



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 7 DECEMBER 2022 at 6.00 pm

**Council Chamber
Civic Suite
Lewisham Town Hall
London SE6 4RU**

**Enquiries to: Emma Aye-Kumi
Email: emma.aye-kumi@lewisham.gov.uk**

MEMBERS

Damien Egan	Mayor
Councillor Brenda Dacres	Deputy Mayor and Housing Development and Planning
Councillor Chris Barnham	Children, Young People and Community Safety
Councillor Paul Bell	Health and Adult Social Care
Councillor Sophie Davis	Housing Management and Homelessness
Councillor Amanda De Ryk	Finance and Strategy
Councillor Louise Krupski	Environment and Climate Action
Councillor Kim Powell	Businesses, Jobs and Skills

Members are summoned to attend this meeting

**Kim Wright
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU**

ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
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The public are welcome to attend our Committee meetings, however, occasionally, committees may have to consider some business in private.



Mayor and Cabinet

Response to Public Accounts Select Committee on Budget Reductions

Date: 7 December 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Executive Management Team

Outline and recommendations

Mayor and Cabinet have been asked to consider the comments of the Public Accounts Select Committee of the 1 December 2022, which incorporates the views of the respective select committees. This paper sets out the views of the Public Accounts Select Committee and officers' responses advising as to what has been undertaken, or will be undertaken, to take account of each Committee's comments.

It is recommended that Mayor and Cabinet:

- Notes the response that follows in relation to the Public Accounts Select Committee referral to Mayor and Cabinet on 1 December 2022.

Timeline of engagement and decision-making

2 March 2022 – Budget report to Council

7 July 2022 – Medium Term Financial Strategy to M&C

1 November 2022 - budget reduction proposals to Healthier Communities Select Committee

3 November 2022 - budget reduction proposals to Safer Stronger Communities Select Committee

17 November 2022 - budget reduction proposals to Housing Select Committee

24 November 2022 - budget reduction proposals to Children and Young People Select Committee

30 November 2022 - budget reduction proposals to Sustainable Development Select Committee

1 December 2022 – budget reduction proposals to Public Accounts Select Committee

1. Summary

- 1.1. On Thursday 1 December 2022, the Public Accounts Select Committee considered a report from officers outlining proposed budget reduction measures needed to address new pressures arising from the service-specific demand and deliver changes, long-term scarring from the COVID-19 pandemic, government policy and funding changes for the sector, and the wider macroeconomic pressures arising causing the current cost of living crisis. The new proposals presented in this report equate to £13.896m (of which £10.826m is for 2023/24) and build upon the £3.611m of initiatives identified and approved in 2021/22 and 2022/23 for delivery in 2023/24.
- 1.2. The Committee heard from the Mayor and the Chief Executive before receiving a summary of the budget reductions report from the Executive Director for Corporate Resources. It also received written comments from the Healthier Communities Select Committee, the Safer, Stronger Communities Select Committee, the Housing Select Committee, the Children and Young People Select Committee and the Sustainable Development Select Committee - following those committee's consideration of the same report.

2. Recommendations

- 2.1. Mayor and Cabinet have been asked to consider the comments of the Public Accounts Select Committee meeting of the 1 December 2022, which incorporates the views of the respective select committees. This paper sets out the views of the Public Accounts Select Committee and officers' responses advising as to what has been undertaken, or will be undertaken, to take account of each Committee's comments.
- 2.2. It is recommended that the Mayor and Cabinet:
 - Notes the response that follows in relation to the Public Accounts Select Committee referral to Mayor and Cabinet on 1 December 2022.

3. Policy Context

- 3.1. The Council's strategy and priorities drive the Budget with changes in resource allocation determined in accordance with policies and strategy. The Council launched its new Corporate Strategy in 2022, with seven corporate priorities as stated below:

Corporate Priorities

- 3.2. The Council's corporate priorities are:
 - Cleaner and Greener
 - Strong Local Economy
 - Quality Housing
 - Children and Young People
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.3. The Council also takes account of the 'Mayor's pledges', as outlined in the 2022 Labour Manifesto. These pledges are as follows:
 - Place - We want Lewisham to be a place for everyone.
 - Community - We will be relentlessly focused on local.
 - Diversity - We will celebrate Lewisham's diversity.

