably be obtained, taking account of any conditions which have been properly imposed on the sale as mentioned above. It will therefore be necessary to assess, at the time that a final decision is made on whether to proceed with a sale, whether best consideration is being obtained, or, whether the sale mechanism will achieve best consideration, and, if not, it will be necessary to apply to the Secretary of State for the necessary consent.

6.6 Under the proposed disposal and development arrangements, the LDA will tender for and appoint a developer to carry out the development of the sites and possibly to undertake some of the infrastructure works. The scale of the project is such that the value of the contract is likely to considerably exceed the relevant EU Public procurement thresholds. LDA are therefore proposing to follow an EU compliant tendering process in order to select the developer. As it is not envisaged that the Council will be a direct party to the development agreement and the Council's involvement will be primarily as landowner (but with the ability under the landowners' agreement to approve the development) the EU procurement regime will not apply to the Council's involvement in the project.

19 FINANCIAL IMPLICATIONS

19.1 The capital receipt when realised from the four assets set out in Section 5 will be 100% usable as all assets are non-housing assets. Valuers have undertaken to revalue all assets prior to the formula being set for division of final receipt (para 4.7).

19.2 The disposal of the Odeon Site / Rennell Street site will result in a loss of revenue income from the car park and advertisement hoardings estimated to be some £110k pa (para 5.1). This loss will need to be considered as part of the budget setting process in 2004-5.
19.3 The loss of income and the eventual capital receipts need to be weighed against the development of this land as a whole.

20 **EQUALITIES IMPLICATIONS**

20.1 There are no implications for this report but these issues will be covered in the future masterplanning process.

21 **CRIME AND DISORDER IMPLICATIONS**

21.1 There are no implications for this report but these issues will be covered in the future masterplanning process.

22 **HUMAN RIGHTS IMPLICATIONS**

22.1 There are no human resources implications arising directly from this report. The human rights implications of any proposal to relocate the Travellers from their existing site will be fully addressed in any future report dealing with such a proposal.

23 **ENVIRONMENTAL IMPLICATIONS**

23.1 Public open space will be provided in the future development of the town centre and this report forms part of the process to achieve that end.

23.2 Detail of this provision and other environmental issues will be included in the masterplanning process.

24 **BACKGROUND PAPERS**

<table>
<thead>
<tr>
<th>Short title of document</th>
<th>Date of document</th>
<th>Location</th>
<th>Reference</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lewisham Gateway Planning Brief SPG(and associated Committee Report of 11/12/02)</td>
<td>December 2002</td>
<td>Planning Service (Regen)</td>
<td></td>
<td>John Miller or Anthony Benson</td>
</tr>
</tbody>
</table>

*For more information about this report, please contact Peter Clark, Property Strategy Manager, on 020 8314 9428.*
1. **Summary**

The report advises the Mayor and Cabinet of the requests by schools for licensed deficits and seeks approval for deficits above £100k. Deficits lower than £100k can be authorised by the Executive Director for Education and Culture.

2. **Policy Context**

Schools are not allowed to overspend their budget thus resulting in a deficit budget balance unless an application from the school for a licensed deficit is approved.

3. **Recommendations**

The Mayor is recommended to agree that, subject to agreement by the DfES to a variation to the Council’s Local Management of Schools Scheme (as set out in paragraph 5.4):

3.1 a licensed deficit of £391.7k for Crofton School, repayable over five years is approved;

3.2 a licensed deficit of £229.5k, for Addey & Stanhope School, repayable over five years is approved;

3.3 that the overall position of schools' balances and the officer action proposed be noted.

4. **Background**

4.1 Schools are legally required to balance their budgets each year. Where a deficit is incurred, they must repay it in the following year. The only
exception allowed is where the authority has set up a “Licensed Deficit” or Loan Scheme, and agrees that the school can repay the deficit over a period of up to five years.

4.2 The Council operates a licensed deficit scheme which enables schools to apply to be allowed to go into deficit in the following instances:

- so that a large item of expenditure e.g. setting up an ICT room can be incurred now
- in order to pay back an unforeseen unlicensed deficit
- for schools in special measures - to implement their action plans

The school must agree to reduce their deficit over an agreed number of years until it is paid back (i.e. until the school’s budget balance becomes positive). Projects funded by the licensed deficit should make a demonstrable contribution to the school’s development plan.

4.3 Unplanned deficits are a trigger for schools causing concern and usually arise when a school has suffered a major fall in roll thus leading to a reduction in their budget. Schools in this position need time to reorganise their staffing in order to reduce expenditure and a licensed deficit can facilitate this.

4.4 Licensed deficits are subject to a maximum of 10% of a school’s annual budget allocation, and the total of all licensed deficits must not exceed 40% of the total schools balances.

4.5 The Executive Director for Education and Culture has delegated authority to approve deficit applications of up to £100k. The Mayor and Cabinet must approve applications exceeding £100k.

5 Licensed Deficit Applications

overall position

5.1 Mayor & Cabinet will be aware of the funding problems faced by schools as a result of the unique circumstances of this year’s budget changes and financial settlement. For 2003-04 seven applications for licensed deficits have been submitted, four primary schools and three secondary schools. Officers have been in discussion with the relevant schools to determine the need for the application and the arrangements for repayment.

5.2 On 30 July 2002 Mayor & Cabinet agreed a series of applications from schools and noted action being taken by the Executive Director to agree further requests within the relevant delegated limits. These applications amount to £650k in the current year. Some of the schools in receipt of a licensed deficit from last year have performed better than anticipated
and they now have school’s balances available to them. Officers are discussing their revised requirements with them to determine the need for an on-going licensed deficit. If these are not required this reduces the level of committed licensed deficits by £104k.

5.3 Net school’s balances at 1 April 2003 total £2,814k a reduction of £54k from the previous year. No school has balances in excess of £350k and the average primary school has balances of £36k. Some schools are prudently holding balances in anticipation of major development projects that they wish to pursue and it is important that these resources are available to them when required. Work is continuing with schools to determine the timing of the use of their reserves to ensure that this can be properly modelled across the whole sector.

5.4 Total applications received plus those agreed last year exceed 40% of schools’ balances. To address the position the Head of Resources wrote to the DfES on 2nd July 2003 requesting an increase from 40% to 60% of the proportion of schools’ balances that can be made available for Licensed Deficits. A response is anticipated from the DfES by the date of the meeting and officers will verbally update on the position.

5.5 It should be noted that four schools have applied for permission to use some of their delegated capital to supplement revenue budgets. This is in line with the Secretary of State’s statement that this be permitted. Officers are liaising with these schools to agree this, the total sum involved is £88k.

5.6 Mayor & Cabinet are reminded of the context for this report and the pressures on schools budgets arising from increased staffing costs and a fall in Standards Fund Grant. The Council has made representations to the DfES on this and is continuing to work closely with them to ensure that sufficient resources are directed to schools to ensure that improvements in educational attainment can be sustained.

5.7 The overall position on schools’ balances is set out in paragraph 6. Some schools will be drawing from balances this year but it would be imprudent to do so in the understanding that the 2004-05 settlement will necessarily provide the additional resources required. There is no certainty that the DfES will be able to fully resource schools’ needs next year and the starting point for 2004-05 must be a cautious judgement now about the balance between spending needs and resources available. This will require schools to take action immediately in the Autumn Term to ensure that spend in the second half of this financial year is reduced in the understanding that few, if any, deficit applications will be able to be agreed in the coming year.

5.8 The report focuses on the applications in excess of £100k from Crofton and Addey & Stanhope schools.
Crofton School

5.9 The school had a licensed deficit approved last year of £24k. At the close of 2002-03 the school had incurred a deficit of £312k. This has arisen as a result of increased spending on staffing, due to sickness cover, increased insurance costs and less funding than anticipated from Standards Fund and the Excellence in Cities and National Grid for Learning programmes.

5.10 In line with advice, the school is proposing to use devolved capital funding, where this would be appropriate, in order to carry out essential works to the site. The school has indicated since at least January 2003 that they believed that a licensed deficit would be required and they have taken incisive steps over the Summer Term to reduce their budget. This has included reductions in staffing levels.

5.11 The licensed deficit requested of £392k will be repaid over 5 years reducing by equal amounts over the five year term. Agreement to this application will assist the school to continue to tackle the matters raised by OFSTED in December 2002 when they concluded that the school was improving.

5.12 There remain concerns with the finances of the school and Internal Audit have been asked to swiftly examine the arrangements for budget management to ensure that are sufficiently robust to control the current situation. In addition, the Schools Finance Team will prioritise support to the school to ensure that progress is being made to manage the deficit.

Addey & Stanhope School

5.13 At the close of 2002/03 the school had incurred a deficit of £160k. There is a temporary headteacher in post this term who has fully reviewed the budget and has instigated actions to address some of the issues and achieve savings but these can not fully impact on this years budget. The new headteacher commences next term and it is expected that the school will be subjected to an OFSTED inspection in the near future.

5.14 Detailed discussions have been held with the temporary headteacher and concerns have been raised over the previous financial and budget management of the school. Officers will work closely with the new headteacher to address these concerns and ensure that the school is able to deal with its financial position in the future.

5.15 The licensed deficit requested of £229k will be repaid over 5 years reducing by equal amounts over the five year term. Agreement to this application will assist the school in addressing immediate concerns and being in a position to approach the expected OFSTED inspection confidently.

myr_cab_ag_16jul03
Hither Green & Ennersdale

5.16 The position of Hither Green and Ennersdale schools needs to be considered together. Ennersdale will close at the end of this term and Hither Green will then assume responsibility for both sites. Transitional provision has been included in the 2003-04 budget in recognition of the additional costs involved but this now needs to be re-examined in the light of pupil numbers anticipated from September 2003 and the timing of construction works. Officers will work with the school to determine the most appropriate approach and consult the Schools Forum in the Autumn Term as required.

Licensed Deficits under £100k

5.17 Agreement to deficits of under £100k is delegated to the Executive Director for Education and Culture. Officers are working with the relevant schools to determine the precise licensed deficit arrangements required. The current position is as follows:

<table>
<thead>
<tr>
<th>School</th>
<th>£k</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adamsrill Primary School</td>
<td>52</td>
</tr>
<tr>
<td>Brockley Primary School</td>
<td>30</td>
</tr>
<tr>
<td>Launcelot Primary School</td>
<td>50</td>
</tr>
<tr>
<td>Tidemill Primary School</td>
<td>55</td>
</tr>
<tr>
<td>Sydenham School</td>
<td>56</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>243</strong></td>
</tr>
</tbody>
</table>

5.15 These applications will be determined by the Executive Director for Education & Culture with advice from the Executive Director for Resources.

6. Financial Implications

6.1 Schools balances at 31 March 2002 stood at £2,868k, the equivalent level for 31 March 2003 (subject to final agreement) is £2,814k. The majority of the arrangements requested have already been incurred and are reflected in schools' balances. It is also likely that other schools will be aiming to draw from balances in the current year due to the difficult budget position. At the time of drafting this report, insufficient information has been provided by schools to determine this impact. The Schools Finance Team are working to ascertain the relevant information from schools focussing initially on schools with large balances.

6.2 The total licensed deficits required by the two schools referred to in detail above and where approval is sought totals £621k. Those seeking licensed deficits under £100k total £243k. Approvals totalling £546k, excluding those with current surpluses, have been agreed from earlier years. In total this is 50.1% of total schools balances. If those schools with positive balances
(see paragraph 5.2) are unable to revise their licensed deficits and spending plans this percentage will rise to 52.8%. As set out in paragraph 5.4 a request has been submitted to the DfES for an increase in the limit from 40% to 60%.

6.3 If the DfES reject the Council’s request officers will need to reconsider schools’ applications and either net all of them down to stay within the 40% limit or make reasoned judgements with schools of their relative need for the deficit and the impact on their ability to deliver the curriculum.

6.4 It is vital that balances are not further drained as this will place any further requirements for Licensed Deficits at risk. In addition, it is important that all the additional headroom provided by the possible additional proportion of balances made available by DfES is not exhausted now.

