



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 7 MARCH 2012 at 5.35pm or upon the rising of Mayor & Cabinet Contracts, whichever is the later

**Committee Rooms 1 & 2
Civic Suite
Lewisham Town Hall
London SE6 4RU**

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MEMBERS

Mayor Sir Steve Bullock	(L)
Councillor Chris Best	(L)
Councillor Damien Egan	(L)
Councillor Peggy Fitzsimmons	(L)
Councillor Helen Klier	(L)
Councillor Paul Maslin	(L)
Councillor Joan Millbank	(L)
Councillor Crada Onuegbu	(L)
Councillor Alan Smith	(L)
Councillor Susan Wise	(L)

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: February 28 2012**



INVESTOR IN PEOPLE

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.

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Agenda Item 1

MAYOR AND CABINET		
Report Title	Declarations of Interests	
Key Decision		Item No. 1
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: March 7 2012

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

Personal interests

There are two types of personal interest :-

- (a) an interest which you must enter in the Register of Members' Interests*
- (b) an interest where the wellbeing or financial position of you, (or a "relevant person") is likely to be affected by a matter more than it would affect the majority of inhabitants of the ward or electoral division affected by the decision.

*Full details of registerable interests appear on the Council's website.

("Relevant" person includes you, a member of your family, a close associate, and their employer, a firm in which they are a partner, a company where they are a director, any body in which they have securities with a nominal value of £25,000 and (i) any body of which they are a member, or in a position of general control or management to which they were appointed or nominated by the Council, and (ii) any body exercising functions of a public nature, or directed to charitable purposes or one of whose principal purpose includes the influence of public opinion or policy, including any trade union or political party) where they hold a position of general management or control,

If you have a personal interest you must declare the nature and extent of it before the matter is discussed or as soon as it becomes apparent, except in limited circumstances. Even if the interest is in the Register of Interests, you must declare it in meetings where matters relating to it are under discussion, unless an exemption applies.

Exemptions to the need to declare personal interest to the meeting

You do not need to declare a personal interest where it arises solely from membership of, or position of control or management on:

- (a) any other body to which you were appointed or nominated by the Council
- (b) any other body exercising functions of a public nature.

In these exceptional cases, unless your interest is also prejudicial, you only need to declare your interest if and when you speak on the matter .

Sensitive information

If the entry of a personal interest in the Register of Interests would lead to the disclosure of information whose availability for inspection creates or is likely to create a serious risk of violence to you or a person living with you, the interest need not be entered in the Register of Interests, provided the Monitoring Officer accepts that the information is sensitive. Where this is the case, if such an interest arises at a meeting, it must be declared but you need not disclose the sensitive information.

Prejudicial interests

Your personal interest will also be prejudicial if all of the following conditions are met:

- (a) it does not fall into an exempt category (see below)
- (b) the matter affects either your financial interests or relates to regulatory matters - the determining of any consent, approval, licence, permission or registration
- (c) a member of the public who knows the relevant facts would reasonably think your personal interest so significant that it is likely to prejudice your judgement of the public interest.

Categories exempt from being prejudicial interest

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Effect of having a prejudicial interest

If your personal interest is also prejudicial, you must not speak on the matter. Subject to the exception below, you must leave the room when it is being discussed and not seek to influence the decision improperly in any way.

Exception

The exception to this general rule applies to allow a member to act as a community advocate notwithstanding the existence of a prejudicial interest. It only applies where members of the public also have a right to attend to make representation, give evidence or answer questions about the matter. Where this is the case, the member with a prejudicial interest may also attend the meeting for that purpose. However the member must still declare the prejudicial interest, and must leave the room once they have finished making representations, or when the meeting decides they have finished, if that is earlier. The member cannot vote on the matter, nor remain in the public gallery to observe the vote.

Prejudicial interests and overview and scrutiny

In addition, members also have a prejudicial interest in any matter before an Overview and Scrutiny body where the business relates to a decision by the Executive or by a committee or sub committee of the Council if at the time the decision was made the member was on the Executive/Council committee or sub-committee and was present when the decision was taken. In short, members are not allowed to scrutinise decisions to which they were party.

Agenda Item 2

MAYOR AND CABINET		
Report Title	Minutes	
Key Decision		Item No.2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: March 7 2012

Recommendation

It is recommended that the minutes of that part of the meeting of the Mayor and Cabinet which were open to the press and public, held on February 15 2012 (copy attached).

LONDON BOROUGH OF LEWISHAM

MINUTES of that part of the meeting of the MAYOR AND CABINET, which was open to the press and public, held on WEDNESDAY, 15 FEBRUARY 2012 at LEWISHAM TOWN HALL, CATFORD, SE6 4RU at 5.24 p.m.

Present

The Mayor (Sir Steve Bullock)(Chair); Councillors Smith (Deputy Mayor), Best, Egan, Klier, Maslin, Millbank, Onuegbu and Wise.

Apologies for absence were received from Councillors Fitzsimmons.

Also Present

Councillors Allison and Hall.

<u>Minute No.</u>	<u>Action</u>
1.	<p><u>Declarations of Interests</u> (page</p> <p>The Mayor declared a personal and prejudicial interest in item 10 relating to his ownership of a property in Tyson Road and he withdrew from the meeting during consideration of that item.</p>
2.	<p><u>Minutes</u></p> <p>RESOLVED that the minutes of that part of the meeting of the Mayor and Cabinet, which was open to the press and public held on January 18 2012 be confirmed and signed.</p>
3.	<p><u>Outstanding References to Select Committees</u> (page</p> <p>The Mayor received a report on issues which had previously been considered that awaited the responses requested from Directorates. He received an assurance from the Executive Director for Customer Services that there would be no further slippage of his items.</p> <p>RESOLVED that the report be received.</p>
4.	<p><u>Positive Activities Fund 2012-13</u> (page</p> <p>The report was presented by the Cabinet Member for Children and Young People, Councillor Helen Klier, and by four Young Commissioners. The Young Commissioners and the Executive Director for Children and Young People's representative responded to questions from the Cabinet. The Cabinet Member for Community Services, Councillor Chris Best, identified a</p>

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Action

remainder of £17,885 in the £25,000 identified for Olympics related projects and received an assurance from the Executive Director for Children and Young People's representative that work would take place with young people and the sports team in the Community Services Directorate to identify suitable projects prior to the commencement of the Olympics.

On behalf of the entire Cabinet, the Mayor thanked all the young people who had taken part in the process which he believed to have been rigorous and well run culminating in a very balanced list of proposals which he was happy to support.

RESOLVED That

(i) the allocation of funding, as detailed in Appendix 1 be approved to enable Positive Activities for young people to be provided throughout this period;

ED CYP

(ii) the rejection of applications for funding, as shown in Appendix 3; and

ED CYP

(iii) authority be delegated to the, Executive Director for Children and Young People's Directorate, to agree the allocation of a total surplus funding of approximately £66,000 over the rest of the financial year.

ED CYP

5. Council 2012/13 Budget (page

5.1 The report was introduced by the Cabinet Member for Resources, Councillor Paul Maslin who outlined the process leading to the formation of the budget with savings proposals of £4 million and he highlighted the national background and the constraints imposed by the Coalition Government.

5.2 The Executive Director for Resources representative then informed the Mayor of a number of changes required to the printed report. On page 56 he reported paragraph 3.7 was included in error and there was no new service charge for Lewisham Homes tenants for the use of CCTV. On page 127 he confirmed the information on equalities related to outdated legislation and that current data had been circulated in a supplementary agenda. On page 337 paragraph 12.3 he stated in relation to Community Education Lewisham the phrase 'nil equalities impact' was erroneous and should be replaced with 'low equalities impact'. He further reported consultation with the Black Staff Forum had led to a counter suggestion being offered

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to the saving shown on page 271 and that the Trade Unions had voiced total opposition to the saving shown on page 265.

- 5.3 The Mayor was addressed by Councillor Hall who spoke as both Chair of the Overview & Scrutiny Committee and Chair of the Labour Group. He expressed sympathy for the unpalatable alternatives that faced the Mayor and he pointed out the pressures being placed on local councils by central government. He urged the Mayor to reconsider savings COM 02, COM 08b, RES02, RES04, and Appendix Y11. He queried saving CYP02 and asked for more information on the spending of the Section 17 budget. He also pointed out the pressure arising from saving COM10 which seemed to arise from NHS cuts.
- 5.4 The Mayor was next addressed by two local parents, Emma Timmins and Caroline Morris who spoke against the closure of Rushey Green Early Years Centre and Ladywell Early Years Centre respectively.
- 5.5 On behalf of the Trade Unions, John Collins of Unison addressed the Mayor. He claimed the page 346 section on the Complex Needs Review contained many misleading statements and he asked to be given details of consultation arrangements by the lead officer. He expressed reservations about the future of the three Early Years Centres and the long term employment prospects of the 78 staff who worked there. He said alternative providers were likely to be inferior and that any claims the council was merely providing a service that subsidised middle class families was wrong.
- 5.6 In response the Mayor began by placing on record his thanks to all the staff involved in drawing up the budget reports, particularly those from the Resources Directorate.
- 5.7 He continued by confirming that he required further information on the Early Years Centres proposals contained in Appendix Y11 and he asked officers to produce a bespoke report on them, containing greater detail, at an early meeting of Mayor & Cabinet. ED CYP
- 5.8 The Mayor indicated he had carefully read the submission produced on behalf of all the Select Committees and that he had attended the debate at the Public Accounts Select Committee. Taking into account all the submissions made to him, he had decided to amend the budget proposals as shown in the first resolution below. The variations amounted to £166,000 in 2012/13 and £10,000 in 2013/14. The savings which were not taken related to funding for local assemblies (COM02), the

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second phase of the 2011 saving raising charges to clients for non-residential services including home care (COM08b), funding of trade union support (RES02), and part of the saving to the Black Staff Forum (RES04).

5.9 The Mayor also called for an examination during the financial year of alternatives to the flat rate charging policy for residents parking permits.

5.10 The Mayor announced a one off creation of a special reserve fund to promote works identified in the Youth Task Force centred, but not exclusively focused, on apprenticeships. £500,000 was to be made available at out-turn to deliver issues associated with young people and a report would be produced later in the year detailing the proposed expenditure.

RESOLVED That

(i) the comments of the Public Accounts Select Committee of 9 February 2012, incorporating the views of all the respective Select Committees be received and the following amendments be made to the printed proposals:

ED Res & Reg

Page 223 COM02 Local Assemblies amounting to £67,500 be not taken;

Page 251 COM08b the second phase of the saving agreed in 2011 amounting to £70,000 be not taken;

Page 265 RES02 amounting to £25,000 in 2012/13 and £10,000 in 2013/14 be not taken;

Page 271 RES04 the saving be reduced to £1,500 from £5,000;

Page 326 paragraph 6.5 an examination of alternatives to the flat rate charging policy for residents parking permits take place during the 2012/13 financial year;

Youth Task Force – a one off Reserve Fund of £500,000 be set up for the 2012/13 financial year to fund apprenticeships and associated issues affecting young people. Details of proposed expenditures to be reported back to Mayor & Cabinet later in the year.

(ii) the proposals contained in Appendix Y11 pertaining to Early Years Centres be withdrawn and a further report on this item be submitted to the Mayor at an early date;

ED CYP

(iii) the 2011/12 Quarter 3 Capital Programme monitoring be noted;

(iv) Council be asked to approve the proposed new capital projects, and the 2012/17 Capital Programme of £399.2m,

Housing Revenue Account

(v) Council be asked to set an increase of dwelling rents of £5.76 per week or 7.04% in accordance with the Rent Restructuring formula and Department Communities and Local Government (DCLG) guidance;

(vi) Council be asked to set an increase in the hostels accommodation charge by £3.99 per week or 7.18% in accordance with the Rent Restructuring formula;

(vii) Council be asked to approve the following average weekly increases for dwellings for: service charges to non Lewisham Homes managed dwellings (Brockley);

- caretaking 3.0%
(£0.08)
- grounds 3.0%
(£0.04)
- communal lighting 38.67%
(£0.20)
- bulk waste collection 3.0%
(£0.01)
- window cleaning 3.0%
(£0.00)
- Tenants Levy No increase

(viii) the consultation report on service charges to tenants and leaseholders in the Brockley area, presented to area panel members on 14 December 2011 be noted;

(ix) Council be asked to approve the following service charges to Lewisham Homes managed dwellings:

- | | |
|--|-------------|
| • caretaking
(£0.08) | 1.47% |
| • grounds
(£0.04) | 5.0% |
| • Lumber Collection
increase | No |
| • Window Cleaning
(£0.04) | 200% |
| • communal lighting
(£0.23) | 38.67 |
| • block pest control
1.29% (-£0.02) | - |
| • Tenants Levy | No increase |

(x) a Lewisham Homes consultation report on Service charges to tenants and leaseholders, presented to area panel members on 7 December 2011, be noted;

(xi) the comments of the Housing Select Committee, on rent setting be noted;

(xii) Council be asked to approve the following average* weekly percentage increases for hostels and shared temporary units for;

- Service charges (hostels) – caretaking/grounds 31.98% (£4.15)
- The overall rise in Hostel Service Charge will therefore be £4.15 per week and increase the weekly charge from £12.99 to £17.14 per week.
- In lieu of Council Tax - 0.0%
- Energy cost increases for heat, light & power – 23.38% (£3.34 per week)
- Water Charges increase – 64.68% (£1.22 per week)

* The average amount varies according

to bed space/type of accommodation

(xiii) Council be asked to approve an increase in Garage rents by inflation of 5.6% (£0.44 per week) for Brockley residents and 5.6% (£0.54 per week) for Lewisham Homes residents;

(xiv) there be no proposals to increase charges for sheltered housing and very sheltered housing;

(xv) Council be asked to approve an increase of 6.97% or £0.32 per week for Linkline Charges to tenants for line rental and maintenance. This would raise the charge from £4.59 to £4.91 per week;

(xvi) Private Sector Leasing rents movement to the Local Housing Allowance rate as at January 2011, according to bed size or capped LHA limit, be noted;

(xvii) the Housing Revenue Account budget strategy proposals be approved in order to achieve a balanced budget in 2012/13;

(xviii) the impact on HRA self-financing be noted;

(xix) Council be asked to agree that the Authority enters into a maximum sum of additional prudential borrowing of £44m (to the level of DCLG's 'self financing cap') over the period 2012/13 to 2016/17;