- Inward investment and Opportunity - We will work to attract inward investment.
- Innovation and New Ideas – We will take risks to innovate and seize new opportunities.

Values

- 3.4. Values are critical to the Council's role as an employer, regulator, and securer of services and steward of public funds. The Council's values shape interactions and behaviours across the organisational hierarchy, between officers, and members, between the council and partners and between the council and citizens. In taking forward the Council's Budget Strategy, we are guided by the Council's four core values:
- We put service to the public first.
 - We respect all people and all communities.
 - We invest in employees.
 - We are open, honest, and fair in all we do.
- 3.5. The consideration of budget reduction measures as part of setting a balanced budget for 2023/24 directly supports the achievement of the Council's corporate priorities.

4. Background

- 4.1. This report comes on the back of more than a decade of austerity in terms of reduced funding for local government services and the current cost of living crisis and economic turmoil. Over the previous twelve years a net £137m has been taken out of the Council's annual spending, whilst the population has grown by over 27,000 (an increase of over 9%) leading to increased demand for services. In turn this has led to reduced service provision, leaner practices in terms of support, and more risk for the Council as it seeks to maintain good customer service and deliver quality services.
- 4.2. Or put another way, the Council is now able to spend the equivalent of £1,055 less per household, per year, in the Borough. At the same time the share of the Council's net general fund budget (i.e. that realised from business rates and council tax) has seen the portion from local council tax payer's rise from 34% in 2010 to 50% in 2022.
- 4.3. The process of identifying budget reduction proposals sits in the context of over a decade of austerity in which savings of £229m have already been made, £137m reducing spending and £92m re-allocated to meet emerging risks, growth and service pressures between 2010 and 2022. Given the Council's focus on protecting the most vulnerable and those in need, the budgets for key front line services, in particular social care, have not reduced by the same extent as other more universal services provided by the Council. This position is not a sustainable one going forward.
- 4.4. In 2020/21 and 2021/22 the Council adopted a collaborative thematic approach centred round the Council's recovery from Covid, Future Lewisham priorities, and the transition to delivering future services within the available financial resources available on a secure and sustainable basis. This approach enabled services to work together as One Council across the themes to develop cross cutting proposals that sought to ensure that reductions were sustainable and did not cause cost shunt into either other service areas, the wider local government and health system or the Council's key delivery partners.
- 4.5. For 2023/23, the savings approach the budget reduction is a process to simultaneously targeting key high spending services whilst driving increasing efficiency from all

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services where feasible. The targeting of certain key areas of spend will enable a clearer focus on service design, both from a cost and income perspective. This will enable resources to focus on initiatives which are of greater financial scale and impact and which may form larger programmes. This is in contrast to spreading resources to identify numerous smaller savings and potentially 'salami slicing' service budgets. However, all services will be expected to look for deliverable efficiencies.

- 4.6. The concentration on key services reflects where the Council's budgets of scale are committed and will be easier to support from the programme management office and for innovation, allowing for more opportunities of scale to be achieved. There is a risk that the concentration on certain services increases the non-delivery risk but the investment in the Programme Management Office to support seeks to mitigate this.