6.5 In view of the difficulties faced by some schools to set budgets this year it will be important for them to take a prudent view of their likely budgets for 2004-05 now and make appropriate decisions as early as possible in the Autumn term to ensure that savings can be effected before 31 March 2004.

6.6 It is recognised that this is will be a difficult task. In order to ensure that the process is given the necessary priority, it is proposed to strengthen the Schools Finance Team. This will ensure that support is available to schools and that the strategic position of the Council is adequately protected.

7 Staffing Implications

As, on average, some 80% of school budgets relates to staffing it is clear that budget decisions of Governing Bodies will have staffing implications. Since the current year budget was agreed in March 2003, schools have made a number of savings on staff including, to date, 16 voluntary redundancies and/or non-renewal of temporary contracts for the Autumn term. However, schools are predicting further losses throughout the financial year. These will be as a result of falling rolls as well as the shortfall between rising costs and pupil funding.

8. Legal Implications

These are contained in the body of the report.

9 Equalities Implications

There are no specific equality implications arising from this report.
10 Conclusion

This report balances the need for schools to set realistic budgets in the current year with the requirement to retain balances for use in future years. Assuming that the 2004-05 Financial Settlement for schools does not provide a significant increase in resources, some schools will need to make difficult decisions in the Autumn Term in preparation for their setting of 2004-05 budgets.

In the circumstances, Mayor & Cabinet is asked to note the current position and agree the two licensed deficit applications in excess of £100k.

Background Papers

<table>
<thead>
<tr>
<th>Document</th>
<th>Held by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licensed Deficits</td>
<td>Steve Gough</td>
</tr>
<tr>
<td>2003/04</td>
<td></td>
</tr>
</tbody>
</table>

If you require any more information about this report please contact Steve Gough on 8314 8885
1. Summary

This report sets out the results of advertisements for applications for 'Lay' and 'Experienced' members to serve on the Education Appeals Panel and seeks agreement to the appointment of new applicants and existing members.

2. Purpose of the Report

To agree appointments to the Education Appeals Panel.

3. Recommendations

The Mayor is recommended to:

3.1 reappoint those existing members of the Appeals Panel set out in Appendices C and D;

3.2 appoint the new applicants set out in Appendix A as lay members on the Appeal Panel; and

3.3 appoint the new applicants set out in Appendix B as experienced members on the Appeals Panel.

4. Background

4.1 An Appeals Panel constituted in accordance with the provisions of the Schools Standards and Framework Act 1998 determine all admission appeals.

4.2 The legal requirements for constituting appeal panels no longer allow any member of the Council to sit on community school panels.

4.3 The current lists of appeal panel members have been in existence since June 2000 and the opportunity has been taken to update them.

4.4 Following an advert in the local press to seek new lay and experienced members, applications have been received as set out in Appendices A and B. Appendix A lists...
those applicants with experience in Education and Appendix B lists those applicants without personal experience in the management of the provision of education in any school (i.e. lay members). Appendices C and D are lists of the current members of the Panel.

5. **Legal Implications**

5.1 The Education (Admissions Appeals Arrangements) (England) Regulations 2002 requires that an admission appeal panel shall consist of 3 or 5 members appointed by a local education authority from persons who are eligible to be lay members and persons who have experience in education. An appeal panel must have at least one person from the above mentioned categories.

5.2 The Education (Pupil Exclusions and Appeals) (Maintained Schools) Regulations 2002 requires that an exclusion appeal panel shall consist of three or five members appointed by the authority from persons who are eligible to be lay members, persons who are, or have been within the previous 5 years, head teachers of maintained schools and persons who are or have been governors of maintained schools, provided they have served as a governor for at least 12 consecutive months within the last 6 years, and who are not teachers or head teachers.

6. **Financial Implications**

The total appeals costs for 2003/04 will be contained within the provision in the revenue estimates.

7. **Equality Implications**

It is essential that every effort is made to ensure that appeal panels are representative of the social and ethnic composition of the population of the borough.

**BACKGROUND PAPERS**

None

If you have any queries on this report, please contact Mike Brown, Head of Committee Business, extension 48824 or John Russell, Admissions, extension 46212.
**NEW APPLICATIONS**

**EDUCATION APPEALS PANEL - LAY MEMBERS MAY 2003**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paul Ferguson</td>
<td>144 Goodhart Way</td>
</tr>
<tr>
<td></td>
<td>West Wickham</td>
</tr>
<tr>
<td></td>
<td>Kent BR4 O EZ</td>
</tr>
<tr>
<td>Ms Lorraine Richards</td>
<td>37 Daneby Road</td>
</tr>
<tr>
<td></td>
<td>Catford</td>
</tr>
<tr>
<td></td>
<td>SE6 2QQ</td>
</tr>
<tr>
<td>Ms Kay Sinclair</td>
<td>36 Engleheart Road</td>
</tr>
<tr>
<td></td>
<td>Catford</td>
</tr>
<tr>
<td></td>
<td>SE6 2HP</td>
</tr>
</tbody>
</table>
## NEW APPLICATIONS

**EDUCATION APPEALS PANEL - EXPERIENCE IN EDUCATION MEMBERS**

**MAY 2003**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr Roger King</td>
<td>74 Effingham Road&lt;br&gt;Lee&lt;br&gt;London SE12 8NU</td>
</tr>
<tr>
<td>Mrs Lisa Palin</td>
<td>34 Hall Drive&lt;br&gt;Sydenham&lt;br&gt;SE26 6XB</td>
</tr>
<tr>
<td>Mrs Catherine Roblet</td>
<td>Beechcroft&lt;br&gt;Fernwood Close&lt;br&gt;Bromley BR1 3EZ</td>
</tr>
<tr>
<td>Ms Janet Stribbling</td>
<td>10 Bullers Wood Drive&lt;br&gt;Chislehurst&lt;br&gt;Kent BR7 5LS</td>
</tr>
</tbody>
</table>
## EXPERIENCE IN EDUCATION MEMBERS - MAY 2003

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr M Brewer</td>
<td>11 St Donatt's Road</td>
</tr>
<tr>
<td></td>
<td>London SE14 6NU</td>
</tr>
<tr>
<td>Mr J C Burke</td>
<td>77 Darfield Road</td>
</tr>
<tr>
<td></td>
<td>London SE4 1ES</td>
</tr>
<tr>
<td>Mr E H Claridge</td>
<td>The Cullins</td>
</tr>
<tr>
<td></td>
<td>63 Tawney Road</td>
</tr>
<tr>
<td></td>
<td>Thamesmead</td>
</tr>
<tr>
<td></td>
<td>SE28 8EF</td>
</tr>
<tr>
<td>Mr E J Clarke, MBE</td>
<td>101B Coleraine Road</td>
</tr>
<tr>
<td></td>
<td>London SE3 7NZ</td>
</tr>
<tr>
<td>Mr G Davidson</td>
<td>36 Thorpewood Ave.</td>
</tr>
<tr>
<td></td>
<td>London SE26 4BX</td>
</tr>
<tr>
<td>Mr A Hawkins</td>
<td>74 Minard Road</td>
</tr>
<tr>
<td></td>
<td>London SE6 1NL</td>
</tr>
<tr>
<td>Mr R Hayes</td>
<td>6 Darling Road</td>
</tr>
<tr>
<td></td>
<td>London SE4 1YQ</td>
</tr>
<tr>
<td>Mrs J Holland</td>
<td>185 Keedonwood Road</td>
</tr>
<tr>
<td></td>
<td>Downham</td>
</tr>
<tr>
<td></td>
<td>Bromley BR1 4QL</td>
</tr>
<tr>
<td>Ms M Kabir</td>
<td>2 Manor Park</td>
</tr>
<tr>
<td></td>
<td>London SE13 5RN</td>
</tr>
<tr>
<td>Mr D Kirkland</td>
<td>2 Karen Court</td>
</tr>
<tr>
<td></td>
<td>Wickham Road</td>
</tr>
<tr>
<td>Mrs Stephanie Marriott</td>
<td>41 Amersham Road</td>
</tr>
<tr>
<td></td>
<td>New Cross SE14 6QQ</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>Mrs Iris Murphy</td>
<td>The Groves</td>
</tr>
<tr>
<td></td>
<td>73 Pennington Way</td>
</tr>
<tr>
<td></td>
<td>Grove Park SE12 9QA</td>
</tr>
<tr>
<td>Mr J Sobotie</td>
<td>18 Elswick Road</td>
</tr>
<tr>
<td></td>
<td>London SE13 7SR</td>
</tr>
<tr>
<td>Dr M Wood</td>
<td>92 Inchmery Road</td>
</tr>
<tr>
<td></td>
<td>London SE6 2ND</td>
</tr>
<tr>
<td>Ms M Moorey</td>
<td>72 Sheaman Road</td>
</tr>
<tr>
<td>(form now returned - recently trained 2003)</td>
<td>Blackheath SE3 9HX</td>
</tr>
<tr>
<td>Prof. R Jarrett</td>
<td>46 Bishopsthorpe Road</td>
</tr>
<tr>
<td></td>
<td>London SE26 4PA</td>
</tr>
</tbody>
</table>
### ADDITIONAL INFORMATION

#### EDUCATION APPEALS PANEL

#### EXPERIENCE IN EDUCATION MEMBERS    MAY 2003

<table>
<thead>
<tr>
<th>Name</th>
<th>Current or past governor</th>
<th>Current or past teacher</th>
<th>Any other infm. Would sit on excl if suitable**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr J C Burke</td>
<td>Current: Stillness</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Mr E H Claridge</td>
<td>No</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Mr E J Clarke MBE</td>
<td>No</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Mr G Davidson</td>
<td>Current: Holy Trinity CE Primary</td>
<td>Dulwich College and Eltham College until 1999</td>
<td>Excl</td>
</tr>
<tr>
<td>Mr A Hawkins</td>
<td>Current: Catford Girls School</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Mr R Hayes</td>
<td>Until Sept. 1996: Ashmead School</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Ms M Kabir</td>
<td>Current: Ennersdale</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Mr D Kirkland</td>
<td>Current: Addey and Stanhope Sec.</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Mrs I Murphy</td>
<td>Current: Deptford Green</td>
<td>Has worked in a school office.</td>
<td>Excl.</td>
</tr>
<tr>
<td>Mr J Sobotie</td>
<td>Current: St Mary Magdalen's RC Primary.</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Dr M Wood</td>
<td>Sandhurst until 1988</td>
<td>No</td>
<td>Excl.</td>
</tr>
<tr>
<td>Ms M Moorey</td>
<td>John Ball until Yes. Previous</td>
<td>Excl. Children at</td>
<td></td>
</tr>
</tbody>
</table>

myr_cab_ag_16jul03
<table>
<thead>
<tr>
<th>Name</th>
<th>Date/Position</th>
<th>Exclusions</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prof. Jarrett</td>
<td>April 2002 to Sedgehill until March 2002</td>
<td>No</td>
<td>Exclusions Only</td>
</tr>
<tr>
<td>Mrs S Marriott</td>
<td>St James Hatcham CE</td>
<td>Previously a support worker to a statemented child in a school.</td>
<td>Excl. Children at St. James CE and Pimlico.</td>
</tr>
</tbody>
</table>
### EDUCATION APPEALS PANEL - LAY MEMBERS MAY 2003