(xx) authority, as to the amounts and timings of any such borrowing, be delegated to the Executive Director for Resources & Regeneration, acting on the advice of the Head of Law;

Dedicated Schools Grant

(xxi) Council be asked to approve the Dedicated Schools Grant allocation of £232.1m be the Schools Budget for 2012/13;

General Fund Revenue Budget

(xxii) the overall variance against the agreed 2011/12 revenue budget be noted;

(xxiii) the already approved revenue budget savings of £12.608m for 2012/13 be noted;

(xxiv) Council be asked to agree further revenue budget savings of £3.946m for 2012/13, as set out in detail in Appendix Y3;

(xxv) the implications of the provisional Local Government Finance Settlement for 2012/13 be noted;

(xxvi) Council be asked to fund revenue budget pressures of £2.930m in 2012/13;

(xxvii) risks and other potential budget pressures which could emerge during the year, as set out be noted and recommendations as necessary be made to Council;

(xxviii) Council be asked to set a General Fund Budget Requirement of £268.510m for 2012/13;

(xxix) the Executive Director for Resources & Regeneration issue cash limits to all Directorates once the 2012/13 Revenue Budget is agreed;

Council Tax

(xxx) an increase of 0% in Lewisham's Council Tax element for 2012/13 is recommended to Council on 29 February 2012;

(xxxi) subject to final notification from the Greater London Authority (GLA), the overall decrease in Council Tax for 2012/13 is 0.23%, which includes the indicative GLA precept for 2012/13 being reduced by 1% from its 2011/12 level;

Future Years' Revenue Budgets

(xxxii) the prospects for the revenue budget for

2013/14 and future years be note;

(xxxiii) officers continue to develop firm proposals to help meet the forecast budget shortfalls in future years;

Treasury Strategy

(xxxiv) Council be asked to approve the prudential indicators and authorised limits, as set out;

(xxxv) Council be asked to adopt the revision to the Minimum Revenue Provision (MRP) policy;

(xxxvi) Council be asked to approve the 2012/13 Treasury Management Strategy, including the Investment Strategy and the revised credit rating criteria;

(xxxvii) the Council's priorities for specified and non specified investment be noted;

(xxxviii) Council be asked to delegate to the Executive Director for Resources & Regeneration authority during 2012/13 to make amendments to the Borrowing and Investment Strategies provided there is no change to the Council's authorised limit for borrowing;

Specific Recommendations for Appendix Y6 – Fees & Charges

(xxxix) approval be given to recommendations in relation to:

- parking charges set out at paragraph 6.25
- school meals set out at paragraph 7.13
- early years nursery places at paragraph 8.14
- highways charges at paragraph 9.11
- the recommendations in relation to the trade refuse at paragraph 10.3
- the recommendations in relation to libraries at paragraph 11.9

- Community Education Lewisham at paragraph 12.2
- Registrars at paragraph 13.3
- Community Centres at paragraph 14.3
- Pest Control at paragraph 15.3
- Local Land Charges at paragraph 16.9
- HMO Licensing at paragraph 17.3
- budget adjustments proposed in section 18

**Specific Recommendations for
Appendix Y7 – Complex Needs
Review Savings Proposals**

(xl) approval be given to recommendations in relation to:

1. begin consultation on proposals coming out of the Management Review of services to support children with complex needs to:

- (a) organise services within the Directorate for Children and Young People to bring together all assessment, planning, intervention and support functions for children and young people with complex needs under single management, deleting a service manager post;
- (b) reconfigure the Inclusion Service, in order to remove duplication with the Early Intervention service; rationalise support for 0-5 s with complex needs and to build capacity to support and challenge schools and early years settings to improve their provision related to children and young people with special and complex needs;
- (c) realign other services relating to children with special and complex needs to ensure coherence (e.g. work on

planning to secure sufficient SEN places in schools).

- (d) note that, if agreed following consultations, the reorganisation above is planned to release £243k for savings with £425k reinvested to ensure sufficient capacity to support 0-5 s with special and complex needs and £220k DSG resource released to cover pressures in the DSG relating to the education of children with special and complex needs. In addition, £160k is reserved for one-off transitional support and implementation. .

2. ask officers complete a full equalities impact assessment.

3. ask officers to undertake further work following the initial implementation to develop proposals to integrate assessment and support processes including to consider the extent to which further savings are possible. by end of March 2013.

4. report the outcomes of the public consultation and any proposed changes to the recommendations arising.

6. Travellers Site Search - Church Grove Consultation Results
(page

6.1 The item was introduced by the Deputy Mayor, Councillor Alan Smith who said the report concluded a process that had begun four years previously and reflected the most up to date technical and legislative impacts. He stated he believed the access to the site was not suitable for Travellers caravans.

6.2 The Deputy Mayor's view was confirmed by the Director for Regeneration who outlined the consultation process that had been undertaken and the findings of the independent technical consultants.

6.3 Councillor Egan in his capacity as Cabinet Member for Strategy and Communication sought assurances that work would

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continue with the Traveller community in Lewisham to secure a suitable site. In his capacity as a Ward member he urged that work continue in conjunction with the local community to find an alternative beneficial use for the Watergate site.

- 6.4 The Mayor said he found the independent technical report to be very significant and that having visited the site he knew access was of critical concern. He believed recent changes in legislation allowing wider vehicles had changed a marginal access into an unsustainable one. He concurred with the advice of the Deputy Mayor and the officer recommendations and thanked everyone who had been involved with what had been a very difficult exercise. He said he wished a new site search to commence but recognised it would not be simple or straightforward. He asked officers to commence the process anew and look at all possible sites irrespective of their ownership.

RESOLVED That

(i) the outcome of the consultation process on the selection of the site of the former Watergate School site in Church Grove as the preferred site to be developed to meet the current accommodation needs of the Gypsy and Traveller families in the borough be noted;

(ii) having considered the outcome of the consultation process, the independent Technical Report on Access and all other relevant considerations, the selection of Church Grove as the preferred site to meet the current accommodation needs of Travellers be not agreed;

(iii) officers be instructed to undertake a further site search to identify a suitable Traveller site or sites and report the options to Mayor & Cabinet in due course.

ED Res & Reg

7. Proposals to consult on the provision of additional permanent primary places (page)

RESOLVED That

(i) the description of current and projected demand for primary mainstream places and their supply, and its strategic implications be

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noted;

(ii) subject to the results of any required further feasibility work which shows options to be affordable in the light of Lewisham's recent capital settlement, and of consequent outline agreement with potential providers and other stakeholders, consultation should commence on the following options to increase permanently the supply of school places from September 2013:

ED CYP

- Expand Adamsrill Primary School from 2 to 3 forms of entry.
- Subject to agreement with the Governing Body and Southwark Diocesan Board of Education, expand St Bartholomew's CE Primary School from 1.5 to 2 forms of entry

(iii) officers should bring a subsequent report with recommendations for his consideration to include:

ED CYP

- the results of feasibility studies and any consequent consultations on the proposed projects at Adamsrill Primary School and St Bartholomew's CE Primary School
- the results of other current consultations.

(iv) Haberdashers Aske's Hatcham College canvass of local opinion on a proposal to open 2 forms of primary entry (Hatcham Temple Grove Free School) on their Hatcham College site be noted.

ED CYP

8. Outer London Fund, Rounds 1& 2, June 2011 (page

RESOLVED That

(i) the details of the bids submitted in Round 1, the funding awarded and the feedback given be noted;

(ii) the details of the bids submitted in Round 2 and the funding awarded, which is subject to confirmation of match funding and completion

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of a funding agreement be noted;

(iii) approval be given to accept the funding offered by the GLA for projects in Catford and Deptford (subject to confirmation of match funding); and

ED Res & Reg

(iv) authority be delegated to the Executive Director for Resources and Regeneration, in consultation with the Director for Regeneration & Asset Management and Head of Law, to conclude the funding agreement with the GLA.

ED Res & Reg
Head of Law

9. Community Infrastructure Levy – Preliminary Draft Charging Schedule (page

RESOLVED That

(i) the CIL Preliminary Draft Charging Schedule be approved for statutory public consultation in accordance with the Statement of Community Involvement, and recommend that the Council do the same; and

ED Res & Reg

(ii) authority to make any minor changes to the text and format of the documents, prior to consideration by the Council, be delegated to the Executive Director, Resources & Regeneration.

ED Res & Reg

10. Site Allocations DPD (page

The Mayor withdrew from the meeting for this item and the Deputy Mayor chaired the discussion.

RESOLVED That

(i) the Site Allocations Development Plan Document Proposed Submission Version and the accompanying Sustainability Appraisal be approved, for submission to the Secretary of State for the purpose of an Independent Examination and to recommend that the Council do the same; and

ED Res & Reg

(ii) authority to make any minor changes to the

ED Res & Reg

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text and format of the documents prior to consideration by the Council and prior to Submission, be delegated to the Executive Director for Resources and Regeneration.

11 Local Development Framework – Lewisham Town Centre Area Action Plan – Proposed Submission Document (page

RESOLVED

That

(i) the Lewisham Town Centre Proposed Submission AAP and the accompanying Sustainability Appraisal be approved for submission to the Secretary of State for the purpose of an Independent Examination and to recommend that the Council do the same; and

ED Res & Reg

(ii) power be delegated to make any minor changes to the text and format of the documents prior to consideration by the Council and prior to Submission, to the Executive Director for Resources and Regeneration.

ED Res & Reg

The meeting ended at 7.40pm.

Chair

Agenda Item 3

MAYOR & CABINET		
Report Title	Outstanding References to Select Committees	
Key Decision	No	Item No. 3
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 7 March 2012

1. Purpose of Report

To report on items previously reported to the Mayor for response by directorates and to indicate the likely future reporting date.

2. Recommendation

That the reporting dates of the item shown in the table below be noted.

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Comments of the Healthier Communities Select Committee on the implications of the Health and Social Care Bill.	ED Community Services	October 26 2011	To be advised	No
Matters referred by the Housing Select Committee – Private Rented Sector Housing Review.	ED Customer Services	November 16 2011	March 7 2012	No
Matters referred by the Housing Select Committee – Social Housing Options	ED Customer Services	February 22 2011	April 11 2012	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes, October 26 and November 16 2011 and February 22 2012 available from Kevin Flaherty 0208 314 9327.

Agenda Item 4

Chief Officer Confirmation of Report Submission		
Cabinet Member Confirmation of Briefing		
Report for: Mayor		<input type="checkbox"/>
Mayor and Cabinet		<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)		<input type="checkbox"/>
Executive Director		<input type="checkbox"/>
Information <input type="checkbox"/>	Part 1 <input checked="" type="checkbox"/>	Part 2 <input type="checkbox"/>
		Key Decision <input checked="" type="checkbox"/>

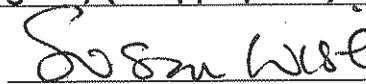
Date of Meeting	7 th March 2012
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Title of Report	Excalibur - CPO
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Originator of Report	Genevieve Macklin	Ext.	46057
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed:  Executive Member

Date: 23rd February 2012

Signed:  Director/Head of Service

Date: 27/2/2012

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

Mayor and Cabinet			
Report Titles	Regeneration of Excalibur Estate – CPO		
Key Decision	Yes		
Ward	Whitefoot		
Contributors	EXECUTIVE DIRECTOR FOR CUSTOMER SERVICES, EXECUTIVE DIRECTOR FOR RESOURCES & REGENERATION, HEAD OF LAW		
Class	Part 1	Date	7 March 2012

1. Summary

- 1.1 On 17th September 2010, Mayor and Cabinet agreed that the Council proceed with the regeneration of Excalibur in partnership with L&Q. This followed on from the positive ballot of residents that took place in July 2010 and also following the subsequent statutory Section 105 consultation that was carried out in September 2010. Progress since then has been on re-housing tenants and buying back freeholders in Phases 1 and 2, steps which were approved by Mayor and Cabinet on 17th November 2010 and 23rd February 2011. The latter of these reports saw Phases 1 and 2 rolled together and these Phases now together constitute the current decant phase.
- 1.2 Officers have been progressing the scheme with the aim of obtaining vacant possession of the site by autumn 2012 in order for the first Phase of the scheme to start on site. L&Q bid for funding for Phase 1 and 2 in the current funding round with the Homes and Communities Agency. The Homes and Communities Agency have confirmed this funding and the Council has been working with L&Q on the overall funding model. In addition, on 21 April 2011, Lewisham's Planning Committee resolved to grant detailed planning permission for Phases 1, 2 and 3 of the scheme and outline planning permission for the remaining phases, subject to completion of a S106 agreement. The GLA have approved the scheme and the S106 agreement is in the process of being agreed. L&Q have been undertaking the joint procurement process with the Council for the Phase 1 and 2 builder.
- 1.3 In order to start the Phase 1 and 2 building works on time, the Council is required to provide vacant possession of the Phase 1 and 2 site in the autumn of 2012. To ensure this is possible, Officers are seeking authority to proceed with a Compulsory Purchase Order in respect of the land comprising the Phase 1 and 2 site.

2. Purpose of Report

- 2.1 To update Mayor and Cabinet on the progress of the Excalibur Regeneration Scheme.
- 2.2 This report seeks authority to proceed with all necessary statutory procedures to obtain a Compulsory Purchase Order (CPO) for the compulsory acquisition of all interests in the land and buildings, other than those interests already in the ownership of the Council, within the first two phases of the Excalibur regeneration site, which is shown by a thick black verge on the plan attached as Appendix 1.

3. Policy Context

- 3.1 The re-development of the Excalibur estate contributes to key national objectives, particularly in meeting the decent homes standard and increasing the supply of affordable housing.
- 3.2 The scheme supports Lewisham's Sustainable Community Strategy by setting out a framework for improving residents quality of life. This approach is borne out in the innovative design proposals of this scheme, especially towards the 'Clean green and liveable' priorities to increase the supply of high quality housing to accommodate the diverse needs of the population.
- 3.3 The Council has outlined ten corporate priorities which enables the delivery of the Sustainable Community strategy. The proposals for the re-development of the Excalibur Estate addresses the corporate priorities to provide decent homes for all, to invest in social housing and affordable housing in order to increase the overall supply of new housing. The scheme would also develop opportunities for the active participation and engagement of people in the life of the community.
- 3.4 The scheme supports the aims of Lewisham's Housing Strategy 2009-2014 'Homes for the future, raising aspirations, creating choice and meeting need' and would deliver on its main themes of 'People, homes and places and Quality and sustainability'
- 3.5 The scheme would increase local housing supply and by introducing a range of housing types and tenures for a range of income households, the scheme would help to widen housing choice. By obtaining funding from the HCA and using Council owned land for the purposes set out here, the Council is engaging with delivery partners and making the best use of available resources. The current proposals would deliver 61% affordable units and 39% family sized units (including 2 bed 4 person houses) across the scheme. A key principle of the scheme is to make the new development a desirable place to live, supporting the strategic objectives around design quality and safety, accessibility and improving environmental performance.