5. Response to Public Accounts Select Committee comments to Mayor and Cabinet on 1 December 2022

- 5.1. At its meeting on Thursday 1 December 2022, the Public Accounts Select Committee received the report on proposed budget reductions and asked questions of officers. It also received the views of the other select committees before agreeing to refer its views to Mayor and Cabinet as follows:
- 5.2. The Committee welcomes the careful consideration given to the budget reduction proposals by the Healthier Communities; Safer Stronger; Children and Young People and Sustainable Development select committees. It is also grateful for the attendance of select committee chairs and vice-chairs as well as senior officers at the Public Accounts Select Committee meeting to share member views and officer responses on the proposals.
- 5.3. The Committee notes that the setting of a balanced budget for 2023/24 is essential to ensuring the ongoing financial viability of the Council and it recognises that there are sustained budget pressures and unfunded costs in a number of areas. Therefore, it is with reluctance that the Public Accounts Select Committee endorses these budget reduction proposals. Members believe that it would be irresponsible to recommend that these proposals should be dropped or delayed.
- 5.4. In relation to comments and questions on the proposal to reduce opening hours at libraries (**COM_SAV_08**) the Committee notes and welcomes the comments from members of the other select committees. Public Accounts Select Committee recommends that officers be tasked with a strategic overview of the operation of the service – which should include consideration of the best means of making this saving whilst minimising the impact on residents. The Committee believes that this should include consideration of the hours of operation, footfall and usage levels across the service as well as careful consultation with library users.
- 5.5. The Committee also wishes to place on record its appreciation and thanks for the work of Council officers. Members are concerned about considerable budgetary and operational pressures - as well as levels of vacancies across the organisation. Commenting on proposals to manage pay inflation and to restructure senior management (**All_SAV_01 and ALL_SAV_02**) the Committee emphasised its worry that the amalgamation of responsibilities would have a further detrimental impact on staff wellbeing and welfare.
- 5.6. In response to the Committee's comment on proposal **COM_SAV_08: Reduction in opening hours at Lewisham Libraries**, the Executive Director for Communities has highlighted that the Equalities Analysis Assessment (EAA) for this proposal has been completed and presented to Mayor & Cabinet within Appendix 2 to enable the impact on protected characteristics or other equality factors to be considered as part of the decision making process. Furthermore officers welcome the steer from members and

commit to undertaking the suggested review to deliver the saving with minimal impact on library users.

- 5.7. In response to the Committee's comment with regards to **(All_SAV_01 and ALL_SAV_02)** the Executive Director for Corporate Resources thanks the Committee for its appreciation and concern. The Executive Management Team and Senior Leadership Team are working within all services to ensure that staff welfare and wellbeing remains a key priority and that any changes implemented in absorbing the inflationary pressure is done in a strategic and managed way that focuses on the delivery of the Council's priorities whilst seeking to minimise the impact on existing staff. The proposal comes after two years of staffing savings totalling £6m since 2021/22. The latest staff survey results indicate that a significant proportion of staff are already unable to deliver their role within the standard working week so the implementation of this saving must be delivered carefully and sensitively to manage the pressure felt by officers across the Council. There must be recognition that certain projects may be paused, delayed or stopped altogether. Given the seriousness of the Council's financial position and the requirement to set a legally balanced budget, this measure was put forward due a lack of sufficient alternative saving proposals coming forward.
- 5.8. The following paragraphs set out the referrals and comments from the Healthier Communities Select Committee, the Safer, Stronger Communities Select Committee, the Housing Select Committee, the Children and Young People Select Committee and the Sustainable Development Select Committee. Officers have provided responses to each of the referrals and comments below. The Mayor and Cabinet are recommended to consider the comments of Select Committees and officers' responses.

Healthier Communities Select Committee views

- 5.9. The Committee requested that the following comments be referred to the Public Accounts Select Committee:
- 5.10. **Reducing hours at Lewisham Libraries (COM_SAV_08)**. The Committee felt that in light of the policy on "Warm Welcomes" it was essential that the impact of the cut to library hours did not contradict the Warm Welcome Policy and that those groups particular effected should be carefully considered before any hours were reduced.
- 5.11. **Sexual and reproductive health services in Primary Care (COM_SAV_10)**. The Committee felt that having a £30,000 underspend did not show that the money was not needed and that the outcomes for the service such as Lewisham exceeding the London and national average in use of Emergency Hormonal Contraception and in abortion rates including very high repeat termination rates showed that there was already high levels of unmet need.
- 5.12. **ASC Empowering Lewisham (COM_SAV_04)**. The Committee wanted reassurance that the savings listed were genuinely new savings and not double counting savings that had already been promised in previous budget reduction rounds. The Committee requested a report back on the delivery of the work from the Newton Europe Review.
- 5.13. **Reassessment of Care Plans (COM_SAV_03)**. The Committee felt the proposal highlighted the importance of the DFG Grant and ensuring it was easy for residents to understand and to apply for grants. The Committee wanted to stress the importance of maximising the spend on the DFG as it was an annual capital grant from central Government and in the past had been underspent. The Committee felt it would be useful to know the previous spends and current spend on the DFG.
- 5.14. The Committee also highlighted that it was concerned with the implications of the economic context in which the cuts were being taken. The additional pressures faced

on residents and the Council from the cost of living crisis combined with uncertainties around the overall budget and financial settlement to local authorities, the Government's Fair Cost of Care initiative, and the Adult Social Care pre-cept coming through to the Council's general fund budget, meant that it was challenging to fully understand all the affects the combination of these and the savings proposals would have on vulnerable residents and to key services.