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miss S P Bend</td>
<td>3 Millfields Close&lt;br&gt;Orpington&lt;br&gt;Kent BR5 2LQ</td>
</tr>
<tr>
<td>Mr C J Boyo</td>
<td>122 Griffin Road&lt;br&gt;Plumstead&lt;br&gt;SE18 7QD</td>
</tr>
<tr>
<td>Mrs Y Chin</td>
<td>52 Mosslea Road&lt;br&gt;Penge&lt;br&gt;London SE20 7BP</td>
</tr>
<tr>
<td>Mrs Marlene Edwin</td>
<td>31 Knowles Hill Crescent&lt;br&gt;Hither Green&lt;br&gt;SE13 6DT</td>
</tr>
<tr>
<td>Miss B Emmett</td>
<td>46 Shearman Road&lt;br&gt;Blackheath&lt;br&gt;SE3 9HX</td>
</tr>
<tr>
<td>Miss Jan Emmett</td>
<td>1 Elwyn Gardens&lt;br&gt;Corona Road&lt;br&gt;Lee SE12 9LT</td>
</tr>
<tr>
<td>Miss E Frost</td>
<td>44 Len Clifton House&lt;br&gt;Cambridge Barracks Road&lt;br&gt;Woolwich SE18 5SF&lt;br&gt;Plumstead SE18 2JA</td>
</tr>
<tr>
<td>Ms Janice Gushway</td>
<td>10 Ladywell Close&lt;br&gt;BROCKLEY&lt;br&gt;SE 4 1JD</td>
</tr>
<tr>
<td>Mr Nassar Hameed</td>
<td>53 Delafield Road&lt;br&gt;Charlton&lt;br&gt;London SE7 7NW</td>
</tr>
<tr>
<td>Mrs V Osunde</td>
<td>35A Old Road&lt;br&gt;SE13 5SU</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>--------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>Ms Mary Paul</td>
<td>50 Lewisham Park</td>
</tr>
<tr>
<td></td>
<td>Lewisham</td>
</tr>
<tr>
<td></td>
<td>SE13 6QZ</td>
</tr>
<tr>
<td>Mr Albert Smith</td>
<td>49 Parkway</td>
</tr>
<tr>
<td></td>
<td>Erith</td>
</tr>
<tr>
<td></td>
<td>Kent DA18 4HJ</td>
</tr>
<tr>
<td>Mr John Smoker</td>
<td>53 Cleanthus Road</td>
</tr>
<tr>
<td></td>
<td>Shooters Hill</td>
</tr>
<tr>
<td></td>
<td>London SE18 3DF</td>
</tr>
<tr>
<td>Miss F Tristram</td>
<td>29 Russell Court</td>
</tr>
<tr>
<td></td>
<td>Heaton Road</td>
</tr>
<tr>
<td></td>
<td>Peckham</td>
</tr>
<tr>
<td></td>
<td>SE15 3NW</td>
</tr>
<tr>
<td>Mr P Webbewood</td>
<td>61 Courtlands Avenue</td>
</tr>
<tr>
<td></td>
<td>SE12 8JJ</td>
</tr>
<tr>
<td>*Ms J Easton-Neale</td>
<td>68 Doveney Close</td>
</tr>
<tr>
<td></td>
<td>St Pauls Cray</td>
</tr>
<tr>
<td></td>
<td>Orpington</td>
</tr>
<tr>
<td></td>
<td>Kent (Can only attend evening sessions)</td>
</tr>
</tbody>
</table>
1. Summary

The Silwood Single Regeneration Budget was approved in 1999. It runs for 7 years and is currently in year 5. In January 2003 the Mayor resolved to make a Compulsory Purchase Order (CPO) for the acquisition of all the interests in the site of Phase 3 of Silwood. Subsequently, Central Government through the office of the Deputy Prime Minister changed the way that Local Authority Social Housing Grant (LASHG) is paid necessitating changes to the Phase 3 development proposals. As a result the Mayor on 25 June 2003, approved the splitting of Phase 3 into the Phase 3A development and the Phase 3B development, (the areas of these developments are shown on the accompanying plan “A” in heavy black edging) in order to secure LASHG funding and maximise the area of the estate available for social housing.

2. Purpose of the Report

A Compulsory Purchase Order (CPO) is now needed to allow the Phase 3A development to proceed. This report seeks authority to proceed with all necessary statutory procedures to obtain a CPO for the acquisition of all interests in the land shown on the accompanying plan “B” in heavy black edging (“the CPO Land) and being the land which the Council needs to acquire to allow the Phase 3A development to proceed. A CPO is now needed to allow the Phase 3A development to proceed.

3. Recommendations

It is recommended that the Mayor:

3.1 resolves to make a Compulsory Purchase Order in pursuance of Section 17 of Part II of the Housing Act 1985 for the acquisition of all interests in the CPO land, as shown on the accompanying plan “B” in heavy black edging, other than those interests in the ownership of the Council; and

3.2 authorises the appropriate Chief Officers to take such action as may be necessary to make and obtain confirmation of and implement the CPO and to acquire all interests under it, either by agreement or...
4. **Policy Context**

4.1 The Silwood Estate has been identified in Lewisham’s HIP Strategy Statement as a ‘priority area’ in need of physical, social and economic regeneration.

4.2 The Council seeks to maximise inward investment and external funding to secure the physical renewal of the Borough. The Council seeks to work in partnership with the community, public, private and voluntary sector agencies to secure regeneration and neighbourhood renewal.

5. **Background**

5.1 The then Housing (Investment and Property) Sub-Committee resolved to bid for Single Regeneration Budget (SRB) funding for the regeneration of Silwood Estate on 15 April 1999, and the bid was approved by the Secretary of State in July 1999.

5.2 The Silwood Estate was constructed in the 1960s and comprised a mixture of 11 storey high slab blocks and four and six storey maisonette blocks. Additionally there are terraced houses, a 3 storey flat block, some community facilities and a small number of 1-bed flats above a row of shops.

5.3 The overall design, condition and location of the estate is poor. This is marked by the fact that an independent survey showed that 58% of residents would like to see the estate totally demolished and rebuilt.

5.4 The overall regeneration programme aims to comprehensively redevelop the Silwood Estate and in addition to the new social housing, to provide a range of amenity, educational and community improvements for residents in and around the local area. The scheme also proposes to use the physical renewal as a vehicle to improve the environment and tackle the high levels of deprivation and social exclusion on the estate.

5.5 In partnership with two Registered Social Landlords, the new social housing units are being designed to a high quality standard to meet 21st century living. The designs address energy efficiency and sustainability and aim to meet ‘secure by design’ standards. The units will be a mix of family and single person units, with houses in a traditional street pattern.

5.6 The boundary of the originally proposed Phase 3 development has been extended to include the land originally put aside for the reprovision of community facilities (other than the proposed nursery) such land having been acquired under the Silwood Phase 1 and 2 Compulsory Purchase Order and Phase 3 has been split into the Phase 3A development and 3B
development and the Phase 3B development. The boundary change will enable the maximisation of the land available at this time for the development of social housing. There will be 90 units in the Phase 3A development instead of the original 99 but the same number of people will be rehoused as planned, as there will be the same number of habitable rooms. The units will be a mixture of family size houses and flats and will be of a much higher quality and design. The community facilities will now be located within the Phase 3B development or Phase 4, but with the nursery site left in its originally proposed position. As is stated above the land originally put aside for the re-provision of community facilities and now forming part of the Phase 3A Development was acquired under the Silwood Phase 1 and 2 Compulsory Purchase Order and it is not therefore necessary to include this land in the current CPO proposals.

5.7 The Phase 3A development includes;

Lambourne House 1-98, Alpine Road 49-63, the Tenants Hall and the access road and amenity areas immediately in front of 64-93 Alpine Road.

The Phase 3B development includes;

Alpine Road 64-93.

5.8 The site of the new properties which it is proposed would be built as part of Phase 3A development extends up to the front wall of the block 64-93 Alpine Road and includes the front gardens, access road, parking area and amenity area in front of this block. Although this block is situated in Phase 3B development it will be necessary for these properties to be vacated and for the area to be included in the current CPO in order that the new homes included in the Phase 3A development can be built.

5.9 The final details for the Phase 3B development has yet to be agreed and options are being explored to re-site the community facilities here. It is not proposed therefore to include the site of Phase 3B development in the CPO land other than that part of the site occupied by block 64-93 Alpine Road which has been included in the CPO land for the reasons outlined above.

5.10 The Council owns the freehold interest in most of the CPO landsite. However, there are 10 properties in the blocks situated on the CPO land, which have been sold under the Right-to-Buy scheme. Eight of these properties have already been re-purchased by the Council. Negotiations to purchase back the remaining two properties by agreement have been concluded and terms agreed, but the completion does not take place within the requisite timescales the council will need to use CPO powers to acquire these properties, including gardens where applicable, and the rights of access and egress and all other rights affecting the CPO land.
5.11 There are currently 6 live Right to Buy applications in respect of other properties situated on the CPO land. However until such time as all secure tenants have been decanted from these blocks, either on a voluntary basis or as a result of the Council obtaining possession under Schedule 2 of the Housing Act 1985, the Council would have to process any new Right to Buy applications. The properties the subject of the existing Right to Buy applications will be included in the CPO and should the Council receive any further applications in respect of properties situated on the CPO these properties would also need to be included in the CPO.

5.12 For the avoidance of doubt, the CPO will include all other rights and interests in the CPO land as the same is shown on the accompanying plan “B” in heavy black edging.

5.13 The building programme has been developed in consultation with local residents as an ongoing process. Members are referred to the Report “Silwood SRB Revised Phase 3 Proposals’ dated 25 June 2003 (detailing the current revised proposals for Phase 3). Some alterations have been made to the original masterplan in response to changing circumstances. The Silwood SRB Team, who manage the building programme, have engaged residents throughout the review.

5.14 The 98 dwellings within Lambourne House (inclusive of the youth centre), and 45 dwellings on Alpine Road will need decanting prior to demolition. Two members of the centralised decanting team are specifically designated to run the decanting programme. The process of rehousing tenants started in February 2003 following the approval of the earlier Phase 3 proposals by the Mayor on the 29 January 2003 and a number of residents have already been decanted.

5.15 The decanting will be prioritised as follows;

- 1st Priority 1-98 Lambourne House & 49-63 Alpine Road
- 2nd Priority 64-93 Alpine Road.

This should enable the first two blocks to be emptied in time to meet the January 04 deadline for transfer of land.

5.16 If the Council is unable to buy back by agreement all of the sold properties situated on the CPO land the entire future of the programme will be placed in serious jeopardy, as it is not possible to rebuild while the blocks are still occupied and funding normally has to be spent in the year that it is allocated. It is therefore essential that if properties sold under the Right To Buy cannot be purchased by agreement with the owners, that the Council is in a position to be able to purchase these properties compulsorily, and to acquire all other rights and interests in the CPO land.
On 17 May 2000 the then Executive Committee agreed re-housing arrangements for homeowners whose homes are being bought as part of this scheme. Under the Council’s amended decant policy (9 October 2002), secure tenants and leaseholders who are being decanted are entitled to two offers of alternative accommodation with the prospect of court action being used to enforce acceptance of the second offer if necessary. In practice, offers are carefully assessed against the residents’ expressed wishes as to area and property type before they are actually made and in most cases it does not prove necessary to use legal powers to obtain possession.

Home Loss Payments equivalent to 10% of the market value of the properties (up to a maximum of £15,000) will be paid to resident owners who have been in residence for at least 1 year as well as disturbance payments to cover professional fees and removal costs etc.

The Phase 3A development is being funded through a mix of SRB grant, ADP, private finance and LASHG. The Housing Corporation has confirmed the ADP allocation and in order to maximise/protect the LASHG investment of £7.3m Phase 3A needs to meet the LASHG transitional rules. These are achievable for Phase 3A development on the basis of a boundary change to maximise the developable land available and so allow transfer of land within the time scale.

On 25 June 2003 the Mayor considered the outcome of the consultation with regard to the revised Phase 3A development proposals and resolved to proceed in accordance with these proposals.

6. Consultation

Two exhibitions were held on the estate on 12 and 14 December 2002 to publicise the new building programme and decant programme. There was also an opportunity to comment on the designs for phases 1, 2 and 3, to talk to the RSLs about their role as landlord and the opportunity to examine shared ownership proposals for the estate. All partners were available at both exhibitions to answer questions. Following the exhibitions an information sheet was hand delivered to all homes on the estate and posted to all residents who are still a part of the request to return list. The sheet provided details of the new programme in terms of new phasing and new decant programme and changes to the scheme.

Subsequently, reports detailing the proposed changes to Phase 3 were presented to both the Silwood SRB Regeneration Forum on 1 May 03 and the Silwood SRB Board on 19 May 2003.