4. Recommendations

It is recommended that the Mayor:

- 4.1 resolves to make a Compulsory Purchase Order in accordance with Section 17 of Part II of the Housing Act 1985 and the Acquisition of Land Act 1981, for the compulsory acquisition of all interests in the land and buildings known as Excalibur Phases 1 and 2, the site of which is shown by a thick black verge on the plan attached as Appendix 1, other than those interests already in the ownership of the Council;
- 4.2 delegates authority to the Head of Asset Strategy & Development, in consultation with the Head of Law, to determine the final extent of the land to be included within the CPO provided that the CPO shall not include any additional land outside the area shown verged in black on the plan attached as Appendix 1;
- 4.3 authorises the appropriate Chief Officers to take such other action as may be necessary to make, obtain confirmation and effect the Compulsory Purchase Order and to acquire all interests under it; and
- 4.4 delegates authority to the Executive Director for Resources & Regeneration (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Compulsory Purchase Order) to confirm the Compulsory Purchase Order if the Executive Director is satisfied that it is appropriate to do so.

5. Background and Resident Involvement

- 5.1 There is a long history of the Council working with the Tenant Management Organisation and other groups of Excalibur residents on the future of the prefab estate. This has included consultation groups and events, surveys and working with independent tenant advisors as detailed below.
 - March 2002 – Council workers start to meet with Excalibur TMO and its Transfer of Ownership committee, pursuing a Stock Transfer option
 - September 2003 PPCR survey undertaken to explore views on future ownership of the estate
 - December 2003 Options Appraisal Steering Group established by LBL to ensure residents were at the heart of the process
 - January 2004 Savills Stock condition survey said that 100% LBL homes non-decent
 - July 2004 weekly meetings take place and open day planned. Meeting with PPCR held
 - In November 2004, Minutes of the Stock Appraisal Steering Group

record that Excalibur was keen to get on the ODPM's stock transfer list for January 2005.

- December 2004 visit to Family HA, Presentation HA, Hyde HA and Aragon HA. Letter sent to Adams Consulting re: tests on the prefabs of wall, floor and roof content. Signed off framework application for ODPM programme.
- January 2005, LBL submit application for the ODPM Housing Transfer Programme
- March 2005 residents group accepted Adams Consulting tests costs needed to bring homes up to DHS.
- April 2005 ITAs interviewed – Solon appointed
- June 2005 – Report to Mayor & Cabinet about Lewisham's Decent Homes Strategy recommended M&C to note the transfer programme bid highlighting that members of the co-op had been exploring alternative ownership and management models for over two years and they fully backed the bid.
- Autumn 2005 - Tenants against proposals hold Special General Meeting, Freeholders subcommittee held. Special general meeting held. Way Forward Group set up and meeting held. Management Committee minutes say Transfer of Ownership group to continue. Way Forward Group meeting. Open day held.
- November 2005 Report to Mayor and Cabinet – Lewisham Decent Homes Strategy recommending M&C to agree contingency for the Excalibur Co-op. Reports that Surveyors reports have made it clear that refurbishment of existing properties does not represent value for money. The ODPM has made it clear to the authority that they will not provide gap funding for any scheme that does not represent value for money. Residents, working closely with their independent tenants' advisors and technical advisor, have concluded that redevelopment of the estate is the only option remaining in order to meet the Decent Homes standard. A new group of resident, comprised of TMO committee, freeholders and non-committee residents has been established to progress this proposal.
- December 2005 – TMO sacks Solon as ITA
- January 2006 – Bungalow Estate Newsletter goes out introducing Way Forward Group and reiterating to residents refurbishment not an option
- February and March 2006 visits to HA's
- April 2006 RSL selection due to take place but Way Forward Group unable to make a decision
- May 2006 Way Forward Group meeting held with LBL to discuss 'breakdown' of relations with WFG, TMO, Solon and how will affect deadlines (check)
- June 2006 TMO commission TPAS to do survey of estate
- October 2006 Council made aware of a residents Vision Panel
- November 2006 meeting held with TMO, Vision Panel and LBL Officers and councillors to discuss re-engaging
- December 2006 new project officer starts work with Vision Panel

on RSL selection

- February 2007 – PWC presentation to Excalibur TMO Working Party about the principles of gap funding.
- April 2007 – L&Q recommended by residents as preferred RSL partner for redevelopment and appointed by M&C.
- July & August 2008 – stage 1 consultation on offer document takes place.
- October 2008 – Ballot deferred following imminent listing decision.
- March 2009 – DCMS list 6 properties
- April 2009 – February 2010 - scheme redesign in order to accommodate listed properties and economic downturn, funding sought to make revised scheme deliverable.
- February 2010 – HCA confirm that funding could not be made available to a stock transfer, only a regeneration scheme. Residents are consulted, results of which are fed back in a report to Mayor and Cabinet.

5.2 At the Mayor & Cabinet meeting on March 24 2010, the unprecedented decision was taken to offer residents a ballot on the regeneration proposals. Residents were informed that, in the event of a 'yes' vote, the Council and L&Q would work together to deliver the regeneration of Excalibur. In the event of a 'no' vote, residents were informed the regeneration proposals put forward by L&Q would not go ahead.

5.3 In July 2010 Lewisham Council, through the independent Electoral Reform Services Ltd, conducted a confidential Ballot of residents. The Ballot was offered to resident tenants and freeholders whose primary home would be demolished in the proposals. In total, 224 Ballot papers were sent out.

5.4 Residents eligible to vote were asked 'Are you in favour of the regeneration of the Excalibur estate as proposed by L&Q?' Residents were given two options to answer. Out of the 224 possible votes, 203 (90.6%) were returned. A total of 56.2% of residents supported the re-development of the Excalibur estate as proposed by L&Q. This meant that if the 21 who did not vote, had voted 'No', there still would have been more residents that wanted the re-development to go ahead.

5.5 Following this, the Authority was required to carry out statutory Section 105 consultation with secure tenants affected by proposals. At the closing of the consultation period a total of 38 responses had been received from secure tenants, which represented a 21% response rate. 23 of the responses were classified as opposed to the development while 4 were in favour and 11 were neutral. The responses to the Section 105 consultation were reported to Mayor & Cabinet on 17 November 2010 and, having considered the responses and the Equalities Impact Assessment, the Mayor agreed that the Council should seek to achieve the redevelopment of the Excalibur estate in partnership with L&Q.

- 5.6 On the 18th January 2012 Mayor and Cabinet agreed a change to the phasing of the scheme. 3 prefabs from later phases are now in the current decant phase so that the sites of these properties can be included in the Phase 1 build site. Mayor and Cabinet agreed this on the basis of a second Section 105 consultation that took place with residents. A total of 4 responses were received in time to be included. The 4 responses represent a 6% response rate (of the total 140 secure tenants remaining on the estate). 3 were in favour of the proposed change and 1 was neutral, there were no objections.

Stock Condition and Financial Options

- 5.6 A stock condition survey was carried out in 2004 by Savills, which showed that 100% of the tenanted properties did not meet the decent homes standard. The stock condition survey identified that none of the properties on the estate meet the decent homes standard and a total of £8.4m would be required over the next 30 years to deal with catch up repairs, future programme renewals, improvements, contingent major repairs, related assets and the removal of asbestos. Their non-traditional construction means they require extensive structural work to over-clad the properties to improve thermal insulation and extend the life of the properties.
- 5.7 In November 2005 Mayor and Cabinet noted the progress of the Excalibur scheme which had been progressing a proposal to achieve the decent home standard through refurbishment and stock transfer. Following extensive investigations the report concluded that the properties were uneconomical to refurbish. A study by specialist consultants Adams Consulting had concluded that the cost of refurbishing individual properties to the decent home standard was of the order of £65k each, giving an estimated estate refurbishment cost of £9.88M. The report also highlighted concerns over the potentially compromised lifespan of the refurbished buildings. It stated that there is the potential with refurbishment that maintenance problems will be concealed, or that the life cycle of the new elements will not be realised due to the underlying reduced potential of the existing elements. In other words, the refurbishment specification might achieve 60 years or even 85 years, common with new build, but this would need to be shortened due to the limited potential of existing elements.
- 5.8 In 2010, it was estimated that the likely cost of refurbishment based on the same specification were approximately £75k per unit or £11.4M. The current condition of the properties is poor. Windows, roofs and doors need attention in many cases and in 2010, a conservative view of make good costs on windows was estimated at a minimum of £50k. Void costs for the estate have also been typically high, reflecting the underlying problems of maintaining a temporary dwelling. In 2010, costs to voids were estimated at £5k per unit to

bring them up to a lettable standard. In comparison, average void costs for Lewisham Homes in the quarter ending December 2009 were £2,455 per unit and average void costs for the Fiveways TMO in were £2,000.

- 5.9 In October 2009 the Council and HCA met as part of the Single Conversation. The HCA stated at that meeting that they were unable to provide funding to the stock transfer despite it being the favoured option. They also stated that they supported the aim of redeveloping the estate and would consider funding the scheme through the National Affordable Homes Programme if it was not a stock transfer. The Council asked for confirmation of this point in writing so that it could consider a change of approach.
- 5.10 In February 2010 confirmation was received, the HCA stated *'under the rules of the National Affordable Housing Programme the HCA are unable to fund the regeneration of the scheme as a stock transfer, nor is there availability of gap funding under the stock transfer programme. We are of course supportive of the Excalibur regeneration proposals as a key priority for the Council and can, in principle, fund an application for the re-provision of affordable housing under the NAHP, subject to receiving an application for a viable scheme and the availability of funds.'*
- 5.11 The Council had agreed that a stock transfer was the best option for delivering Decent Homes on the estate. However, the HCA then informed the Council that they were not able to gap fund a stock transfer. Having explored the alternative options for delivering Decent Homes on the 24th March 2010, Mayor and Cabinet agreed that regeneration scheme provides the best prospects of delivering decent homes to the Excalibur Estate.

6. Scheme proposals

- 6.1 The current estate with proposed phasing is shown in Appendix 2.
- 6.2 The redevelopment of the Order Land by L&Q will produce an attractive and high quality, low energy, sustainable residential development that raises the amenity and image of this part of the Estate. In particular, the scheme will deliver key objectives agreed during the in depth master planning consultation that took place with residents:
- Re-provision of 178 affordable units, enough to re-house all tenants and resident freeholders
 - The new affordable homes on the estate are to be built to Parker Morris Space Standards plus 10%
 - A mix of homes and bed sizes including 30 bungalows to meet needs of existing residents
 - An allocated free parking scheme for all existing Excalibur

households, as well as providing a number of visitor parking spaces.

- A bespoke L&Q Tenancy Agreement for the Excalibur estate.
- 4 options for freeholders of outright sale, shared equity ownership home buy and reverting to tenancy (as an L&Q tenant on the new estate or elsewhere).
- L&Q would return tenancy succession to zero in the new properties
- A delay in the rent convergence rate
- Affordable homes will meet code for sustainable homes level 4.
- All homes will meet lifetime homes standards.
- 49 (13%) of the homes will be for wheelchair users.
- Residents who wish to remain in the new development would be offered a bungalow or 2 bed house as a minimum and every child in a household could be allocated their own bedroom (up to a maximum of 4-bed properties) on the new estate.
- Housing on the new estate to be offered/ preference advertised for Excalibur decants/residents exercising their request to return before being opened up to the wider community
- Sensitive inclusion of the 6 listed properties in the master plan design
- New properties to have much higher acoustic ratings than the existing units, reducing noise related problems. They will be better insulated and generally built to a higher standard (plumbing, heating etc) than is possible with refurbishment. They will be very energy efficient, reducing heating costs as providing environmental benefits.

6.3 As a result of the Redevelopment Scheme, there will be a qualitative improvement in terms of the accommodation provided and the standard of the individual properties to be built by L&Q will be significantly improved meeting standards set out above.

6.4 There will also be a qualitative gain in housing provided within the order land and in the scheme overall. There will be an overall quantitative housing gain of 193 dwellings, the total number of dwellings on the Estate increasing from 178 to 371. Of these, 178 will be for social rent, 15 for shared equity (for existing resident freeholders) and 35 for shared ownership. 143 will be for private sale.

6.5 Due to the structure of the prefabs, the re-provision will see an introduction of property type, with houses, bungalows and flats in the new development with a range of property sizes. This will lead to the increase in bed sizes set out in the table below.

Unit Size	Current prefabs	Total in units	Net increase
One beds		41	41
Two beds	178	281	103
Three beds		34	34
Four beds		15	15
Total units		371	193

6.6 The proposals underlying the Order form an integral part of the Redevelopment Scheme which is intended to benefit the residents of the Estate and the Estate as a whole. If this first Phase of the Redevelopment Scheme does not go ahead, then the objectives referred to above will not be met and the overall Redevelopment Scheme which the Council is seeking with L&Q will be in jeopardy.

7. Scheme Update

7.1 Summary of the principles of this project and progress to date:

- Mayor and Cabinet agreed the structure of the overarching Development Agreement with L&Q on 23rd February 2011. Detailed negotiations to conclude this agreement are still underway. The Development Agreement is due to be completed in 2012.
- L&Q obtained outline planning consent for the master plan and detailed planning consent for Phases 1,2 and 3 on 21st April 2011
- GLA consent was granted on the 1st June 2011.
- The Phase 1 and 2 decant has begun with 13 tenant re-housed off the estate through home search and 1 tenants re-housed permanently away from the Borough with L&Q
- 2 of the 7 freeholders have been bought back, and terms have been agreed with a further 3 freeholders.