- 5.15. In response to the Committee's comment on proposal **COM_SAV_08: Reduction in opening hours at Lewisham Libraries**, the Executive Director for Communities has highlighted that the Equalities Analysis Assessment (EAA) for this proposal has been completed and presented to Mayor & Cabinet within Appendix 2 to enable the impact on protected characteristics or other equality factors to be considered as part of the decision making process. Furthermore officers welcome the steer from members and commit to undertaking the suggested review to deliver the saving with minimal impact on library users.
- 5.16. In response to the Committee's comment on proposal **COM_SAV_10. Sexual and reproductive health services in Primary Care**, the Executive Director for Communities clarified that the £30,000 underspend related to the use of long acting reversible contraception (LARC) and that this may be related to a wider shift in different usage of contraception methods. Further work will be undertaken with the local community to understand the change in usage, and the reasons behind the reluctance to use LARC, including the enthusiasm for using the sexual health e-service that has seen an increase in 12 month prescribing of the contraceptive pill. Mayor & cabinet may also like to note the overall budget of approximately £410,000 for work within primary care around sexual and reproductive health services which will include insight work in 2023.
- 5.17. In response to the Committee's comment on proposal **COM_SAV_04: ASC Empowering Lewisham**, the Executive Director for Communities highlights that Finance colleagues have been working closely with Adult Social Care to ensure that there is no double counting in place. An update report on progress and achievements from the Empowering Lewisham programme will be taken to the next Healthier Communities Select Committee.
- 5.18. In response to the Committee's comment on proposal **COM_SAV_03: Reassessment of Care Plans**, the Executive Director for Communities notes that the Committee have been provided the previous spend and current spend on the Disabled Facilities Grant (DFG) on the 23 November 2022. Work continues between Adult Social Care and Housing to ensure that we maximise the opportunity to help promote independence through us of the DFG.
- 5.19. In response to the Committee's comment on its concerns of the implications of the economic context in which budget reductions were being proposed, the Executive Director for Corporate Resources acknowledges the incredibly challenging environment which the Council and residents face, and notes that where required the Equalities Analysis Assessment (EAA) for proposals have been completed and presented to Mayor & Cabinet within Appendix 2 to enable the impact on protected characteristics or other equality factors to be considered as part of the decision making process. Furthermore, the regular monitoring and reporting to Committees and Mayor & Cabinet of service performance and budget spend will enable officers and Members to understand the collective impact throughout 2023/24.

Safer, Stronger Communities Select Committee views

- 5.20. The Committee requested that the following comments be referred to the Public

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Accounts Select Committee on proposal **COM_SAV_08: Reduction in opening hours at Lewisham Libraries.**

- 5.21. The Committee was concerned with the saving on reducing hours at Lewisham Libraries. The Committee felt that in light of the policy on “Warm Welcomes” and due to the hugely important role libraries play in supporting vulnerable residents such as through social prescribing, supporting digital inclusion and being a place of welcome to all residents, that it was essential that the impact of the cut was very carefully examined before any decision was made. Library usage by demographic use at different dates and times should be carefully examined to minimise any impact and consultation should take place with partners at community libraries. It was important to fully examine whether a cut in hours could have unintended consequences for the most vulnerable and cause additional costs to other services by residents’ needs having to be met in other and possibly more costly ways.
- 5.22. In response to the Committee’s comment on proposal **COM_SAV_08: Reduction in opening hours at Lewisham Libraries**, the Executive Director for Communities has highlighted that the Equalities Analysis Assessment (EAA) for this proposal has been completed and presented to Mayor & Cabinet within Appendix 2 to enable the impact on protected characteristics or other equality factors to be considered as part of the decision making process. Furthermore officers welcome the steer from members and commit to undertaking the suggested review to deliver the saving with minimal impact on library users.