Details have also been included in the latest Silwood SRB Newsletter.
delivered to all residents and former residents who have requested to return to Silwood and plans are on display in the Silwood SRB office on the estate for residents to view.

6.4 All residents within the Phase 3 area have received the detailed consultation pack on the revised Phase 3A proposals referred to in paragraph 6 above.

6.5 Two consultation events have been held recently. One on 22 March, at which residents were given the opportunity to look at materials to be used for the kitchens and bathrooms units in Phase 1. One on 24 June 03, at which the revised Phase 3A and 3B development proposals were on show. The Event also presented residents to view and comment on the design for the new homes planned for Phase 2 and see a presentation by the RSL's about how they'll be managing the estate in the future.

6.6 As well as the formal statutory consultation and consultation events, residents have also been awarded places on a number of bodies set up to assist delivery of the projects including Key Projects, Project Delivery, Consultation Group and Continuous Improvement. These bodies are integral to the delivery of the partnering approach developed for the project.

7. Financial Implications

7.1 In respect of the CPO land, 10 properties have been sold to date under the Right-to-Buy legislation with eight being reacquired by the Council to date and there are currently 6 properties with a live application for Right to Buy, although this could change at any time. The sold properties (and any Right to Buy sales which complete prior to confirmation of the CPO) will need to be reacquired at full market price to progress the programme. Provision was made in the original scheme cost estimates for this purpose. Clearly house prices in the area have escalated since the beginning of the scheme in 1999. The average cost of repurchasing a property has risen from £60,000 to £120,000. This has contributed to the financial difficulties of the Silwood SRB programme, and the subsequent need for a review to ensure its continuing financial viability. Recent indications suggest that property price increases are less steep and could be more stable in the coming months.

7.2 In addition resident property owners will be entitled to home loss and disturbance payments and the Council will have to bear reasonable legal and surveyor's fees.

7.3 Delays in securing vacant possession of the properties affected would delay the building programme and therefore lead to increased costs, given the current rate of property and building inflation in London. The SRB programme must adhere to cashflow and output targets (modified in
the review process) as directed by the London Development Agency and failure to do so could result in a loss of financial resources from the programme.

7.4. Based on present estimates, the costs of buy back and home loss etc are covered within current estimates for the scheme.

8. **Legal Implications**

8.1. Section 17 of the Housing Act 1985 empowers the Council, as a local housing authority, to acquire land, houses or other properties for the provision of housing accommodation. This power is available even where the land is acquired for onward sale to another as long as the purchaser intends to develop it for housing purposes. The 1985 Act also empowers local authorities to acquire land compulsorily (subject to authorisation from the Secretary of State) but only where this is in order to achieve a qualitative or quantitative housing gain and the Council would have to demonstrate such gain when seeking Secretary of State confirmation of any CPO.

8.2. Once the CPO is made, it must be notified to relevant persons and publicised, following which it will be submitted to the Secretary of State for confirmation. Any person may object to a CPO and, if an objection is made and not withdrawn, a Public Inquiry is required to be held. Any Public Inquiry will be conducted by an Inspector appointed by the Secretary of State who will hear evidence from any persons objecting to the CPO and from the Council. The Inspector would then submit a report on the Public Inquiry and his/her recommendations to the Secretary of State who would then decide whether or not to confirm the CPO. Before confirming the CPO the Secretary of State would have to be satisfied that there are no planning obstacles to the implementation of the scheme, that the CPO would achieve a qualitative or quantitative housing gain and that there is a compelling case for the CPO in the public interest.

8.3. The process of acquiring and obtaining possession of properties through a CPO may take up to 12-18 months if a Public Inquiry is required, before the Secretary of State will confirm the CPO.

9. **Human Rights Implications**

9.1. The Human Rights Act came into force on 2 October 2000, incorporating the European Convention for Human Rights into UK law, and requiring all public authorities to have regard to Convention Rights. In making decisions Members therefore need to have regard to the Convention. The rights which are of most relevance to local authorities are summarised in Appendix A to this report.
9.2. In this matter of compulsory purchase, the rights that are of particular significance to Members' decision are those contained in Articles 8 (the right to respect for private life and home) and Article 1 of Protocol 1 (the right to peaceful enjoyment of possessions).

9.3. Article 8 - the right to respect for private family life and home. This article provides that there shall be no interference with the existence of the right, except in accordance with the law and, as necessary in a democratic society in the interests of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others.

9.4. Article 1 of The First Protocol - the right to peaceful enjoyment of one's possessions. This article provides that no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law, although it is qualified to the effect that it should not in any way impair the right of the state to enforce such laws as it deems necessary to control the uses of property in accordance with the general interest. In determining the level of permissible interference with enjoyment, the Courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck.

9.5. Therefore, in reaching their decision, Members need to consider the extent to which the decision may impact upon the Human Rights of estate residents and to balance these against the overall benefits to the community, which the Silwood SRB scheme will bring. Members will wish to be satisfied that interference with the rights under Article 8 and Article 1 of Protocol 1 is justified in all the circumstances and that a fair balance would be struck in the present case between the protection of the rights of individuals and the public interest.

9.6. It is relevant to consideration of this issue that should the scheme proceed almost all displaced occupiers will be offered re-housing in accordance with the Council's re-housing policy, as amended at 9 October 2002. In addition, owners will be entitled to receive market value for their properties as well as (for owners who have been resident for 1 year or more) home loss payments and the reimbursement of professional fees and other removal expenses.

10 Environmental Implications

Energy: Wherever possible all new dwellings will comply with the B.R.E’s “Environmental Standard” Award. The new properties are being
designed to reduce fuel bills for future tenants and advice has been taken from Lewisham’s specialist advisors to maximise environmental input into design.

Materials: The demolition contracts specify that where practical, materials will be re-used for infill, for the new properties to be built. In addition, all materials will come from sustainable and renewable sources wherever possible.

Water: Consideration will be given to measures to maximise water economy, including the recycling of grey water.

Sustainability: The development will meet the needs of the present generation without compromising the ability of future generations to meet their own needs. The close involvement of tenants and their children in the process of design will help to foster the sense of ownership of, and respect for the local environment as a whole.

11 Implications for Crime & Disorder

All new dwellings built through the Silwood SRB will comply with the ‘Secured by Design’ standards set by Metropolitan Police to reduce crime and the fear of crime. In addition approach lights will be fitted to houses, and the new traditional street layout will improve visibility dramatically, thus helping to reduce domestic burglary. The current problems of fly tipping and abandoned vehicles will also be significantly reduced by the increased environmental quality. It is therefore anticipated that the new development will have a large positive impact on crime and disorder on the estate.
12  Equality Implications

The SRB programme exists to deliver significant improvements to the lives of some of the most disadvantaged in the borough. A much more attractive built environment will result. The new dwellings will not only provide more modern and comfortable homes, but will also be more thermally efficient and more secure, further benefiting the residents. The new properties in Silwood will be available primarily to those residents being decanted who wish to remain on the estate, and those wishing to return, having been decanted elsewhere. The Silwood SRB team will act in accordance with the London Borough of Lewisham’s housing and rehousing policies when allocating properties, and thus ensure there is no unlawful discrimination between tenants. In addition particular efforts have been made to cater for black residents and those from ethnic minorities, through employing Presentation Housing Association, a specialist black RSL (registered social landlord), as a partner in the scheme. The new dwellings will also include seven wheelchair units to ensure equal opportunities for disabled residents.

13. Conclusion

13.1 The regeneration of the Silwood Estate is one of the Council’s priorities. An imaginative and innovative programme bringing together the community, the public and private sectors and voluntary agencies to deal with issues of social inclusion and neighbourhood renewal.

13.2 This year has seen a review of the Silwood SRB building programme to address gaps in funding and a change in national policies and funding streams.

13.3 For the programme to proceed to schedule and to avoid the Council incurring costs from any delay it is necessary to put in place arrangements to obtain a Compulsorily Purchase Order for the acquisition of all interests in the CPO land.

BACKGROUND PAPERS

SRB scheme files held at the SRB office 68-70 Reculver Road SE16 and Strategic Development Laurence House.

<table>
<thead>
<tr>
<th>Title of document</th>
<th>Date</th>
<th>File Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor and Cabinet: Revised Phase 3 Proposals</td>
<td>25.6.03</td>
<td>Silwood Offices 68-70 Reculver Road</td>
</tr>
</tbody>
</table>

myr_cab_ag_16jul03
If there are any queries on this report please contact Jo Rowlands, Head of Strategic Development, extension 47071 or Jan Mackey, Silwood SRB scheme Manager, extension 49487
HUMAN RIGHTS ACT (1998) IMPLICATIONS

Article 2 - The right to life

Article 3 - The right not to be subjected to torture or to inhuman or degrading treatment or punishment

Article 5 - The right to liberty and security

Article 6 - The right to a fair trial

Article 8 - The right to respect for private and family life, the home and correspondence

Article 9 - The right to freedom of thought, conscience and religion

Article 10 - The right to freedom of expression

Article 11 - The right to freedom of peaceful assembly and to freedom of association with others

Article 14 - The right to freedom from discrimination on any ground such as sex, race, colour, language, religion, or political opinion

Article 1 of Protocol 1 - The right for every person to be entitled to the peaceful enjoyment of their possessions

Article 2 of Protocol 1 - The right to education
1. **Purpose**

1.1 To provide context to the Best Value review scoping reports contained in Appendices A to E.

2. **Recommendations**

2.1 Members are asked to consider and agree the scopes of the following Best Value reviews:

- Highways Maintenance & Traffic Management (Appendix A)
- Adult Services (Appendix B)
- Community Education Lewisham and Adult Learning (Appendix C)
- Passenger Transport Commissioning (Appendix D)
- Library & Information Services (Appendix E)

3. **Background**

3.1 Since the launch of the 2003 round of Best Value reviews, work has taken place to scope the projects. In presenting these reports, attention has been paid to ensure the scopes of the reviews are sufficiently broad to:

- Achieve economies of scale
- Attract the interest and engagement of key stakeholders and external partners
- Ensure appropriate links are made between related services

3.2 It is, however, appropriate to set limits to the review to:

- Ensure the project is completed on time
- Maintain a focus remains on the key issues affecting the service(s)
- Produce a deliverable improvement plan
4. **Scrutiny**

4.1 Overview & Scrutiny Business Panel comments have been of assistance in particular, the importance of presenting diagnostic reports to the relevant select committees in the autumn. For of a number of reviews, scrutiny of reviews will take place through joint meetings of the relevant committees.

5. **Equalities Implications**

5.1 Equalities is one of the 6 E’s of Best Value and therefore, each of the five reviews will be subject to a full Equalities Impact Assessment. Briefing sessions for all project managers on Equalities Impact Assessments are planned for 16th July.

6. **Environmental Implications**

6.1 Environmental implications are specifically included in Best Value guidance and each review will report on these issues at both diagnostic and option stages of the review process. Timetables for the completion of the reviews are included in the individual scoping reports.

8th July 2003
covering report-bv scoping reports-mayor & cabinet-16th july
SUMMARY

The Local Government Act 1999 requires authorities to make arrangements to ensure the continuous improvement of services with regard to a combination of Economy, Efficiency, Effectiveness, Equalities and Environmental Impact. Lewisham Council has also decided to focus on Electronic Service delivery to reach our 100% target by April 2004.

The review of Highways maintenance and Traffic management is one of 5 reviews being undertaken in year 2003/04 as part of the council's five-year programme. The programme has been revised into a mixture of service specific and broader themes and was agreed Mayor and Cabinet in 2003 and published in the Performance plan on 30th June 2003.

The Review will be subject to staged external inspection by the Audit Commission, with involvement at the scoping and options stages, and at the end of the review process.

PURPOSE OF THE REPORT

To seek the Mayor and Cabinet approval on the scope and project plan for the Best Value Review - Highways Maintenance and Traffic Management.

RECOMMENDATIONS

That the Mayor and Cabinet agree:

The scope of the review as set out in paragraph 4, and the review milestones in paragraph 5.

SCOPE OF THE REVIEW

The scope for this Review is based on a set of key drivers covering local and national issues affecting transport in Lewisham, which have been linked to the desired outcomes from this review.