8. Phase 1 and 2 Vacant Possession

8.1 In accordance with the Council's current Allocations Policy, the Council will re-house all secure tenants. L&Q are offering a nil rent shared equity scheme to existing resident freeholders that wish to continue in home ownership in the new development. There is also a

commitment to residents freeholders in this regeneration scheme to be re-housed as tenants should they choose this option. Rehousing would be carried out in accordance with the Council's Allocations Policy and Local Lettings Plan. Non resident leaseholders are bought back at market rate and paid the statutory 7.5% home loss payment.

- 8.2 All affected tenants and freeholders are made a Home Loss Payment, removal expenses and reconnection costs and, if appropriate, an ex-gratia payment based on an assessment visit.
- 8.3 There are 7 freeholders in Phases 1 and 2. Negotiations with freeholders in Phase 1 began in the autumn of 2010 and negotiations with Phase 2 freeholders began in July 2011.
- 8.4 All properties have been inspected by the Council's Valuer; 2 freeholders have sold their interests back to the Council, 3 have agreed terms. The remaining 2 freeholders have instructed independent surveyors to act for them in negotiations. The Council will be making every effort to acquire the remaining properties by agreement. However, in view of the Council target to provide vacant possession of Phase 1 and 2 by autumn 2012, the Compulsory Purchase Order is required so as to avoid delay and uncertainty and to secure the objectives underlying the Scheme and the funding requirements.
- 8.3 The decanting of the 31 tenanted units has been progressing in stages since November 2010. There are 17 voids, 13 have so far moved away within the borough. Under the commitments made to residents by L&Q, tenants also have the opportunity to move away from the borough permanently to an L&Q property. So far 1 household has moved and a further 6 are in discussion with L&Q about this option. The CPO does not cover secure tenants however in order to obtain vacant possession, the Council will undertake action through the courts if necessary.

9. Consultation

- 9.1 There has been substantial consultation with residents throughout the process to date as set out in paragraphs 5.1 – 5.5.
- 9.2 The original Independent Tenant Advisor (ITA) for the estate was Solon, who were chosen by the TMO through using a formal selection process. Solon worked with Excalibur residents, including the provision of a free phone helpline and newsletters, from 24th May 2005 to 19th January 2007. The relationship between Solon and the TMO broke down in late 2006 and an attempt at mediation was unsuccessful, so the contract was terminated.
- 9.3 A new ITA, PPCR, was selected on 19th January 2007 to support and advise the RSL selection panel and see them to the end of the

selection process. Following a further tender with a long-term brief for an ITA undertaken in March 2007, PPCR were again selected to support residents throughout the master planning, consultation and ballot stages of transfer.

- 9.4 In 2007 L&Q were selected as the preferred partner to work up Stock Transfer proposals in conjunction with the residents of the estate and Lewisham Council. To this end, L&Q set up a number of resident consultation groups including a specific design panel known as the Regeneration Forum.

Consultation Strategy

- 9.6 The focus for consultation has always been the current Excalibur community as the majority of new homes will be occupied by these residents. However, it has been recognised that the redevelopment will have a wider reaching impact than simply the current estate. The consultation strategy has therefore been two pronged; consultation with current residents and consultation with the wider community. In this way, we have canvassed a wide spectrum of opinions that have fed into our development plans.
- 9.7 The overall strategy had the following objectives:
- to incorporate local needs and desires into the regeneration proposals
 - to inform residents and the local community about the proposals and development process

Resident Consultation

- 9.8 The cornerstone of the resident engagement strategy has been the formation of various working groups to discuss the development proposals. In particular, a Regeneration Forum was established to discuss the design proposals for the new estate. The Group consisted of the following:
- Residents of the Excalibur Estate
 - Lewisham Council Officers
 - L&Q Officers
 - The Architect (Hunters)
 - The Cost Consultant (BPM)
 - Invited guests (including Cabinet Member for Customer Services, Ward Councilors and local stakeholders)
- 9.9 The Regeneration forum is an open forum for all Excalibur residents and has met on over 35 occasions from November 2007 until the present day. The group has discussed a variety of issues including master plan design, floor plan layouts, sustainability strategy and parking. Minutes of the Regeneration Forum and other working groups are kept in the Tenant Management Organisation's office for all residents to access.

- 9.10 Regular evening meetings and a number of Saturday open days were held to consult more widely with residents on the estate .
- 9.11 Newsletters with details of L&Q and Lewisham Council were produced to enable residents to make direct contact with Officers if needed. A Free phone telephone number was set up to enable all residents to contact L&Q.
- 9.12 Due to the specific needs of many elderly and vulnerable residents on the estate, the Council and L&Q also undertook a series of home visits to residents around the estate to explain the regeneration proposals and glean feedback from individual households.
- 9.13 The consultation strategy culminated in the formulation of the Regeneration Proposals that were issued to all residents on the estate. This document formed the basis for a resident vote that was held in July 2010.

Wider Community Engagement

- 9.14 Contact was maintained with the wider community through a series of Saturday open days and a website operated by L&Q, with links to resident newsletters and the project team.
- 9.15 Local organisations including St Marks Church have regularly attended the Regeneration Forum. Local councilors have also been closely involved in the development of these regeneration proposals.
- 9.16 Our detailed proposals for regeneration were presented to the community in an open day on Saturday 06 November 2010, to view the designs, read the Regeneration Proposals, see the 3D models and make comments on the proposals. Officers from L&Q and Lewisham Council were available alongside the scheme architect to speak to all attendees.

Consultation – Freeholders

- 9.17 In addition to all the estate wide consultation, there were 6 separate freeholder consultation sessions in 2008. This included a specific presentation on Equity Ownership from L&Q and an independent financial consultant that PPCR arranged.
- 9.18 As part of the ballot process, in June 2010 a freeholder proposals document was distributed to all freeholders. This set out the options for freeholders within L&Q's development proposals. These are:
- To sell the prefab back to Lewisham Council. All freeholders will be bought back at open market value and paid disturbance costs. In addition, resident owners will receive a 10% home loss payment

and non residents, 1 7.5% home loss payment.

- To become an equity owner in the new development (resident freeholders only). L&Q would require that the freeholder put the entire market value of their current home and a proportion of their home loss payment in order to take up this offer. However, there is no minimum payment or proportion of ownership and owners would not pay rent on the part they do not own.
- To purchase a home through New Build Homebuy. Nationwide Government scheme.
- To become a tenant (resident freeholders only).

9.19 In February 2011 the Council sent a letter to freeholders to remind them of the freeholder proposals document and update them on the proposed timetable for Phase 1 and 2 buy backs.

10. Planning Permission for the Regeneration of Excalibur

10.1 On 21 April 2011, Lewisham's Planning Committee resolved to grant detailed planning permission for Phases 1, 2 and 3 of the scheme and outline planning permission for the remaining phases, subject to completion of a S106 agreement. The GLA have approved the scheme and the S106 agreement is in the process of being agreed.

11. Funding for the Regeneration of Excalibur

11.1 L&Q bid for funding for Phase 1 and 2 in the current funding round with the HCA. This was for schemes that are to reach practical completion by March 2015. The HCA have confirmed this funding and Council Officers have been working closely with L&Q to identify what this means for the regeneration of Excalibur and to ensure that there is a robust financial and legal agreement in place between the Council and L&Q.

12. Financial Implications

12.1 Financial provision has already been made for the acquisition of the outstanding interests in Phase 1 and 2 of the Excalibur Estate that are not in the Council's ownership as approved by the Mayor & Cabinet on November 17th 2011. It is expected that the provision that has been made will be sufficient to cover a cost to the Capital Programme for the CPO preparation, acquisition and compensation.

12.2 The financial structure of the scheme means that the Council's costs of obtaining vacant possession will be met by L&Q at the point of start on site for that Phase. This means that there is some level of risk as the Council incurs these costs in advance. However, should L&Q not undertake the re-development the Council will have a vacant site and detailed Planning Permission.

13. Legal Implications

- 13.1 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 a third party, 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. The Council will therefore have to demonstrate such gain when seeking Secretary of State confirmation of any CPO. In deciding whether to resolve to make a CPO, the Mayor should be satisfied that there is sufficient justification for acquiring the land compulsorily and that there is a compelling case for a CPO.
- 13.2 Once the CPO is made by the authority 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 Order.
- 13.3 Before confirming the Order the Secretary of State would have to be satisfied, in particular, that there are no planning obstacles to the implementation of the scheme, that the Order would achieve a qualitative or quantitative housing gain and that there is a compelling case for the CPO in the public interest
- 13.4 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 can confirm the CPO.
- 13.5 The Planning and Compulsory Purchase Act 2004 introduced a new power under which the Council may under certain circumstances, confirm its own Compulsory Purchase Orders. If the Secretary of State is satisfied that the statutory notice requirements have been met, that no objection has been made to the Order (or that any objection made has been withdrawn), and that the Order is capable of confirmation without modifications, then he may notify the Council that it has the power to confirm the Order itself. Should the Council be given this power, then before confirming the Order, it would need to be satisfied that the matters referred to at paragraph 13.3 are satisfied.

13.6 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

13.7 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.

13.8 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

13.9 The Equality and Human Rights Commission issued guides in January 2011 providing an overview of the new equality duty, including the general equality duty, the specific duties and who they apply to. The guides cover what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guides were based on the then draft specific duties so are no longer fully up-to-date, although regard may still be had to them until the revised guides are produced. The guides do not have legal standing unlike the statutory Code of Practice on the public sector equality duty, However, that Code is not due to be published until April 2012. The guides can be found at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/new-public-sector-equality-duty-guidance/>

14. Human Rights Act 1998 Implications

14.1 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.

14.2 The rights that are of particular significance to Members’ decision in this matter are those contained in Articles 8 (right to home life) and

Article 1 of Protocol 1 (peaceful enjoyment of possessions).

- 14.3 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.
- 14.4 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.
- 14.5 Therefore, in reaching his decision, the Mayor needs to consider the extent to which the decision may impact upon the Human Rights of estate residents and to balance this against the overall benefits to the community which the redevelopment of the Excalibur Estate 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.
- 14.6 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. Secure tenants will be entitled to home loss and disturbance payments. Freeholders will be entitled to receive market value for their properties as well as .home loss and disturbance payments where appropriate in accordance with the Land Compensation Act 1973

15. Environmental Implications

- 15.1 The proposed new homes to be built by London & Quadrant would exceed the requirements of the Decent Homes Standard; this means greater energy efficiency, reduced maintenance costs and lower fuel bills for residents. This would also reduce the environmental impact of the new homes.
- 15.2 As new landlord L&Q would develop minimum standards that tenants can expect from their home. A key part of that would be the affordability and sustainability of the energy usage. The homes are

designed using principles of passive solar design and have been modelled by energy consultants to ensure high thermal comfort whilst keeping heat loss to a minimum. This includes making the home air tight through construction detailing and incorporating a heat recovery ventilation system to further reduce energy loss and provide homes with fresh air. The Greater London Authority requires this scheme to achieve 20% renewable energy and a Code for Sustainable Homes level 3-4, as a minimum; both pieces of legislation necessitate an energy efficient home.

16. Crime and Disorder Implications

- 16.1 One of the key priorities of the TMO Resident Selection Committee in selecting a preferred RSL was how it tackles crime and anti social behaviour issues. L&Q has a strong track record in dealing with crime and anti-social behaviour (ASB) and they are committed to adopting a robust approach at Excalibur if needed. L&Q plays its part as a member of Lewisham's Crime Reduction Partnership in meeting targets and actions in the Local Community Plan and the Crime Disorder Strategy. They would work in partnership with the police and other agencies to tackle crime and ensure that safety at Excalibur is maintained and improved.
- 16.2 The Regeneration Proposals document outlined the proposed physical improvements, enhanced estate management and the diversionary opportunities which L&Q would implement to help reduce crime and anti-social behaviour. Under stock transfer, the Offer Document also demonstrated L&Q's commitment to tackling race and hate crime, domestic violence and improving child protection, which the residents of Excalibur seek. These principles would be unaffected by the change from a stock transfer to a regeneration scheme.

17. Equality Implications

- 17.1 Officers carried out an Equalities Impact Assessment in October 2010. This has been updated to reflect the new public sector equality duty contained in the Equality Act 2010 and a copy of the updated Equalities Analysis Assessment is attached as Appendix 3.
- 17.2 There are equalities implications in the decanting and re-building process and equalities benefits would accrue from the completed scheme.

Equalities implications: during the process

- 18.3 From extensive door knocking, L&Q staff have begun to build up a database of households that have English as a second language and as a result key information would be translated for them, if needed. In addition, a number of residents have also been identified who suffer

from a visual impairment, so literature for them is routinely produced in larger print. These are exercises that would continue to be monitored and repeated.

- 18.4 The decant process involves the provision of an individual service, where decant officers visit tenants at home and get to know them and their needs on an individual basis. Any special requirements are identified and taken into account in planning the move, factors such as language, mobility and other support needs often need to be considered. It is recognised that decanting is a very stressful time and decant officers offer as much support as required to minimise the anxiety to residents.

Equalities implications: the completed development

- 18.5 The scheme would provide thermal and security improvements, with all new properties more than meeting the decent homes standard.
- 18.6 All new affordable units in the development would meet lifetime homes standards. A Lifetime Home incorporates 16 design features that together create a flexible blueprint for accessible and adaptable housing in any setting, so that the unit can be adapted when required to suit residents changing needs.
- 18.7 In line with GLA and Council policy, more than 10% of units across the development would be wheelchair accessible or easily adapted for those using a wheelchair.

19. Conclusion

- 19.1 Adoption of the proposals in this report is critical to the implementation of Phases 1 and 2 of the regeneration of Excalibur. This forms part of the overall regeneration of the Excalibur Estate which is one of the Council's priorities.
- 19.2 In order to facilitate L&Q's proposed housing redevelopment scheme for Excalibur to proceed to schedule and for the Council to avoid incurring costs due to any delays caused in delivering vacant possession of the property, it is considered prudent and essential that the Council resolves to make the necessary Compulsory Purchase Order for the compulsory acquisition of all interests in the land and buildings known as Excalibur Phases 1 and 2, the site of which is shown by a thick black verge on the plan attached as Appendix 1, other than those interests already in the ownership of the Council

20. Background Documents and Report Author

- 20.1 There are no background documents to this report.

20.2 If you require any further information about this report, please contact Rachel George on 020 8314 8146

Summary of human rights most relevant to local authorities

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

Regeneration of Excalibur Estate Equality Analysis Assessment

February 2012

1) Introduction

An Equalities Analysis Assessment (EAA) is the process of systematically analysing a proposed or existing policy or strategy to identify what effect, or likely effect, will follow from its implementation for different groups in the community. Similarly, it can be the process for analysing the impact of a service or function on different groups in the community.