Children and Young People Select Committee views

- 5.23. The Committee requested that the following comments be referred to the Public Accounts Select Committee:
- 5.24. **CYP_SAV_01 – Review of Children Centres Budgets.** The Committee was concerned about the associated risk of the move to the pilot hub model advocated by government only coming with funding committed for three years and the potential long-term impact of the cut on children and young people and their families. The Committee was concerned that the cut could reduce preventative support and result in more significant pressures on other budgets should peoples’ needs then escalate.
- 5.25. **CYP_SAV_04 – Youth Services Budget Review.** The Committee was concerned about the impact of the cut on levels of provision for children and young people in the borough and also for the staff providing these services. The Committee was particularly concerned that the shift to focus Council support on more targeted provision, with a necessary reduction in support for universal provision, and the mitigations outlined in the proposal would make the recruitment of staff harder for providers.
- 5.26. **COM_SAV_08 – Reduction in Opening Hours at Lewisham Libraries.** The Committee was concerned regarding any reduction in opening hours at Lewisham libraries considering the important role libraries played on a range of services and in particular in their part in the response to the cost of living crisis and the Council’s strategy on “Warm Welcomes”.
- 5.27. In response to the Committee’s comment on proposal **CYP_SAV_01: Review of Children Centres Budgets**, the Executive Director for Children and Young People notes that the largest provider of the Children’s Centre provision is the Early Years Alliance (EYA), and smaller contracts are awarded to Downderry and Kelvin Grove and Elliot Bank School. The Start for Life funding is provided over 3 years. The commissioners will work with EYA in the main to enhance and maintain the current offer using the funding granted. Officers are currently engaging with partners and EYA to understand what that would look like. The Council is committed to prevent any frontline cuts such as staffing and the menu of universal and targeted services offered

and so far, this is achievable using the government grant despite the savings proposed from the total contract. The Council will begin planning for what the model will look like post 2025 and this will involve early consultation with partners such as service users, providers and member engagement, to develop an offer that is sustainable without the government funding. The Council will need to consider this even if the proposed savings are not taken forward as the total government investment will be just over 4million. This will provide an opportunity for the Council to reshape services and look at alternative options such as in-sourcing some elements of the Family Support offer, accessing other funding streams and partnering with others such as health and the Voluntary and Community Sector (VCS).

- 5.28. In response to the Committee's comment on proposal **CYP_SAV_04: Youth Services Budget Review**, the Executive Director for Children and Young People notes that the savings proposed will be considered in consultation with the provider, and currently Youth First are the receivers of the largest proportion of the youth service budget. Officers will initially look at the structure of the organisation to see if efficiencies can be made in that area and any back office functions. The Council will also work with the organisation to enhance their funding opportunities so they are not solely reliant on the Council for their funding. Given the increase in challenges with emotional mental health in young people, the continued prevalence of exploitation and violence in the borough, there is a need for a more targeted offer. The Council is working to develop a more comprehensive understanding of other universal provisions in the borough that is not necessarily funded by the Council and we want to work more in partnership with the VCS to widen their reach.
- 5.29. In response to the Committee's comment on proposal **COM_SAV_08: Reduction in opening hours at Lewisham Libraries**, the Executive Director for Communities has highlighted that the Equalities Analysis Assessment (EAA) for this proposal has been completed and presented to Mayor & Cabinet within Appendix 2 to enable the impact on protected characteristics or other equality factors to be considered as part of the decision making process. Furthermore officers welcome the steer from members and commit to undertaking the suggested review to deliver the saving with minimal impact on library users.