The Review Team will consider and document within the diagnostic stage a wide range of issues. However the team have deliberately focused in on areas for
action where the need for improvement is greatest and most sustainable and where the Council’s operational responsibilities can make a direct and measurable impact on performance improvement and achievement of the outcomes.

The key drivers for this review derive from both internal and external factors affecting the performance and value for money currently delivered by the services provided by Transport, and our ability to respond to key national agendas such as sustainability. Key drivers include:

- Addressing public concerns about the quality and performance of the current service provided expressed in the Annual Residents Survey, Citizens, by other stakeholders in general and the Best Value Performance Indicators

- Transport is a key CPA service where concern has been expressed in the low but relatively comparable scores for transport, demonstrating the need to raise the service provided to “best in class”

- The Local agenda expressed in terms of Mayoral commitment to improve transport services as part of the “liveability” and sustainability agenda and supported by targeted investment in highways improvements

- Impact of transport, and the volumes of traffic, on the local environment and health including air pollution and wider national and international issues, such as Climate Change

- Transport’s place on the National Agenda, as one of the seven priorities for Local Government Departments to take action to meet transport needs more effectively

- The need to develop a sustainable, targeted funding and investment programme for highways which addresses issues such as direct and indirect (e.g. insurance claims) rising costs and delivers Value for Money

- Addressing actual performance of Highways Maintenance and Traffic Management in some of the key statutory indicators such as poor road condition

- To use the opportunity presented by forthcoming renewal dates for parking and roads contracts to challenge the existing methods of contracting the services separately to determine if alternative models will deliver a better service and greater value for money

- To seek to identify where and how Transport issues can be improved by the Council to improve key Quality of Life considerations such as social inclusion and economic regeneration

- Road safety, particularly in terms of the apparent correlation between increased levels of accidents and deprived areas

- Community Strategy
The review will contribute delivering two of the Community Strategy priorities:

Regeneration
Secure the sustainable regeneration of Lewisham - its housing, transport and environment

Effectiveness, efficiency and sustainability of local public services:
Improve the effectiveness, efficiency and sustainability of local public services; optimise investment in infrastructure and improve the management of assets.

The key aim of this review is to deliver significant improvements in service delivery and value for money of transport services over a 5-year implementation period (including the exploitation of Quick Wins). In some areas, for example, highway maintenance, the outcomes will cover a far longer timeframe. This will be achieved through the development of options and recommendations for Member agreement and a clear and robust Implementation Plan.

The desired outcomes from the Review are that by 31 March 2009 Lewisham will have:

- Significantly improved roads and pavements, delivered through Value for Money, high quality contractual arrangements
- Clutter free, safe and well lit streets
- Well informed residents and businesses
- Consultation processes which consistently deliver the right outcomes and where local people feel they are listened to and the process is fair
- Smooth and safe throughput of all types of traffic and effective management of stationary vehicles
- Exceeded national road safety targets including in deprived areas
- Good access and mobility for all Lewisham’s residents and visitors
- Clear community leadership and effective partnership working which delivers excellent and well used public transport
- Cost effective management and delivery of services whether internal or externally provided
- Processes to maximise inward investment
- A transport plan and infrastructure which helps regenerate Lewisham
- A transport plan and infrastructure that is environmentally sound and which promotes sustainability
- Electronic service delivery, wherever performance of the service can be improved and made more cost effective

The review will examine key aspects of the council’s transport strategy and service delivery, with a focus on Traffic Management and Highway Maintenance. However this approach must also be consistent with local and national priorities to address issues such as pedestrian safety and sustainability. The review will investigate the council’s current role in relation to management arrangements, contracts and informal agreements, performance (including Service Delivery) and associated costs (including Value for Money) around Highway Maintenance, Traffic and Parking departments. The review will include an examination of each of the following service areas:

- Highways Maintenance
  - Road, drainage gullies, pavement repairs and maintenance
- Contractual renewal for roads, pavement and lighting
- Form of new contract including structure, maintenance and clienting
- Condition and physical safety of pedestrian areas
- Statutory undertakings
- Gritting
- Highways Inspection

- Traffic
  - Traffic Management design
  - Controlled Parking Zones
  - Area traffic calming
  - Accident investigation and remedial schemes
  - Emergency service requirements in terms of traffic flow/management

- Parking
  - Parking enforcement
  - Form, style, structure and management of future contract arrangements

- Transport Policy
  - Interim Local Implementation Plan and Borough Spending Plan
  - Fitness for purpose of strategy documents and compliance with Mayor of London’s transport strategy
  - Customer contact including web-site, complaints and correspondence

The review will not look at:

- Passenger services that includes non emergency hospital transportation, post and taxi services because they are all subject to a separate review

Review management and methodology

The review team will produce recommendations and an improvement plan to get services to be the best in London with regard to the six ‘E’s of:

- Economy,
- Efficiency
- Effectiveness
- Equalities
- Environmental Impact
- Electronic Services

The review will be undertaken in accordance with best value requirements, the five ‘C’s and Council's review programme and methodology. The five ‘C’s

- Challenge
- Consult
- Compare
- Compete
- Collaboration

This will be managed and steered by the review team with the Executive Director Regeneration personally chairing the Review. The final draft report will be produced by Autumn 2003, ready for Member discussion and approval. The team meets regularly to update and report progress and plan future action. This will ensure that the review
delivers on time and provides appropriate and specific recommendations and an implementation plan, which are measurable and sustainable over the medium term.

**Reporting arrangements** – To ensure that sufficient scrutiny and member involvement takes place throughout the review process, progress on the review in standard format reports will be made to Members as follows:

- Bi-monthly to Mayor and Cabinet
- On request to the Executive Lead

**REVIEW MILESTONES**

<table>
<thead>
<tr>
<th>STAGE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scoping Report to Mayor and Cabinet</td>
<td>16 July 2003</td>
</tr>
<tr>
<td>Diagnostic reported to Best Value team</td>
<td>September 2003</td>
</tr>
<tr>
<td>Progress Review/Diagnostic reported to Environment Committee</td>
<td>30 September 2003</td>
</tr>
<tr>
<td>Options for Change reported to Best Value team</td>
<td>October 2003</td>
</tr>
<tr>
<td>Recommended changes to Mayor and Officers Plan</td>
<td>November 2003</td>
</tr>
<tr>
<td>Final report</td>
<td>December 2003</td>
</tr>
</tbody>
</table>

**REVIEW TEAM**

The review team comprises the following members and is organised in accordance with the Lewisham Council’s Best Value guidance, with each representative having key roles and responsibilities.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ROLE</th>
<th>POST</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pat Hayes</td>
<td>Chair of the Review</td>
<td>Executive director for regeneration</td>
<td>Regeneration</td>
</tr>
<tr>
<td>Julie Bennett</td>
<td>Strategic Lead</td>
<td>Head of financial management</td>
<td>Resources</td>
</tr>
<tr>
<td>Darien Goodwin</td>
<td>Head of Service</td>
<td>Head of transport and engineering</td>
<td>Regeneration</td>
</tr>
<tr>
<td>Paul Stewart</td>
<td>Service Manager</td>
<td>Transport planning manager</td>
<td>Regeneration</td>
</tr>
<tr>
<td>Sam Sundaram</td>
<td>External Challenger</td>
<td>Principal Consultant-Procurement</td>
<td>Atos KPMG Consulting</td>
</tr>
<tr>
<td>David Thomas</td>
<td>External Challenger</td>
<td>Procurement Manager</td>
<td>Kent County Council</td>
</tr>
<tr>
<td>Roger Khanna</td>
<td>External Challenger</td>
<td>Borough Engineer</td>
<td>Hammersmith and Fulham</td>
</tr>
<tr>
<td>Lesley Lee</td>
<td>BEM &amp; Quality Advisor</td>
<td>Best value, quality and performance manager</td>
<td>Regeneration</td>
</tr>
<tr>
<td>Lesley Lee and Dalewyn Daniel</td>
<td>Equalities Advisor</td>
<td>Equalities officer</td>
<td>Regeneration</td>
</tr>
</tbody>
</table>
FINANCIAL IMPLICATIONS
There will be some direct costs incurred in carrying out the review. These can be met from existing budget allocations. The indirect costs of this review will largely consist of officer time, and will be monitored closely on a monthly basis by the Project Manager.

The total cost of the review process and review implementation will be covered in later reports to the Mayor and Cabinet meeting.

LEGAL IMPLICATIONS
Local authorities are obliged to make arrangements to ensure the continuous improvement of services in accordance with the requirements of the Local Government Act 1999. The Council has drawn up a planned cycle of service reviews in order to comply with the legislation and this review should be conducted in accordance with that plan.

CRIME AND DISORDER IMPLICATIONS
The review will cover crime and disorder issues, with regards to enforcement across each service area within the scope of the review. A number of the key functions to be included within the scope of this review, including streetscape and streetlighting, have specific community safety implications and affect people’s perceptions about crime and the fear of crime.

HUMAN RESOURCES IMPLICATIONS
There are no human resources implications arising directly from this report. An indication of the human resources implications of the review will be considered as part of future reports on options and recommendations.

ENVIRONMENTAL IMPLICATIONS
The impact of the review on the environment is one of the 6 E’s of Best Value. The environmental issues will be considered as part of the overall review process.

EQUALITIES IMPLICATIONS
The Equalities implications are one of the 6 E’s of Best Value. This Review is being supported by an officer from Regeneration’s Equalities Unit, who will provide guidance and advice in relation to equalities issues. As part of the review process, the Team will conduct an audit of the services covered in the scope of this review against the new equality standard.
### BACKGROUND PAPERS

<table>
<thead>
<tr>
<th>Short title of document</th>
<th>Date of document</th>
<th>Location</th>
<th>Reference</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equalities Sub Committee – Lewisham’s Performance Plan 2002/03</td>
<td>9th Jan 2002</td>
<td>Governance Support</td>
<td>N/A</td>
<td>Clare Weaser</td>
</tr>
<tr>
<td>Executive Committee – Best Value Reviews: Information Item</td>
<td>20th Feb 2002</td>
<td>Governance Support</td>
<td>N/A</td>
<td>Mike Brown</td>
</tr>
</tbody>
</table>

For more information about this report, please contact Pat Hayes, Executive Director for Regeneration on 46732, or Lesley Lee, Performance Quality and Information Manager, Regeneration on 0208 314 6518.
THE Local Government Act 1999 requires authorities to make arrangements to ensure the continuous improvement of services with regard to a combination of Economy, Efficiency, Effectiveness, Equalities and Environmental Impact. Lewisham Council has also decided to focus on Electronic Service delivery to reach our 100% target by April 2004.

The review of Adult Social Services' is one of 6 reviews being undertaken in year 2003/04 as part of the council's five-year programme. The programme has been revised into a mixture of service specific and broader themes and was agreed by the Executive Committee in 2003 and published in the Performance plan on 30th June 2003.

It is seen as a cross cutting review that links Health and Social Care authorities. Best Value Reviews programmed for 2003/04 will be subject to external inspection on completion.

PURPOSE OF THE REPORT
To seek the Mayor and Cabinet approval on the scope and project plan for the Best Value Review 'Adult Social Services'.

RECOMMENDATIONS
That the Mayor and Cabinet agree the scope of the review as set out in paragraph 4, and the review milestones in paragraph 5.

SCOPE
Introduction and key drivers for the review
The scope for a Best Value Review of Adult Social Services needs to be set in the context of a number of broader factors. These include the integration agenda with health, the outcome of the Joint Review, priorities in managing the Social Care and Health budget for 2003-4 and beyond, previous Best Value Reviews and performance priorities. These all constitute significant 'drivers' for this process:

myr_cab_ag_16jul03
Integrated commissioning and service delivery across health and social care
There is an imperative from central government to develop more integrated commissioning and service delivery for all adult service user groups across health and social care. Areas of service are at different points along the integration spectrum and this affects their inclusion in this review.

The implementation of the recommendations of the Joint Review
The Joint Review report is still in draft form but the draft recommendations give us a clear direction for the priorities for action in adults’ services with the focus on the mainstream older and younger adults services rather than mental health, learning disability or substance misuse.