An EAA can anticipate and identify the equality consequences of particular policy initiatives and ensure that as far as possible, any negative consequences for a particular group or sector of the community are eliminated, minimised or counterbalanced by other measures.

Local authorities are legally required to have due regard to the following three aims of the Public Sector Equality Duty resulting from Equality Act 2010:

- Eliminate unlawful discrimination, harassment, victimisation and any conduct prohibited by the Act
- Advance equality of opportunity between people who share an equality protected characteristic and people who do not share it
- Foster good relations between people who share an equality protected characteristic and people who do not share it.

Also under the Public Sector Equality Duty, we are required to consider the following equality protected characteristics:

- Age
- Disability
- Gender reassignment
- Pregnancy & maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and civil partnership

2) Why are we undertaking an Equalities Analysis Assessment?

The purpose of this EAA is to ensure we understand the equalities implications of the regeneration of Excalibur and the impact it could have on the diverse neighbourhood.

The Excalibur Estate is located on the Whitefoot Ward and consists of 180 homes of which 28 are freehold at the start of this programme.

The plans to achieve decent homes on the Excalibur Estate commenced in 2002 and have been ongoing since this time. A short summary of this work since L&Q's selection as the preferred partner is outlined below:

- April 2007 – L&Q recommended by residents as preferred RSL partner for redevelopment through stock transfer and appointment by M&C.
- July & August 2008 – stage 1 consultation on offer document takes place.
- October 2008 – Ballot deferred following imminent listing decision.
- March 2009 – DCMS list 6 properties
- April 2009 – February 2010 - scheme redesign in order to accommodate listed properties and economic downturn, funding sought to make revised scheme deliverable.
- February 2010 – HCA confirm that funding could not be made available to a stock transfer, only a regeneration scheme. Residents are consulted, results of which are fed back in a report to Mayor and Cabinet.
- March 2010 – Mayor and Cabinet decide that residents should be offered the unprecedented option of a ballot on the regeneration proposals. Officers are instructed to prepare for a ballot, and to explain to residents the impact of a yes and no vote.
- July – September 2010 – 90% of residents take part in the ballot, 56.2% vote yes to the redevelopment proposals and these results are reported to Mayor and Cabinet in September 2010.
- November 2010 – Mayor and Cabinet asked to consider responses to the Section 105 consultation and recommended to agree to progress the redevelopment of the Excalibur Estate.

The development will consist of 371 new homes which include 178 affordable rented units for existing residents and 15 equity ownership and 143 for private sale.

3) Collection of Data

The regeneration of the Excalibur Estate will impact on estate residents, others living in proximity to the site and potentially on surrounding businesses and services. There is a lack of accurate up to date local information and as the estate is so different from the rest of the ward, information can be misleading. However, a range of local data has been accessed and used to assist us with this equalities analysis assessment, including:

- Census 2001 super output areas (population 1363 across lower layer super output area)
- PPCR Independent survey of Excalibur estate residents (118 Respondents)
- Consultation events/ door knocking
- Housing Register (in band 1 as of 18 July 2011 which includes 752 households of which 141 are decants).

Equality protected characteristic	Observation from current data & potential impact
Sex	Single parent families make up 20% of Lewisham’s tenant composition. Research has shown that there are a higher percentage of lone mothers in social housing. Also, women

	<p>tend to be the primary carers. Provision needs to be made so that these women can engage in the consultation process and that activities can be tailored to their needs i.e. meetings during school hours, home visits, providing payment for child care. L&Q will need to ensure these arrangements continue once the development is completed.</p> <p>The consultation and communications strategy also needs to take into account the different roles of women and men in some cultures.</p> <p>Works to redevelop the estate will immediately impact more on women who tend to be primary carers and are therefore more likely to be inconvenienced</p> <p>Security works and play areas may be a higher priority for women i.e. their children are safe when playing. This will need to be considered in the master-planning of the redevelopment.</p> <p>Higher % of lone mothers in social housing, with lower levels of economic activity. Improving homes and the environment will directly have a positive impact on this equality group.</p> <p>There is a higher percentage of lone elderly women in council housing in the borough. The redevelopment will be phased and require some households to be decanted. For lone elderly women this will be difficult and help and support will be needed to carry out the move and to ensure that their interim property is decent, safe and warm.</p>
Age	<p>Persons aged 60 years or more are more likely to require accessible housing. 41% of decant households are aged 60 years or more compared to 42% overall in band 1. Therefore the demand for accessible housing is likely to be similar if started decant status is awarded to some decant households over others in band 1 and the potential impact negligible. Decanting households will only be assessed on need and will not therefore take up accessible housing supply unless there is a medically assessed need.</p> <p>Older people may suffer greater inconvenience through the redevelopment and the subsequent move may also cause distress and anxiety. The dedicated decant officers will offer support, advice and assistance to all residents having to relocate.</p> <p>Consultation and communications need to engage with different aged people groups for example the young, youth and elderly.</p> <p>Pensioners income is lower particularly those living in social housing. Improvements to their accommodation will have a</p>

	<p>greater positive impact on this equalities group as will insulating their homes as it will reduce heating costs, and improve health prospects.</p> <p>Children will be affected by the redevelopment i.e. every attempt will be made to ensure that children aren't disrupted but potentially they may have to change schools if they move away.</p>
Disability	<p>Disability is sporadically recorded on the housing register with 34% of decant households registering a disability, compared to 81 or 11% of households in band 1. In addition, 51 or 36% of decant households have a ground floor or lift essential requirement which may indicate a medical issue, compared to 226 or 30% of households in band 1 overall. This indicates that decant households have a higher demand for accessible housing and a slightly higher demand for ground floor or lift essential housing, compared to other households in band 1. Lifts will be provided in the new over 55s blocks, benefiting all residents.</p> <p>The building works and temporary access arrangements, etc, may cause anxiety and temporary inaccessibility for tenants, particularly affecting those with physical or mental disabilities if information and clear directions are not provided .</p> <p>The extent of disruption, fears about security, etc, may mean that older, disabled people are reluctant to move homes if not helped through the process.</p> <p>Some people will have existing disabled adaptations to their homes (e.g. handles on the bath). Important that the homes they are moving have these aids or they are installed as part of the moving in process.</p> <p>In addition, all new homes in the development will be lifetime homes meaning that they will be able to cater for households changing physical needs.</p>
Gender re-assignment	<p>This data is not recorded on the housing register however the regeneration will provide opportunities for re-housing households regardless of their gender.</p>
Pregnancy and maternity	<p>This data is not recorded on the housing register although the opportunity to be re-housed according to need may have a positive impact for this protected characteristic because the family composition may have recently changed.</p>
Race	<p>Research has found that Black and Minority Ethnic residents are nearly twice as likely as White households to live in homes that are non-decent. The development will provide high quality homes that exceed the Government's DHS.</p>

	<p>83.6% of decant households are from a BME background, compared to 78.1% overall in band 1. Black and Minority Ethnic residents are more likely to experience poor quality built environment and feel less safe in public spaces and are more likely to be at risk from crime. The master-plan addresses the surrounding environment, designing out crime and incorporating security features and this will continue in the detailed planning phases to come.</p> <p>Consultation and communications need to engage with hard to reach groups. This includes Black and Minority Ethnic residents, particularly where English is not first language.</p> <p>A high number of Black and Ethnic Minority tenants are housed by Lewisham Council. Improving homes will directly have a greater positive impact on BME residents.</p> <p>Research shows that BME households are more likely to be overcrowded. The Housing Needs Survey undertaken for each phase will inform the redevelopment plans and ensure that the accommodation households are moved to is appropriate to their needs.</p> <p>L&Q has a strong policy and record to tackle discrimination in the work place and within the community it serves.</p> <p>The building contractor will also need to ensure it signs up to the same policy on tackling discrimination and can demonstrate it mainstreams equalities into its practices.</p>
Religion or belief	<p>Religion is sporadically recorded on the housing register with only 34 or 24% of decant households registering a religion, of which the majority (56%) are Christian. Overall in band 1, 163 or 21.6% of households registered a religion, of which the majority (59%) are also Christian. As current regeneration scheme tenant profiles indicate that families are overcrowded, the opportunity to be re-housed according to need may have a positive impact for some religious groups who have cultural views about different sex children sharing bedrooms.</p> <p>The programme must be sensitive to religious customs, significant religious dates, festivals</p>
Sexual orientation	<p>Sexual orientation is sporadically recorded on the housing register with only 27 or 19% of decants households registering this information of which the majority (89%) are heterosexual. Overall in band 1, 184 or 24% of households registered this information of which the majority (84%) are heterosexual.</p> <p>The new RSL organisation taking on staff or housing, will need to meet, or exceed current standards, support and on tackling harassment and discrimination.</p>

Marriage and civil partnerships	This data is not recorded on the housing register however the regeneration will provide opportunities for re-housing households regardless of their marital status.
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4) Action Plan

The activities laid out below provide the opportunity to further assess the implications of the proposed amendments to the allocations policy and to ensure that any negative impacts are being mitigated.

Issue of possible concern and equality protected characteristic category it may impact	Action to be taken	When	Who by
Sex: Lone parents concerned at how they will cope with the re-housing process	The scheme dedicated Decant Officer will work closely with all households including one to one visits and support tailored to different needs. The Decant Officer can bid for households, assist in visits to properties and help arrange the removals as necessary.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q
Age: Elderly residents concerned they will be forced to move away from homes they have lived in for a long time	Every effort will be made to ensure that all residents will be re-housed happily and in accordance with their needs. Where residents wish to be re-housed locally they will be re-housed into the new properties. Where it is not possible in earlier phases, Officers will try to identify local housing solutions such as later phase prefabs.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q
Age: Elderly residents concerned at how they will cope with the moving process	The scheme dedicated Decant Officer will work closely with all households including one to one visits and support tailored to different needs. The Decant Officer can bid for households, assist in visits to properties and help arrange the removals as necessary.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q

Disability: Disabled residents concerned they will be forced to move into properties that do not meet their needs.	As part of the re-housing process, in discussion with the tenant, the Decant Officer will link in with the Council's Medical Advisor and Occupational Therapy Team so that all medical issues are fully understood and taken into account. Adaptations will be made to any new housing as necessary. The new properties will offer residents the opportunity to be re-housed into South East London Housing Partnership standard wheelchair accessible units as necessary or into lifetime homes properties that will meet households changing needs.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q
Gender re-assignment	The dedicated Decant Officer will work with all households regardless of their gender.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q
Pregnancy and maternity: Residents concerned that they will be forced to move into properties that do not meet their family's needs	Every effort will be made to ensure that all residents will be re-housed happily and in accordance with their needs. Where there is pregnancy, the decant process will mean that households can be housed taking into account their changing family needs.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q
Pregnancy and maternity: Families concerned that children will have to change schools in the re-housing process	Every effort will be made to ensure that all residents will be re-housed happily and in accordance with their needs. Families will be able to influence the location of their re-housing and will be able to retain current links to schools if they choose to remain in the local area.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q
Race: Residents	Communication will be	On each	Strategic Housing

who's knowledge of English means they may not understand the re-housing process or regeneration scheme	tailored to the needs of each household. Where necessary translators will be used to ensure full understanding of the process.	decant phase.	– Regeneration & Projects Team in partnership with L&Q
Religion or belief	The dedicated Decant Officer will work with all households regardless of their religion or beliefs.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q
Sexual orientation	The dedicated Decant Officer will work with all households regardless of their sexual orientation.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q
Marriage and civil partnerships	The dedicated Decant Officer will work with all households regardless of their marital status.	On each decant phase.	Strategic Housing – Regeneration & Projects Team in partnership with L&Q

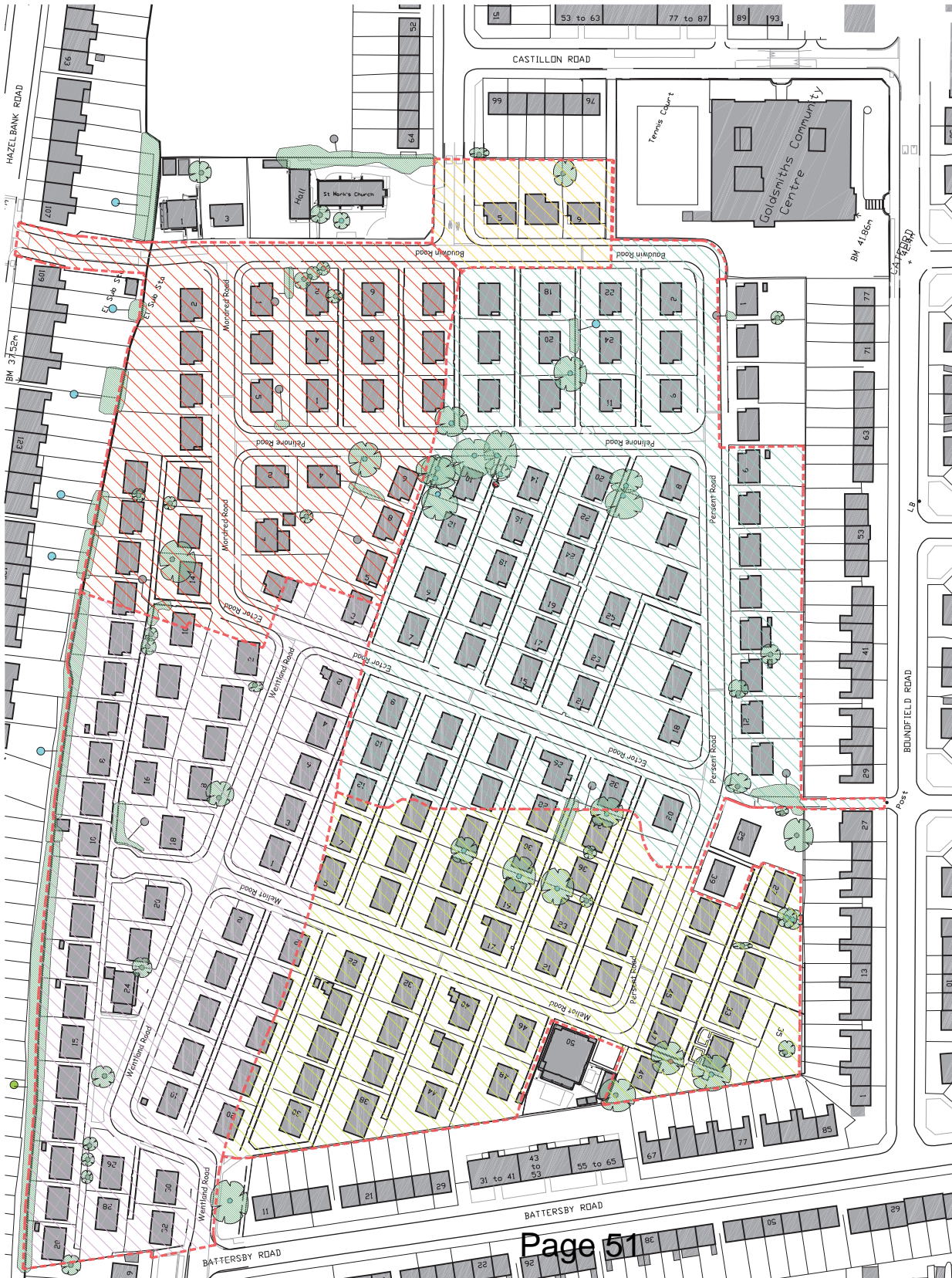
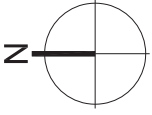
5) Decision/result

The key aim of a redevelopment scheme is to improve the housing and living environment for existing and future residents. This is to benefit all, regardless of ethnic background, main language spoken, gender, employment status, health and well being, marital status or sexual orientation.