Sustainable Development Select Committee views

- 5.30. In relation to the Housing Regeneration and Public Realm savings proposals for income generation (for bulky waste, fridge/freezer collection, and mattresses) Committee members were concerned about the potential impact of the increased charges on household budgets, particularly given the recent increases in the cost of living. The Committee recommended that, if feasible, work should take place to review the effect of the changes on household budgets over time.
- 5.31. The Committee was also concerned about potential increases in littering and fly-tipping. Accordingly, the Committee recommends that additional emphasis, and (where feasible) increased publicity, should be placed on the Council's enforcement processes and the options for the legal disposal of waste.
- 5.32. The Committee is concerned about the proposed reduction in opening hours at libraries (**COM_SAV_08**) particularly in relation to the Council's offer of 'warm welcomes' to households and vulnerable individuals experiencing fuel poverty.
- 5.33. The Committee recommends that careful consideration should be given to any future proposals for income generation in the borough's parks and open spaces.
- 5.34. In response to the two comments on the Housing Regeneration and Public Realm savings proposals for income generation (for bulky waste, fridge/freezer collection, and

mattresses), the Executive Director for Housing Regeneration and Public Realm confirms that officers will monitor the effects of the charges on the basis of the number of items placed out on street as fly tipping. Bulky waste items, fridge/freezers and mattresses are not items that households will be regularly disposing of, and the Council will signpost ways that items can be re-used or recycled without accessing paid for services. The charges proposed are to ensure efficient end to end service provision as well as reducing the cost burden on the Council. The Council will assess the level of compliance through the monitoring of fly tipping and will assess the level of the charges after a year of operation to gauge effectiveness. Furthermore, legal routes for disposal are clearly stated on the Council's website and it's confirmed that additional social media will be undertaken by the Council to make this as accessible to residents as possible.

- 5.35. In response to the Committee's comment on proposal **COM_SAV_08: Reduction in opening hours at Lewisham Libraries**, the Executive Director for Communities has highlighted that the Equalities Analysis Assessment (EAA) for this proposal has been completed and presented to Mayor & Cabinet within Appendix 2 to enable the impact on protected characteristics or other equality factors to be considered as part of the decision making process. Furthermore officers welcome the steer from members and commit to undertaking the suggested review to deliver the saving with minimal impact on library users.
- 5.36. In response to the Committee's comment on proposals for income generation in the borough's parks and open spaces, the Executive Director for Communities has confirmed that this is regularly re-assessed, and as a minimum through the annual process of setting fees and charges as part of budget setting process, and that the service continues to look for innovation and opportunities to maximise the use of these valuable and award winning Council resources.

6. Financial implications

- 6.1. This report responds to the comments to Mayor and Cabinet on the Budget Reductions report for 2023/24. The report is concerned with the budget reduction proposals to enable the Council to address the future financial challenges it faces. There are no direct financial implications arising from the report other than those stated in the report and appendices itself.

7. Legal implications

Statutory duties

- 7.1. The Council has a variety of statutory duties which it must fulfil by law. The Council cannot lawfully decide not to carry out those duties. Even where there is a statutory duty there is often a discretion about the level of service provision. Where there is an impact on statutory duty that is identified in the report. In other instances, the Council provides services in pursuit of a statutory power, rather than a duty, and though not bound to carry out those activities, decisions about them must be taken in accordance with the decision making requirements of administrative law.

Reasonableness and proper process

- 7.2. Decisions must be made reasonably taking into account all relevant considerations and disregarding all irrelevant matters. These are particular to the service reductions proposed and are set out in the body of the report. It is also imperative that decisions are taken following proper process. Depending on the particular service concerned,

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this may be set down in statute, though not all legal requirements are set down in legislation. For example, depending on the service, there may be a need to consult with service users and/or others and where this is the case, any proposals in this report must remain proposals unless and until that consultation is carried out and the responses brought back in a further report for consideration with an open mind before any decision is made. Whether or not consultation is required, any decision to discontinue a service would require appropriate notice. If the Council has published a procedure for handling service reductions, there would be a legitimate expectation that such procedure will be followed.

Staffing reductions

- 7.3. If service reductions would result in redundancy, then the Council's usual redundancy and redeployment procedure would apply. If proposals would result in more than 20 but fewer than 100 redundancies in any 90 day period, there would be a requirement to consult for a period of 30 days with trade unions under Section 188 Trade Union and Labour Relations (consolidation) Act 1992. The consultation period increases to 45 days if the numbers are 100 or more. This consultation is in addition to the consultation required with the individual employees. If a proposal entails a service re-organisation, decisions in this respect will be taken by officers in accordance with the Council's re-organisation procedures.