Actions to manage the budget within the cash limit
The detail of the pressures in the Social Care and Health budget are still being worked on but the areas of greatest risk are known to be independent sector domiciliary care and residential and nursing home care.

Previous Best Value Reviews
Home Care and Services for people with learning disabilities were subjects of Best Value Reviews in 2001-2 and are currently being implemented.

Performance Priorities
A key driver in these areas of Adults services is the performance agenda. In 2002/3 the Adults services were rated as ‘two star’, however maintaining this level of performance is not guaranteed for 2003/4. There are new and stretching performance indicators regarding assessment and waiting times, for social work and Occupational Therapy teams, as well as the imperative to reassess all service users as part of implementing Fair Access to Care Services policy.

Services/functions to be included in the review
In the light of the above its is proposed that that the Best Value Review looks at assessment and care management, and commissioning and contracting functions in Adults Services. The Best Value Review will focus on the following specific areas:

- A review of the assessment and care management teams for older and younger adults, adults with learning disabilities, the hospital and Intermediate Care teams (services currently based at Cantilever, John Henry and UHL), Occupational Therapy services and Sensory Impairment team.
- Review of the management and monitoring of all adults’ contracts with the independent and voluntary sectors, in house services where appropriate, and the systems and staff to support this.
- A review of the commissioning and contracting arrangements for in house and externally commissioned domiciliary care.
- The development of a model for a ‘brokerage’ service for access to domiciliary care.
Commissioning and contracting of residential, nursing home and very sheltered housing.

A Review of commissioning contracting and provision of day care services for adults in relation to changing needs and priorities.

A review of the Contracting and Procurement Unit in terms of capacity, workload, systems, processes and protocols for undertaking the work requirements placed on the unit.

A review of the management structure, roles and responsibilities. The review is to ensure that the structure, the roles and responsibilities of posts are aligned with strategic and operational priorities.

The review will incorporate an evaluation of the tiers of management between front line managers and the Head of Adults’ Services, and the interface between assessments and care management, and contracting and procurement teams.

Where appropriate issues around transitioning from children to adults, continuous learning and the Community Strategy will be taken into account.

Services/functions to be excluded from the review

The following functions will not be included in the review other than to ensure that any recommendations are in line with the direction of these services and that there will be no conflict in processes when considering Adult Social Care and Health services as a whole:

- Adults with mental health problems
- Substance misuse
- Sheltered housing
- Linkline
- Occupational Health Stores (equipment purchasing)

REVIEW TEAM AND CHALLENGERS

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Post</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zena Peatfield</td>
<td>Chair</td>
<td>Executive director for Social Care and Health</td>
<td>Social Care and Health</td>
</tr>
<tr>
<td>Adi Cooper</td>
<td>Service Manager</td>
<td>Head of Adult Services</td>
<td>Social Care and Health</td>
</tr>
<tr>
<td>David Webb</td>
<td>Strategic Lead</td>
<td>Special projects manager</td>
<td>Resources</td>
</tr>
<tr>
<td>Tim Marshall</td>
<td>Project Manager</td>
<td>External</td>
<td>Atos KPMG Consulting</td>
</tr>
<tr>
<td>Kevin Sheehan</td>
<td>Internal Challenger</td>
<td>Head of Strategy</td>
<td>Education</td>
</tr>
</tbody>
</table>
Internal and external challenge will be provided by the Strategic Lead (David Webb), the Internal Challenger (Kevin Sheehan) and External Challenger (Jill Lockett).

OUTCOMES
As a result of this review we aim to:

- obtain a clear strategy for adult services that fits with the community strategy, council vision, corporate and resident priorities and meets statutory requirements
- improve performance against targets and financial stability
- create a practical improvement plan to implement the review’s findings and those of the joint review for up to the next 3 years
- provide an integrated and cost effective commissioning and contacting strategy, structure and arrangements that combine both Health and Social Care commissioning
- provide a fully integrated and seamless model of assessment and care management that effectively meets clients’ health and care needs and promotes independence
- develop proposals to identify how well assessments are developed into packages that meet needs and alternative ways of meeting need
- provide an effective and efficient model of service delivery including appropriate management and operational staffing structures and levels; roles and responsibilities which align with strategic and operational priorities; interfaces with the different agencies and services involved; appropriate systems, protocols, processes; building/location.

REVIEW MILESTONES

<table>
<thead>
<tr>
<th>REPORT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scoping Report to Mayor and Cabinet</td>
<td>16th July 2003</td>
</tr>
<tr>
<td>Diagnostic Report to Best Value team</td>
<td>September 2003</td>
</tr>
<tr>
<td>Progress Review/Diagnostic Report to SC&amp;H Select Committee</td>
<td>16 September 2003</td>
</tr>
<tr>
<td>Options for Change report to Best Value</td>
<td>October 2003</td>
</tr>
</tbody>
</table>
FINANCIAL IMPLICATIONS
The main costs associated with the review will be the officer time spent undertaking the review tasks and includes dedicated (third party) project management support. This time will be monitored.

There is no provision within the SC&H budget to fund any review activities and staffing pressures throughout the directorate will limit the resources available to facilitate review activities.

The indirect costs of the review will largely consist of officer time and will be monitored by the project manager.

LEGAL IMPLICATIONS
Local authorities are obliged to make arrangements to ensure the continuous improvement of services in accordance with the requirements of the Local Government Act 1999. The Council has drawn up a planned cycle of service reviews in order to comply with the legislation and this review should be conducted in accordance with that plan.

CRIME AND DISORDER IMPLICATIONS
The review involves services to vulnerable adults who may become the victims of crime and reducing this risk is integral to service provision. The review also includes the commissioning of services and ensuring probity will be an important part of reviewing procedures.

EQUALITIES IMPLICATIONS
The Equalities implications are one of the 6 E’s of Best Value. This Review is being supported by a departmental equalities officer, who will provide guidance and advice in relation to equalities issues. As part of the review process, the Team will conduct an audit of the services covered in the scope of this review against the new equality standard.

ENVIRONMENTAL IMPLICATIONS
The impact of the review on the environment is one of the 6 E’s of Best Value. The environmental issues will be considered as part of the overall review process.
**BACKGROUND PAPERS**

<table>
<thead>
<tr>
<th>Short title of document</th>
<th>Date of document</th>
<th>Location</th>
<th>Reference</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lewisham’s Performance Plan 2003/04</td>
<td></td>
<td>Governance Support</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

For more information about this report, please contact Zena Peatfield, Executive Director for Social Care and Health
**MEETING**  
Mayor and Cabinet  

**ITEM No.**  

**REPORT TITLE**  
Best value review of 'Community Education Lewisham and Adult Learning’, Scoping Report  

**KEY DECISION**  
Yes - To agree the scope of the review  

**CONTRIBUTORS**  
Executive Director for Education and Culture  

**CLASS**  
Agenda part 1  

**DATE**  
16th July 2003  

**SUMMARY**  
The Local Government Act 1999 requires authorities to make arrangements to ensure the continuous improvement of services with regard to a combination of Economy, Efficiency, Effectiveness, Equalities and Environmental Impact. Lewisham Council has also decided to focus on Electronic Service delivery to reach our 100% target by April 2004. The review of 'Community Education Lewisham and Adult Learning' is one of 5 reviews being undertaken in year 2003/04 as part of the council's five-year programme. The programme has been revised into a mixture of service specific and broader themes and was agreed by the Mayor and Cabinet and published in the Performance plan on 30th June 2003. Best Value Reviews programmed for 2003/04 will be subject to external inspection on completion.

**PURPOSE OF THE REPORT**  
To seek the Mayor and Cabinet approval on the scope and project plan for the Best Value Review of 'Community Education Lewisham and Adult Learning '.

**RECOMMENDATIONS**  
That the Mayor and Cabinet agree the scope of the review as set out in paragraph 4, and the review milestones in paragraph 5.

**SCOPE**  
Key drivers for the review  
The purpose of this review is to establish what adult and community learning in Lewisham is all about, to clarify what the council is trying to achieve and develop a clear statement of direction for the next five years and beyond. The review will seek to ensure that the Council maximises opportunities for residents to participate in Adult and Community Learning and effectively meets the needs of learners within the borough, now and in the future. The review will also aim to ensure that arrangements in Lewisham maximise funding and resource opportunities and are collaborative, efficient and cost effective.

Community Strategy
It will demonstrably help promote the Creative Lewisham agenda and deliver national and local priorities outlined in 5 of the 10 priorities within Lewisham's Community Strategy:

Education:
Raise educational attainment, skill levels and employability.

Welfare dependency:
Reduce welfare dependency, promote independence and increase the life chances of vulnerable members of the community.

Engage local communities:
Help local communities to develop the capacity to support themselves, act independently and participate in providing services and wider support to the borough.

Equity in service delivery:
Design diversity into local institutions and design out discrimination, ensuring equity in service deliver.

Effectiveness, efficiency and sustainability of local public services:
Improve the effectiveness, efficiency and sustainability of local public services; optimise investment in infrastructure and improve the management of assets.

Priorities that inform the scope
Educational, vocational and social skills are vital factors in determining the ability of people to access employment and to actively participate in the life of the community. The majority of learners in Lewisham are adults. To engage fully with Lewisham's diverse communities it is essential that there is a range of services and learning opportunities available which can be accessed in different ways. Providers and stakeholders involved in Adult and Community Education have responded to this over time by developing either diversified or specialised learning opportunities to address identified needs.

Now that the Learning and Skills Council has clarified its priorities it is essential to consider local provision strategically to ensure that providers are identifying learners - in particular new and previously excluded learners and actually meeting their needs. It is also necessary to consider whether current levels and type of provision are capable of attracting the maximum levels of resource into the borough for the benefit of our residents under the new Learning and Skills Council's funding regime.

There are further issues for consideration ranging from the relevance and take up of courses on offer, initial information and access to training and learning, attitudinal and motivational concerns for adults themselves and
the quality, appropriateness and responsiveness of the training and learning provision in the borough.

Link with other Best Value Reviews
The review is linked with the Best Value Review of Library and Information Services being undertaken this year.

Services/functions to be included in the review
The review will focus on the following themes:

- An analysis of learners needs in Lewisham. This will build on work already carried out as part of the development of the “Skills for Life” strategy and on the recent inspection of Community Education Lewisham.

- An analysis of the current Adult and Community Learning offer in the borough including Community Education Lewisham, Lewisham College, the Voluntary and Community sector, Surestart and EAZ. This will identify strengths and weaknesses, gaps, demonstrate unmet need and any current overlap. This analysis will include consultation with learners and non-learners and will also take account of provision in neighbouring boroughs. It will identify overlaps and synergies with other services such as libraries, schools, leisure, health and social services.

- National priorities, targets and funding regimes/opportunities within Adult & Community Learning and whether existing provision is sufficiently focussed on the changing environment.

- How provision can be structured to meet identified learning needs and national priorities most effectively. This analysis will also identify synergies between other local strategies such as Neighbourhood Renewal Strategy and LELSC’s Strategy for Adult Literacy and Numeracy.

- An assessment of alternative models for provision and methods of delivery e.g. commissioning etc.

- An analysis of the current offer of independent advice and guidance available including the offer from Opening Doors.

- The review will fully employ the five ‘C’s of Best Value, Challenging current provision, investigating the Competitiveness and Comparative performance of current arrangements, Consulting key stakeholders and exploring the opportunities for Collaborative working.

Services/functions to be excluded from the review
The review will not focus on learning provision for 16 to 19 year olds in full time education other than to ensure that any recommendations are in
line with the direction of these services and that there will be no conflict in processes when considering Education services as a whole:

Key outcomes required
The outcomes expected from the review:
1. A clear and shared picture of the purpose and priorities of adult and community learning in Lewisham.
2. An analysis of adult and community learning need and desire.
3. An analysis of adult and community learning provision in and around Lewisham.
4. An evaluation of the various community learning delivery models.
5. A recommendation as to the most appropriate model/s which best matches provision to need/desire now and in the future and which maximises funding into Lewisham.
6. A framework which is highly accessible to learners and provides timely and effective information, guidance and support.
7. A strategy which makes the most effective use of the Council's buildings and assets.