However, different groups within the community will have different needs or require varying and different levels of support in taking part in the processes involved. This assessment has provided a place where this information can be recorded so that throughout the programme the Council and it's partners can ensure that differing needs are monitored and met.

Overall, while the re-development process may be a challenge to some residents, for example, those who do not speak English as a first language, the re-development itself will provide modern decent housing in a safe well designed neighbourhood for all current and future residents; alleviating and reducing issues felt by other groups in the community currently living in non decent housing. This is an opportunity to reduce and reverse negative impacts of the current built environment.

The result of this assessment is therefore to **continue with the proposal** as there are many positive impacts such as the creation of a new neighbourhood which will benefit the entire community.



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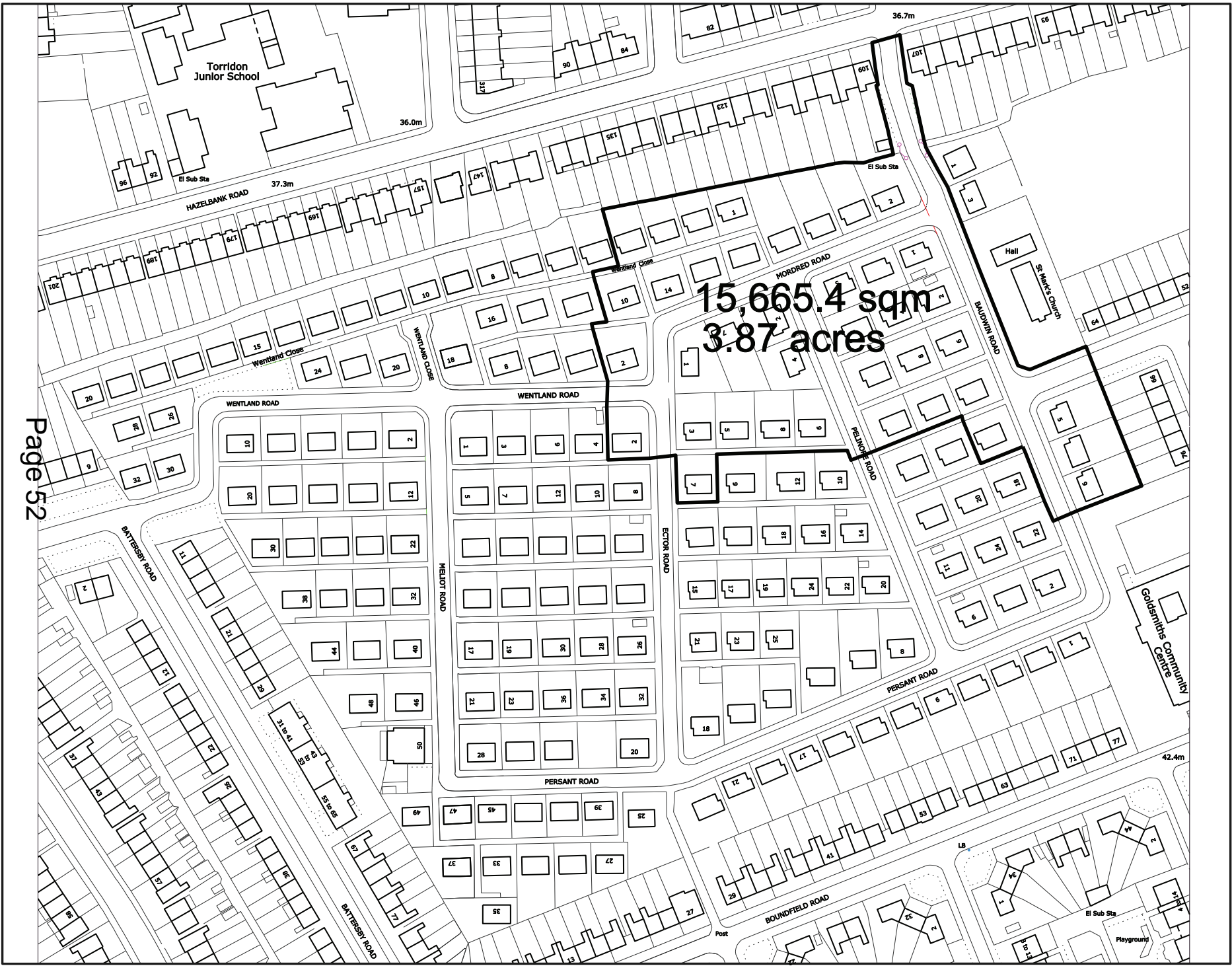
project name: **EXCALIBUR ESTATE, CATFORD**
 drawing reference: **SITE LOCATION PLAN**
 date: **NOVEMBER 2010**
 sheet: **NOVEMBER 2010**
 scale: **1:1250@A3**
 drawn: **EC**
 checked: **JW**

drawing number: **APL0001**
 revision: **-**
 job number: **M7617**
 status: **PLANNING**
 use figured dimensions only. All levels and dimensions to be checked on site. This drawing is to be read in conjunction with all other relevant drawings and specifications. Hunters is a trading name of Hunter & Partners Limited. © Hunter & Partners Limited. All rights reserved.

drawing reference: **SITE LOCATION PLAN**
 job number: **M7617**
 status: **PLANNING**
 M7617 - APL0001 SITE LOCATION PLAN - EXCALIBUR ESTATE - 1:1250@A3.dwg



Revision	Description



Excalibur Estate
 CPO area
 (phases 1& 2)

A3

15,665.4 sqm
 3.87 acres

A3 plan scale 1:1250
 date: 11/03/2010
 drawn: DRJP
 coloured: DRJP
 checked:
 amended: LBH 28/02/12
 drawing ref.: -
 Excalibur/A3 CPO p1 & p2

ASSET STRATEGY and DEVELOPMENT
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Chief Officer Confirmation of Report Submission		
Cabinet Member Confirmation of Briefing		
Report for: Mayor		<input type="checkbox"/>
Mayor and Cabinet		<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)		<input type="checkbox"/>
Executive Director		<input type="checkbox"/>
Information <input type="checkbox"/>	Part 1 <input type="checkbox"/>	Part 2 <input type="checkbox"/>
Key Decision		<input checked="" type="checkbox"/>

Date of Meeting	7 March 2012
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Title of Report	Torridon Infant and Junior Schools ASD Resource Base: Permission to begin consultation
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Originator of Report	Christine Grice	Ext. 46300
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		X N/A
Reason for Urgency (as appropriate)		X N/A

Signed:  Executive Member

Date: _____
 Signed:  Head of Service

Date 9th February 2012

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	13/3
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Torridon Infant and Junior Schools ASD Resource Base: Permission to begin consultation	
Key Decision	Yes	Item No.
Ward	All Wards	
Contributors	Executive Director of Children and Young People Head of Resources Head of Law	
Class	Part 1	Date: 7 March 2012

1. Summary

- 1.1 This report sets out the considerations behind the proposal to develop an Autistic Spectrum Disorder (ASD) resource base at Torridon Infant and Junior Schools and provides a draft timetable for action relating to this. The report is also being considered by the Children & Young People Select Committee on March 6 and any comments made by that select Committee will be reported to the Mayor & Cabinet.

2. Purpose

- 2.1 This report is seeking the Mayor's approval to carry out consultation on the development of an ASD resource base for sixteen children from reception to Year 6 at Torridon Infant and Junior Schools.

3. Recommendations

That the Mayor:

- 3.1 Agrees to consultation being carried out for the development of an ASD resource base for sixteen primary school aged children at Torridon Infant and Junior Schools.
- 3.1 Agrees that officers report back on the outcomes of the consultation in May 2012.

4. Policy Context

- 4.1 The proposal within this report is consistent with 'Shaping Our Future: Lewisham's Sustainable Community Strategy' and the Council's corporate priorities. In particular, it relates to the Council's priorities regarding young people's achievement and

involvement, the protection of children and inspiring efficiency, effectiveness and equity.

- 4.2 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. It articulates the objective of improving outcomes for children with special educational needs (SEN) and disabilities by ensuring that their needs are met.
- 4.3 The Government's SEN Green Paper contains many important elements for the local authority to respond to. Of particular relevance for this report is the focus on ensuring that there is a range of educational settings available to meet the needs of all children with SEN, and that parents are empowered to make choices about which of these is most suitable for their child. The proposal to develop a resource base at Torridon Infant and Junior Schools is in line with these objectives.

5. Background

- 5.1 On 3 October 2007, the Mayor received a report on the public consultation for the Lewisham programme 'Strengthening Specialist Provision' (SSP). This identified a range of proposals aimed at improving the educational experience of pupils with SEN by increasing opportunities for them to be educated locally and in mainstream schools where possible and in line with parental preference.
- 5.2 One of the key objectives of the programme was to develop a range of SEN resource bases in mainstream schools. The development of an ASD resource base at Torridon Infant and Junior Schools will contribute towards achieving this objective.
- 5.3 The proposal for Torridon Infant and Juniors Schools is to develop a resource base with sixteen places for children of primary school age with a statement of SEN and a diagnosis of ASD. The first intake is proposed for September 2013 for up to eight pupils, four in the infant class and four in the junior class. It is currently proposed that the number of places would increase gradually by approximately four places per academic year.
- 5.4 A CYP Select Committee monitoring report on the SSP programme (March 2011) noted that the local authority's policy of developing resource bases in mainstream schools is resulting in positive outcomes for children with SEN. In particular, the SSP programme is delivering an enhanced range of local specialist provision, increased opportunities for mainstream inclusion and strengthened support, in particular, for children with ASD.

- 5.5 An additional 535 reception places above the Borough's published admissions limit of 3,156 were required in 2010/11. Torridon Infant School agreed to offer an additional class for 30 pupils. Works were undertaken at Torridon Infant School under the authority of a Single Tender Action (approved by Mayor and Cabinet on 2 June 2010) to enable the children to be admitted in September 2010.
- 5.6 Torridon Infant School shares a constrained site and facilities with Torridon Junior School. Torridon Junior School is significantly under the recommended net capacity for a 3 form of entry Junior school and it was recognised that additional accommodation would be required as the children move from the Infant to the Junior school. In addition the kitchen and dining hall had already been identified as unfit for purpose.
- 5.7 The governing bodies of the two schools asked the local authority to address this at the earliest opportunity. A proposal has been developed which will provide the required additional teaching accommodation in a block which will also include a replacement kitchen and dining hall. Since the work cannot be completed during the 6 week school summer holiday, decant accommodation will be required to provide a replacement dining hall during the construction period. If, after consultation, the Mayor's decision is to approve the resource base, then the decant building can be readily configured to create the accommodation required.
- 5.8 The pre-works for the decant accommodation are taking place during February 2012, with the first buildings arriving at the site in April 2012.
- 5.9 Works on the site are subject to planning permission. An application has been made and no buildings will be installed before the application is determined.
- 5.10 Initial discussions have been held with the headteachers and governing bodies of both schools, all of whom are supportive of the proposal. The schools are happy for the development of the additional teaching accommodation and replacement kitchen and dining hall to take place during the same period as the development of the resource base. They are confident that they have the capacity to manage both changes within the proposed timescales. The resource base places will be included within the total agreed place number for both schools. Therefore the development of the resource base will not result in an overall increase in pupil numbers at either school.

6. The Proposal

- 6.1 The proposal is to create a specialist ASD resource base for sixteen children from reception age through to Year 6 at Torridon Infant and Juniors Schools, Hazelbank Road, Catford, London, SE6 1TG.
- 6.2 This report seeks approval for carrying out consultation with identified stakeholders to ensure that the local authority has fully explored the views of stakeholders before publishing a statutory change notice for the proposal.
- 6.3 The proposal is part of the local authority plans to provide an increased number and range of school places for children with SEN, particularly ASD. The Mayor and Cabinet report of 3 October 2007 identified a high number of children with statements currently placed in schools outside the borough. It is not in the best interests of children that so many are placed outside their home communities. This proposal will contribute towards ensuring that more children can be educated in Lewisham. The development of a continuum of specialist provision will ensure greater flexibility of provision that can better meet the changing needs of the pupil population.
- 6.4 The local authority's transport policy will be applied to the proposal which should result in more children having their needs met closer to home. Every child attending the resource base will have their transport needs assessed and provision of transport will be dependent upon this.
- 6.5 The draft timetable for consultation on the proposal is set out below.

DATE	ACTION
22 February 2012	Mayor and Cabinet report seeking permission for consultation
14 March – 25 April 2012	Undertake consultation
30 May 2012	Mayor and Cabinet report on consultation outcomes, seeking permission to publish statutory change notice.
13 June 2012	If agreed, statutory change notice published and representation period begins
25 July 2012	Representation period closes
3 October 2012	Mayor and Cabinet report for determination of resource base

7. Financial Implications

- 7.1 A preliminary feasibility study was carried out in December 2010 to confirm the physical possibility of developing a specialist resource at Torridon Infant and Junior Schools.