Equalities Legislation

- 7.4. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 7.5. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed in the paragraph above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

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- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
 - <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 7.6. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty.
 - Meeting the equality duty in policy and decision-making.
 - Engagement and the equality duty: A guide for public authorities.
 - Objectives and the equality duty. A guide for public authorities.
- 7.7. Equality Information and the Equality Duty: A Guide for Public Authorities. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
- <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1> The EHRC has also issued Guidance entitled “Making Fair Financial Decisions”.
 - <https://www.equalityhumanrights.com/en/advice-and-guidance/making-fair-financial-decisions>. It appears at Appendix 4 and attention is drawn to its contents. The equalities implications pertaining to the specific service reductions are particular to the specific reduction.

The Human Rights Act

- 7.8. Since the introduction of the Human Rights Act 1998 (HRA) the rights set out in the European Convention on Human Rights (ECHR) have been incorporated into UK law and can be enforced in the UK courts without recourse to the European courts. Those articles which are particularly relevant in to public services are as follows:
- Article 2 - the right to life
 - Article 3 - the right not to be subject to inhuman or degrading treatment
 - Article 5 - the right to security of the person
 - Article 6 - the right to a fair trial
 - Article 8 - the right to a private and family life, 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 peaceful assembly
 - Article 14 - the right not to be discriminated against on any ground The first protocol to the ECHR added
 - Article 1 - the right to peaceful enjoyment of property
 - Article 2 - the right to education
- 7.9. Some of these rights are unconditional, such as the right not to be tortured or subject to degrading treatment. Others may be limited in finite and well defined circumstances

(such as the right to liberty). Others are qualified and must be balanced against the need of the wider community – such as the right to a private and family life. Where there are human rights implications associated with the proposals in this report regard must be had to them before making any decision.

Best value

- 7.10. The Council remains under a duty under Section 3 Local Government Act 1999 to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. It must have regard to this duty in making decisions in respect of this report.

Specific legal implications

- 7.11. Members' attention is drawn to the specific legal implications arising in relation to particular proposals set out in the relevant proforma in Appendices 2 and 3 of the Budget Reductions report.

8. Equalities implications

- 8.1. A detailed policy and equality implications have been appended to the report to Mayor and Cabinet as Appendix 5.

9. Climate change and environmental implications

- 9.1. Section 40 Natural Environment and Rural Communities Act 2006 states that “every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions to the purpose of conserving biodiversity”
- 9.2. The specific climate change and environmental implications identified as arising from the current cuts proposals will require further consideration, however, none of the new proposals are likely to impact negatively on our ability to conserve biodiversity.
Implications

10. Crime and disorder implications

- 10.1. Section 17 of the Crime and Disorder Act 1998 requires the Council to have regard to the likely effect on crime and disorder when it exercises its functions, and the need to do all that it reasonably can to prevent crime and disorder in its area.
- 10.2. Whilst there are no specific crime and disorder implications as yet identified as arising from the current cuts proposals, HRPW_INC_03 - 05 will require further consideration as to whether this will impact either positively or negatively on our ability to reasonably prevent crime and disorder, or the perception of crime and disorder, specifically anti-social behaviour related to fly-tipping.

11. Health and wellbeing implications

- 11.1. The specific health and wellbeing implications identified as arising from the current cuts proposals will require further consideration, however, those flagged as likely to impact either positively or negatively on the health and wellbeing of residents or service users is CYP_SAV_01.

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12. Glossary

Term	Definition
CPZ	Controlled Parking Zone
CSR	Comprehensive Spending Review
DSG	Dedicated Schools Grant
ECHR	European Convention of Human Rights
EMT	Executive Management Team
FFR	Fair Funding Review
GF	General Fund
GLA	Greater London Authority
HR	Human Resources
HRA	Housing Revenue Account
LGA	Local Government Association
LGFS	Local Government Finance Settlement
M&C	Mayor & Cabinet
MHCLG	Ministry for Housing, Local Government and Communities
MTFS	Medium Term Financial Strategy
PASC	Public Accounts Select Committee
PMO	Programme Management Office
SLT	Senior Leadership Team (EMT plus Directors)
VFM	Value for Money

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