REVIEW MILESTONES

<table>
<thead>
<tr>
<th>REPORT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scoping Report to Mayor and Cabinet</td>
<td>17th July 2003</td>
</tr>
<tr>
<td>Diagnostic Report</td>
<td>Mid July</td>
</tr>
<tr>
<td>Initial Diagnostic, Options &amp; Recommendations</td>
<td>30th July 2003</td>
</tr>
<tr>
<td>Diagnostic and initial options and recommendations to Creative Lewisham &amp; Lifelong Learning select committee</td>
<td>Sept 2003</td>
</tr>
<tr>
<td>Options &amp; Recommendations Report to Mayor and Cabinet</td>
<td>1st Oct 2003</td>
</tr>
<tr>
<td>Improvement Delivery Plan to Mayor &amp; Cabinet</td>
<td>13th Nov 2003</td>
</tr>
</tbody>
</table>

REVIEW TEAM

<table>
<thead>
<tr>
<th>NAME</th>
<th>ROLE</th>
<th>POST</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aileen Buckton</td>
<td>CHAIR OF THE REVIEW</td>
<td>Head of Culture</td>
<td>Education &amp; Culture</td>
</tr>
<tr>
<td>Kath Nicholson</td>
<td>STRATEGIC LEAD</td>
<td>Head of Legal Services</td>
<td>Resources</td>
</tr>
<tr>
<td>Rosie Fooks</td>
<td>SERVICE MANAGER</td>
<td>Head of CEL Service</td>
<td>Education &amp; Culture</td>
</tr>
<tr>
<td>Norris Plumber</td>
<td>SERVICE MANAGER</td>
<td>Life Long Learning Forum Co-ordinator</td>
<td>Education &amp; Culture</td>
</tr>
<tr>
<td>KAREN SWIFT</td>
<td>SERVICE MANAGER</td>
<td>EXTERNAL FUNDING &amp; PARTNERS</td>
<td>Education &amp; Culture</td>
</tr>
</tbody>
</table>
FINANCIAL IMPLICATIONS
The main costs associated with the review will be the officer time spent undertaking the review tasks and includes dedicated project management support. This time will be monitored.

The indirect costs of the review will largely consist of officer time and will be monitored by the project manager.

LEGAL IMPLICATIONS
Local authorities are obliged to make arrangements to ensure the continuous improvement of services in accordance with the requirements of the Local Government Act 1999. The Council has drawn up a planned cycle of service reviews in order to comply with the legislation and this review should be conducted in accordance with that plan.

CRIME AND DISORDER IMPLICATIONS
The review involves services to people who can have a safe environment in which they can pursue meaningful activity that can contribute to entry into employment reducing the risks of becoming perpetrators or the victims of crime.

EQUALITIES IMPLICATIONS
The Equalities implications are one of the 6 E’s of Best Value. This Review is being supported by a departmental equalities officer, who will provide guidance and advice in relation to equalities issues. As part of the review process, the Team will conduct an audit of the services covered in the scope of this review against the new equality standard.

ENVIRONMENTAL IMPLICATIONS
The impact of the review on the environment is one of the 6 E’s of Best Value. The environmental issues will be considered as part of the overall review process.

BACKGROUND PAPERS

<table>
<thead>
<tr>
<th>Short title of document</th>
<th>Date of document</th>
<th>Location</th>
<th>Reference</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lewisham’s Best Value Performance Plan 2003/4</td>
<td></td>
<td>Governance Support</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>
SUMMARY

The Local Government Act 1999 requires authorities to make arrangements to ensure the continuous improvement of services with regard to a combination of Economy, Efficiency, Effectiveness, Equalities and Environmental Impact. Lewisham Council has also decided to focus on Electronic Service delivery to reach our 100% target by April 2004.

The review of 'Passenger Transport Commissioning' is one of 5 reviews being undertaken in year 2003/04 as part of the council's five-year programme. The programme has been revised into a mixture of service specific and broader themes and was agreed Mayor and Cabinet and published in the Performance plan on 30th June 2003.

It is seen as a cross cutting review that links Education and Social Care and Health functions.

Best Value Reviews programmed for 2003/04 will be subject to external inspection on completion.

PURPOSE OF THE REPORT

To seek the Mayor and Cabinet approval on the scope and project plan for the Best Value Review 'Passenger transport Commissioning'.

RECOMMENDATIONS

That the Mayor and Cabinet agree the scope of the review as set out in paragraph 4, and the review milestones in paragraph 5.

SCOPE

The main thrust of the review will be about:
Assessing the full transport needs of people that Lewisham Council has an obligation to support. This will primarily be users of services in the Education & Culture and the Social Care and Health Directorates.

Identify the most appropriate and cost effective way of meeting those transport needs.

The starting point will be the analysis of transport services required by the different client groups including an awareness of the implications of the trend towards person centred care. The transport needs of the range of client groups may be significantly different to each other in terms of the destination, time and frequency of usage, support needs, options for alternative means of travel. Models of service provision to some groups of clients are changing and will require a different transport service in the future. Any recommendations for provision must reflect these changes and the probability of continuing change overtime.

Consideration should be given to all transport commissioned, both that provided in house and additional transport provided by external agencies outside this service level agreement.

The review should also consider other transport activities of the council and whether there is scope for joint commissioning or utilisation of vehicles. Similarly the potential for collaborative transport provision should be explored with other agencies in Lewisham.

The market should be examined for different models of transport provision including outsourcing, direct control by service unit, a mix of internal and external provision etc.

Current transport provision should be examined only in as far as to assess its capacity and flexibility to meet the changing service needs of its clients. This is particularly pertinent in light of the age and condition of the current fleet. There is a need to examine the current contractual nature of service provision and the Council as an employer needs to assess the impact of alternative provision on staff.

**key drivers for the review**

The scope for a Best Value Review of 'Passenger Transport Commissioning' needs to be set in the context of a number of broader factors.

**Priorities that inform the scope**

- Changing services in both Education and Social care and Health indicate different transport patterns will be established in the future
- The Disability Discrimination Act places additional responsibilities on the council.
Recognised tensions in that the differing needs of client groups are not being fully met by the 'one size fits all' fleet and relatively inflexible transport service. This is demonstrated by the increasing use of other transport.

- Budget pressures relating to transport in both directorates
- Decisions will be needed regarding the replacement/maintenance of much of the ageing vehicle fleet currently in use

**Community strategy**
The review will contribute delivering four of the Community Strategy priorities:

- **Health** - sustain and improve the health and well being of local people
- **Welfare dependency** - reduce welfare dependency, promote independence and increase the life chances of vulnerable members of the community
- **Equity in service delivery**: Design diversity into local institutions and design out discrimination, ensuring equity in service deliver.
- **Effectiveness, efficiency and sustainability of local public services**: Improve the effectiveness, efficiency and sustainability of local public services; optimise investment in infrastructure and improve the management of assets.

**Previous Best Value Reviews**
The review is linked with two Best Value Reviews being undertaken this year:
- Highways Maintenance and Traffic Management
- Adult Social Services

'Services for people with learning disabilities' was the subject of a Best Value Review in 2001-2 and is currently being implemented.

### 4.2 Services/functions to be included in the review

The two main functions to be included in the review are the transport commissioning of
- Special Educational needs
- Social care and health.

This will be undertaken by:
4.2.1 Establishing Education and Social care client transport needs. This will involve identifying the current methods of provision and examining alternative ways that transport needs can be met, including direct payments.

4.2.2 Identifying other transport needs within and outside the council to assess potential collaborative working arrangements.

4.2.3 Considering the transport budget and alternative sources of funding and charging.

4.2.4 Identifying alternative models of transport provision available. Include internal and external providers. Include issues around cost, performance, safety, reliability, flexibility, child/adult protection.

4.2.5 Identify the ability of the existing internal provider to meet future needs. Make comparisons with other providers.

4.2.6 Assess the impact of radical change on current service providers and the implication for the council.

4.3 Services/functions to be excluded from the review

The following function will not be included in the review other than to ensure that any recommendations are in line with the direction of these services and that there will be no conflict in processes when considering Education or Social Care and Health services as a whole:

The review will not focus on the operation of the in house passenger transport service or its vehicle, replacement or maintenance policies etc. The service will be represented on the review team to provide information and give the provider perspective. It will identify how it currently meets the needs of clients and will be a potential future supplier of services.

4.4 KEY OUTCOMES REQUIRED

- A clear strategy to meet statutory requirements under the Disability Discrimination Act for adults and children who are entitled to transport.

- The current and future transport needs of all client groups are clearly identified. This will include travel patterns, travel support requirements, special needs such as wheelchair access, agreed and acceptable waiting and travelling times. There will be methods of monitoring how clients' needs are met.
- The range of options for meeting travel requirements of individuals or groups of clients is established, including independent client arrangements where appropriate. The views and preferences of service users and carers will be clear.

- A model or mix of models of transport provision is selected based on evaluations of different transport models to identify how well they meet the needs of different client groups including promoting independence.

- A provider or mix of providers is selected based on clear and appropriate criteria. Robust commissioning and contracting arrangements are in place that ensure probity, value for money and appropriate flexibility that is client led and responsive to changing need.

- Staffing structures and levels are appropriate to the workload and that systems, protocols and processes are efficient and effective.

- A financially stable service that can manage the service within budget limits - This will include identifying and managing areas of budget pressure and establishing robust financial monitoring systems.

- Improved performance against targets that are within the scope of this BV review that will put Lewisham in the top quartile. This will include an assessment of performance against all performance indicators and identification of areas that are at risk of under performing and the development of an improvement strategy.

- Better environmental outcomes in line with council policies due to more effective use of transport systems.

- Compatibility with the strategic and operational direction of the Directorates.

- A fully developed and costed improvement plan that covers short, medium and long term proposals and spans at least the next 3-5 years.

**REVIEW MILESTONES**

<table>
<thead>
<tr>
<th>REPORT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scoping Report to Mayor and Cabinet</td>
<td>July 2003</td>
</tr>
<tr>
<td>Diagnostic Report to Best Value team</td>
<td>September 2003</td>
</tr>
<tr>
<td>Diagnostic Report to Joint SC&amp;H / Life Long Learning Select Committee</td>
<td>September 2003</td>
</tr>
<tr>
<td>Options for Change report to Best Value team</td>
<td>October 2003</td>
</tr>
<tr>
<td>Recommended changes to Mayor and Cabinet</td>
<td>November 2003</td>
</tr>
<tr>
<td>Implementation report To Mayor and Cabinet</td>
<td>December 2003</td>
</tr>
</tbody>
</table>
REVIEW TEAM

The core review team will consist of the following people and will be supported by other ‘expert’ officers in the council and will include an external challenger who has yet to be appointed. We are currently considering representatives from the community transport association, GLA and various disability groups.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ROLE</th>
<th>POST</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kevin Sheehan</td>
<td>Co-Chair</td>
<td>Head Strategy &amp; Performance</td>
<td>Education and Culture</td>
</tr>
<tr>
<td>Kathryn Downton</td>
<td>Co-Chair</td>
<td>Head Strategy &amp; Performance</td>
<td>Social Care and Health</td>
</tr>
<tr>
<td>Caroline Mikardo</td>
<td>Strategic Lead</td>
<td>Head of Strategic Resources</td>
<td>Resources</td>
</tr>
<tr>
<td>Pat Moms</td>
<td>Project manager</td>
<td>Project Manager</td>
<td>Resources</td>
</tr>
<tr>
<td>Margaret Capsomidis and Kelly Pudney</td>
<td>Service Manager</td>
<td>Quality/monitoring Officer</td>
<td>Social Care and Health</td>
</tr>
<tr>
<td>Angela Pinnock</td>
<td>Service Manager</td>
<td>Area Manager - Naborhood</td>
<td>Social Care and Health</td>
</tr>
<tr>
<td>Maura Cardy</td>
<td>Service Manager</td>
<td>Group Manager - Child Health Partner</td>
<td>Social Care and Health</td>
</tr>
<tr>
<td>Marcia Bryan</td>
<td>Service Manager</td>
<td>Princ.SEN Off.Use.Trans.Fin</td>
<td>Education and Culture</td>
</tr>
<tr>
<td>Dorothy Delve</td>
<td>Service Manager</td>
<td>SUM SEN</td>
<td>Education and Culture</td>
</tr>
<tr>
<td>Martyn Champkins</td>
<td>Service Manager</td>
<td>Fleet Manager</td>
<td>Regeneration</td>
</tr>
<tr>
<td>Pam Wright</td>
<td>Service Manager</td>
<td>Operations Manager</td>
<td>Regeneration</td>
</tr>
<tr>
<td>Darian Goodwin</td>
<td>Service Manager</td>
<td>Head of transport</td>
<td>Regeneration</td>
</tr>
<tr>
<td>Carol Cambridge</td>
<td>Equalities</td>
<td>Principal Officer - Equalities</td>
<td>Resources</td>
</tr>
<tr>
<td></td>
<td></td>
<td>External Challenge</td>
<td></td>
</tr>
</tbody>
</table>
FINANCIAL IMPLICATIONS
The main costs associated with the review will be the officer time spent undertaking the review tasks and includes dedicated project management support. This time will be monitored.