- 7.2 Previous resource bases in Lewisham, i.e. at Perrymount, Tidemill and Athelney Primary Schools, have been developed for an average capital cost of £211,000. The estimated capital cost for the resource base at Torridon Infant and Junior Schools currently is estimated at £362k. However, if approved, the resource base delivery would involve recycling of facilities for the primary places project at the school and reduce the costs. The final scheme proposal will therefore be within the capital allocation set aside for resource based development. A sum of £350k has been identified within the 2012/13 Capital maintenance grant from DFE for resource base development. When moving from draft feasibility to final scheme proposal the aim will be to deliver the project within the £350k funding envelope.
- 7.3 Revenue costs, mainly for staffing and resources will be identified and built into the local authority's school funding scheme. Finance will be allocated to the school progressively as the provision is developed. All revenue costs will be met from the Dedicated Schools Grant.

8. Legal Implications

- 8.1 The Human Rights Act 1998 safeguards the rights of children in the borough to educational provision which the local authority is empowered to provide in compliance with its duties under domestic legislation.
- 8.2 Section 14 of the Education Act 1996 places a general duty on local authorities to secure that there are sufficient schools for providing primary and secondary school education and requires them in particular to have regard to the need to secure that special educational provision is made for pupils with special educational needs. Section 315 of the Education Act 1996 requires local authorities to keep their arrangements for special educational needs provision under review.
- 8.3 Section 9 of the Education Act 1996 places a general duty on local authorities and funding authorities to have regard to the general principle that children are educated in accordance with their parents' wishes, so far as that is compatible with the provision of efficient education and training and the avoidance of unreasonable public expenditure.
- 8.4 The Education and Inspections Act 2006 gives local authorities the responsibility for determining school reorganisation proposals in the first instance.
- 8.5 The Education and Inspections Act 2006 requires local authorities to consider and respond to parental representations when carrying out

their planning duty to make sure that there is sufficient primary and secondary provision and suitable SEN provision in their area.

- 8.6 Departmental guidance requires that when proposals are developed for reorganising or altering special educational needs provision local authorities and/or other proposers will need to show how they will improve standards, quality and/or range of educational provision for children with special educational needs. Such factors are addressed at paragraph 6.3 of this report.
- 8.7 Current legislative provision for the establishment, discontinuance or alteration of schools is contained in sections 7, 15 and 18 of and Schedule 2 to the Education and Inspections Act 2006. Those sections stipulate that proposers shall before publishing statutory proposals consult such persons as seem appropriate, having regard to any guidance issued by the Secretary of State.
- 8.8 Should the Mayor decide to pursue any of the proposals with regard to the prescribed alteration of Torricon Infant and Junior Schools as set out in this report, statutory notices will need to be issued in accordance with detailed procedure laid down in Schedule 2 to the Education and Inspections Act 2006 and supplemented by the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.
- 8.9 Once statutory proposals are published there follows a 6 week statutory period during which representations can be made. Such representations must be sent to the local authority. Section 21 of the Education and Inspections Act 2006 provides for regulations to set out who should decide proposals for any prescribed alterations. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 make detailed provision for the consideration of prescribed alteration proposals. Most decisions will be taken by the local authority with some rights of appeal to the schools adjudicator.
- 8.10 If the local authority fails to decide proposals within 2 months of the end of the representation period the local authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision within one week of the end of the 2 month period.

9. Crime and Disorder Implications

- 9.1 There are no direct crime and disorder implications arising from this report.

10. Equalities Implications

- 10.1 An Equalities Impact Assessment (EIA) has been completed for the SSP programme. Officers are currently in the process of updating the assessment in line with the Equalities Act 2010 and the Public Sector Equalities Duty dated April 2011. This will be completed by the end of April 2012.
- 10.2 In common with all aspects of education in Lewisham, close equalities monitoring is undertaken in relation to children with SEN. As the proposal is developed following consultation, the impact on equalities will be actively considered, and highlighted issues responded to.
- 10.3 The proposal in this report supports the achievement of the local authority's goals as set out in its Access Plan. It will assist significantly in the improved access to the curriculum for children with disabilities.

11. Environmental Implications

- 11.1 There are no direct implications arising from this report, although consideration will be given to the environmental impact of the building works. The design and specification of the resource base will be sympathetic to environmental issues and contractors will be expected to give a statement on their environmental policy.

12. Conclusion

- 12.1 The opening of a resource base for sixteen primary aged children with ASD at Torridon Infant and Junior Schools will contribute towards the development of a continuum of specialist provision within the borough, supporting our commitment to ensuring that as many children as possible can learn in their local community.

Background papers

None.

Originator

Jonathan Stevens, 3rd Floor Laurence House, 1 Catford Road, SE6 4RU, telephone: 020 8314 7043, email: jonathan.stevens@lewisham.gov.uk.

1 Chief Officer Confirmation of Report Submission	
2 Cabinet Member Confirmation of Briefing	
3 Report for:	<input type="checkbox"/>
Mayor	<input type="checkbox"/>
Mayor and Cabinet	<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)	<input type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information <input type="checkbox"/>	Part 1 <input checked="" type="checkbox"/>
	Part 2 <input type="checkbox"/>
	Key Decision <input type="checkbox"/>

Date of Meeting	March 7 th 2012
Title of Report	Proposals to consult on the provision of additional permanent primary places


Originator of Report	Chris Threlfall / Margaret Brightman	Ext. 48034
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	√	
Legal Comments from the Head of Law	√	
Crime & Disorder Implications	√	
Environmental Implications	√	
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework	√	
Risk Assessment Comments (as appropriate)	√	
Reason for Urgency (as appropriate)		

Signed:  Executive Member

Date: 28/02/2012
Signed: _____ Director/Head of Service

Date 28.02.2012 

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Proposals to consult on the provision of additional permanent primary places	
Key Decision	Yes	Item No.
Ward	Downham	
Contributors	Executive Director Children & Young People, Executive Director Resources & Regeneration, Head of Law	
Class	Part 1	7 March 2012

1 Executive Summary

- 1.1 This report seeks the Mayor's agreement to the allocation of local authority Basic Need funding in order to expand Haberdashers' Aske's Knights Academy Temple Grove from 1.5 to 2 forms of entry.
- 1.2 This will fulfil the commitment made at the Mayor and Cabinet meeting of 15th September 2010 when the Mayor agreed that , " if funding is forthcoming, the planned admissions limit to Merlin, as the primary phase of the Academy, should be 60"
- 1.3 The recent announcements of Basic Need funding mean that funding is likely now to be available to support the necessary capital works.
- 1.4 The addition of 15 places at Haberdashers' Aske's Knights Academy Temple Grove will contribute to meeting the increasing demand for primary places in the Downham area.

2 Recommendations

- 2.1 That, the Mayor agrees that, subject to the results of any required further feasibility work which shows options to be affordable in the light of Lewisham's recent capital settlement, and of consequent outline agreement with potential providers and other stakeholders, funding should be allocated to the proposal that
 - 2.1.1 Funds from the Basic Need allocation received by this Council should be allocated to fund the enlargement of Haberdashers' Aske's Knights Academy Temple Grove from 1.5 fe to 2 fe
- 2.2 That the Mayor notes that, should the enlargement proceed, capital works will be undertaken through the local authority's framework for the procurement of educational buildings, and that officers will bring a subsequent report to Mayor & Cabinet (Contracts) with recommendations for the award of contract for these works.

3 Policy Context

- 3.1 The proposals within this report are consistent with ‘*Shaping Our Future: Lewisham’s Sustainable Community Strategy*’ and the Council’s corporate priorities. In particular, they relate to the Council’s priorities regarding *young people’s achievement and involvement*, including *inspiring and supporting young people to achieve their potential*, the *protection of children and young people* and *ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community*
- 3.2 The Local Authority has a duty to ensure the provision of sufficient places for pupils of statutory age and, within financial constraints, accommodation that is both suitable and in good condition.
- 3.3 In aiming to improve on the provision of facilities for primary education in Lewisham which are appropriate for the 21st century, the implementation of a successful primary places strategy will contribute to the delivery of the corporate priority *Young people’s achievement and involvement: raising educational attainment and improving facilities for young people through partnership working*.
- 3.4 It supports the delivery of Lewisham’s *Children & Young People’s Plan* (CYPP), which sets out the Council’s vision for improving outcomes for all children and young people, and in so doing reducing the achievement gap between our most disadvantaged pupils and their peers.

The Primary Capital Programme (PCP) and Lewisham’s Primary Strategy for Change

- 3.5 When preparing the Primary Strategy for Change (PSfC), the Local Authority was prudent in taking account of the pressure on places already evident through its then most recent projections (March 2008). It therefore made one of its criteria for PCP investment in the first tranche of funding the provision of sufficient places at the right time to meet future needs within and between Primary Places Planning Localities (PPPLs) in the Borough. As articulated in Lewisham’s June 2008 PSfC:

“Ensuring that sufficient places are provided in localities at the right time will take precedence over significant investment in schools where the rectification of conditions and suitability issues will not produce additional places. “

- 3.6 Dependent upon future central government decisions on capital delivery, it is proposed that the borough’s 2011 – 2014 PCP will continue to be governed by the following criteria as set out in the 2008 PSfC:
- Provide sufficient places at the right time to meet future needs within and between planning localities in the Borough
 - Improve conditions and suitability of schools in order to raise standards
 - Increase the influence of successful and popular schools
 - Maximise the efficient delivery of education in relation to the size of the school, removing half-form entries and promoting continuity of education
 - Enable school extended services for pupils, parents and communities

- Optimise the Council's capital resources available for investment.

School Organisation Requirements

- 3.8 The Mayor is not the Decision Maker for proposals relating to Academies. Haberdashers Aske's Federation will undertake the required consultation with regard to Planned Admission Limits.
- 3.9 They are accountable to the Young Person's Learning Agency (YPLA) ¹for decisions on Academy size and the related issues of capital and revenue funding. YPLA have asked for assurances that the Local Authority will meet
1. the capital costs of enlargement
 2. ongoing revenue funding for additional learners who will be included in the Local Authority's recoupment statement

4 Background

4.1 Temporary Additional Classes

- 4.1.1 Mayor and Cabinet have received a number of reports detailing the pressure on Primary School places and the measures taken to increase supply. The following table summarises the additional places that have been opened since 2008:

Additional places opened since 2008*

School	2008/09	2009/10	2010/11	2011/12
Forest Hill & Sydenham				
Adamsrill		√	√	√
Christ Church			√	
Dalmain		√	√	√
Fairlawn			√	
Horniman				√
Kelvin Grove			√	√
Kilmorie		√	√	√
Perrymount			√	
Rathfern				√
St William of York				√
Lee Green				
Brindishe Lee			√	
John Ball		√		√
Lee Manor			√	
Brockley, Telegraph Hill & Central Lewisham				
Ashmead			√	
Brockley	√			
Edmund Waller			√	
Gordonbrock				√
Holbeach	√			

¹ The YPLA will be abolished 31/3/12 to be replaced by the Education Funding Agency (EFA). The EFA will take over its duties in relation to Academies.

John Stainer		√		
Lucas Vale				√
Myatt Garden				√
Turnham				√
Catford, Bellingham & Grove Park				
Athelney			√	√
Baring			√	
Coopers Lane				√
Forster Park		√	√	
Rushey Green			√	√
Sandhurst		√	√	√
Torridon			√	
Deptford & New Cross				
Deptford Prk		√	√	
Grinling Gibbons				√
Kender			√	√
St Josephs				√
Downham				
Dowderry				√
Good Shepherd				√
Launcelot			√	
Rangefield				√
TOTAL	2 (60)	8.5 (255)	18.5 (555)	19 (564)

* *The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007* require consultation after 3 consecutive temporary enlargements.

- 4.1.2 These places have been added as temporary increases (“bulge” classes). The allocation of £12.7m to meet Basic Need in 2011/12 has meant that the authority has been able to launch a programme to increase the supply of places on a permanent basis, particularly using sites such as Kilmorie Primary School and Kelvin Grove where existing Council-owned buildings can be re-commissioned.
- 4.1.3 In 2011-12, 74% of families were offered a place at their first preference school.
- 4.1.3 In all Primary Place Planning Localities (PPPLs), Reception places in mainstream schools have been full or nearly full since 2008-09, and pressure is set to continue over succeeding years. There are few schools with significant surpluses. Where they exist, they have already begun to diminish, and will continue rapidly to do so over the next five years
- 4.2 Additional Requirement – Borough Wide**
- 4.2.1 Projections are reviewed at least annually as the information on live births, applications to schools and the uptake of places across each year becomes available.
- 4.2.2 The most recent update (August 2011) indicates that the demand for places will remain high and measures continue to be required to increase the supply

of places through a mixture of permanent and temporary enlargements tailored to meet the needs of each area. Figures are set out in the following table.

	Reception Places	Reception Demand	Y1	Y2	Y3	Y4	Y5	Y6
2012/13	3302	3914	3668	3575	3291	3056	2927	2765
2013/14	3302	3783	3936	3691	3581	3288	3060	2943
2014/15	3302	4026	3816	3970	3708	3587	3302	3087
2015/16	3302	4029	4062	3854	3989	3717	3602	3331

*shading denotes demand in excess of supply of permanent places

4.2.3 This indicates the following borough-wide requirement

	Additional Requirement
2012/13	612 (20.5 forms of entry)
2013/14	481 (16 forms of entry)
2014/15	724 (24 forms of entry)
2015/16	727 (24 forms of entry)

5.1 Projected future demand for Lewisham Primary schools

5.1 Table 1 at Paragraph 4.2.3 above sets out the borough wide projections by Year Group until 2015/16. Population figures will need to be carefully monitored to assess the impact of the general financial situation on people's future plans for family size and moving house. But simply to cope with children known to be in the population, the borough is forecast to need over 20 additional forms of entry as early as September 2012. Some may be temporary, but the majority will ideally require the permanent expansion of some schools, the conversion of other buildings and the potential to work with other partners to make provision.