The indirect costs of the review will largely consist of officer time and will be monitored by the project manager.

LEGAL IMPLICATIONS
Local authorities are obliged to make arrangements to ensure the continuous improvement of services in accordance with the requirements of the Local Government Act 1999. The Council has drawn up a planned cycle of service reviews in order to comply with the legislation and this review should be conducted in accordance with that plan.

CRIME AND DISORDER IMPLICATIONS
The review involves services to vulnerable adults who may become the victims of crime and reducing this risk is integral to service provision. The review also includes the commissioning of services and ensuring probity will be an important part of reviewing procedures.

EQUALITIES IMPLICATIONS
The Equalities implications are one of the 6 E’s of Best Value. This Review is being supported by a departmental equalities officer, who will provide guidance and advice in relation to equalities issues. As part of the review process, the Team will conduct an audit of the services covered in the scope of this review against the new equality standard.

ENVIRONMENTAL IMPLICATIONS
The impact of the review on the environment is one of the 6 E’s of Best Value. The environmental issues will be considered as part of the overall review process.

BACKGROUND PAPERS

<table>
<thead>
<tr>
<th>Short title of document</th>
<th>Date of document</th>
<th>Location</th>
<th>Reference</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lewisham’s Performance Plan 2003/04</td>
<td></td>
<td>Governance Support</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

For more information about this report, please contact

- Kevin Sheehan, Head of Strategy and Performance review in Education and Culture.
- Kathryn Downton, Head of Strategy and Performance review in Social Care and Health.
SUMMARY
The Local Government Act 1999 requires authorities to make arrangements to ensure the continuous improvement of services with regard to a combination of Economy, Efficiency, Effectiveness, Equalities and Environmental Impact. Lewisham Council has also decided to focus on Electronic Service delivery to reach our 100% target by April 2004.

The review of Library and Information Service is one of 5 reviews being undertaken in year 2003/04 as part of the council's five-year programme. The programme has been revised into a mixture of service specific and broader themes and was agreed by Mayor and Cabinet and published in the Performance plan on 30th June 2003.

Best Value Reviews programmed for 2003/04 will be subject to external inspection on completion.

PURPOSE OF THE REPORT
To seek the Mayor and Cabinet approval on the scope and project plan for the Best Value Review of Library and Information service.

RECOMMENDATIONS
That the Mayor and Cabinet agree the scope of the review as set out in paragraph 4, and the review milestones in paragraph 5.

SCOPE

Purpose of the Review

The Service will undergo challenge within the framework of Best Value legislation, and the review will make recommendations for improved service delivery in order to respond to the needs of society at the beginning of the 21st century.
The review will:

- Assess whether or not the service is meeting the needs of both users and non-users.
- Review and revise service objectives where appropriate.
- Consider whether a different type of service or an alternative provider(s) could meet those objectives more effectively.

The review will also assess the assets - staff, buildings and budgets - used to deliver the service, and consider whether service objectives and compliance with the DCMS library standards could be achieved more effectively and efficiently.

The scope of the review will specifically include the Council’s heritage, local history and archive services, currently located within the Library and Information Service.

Background

Lewisham has a total of 12 libraries, plus a Homebound Service and the Library Resource Centre. The budget for 2003/4 is £4.678 million and the service employs 124.13 (FTE) staff. This figure includes Saturday and Sunday assistants. Each library offers a selection of services for adults, young people and children of all ages. With 12 buildings situated throughout the borough, local delivery is considered an important strength. This will be built on during the course of the review.

The Libraries are grouped as follows:

- Lewisham Library in the Town Centre. It is currently the Borough’s most significant library in terms of scale and the range of services offered.
- 4 District Libraries: Forest Hill, Wavelengths, Catford and Downham (the latter is currently provided by a mobile service prior to the opening of the Healthy Lifestyles PFI early in 2005.)
- Of the 13 Library buildings, 5 have either an English Heritage listing or listed features.

The policy framework for the Service is provided by:

- The DCMS Standards, these standards provide a framework of aspiration for Library Services throughout the country.
- The standards have been supplemented by ‘Framework for the Future’ issued by the DCMS in Feb 2003. The document provides a long term national strategic vision for the public library services for the next decade.
Building Better Libraries, published by the Audit Commission in 2002, which details current trends in library usage throughout the country and identifies and describes good practice.

Lewisham's Library Service has had some capital investment through the Modernisation programme, which has resulted in a number of libraries being refurbished and upgraded, and they now provide considerable access to ICT, the Internet, video and DVD. In recent years the service has also expanded provision for study support, out of hours activities and learning opportunities. Lewisham’s Library Service has also continued to provide the traditional resource of books, tapes and other items for loan.

Performance indicators show a modest increase in library attendance in recent years, and also show a significant level of public appreciation for the service. However, attendance remains low in comparison to other London Boroughs and Lewisham was in the third quartile in London for performance against this indicator in the most recent benchmarking. The number of issues per visitor is also low, suggesting that the current offer is not sufficiently attractive to increase participation or engage users.

The situation reflects the national position where library borrowing has reduced considerably over time in recent years. There are some ‘exceptions to the rule’ where services have bucked the trend, but these are in areas where considerable change has taken place in the mix of services provided.

Key drivers for the Review

Now that the internet, new channels of communication and multi-media expansion have transformed the public’s access to information and knowledge, the service will need to ensure that its distinctive strengths and capabilities are exploited to tackle significant local issues. The service aims and objectives need to be refined and realigned with Council priorities to ensure that Libraries are integrated with the Corporate strategy, and their capacity for supporting that strategy is fully exploited. The Library Service needs a modern mission, and needs constantly to renew and communicate its purpose to the communities it serves. The purpose of this review is therefore to deliver a strategy capable of transforming the service in order to meet the demanding needs of service users in the 21st century.

The Review will draw on examples of innovation and good practice from within both the public and private sectors, and make proposals for fundamental service improvement and renewal. In particular, the review will:

- Deliver step change in the context of a locally available service as set out in the DCMS Framework for the Future
- Identify the step changes needed to ensure maximum service return on current levels of investment.
- Identify the opportunities for enhanced service delivery.
• Examine the potential for developing external partnerships which lever in additional resources for the Service and represent opportunities for new ways of working.
• Consider the Council’s current relationship with the DCMA and make recommendations for ensuring that Lewisham is able to capitalise on funding and policy initiatives being developed by Central Government.

Community Strategy
The review will help deliver national and local priorities outlined in 5 of the 10 priorities within Lewisham’s Community Strategy:

Education:
Raise educational attainment, skill levels and employability.

Welfare dependency:
Reduce welfare dependency, promote independence and increase the life chances of vulnerable members of the community.

Engage local communities:
Help local communities to develop the capacity to support themselves, act independently and participate in providing services and wider support to the borough.

Equity in service delivery:
Design diversity into local institutions and design out discrimination, ensuring equity in service deliver.

Effectiveness, efficiency and sustainability of local public services:
Improve the effectiveness, efficiency and sustainability of local public services; optimise investment in infrastructure and improve the management of assets.

Outcomes:

i) A clear set of policy objectives for the service
ii) A modern customer oriented service, which has substantially increased participation by all sections of the community;
iii) A significant increase in attendance and issues.
iv) A clear framework for the most effective use of assets.
**REVIEW MILESTONES**

<table>
<thead>
<tr>
<th>REPORT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scoping Report to Mayor and Cabinet</td>
<td>July 2003</td>
</tr>
<tr>
<td>Diagnostic Report to Best Value team</td>
<td>September 2003</td>
</tr>
<tr>
<td>Diagnostic Report to Select Committee</td>
<td>September 2003</td>
</tr>
<tr>
<td>Options for Change report to Best Value team</td>
<td>October 2003</td>
</tr>
<tr>
<td>Recommended changes to Mayor and Cabinet</td>
<td>November 2003</td>
</tr>
<tr>
<td>Implementation report To Mayor and Cabinet</td>
<td>December 2003</td>
</tr>
</tbody>
</table>

**REVIEW TEAM**

<table>
<thead>
<tr>
<th>NAME</th>
<th>PROJECT ROLE</th>
<th>POST</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frankie Sulke</td>
<td>Project Chair</td>
<td>Executive director for education and culture</td>
<td>Education and Culture</td>
</tr>
<tr>
<td>Aileen Buckton</td>
<td>Head of Service</td>
<td>Head of culture and community services</td>
<td>Education and Culture</td>
</tr>
<tr>
<td>Hassan Iqbal</td>
<td>Project Manager</td>
<td>Strategic finance consultant</td>
<td></td>
</tr>
<tr>
<td>Hilary Renwick</td>
<td>Service Manager</td>
<td>Head of cultural services</td>
<td>Education and Culture</td>
</tr>
<tr>
<td>Julia Newton</td>
<td>Service Manager</td>
<td>Head of library and information</td>
<td>Education and Culture</td>
</tr>
<tr>
<td>Peter Clark</td>
<td>Internal Challenger</td>
<td>Principal Valuer</td>
<td>Resources</td>
</tr>
<tr>
<td>Sue Bishop</td>
<td>Equalities Support</td>
<td>Team leader</td>
<td>Education and Culture</td>
</tr>
<tr>
<td>‘Opening the Book’</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(DCMS recognised group)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**FINANCIAL IMPLICATIONS**

The main costs associated with the review will be the officer time spent undertaking the review tasks and includes dedicated project management support. This time will be monitored.

The indirect costs of the review will largely consist of officer time and will be monitored by the project manager.
LEGAL IMPLICATIONS

Local authorities are obliged to make arrangements to ensure the continuous improvement of services in accordance with the requirements of the Local Government Act 1999. The Council has drawn up a planned cycle of service reviews in order to comply with the legislation and this review should be conducted in accordance with that plan.

CRIME AND DISORDER IMPLICATIONS

The libraries provide a constructive place for young people to attend that may otherwise become involved with criminal activities. The libraries are also a safe and secure environment for those that may be the victims or fearful of crime.

EQUALITIES IMPLICATIONS

The Equalities implications are one of the 6 E’s of Best Value. This Review is being supported by a departmental equalities officer, who will provide guidance and advice in relation to equalities issues. As part of the review process, the Team will conduct an audit of the services covered in the scope of this review against the new equality standard.

ENVIRONMENTAL IMPLICATIONS

The impact of the review on the environment is one of the 6 E’s of Best Value. The environmental issues will be considered as part of the overall review process.

BACKGROUND PAPERS

<table>
<thead>
<tr>
<th>Short title of document</th>
<th>Date of document</th>
<th>Location</th>
<th>Reference</th>
<th>Contact Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lewisham’s Performance Plan 2003/04</td>
<td></td>
<td>Governance Support</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

For more information about this report, please contact

- Hassan Iqbal, Strategic Finance consultant in Resources
- Hilary Renwick, Head of Cultural Services in Education and Culture