5.2 Information on each Primary Places Planning Locality is included at Appendix 1. In summary the projected changes in demand per locality, including the impact of cross border movement are as follows:

2012-16 Projected Forms of Entry demand above Locality PAL²					
PPPL		2012-13	2013-14	2014-15	2015/16
1	<i>Sydenham/Forest Hill</i>	4.5	4	6	6
2	<i>Lee Green</i>	0	0	0.5	0.5
3	<i>Lewisham/Brockley/Telegraph Hill</i>	3.5	3.5	6	6
4	<i>Catford/Bellingham/Grove Park</i>	7	5.5	7.5	7.5
5	<i>Deptford/New Cross</i>	4	3.5	4	4
6	<i>Downham</i>	4	2.5	2.5	2.5
	TOTAL	23*	19	22.5	26.5

² Using 2011/12 as a baseline

*This aggregated figure is a high prediction compared to the 20.5 FE demand for 2012 indicated in paragraph 4.2.3. Out-borough applications and “late on-time applications” for 2012 indicate that there will be demand for 23 additional forms of entry

5.3 Consultations are in progress on the following options to add permanent places in 2013:

School	Places	Comment
<i>PPPL2 Lee Green</i>		
Trinity	60	Enlargement of Trinity CE Secondary to create an all-through school
<i>PPPL 3 Lewisham / Brockley / Telegraph Hill</i>		
Prendergast Ladywell Fields College	60	Enlargement of Prendergast Ladywell Fields College to create an all-through school
<i>PPPL5 Deptford & New Cross</i>		
Torridon Junior	60	Enlargement through the opening of 2FE on the site of the Mornington centre

A report will be brought to Mayor & Cabinet on the outcomes of these consultations.

5.4 Haberdashers Aske’s Federation has recently sought the views of prospective parents in order to gauge the level of support for an application for the opening of a 2FE Free School on its Hatcham site. The Local Authority is confident that projections demonstrate sufficient demand in the area to justify this provision.

6 Additional Requirement – Primary Place Planning Locality 6 - Downham

6.1 Although Primary Place Planning Locality 6 (Downham) has been characterised by low levels of applications leading to surplus places, the character of the area is changing with new developments in the area. Parents/carers may also find it difficult to secure places in schools in Bromley as its pupil roll is also rising.³

6.2 Occupancy

³ Parents in the Downham area have applied to the following Bromley schools in past years:

- Castlecombe Primary – this is now very oversubscribed with the distance criteria reaching about 0.2 mile
- Burnt Ash – this is now very oversubscribed, reaching 0.5 mile. This planning area has a predicted shortfall of places from 2013
- Whilst Bromley Rd Infant is not currently over-subscribed, projections for this planning area have a predicted shortfall of places from 2013.
- Alexandra Infant is oversubscribed reaching 0.4 miles mile. This planning area has a predicted shortfall of places from 2012 and there are already temporary expansions in this area.

Good Shepherd and St John the Baptist are oversubscribed and both demonstrate high levels of occupancy. Other schools in the area have filled in the course of the year and have retained the children for whom they may not have been first preference.

6.3 Future projections of need in Downham

Births

Births September 1 st 2000 to August 31 st 2001	347
Births September 1 st 2008 to August 31 st 2009	474
Births September 1 st 2009 to August 31 st 2010	476
Increase 2000/01 to 2009/10	37%
Increase 2008/09 to 2009/10	0.5%

Demand for Reception

Reception	High Projection	Additional Requirement
2012/13	464	119 (4FE)
2013/14	418	73 (2.5 FE)
2014/15	420	75 (2.5 FE)
2015/16	420	75 (2.5 FE)

6.4 Options to meet demand

Projections beyond 2015 suggest that at least 2.5FE of permanent provision will be required in order to meet the likely demand from families resident in the area. The Local Authority will look at patterns of parental preference and the capacity (both in terms of site size and school leadership) of local schools to meet this need. These options will be reported to the Mayor for decision.

6.5 Closure of Merlin report

When developing the proposal to close Merlin Primary school and lower the age of entry to Haberdashers Aske's Knights Academy (HAKA), the Local Authority explored whether there were sources of capital funding available to increase the planned admissions limit of the primary phase of HAKA from 1.5 fe, the Planned Admission limit of Merlin, to 2fe. No such sources emerged, and therefore the primary phase remained at 1.5fe. However, the Local Authority undertook to continue to pursue opportunities which might allow expansion at a later date.

6.6 As agreed at the time of transfer, Haberdashers' Aske's Federation has maintained Lewisham's admission arrangements for the primary phase of the Academy, based on distance from home to school, and the continuation of the Federation's admissions arrangements at Year 7 at HAKA, being based on distance from home to school and on banding.

6.7 Recent capital settlements mean that the proposal to enlarge Haberdashers Aske's Knights Temple Grove can now be re-considered.

6.8 A building proposal has been developed which will add the necessary classrooms through re-developing the site of an existing small building which is no longer fit for purpose. The scheme will also enlarge necessary elements

of the school infrastructure such as the staff room and the kitchen, since the existing facilities would not meet the needs of an enlarged school. Should the proposal go ahead, the Haberdashers Aske's Federation will integrate this building scheme with other works that they propose for the site which they will fund.

- 6.9 The proposals support the principles set out in the Local Authority's *Primary Capital Programme Strategy for Change* (Mayor & Cabinet May 2008)

7. Financial Implications

Capital Finance Implications

- 7.1.1 Approximately £6.9m will be carried over from 2011-12 Basic Need allocation of £12.6m announced on 13th December 2010
- 7.1.2 In July 2011 the Government announced that a further £500m would be allocated nationally to meet the demand for pupil places. In November 2011 the borough was notified of an allocation of £12.8m.
- 7.1.3 On December 13th 2011 the DfE announced capital allocations for 2012/13. Lewisham received £12.657m for Basic Need and £5.404m for capital maintenance.
- 7.1.4 A further £600m is to be allocated to authorities facing school place pressures. Amounts for individual boroughs are expected to be announced before the end of the financial year.

7.2 Available Capital Resources

- 7.2.1 On the basis of known Government announcements the total basic needs allocation available to 31 March 2013 is £32.5 million including £6.9 million of the 2011-12 allocation not yet applied. The estimated cost of the projects to deliver additional places for September 2012 is £16.5million.
- 7.2.2 The Haberdashers Federation have confirmed that they do not require additional accommodation in order to admit 15 additional pupils in September 2012, therefore it is proposed to schedule the necessary works for the permanent expansion as part of the 2013/14 programme. Once the feasibility work is completed and an affordable and value for money scheme identified it will be possible to allocate a sum of money against the then known capital resources for primary places in order to deliver this expansion of places.
- 7.2.3 Subsequent reports to the Mayor on each proposal will include project costs and confirmation that funding exists within the capital allocations available to the programme.

Revenue Finance Implications

- 7.3 The anticipated costs of these feasibilities is £8,250 and this would be met from the Dedicated Schools Grant *Capital Expenditure from Revenue Account* (DSG-CERA) allocation for 2012/13.

- 7.4 The project management support from the Estates Management Unit will be met from the Unit budget in 2012/13.
- 7.5 The school will be funded by the Education Funding Agency(EFA) from 1 April 2012 (currently the Young Peoples Learning Agency) on the basis of Lewisham's funding formula for our maintained schools. The EFA will then top up this funding for those services that the LA no longer provides to academies.
- 7.6 The revenue funding for the bulge class (£55k) will be included in the formula allocation for Temple Grove. This will in turn be recouped from the Local Authority by the EFA and passed directly to the school. The funding will come from the Dedicated Schools Grant.

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 accordance with its duties under domestic legislation.
- 8.2 Section 14 of the Education Act 1996 obliges each local 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. The Authority is not itself obliged to provide all the schools required, but to secure that they are available.
- 8.3 In exercising its responsibilities under section 14 of the Education Act 1996 a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

The Education and Inspections Act 2006 places requirements on Authorities to make their significant strategic decisions concerning the number and variety of school places in their localities against two overriding criteria:

- to secure schools likely to maximise student potential and achievement;
- to secure diversity and choice in the range of school places on offer.

- 8.4 Section 6 (2A) of the Academies Act 2010 which has recently been added by the section 58 of the Education Act 2011 enables a local authority to provide financial or other assistance to an Academy. The recent amendment clarifies the position in that it enables a local authority to pay some (but not all) of an Academy's maintenance expenses and to provide (or make available) premises, goods and services for an Academy.
- 8.5 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.6 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.

8.7 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

8.8 The Equality and Human Rights Commission issued guides in January 2011 providing an overview of the new equality duty, including the general equality duty, the specific duties and who they apply to. The guides cover what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guides were based on the then draft specific duties so are no longer fully up-to-date, although regard may still be had to them until the revised guides are produced. The guides do not have legal standing unlike the statutory Code of Practice on the public sector equality duty, However, that Code is not due to be published until April 2012. The guides can be found at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/new-public-sector-equality-duty-guidance/>

9 Crime and Disorder Implications

9.1 There are no crime and disorder implications.

10 Equalities Implications

10.1 This report supports the delivery of the Council's Equalities programme by ensuring that all children whose parents/carers require a place in a Lewisham school will be able to access one.

11 Environmental Implications

11.1 Every effort will be made to enhance rather than detract from school environments in the solutions to providing additional primary places.

12 Risk assessment

12.1 There are financial risks if insufficient funding is allocated to support the programme There are also significant reputational risks to the Council if it does not meet its statutory requirement to ensure sufficient primary school places are made available

13 CONCLUSION

The opportunity to expand Knights Temple Grove from 1.5 FE to 2FE provides an opportunity to fulfil commitments made earlier, and to meet the demand for pupil places within the well-established criteria for the development of primary provision within the borough.

BACKGROUND PAPERS

Closure of Merlin Primary School

November 10th 2010

If there are any queries on this report, please contact Chris Threlfall, Head of Education Development on 0208 3149971.

Chief Officer Confirmation of Report Submission			
Cabinet Member Confirmation of Briefing			
Report for:	Full Council		<input type="checkbox"/>
	Mayor and Cabinet		<input checked="" type="checkbox"/>
	Mayor and Cabinet (Contracts)		<input type="checkbox"/>
	Executive Director		<input type="checkbox"/>
Information	Part 1	Part 2	Key Decision
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Date of Meeting	7 March 2012
Title of Report	Surrey Canal Triangle Regeneration – “In Principle” resolution to make a Compulsory Purchase Order and Appropriation of Land

Originator of Report	Director of Regeneration and Asset Management
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework		X
Risk Assessment Comments (as appropriate)	X	
Reason for Urgency (as appropriate)	N/A	

Signed:  Executive Member

Date 28/02/2012

Signed:  Director/Head of Service

Date 28/02/2012

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	

MAYOR & CABINET		
Report Title	Surrey Canal Triangle Regeneration – “In Principle” resolution to make a Compulsory Purchase Order and Appropriation of Land	
Key Decision	Yes	Item No.
Ward	New Cross	
Contributors	DIRECTOR FOR REGENERATION AND ASSET MANAGEMENT/ HEAD OF PLANNING/HEAD OF LAW/HEAD OF ASSET STRATEGY & DEVELOPMENT (INTERIM)	
Class	Part 1	Date: 7 March 2012

1.0 Purpose of report

- 1.1 To update the Mayor on progress of the Surrey Canal Triangle (SCT) Regeneration by the Developer, Renewal Bermondsey Two Limited and their subsidiary company Cragside Limited and the current land assembly position. For the purposes of this report, the Developer is referred to throughout as “Renewal”.
- 1.2 To seek the Mayor's “in principle” approval for the Council to use its Compulsory Purchase Powers and Land Appropriation powers under the Town and Country Planning Act 1990 (if required) to facilitate the land assembly of the SCT Development Site (“the Site”) which will enable the implementation of the recently approved planning application and a comprehensive regeneration of the area (“the Scheme”).

2.0 Policy context

- 2.1 'People, prosperity, place', Lewisham's regeneration strategy 2008-2020, sets out the Council's aspiration for a vibrant, dynamic Lewisham focussed around the themes of people - investing in the individuals and communities which are Lewisham's greatest asset - prosperity - fostering the skills and economic opportunities for Lewisham to flourish and thrive - and place - developing high quality public spaces, sustainable buildings and protecting the areas which are sensitive to change. The strategy identifies the area as a strategic site with the Borough. The strategy is also placed within the framework of the key national and regional policies which affect the Council's work around regeneration of the borough, including the London Plan.

- 2.2 'Shaping our future', Lewisham's Sustainable Community Strategy 2008 - 2020, includes the 'Dynamic and Prosperous' theme, where people are part of vibrant communities and town centres, well connected to London and beyond. It details the Local Strategic Partnership's commitment to 'improving the quality and vitality of Lewisham's town centres and localities', and aspirations to 'support the growth and development of our town centres by working with commercial partners and developers', and 'maximise the use of our town centres as places to engage the local community'.
- 2.3 The Council's corporate strategy 2008 - 2011 identifies 'strengthening the local economy' as a corporate priority, emphasising the importance of 'gaining resources to regenerate key localities, strengthen employment skills and promote public transport.
- 2.4 The Council's Asset Management Plan sets out the approach to using property effectively in order to achieve the Council's objective of making Lewisham the best place in London to live work and learn. It acknowledges that the Council's assets have a key role to play in supporting the borough's regeneration aims.
- 2.5 The Council's Local Development Framework (LDF) sets the vision, objectives, strategy and policies that will guide development and regeneration in the borough up to 2025 and together with the Mayor of London's 'London Plan' will form the statutory development plan for the borough.
- 2.6 Lewisham's Housing Strategy 2009 -14, 'Homes for the future: raising aspirations, creating choice and meeting need' includes as key priorities increasing housing supply, despite the current recession, to ensure all opportunities are explored; and meeting housing need and aspirations by widening housing choice across all tenures. Major regeneration schemes remain one of the Council's key vehicles to bring about significant improvements to its housing stock as well as PFI, ALMO and stock transfer methods, especially for housing estates where the cost of tackling the range of physical and social problems means that in most cases they fall outside of the scope of the housing allocations in the Council's Capital Programme. The strategy recognises that in 'the difficult market conditions posed by the housing market downturn, innovative thinking will be required to deliver the necessary numbers, mix and quality of new homes in a way that fits with wider plans for the borough'.
- 2.7 The Council's Annual Lettings Plan was last presented to Mayor & Cabinet in March 2011. It set out the content of the Lettings Plan for 2011/12, which is designed to achieve the Council's strategic priorities for housing need and homelessness.

3.0 Recommendations

The Mayor is recommended to:

- 3.1 agree “in principle” for the Council to use its Compulsory Purchase powers and to acquire or appropriate the Site shown edged red on the plan in Appendix 1 to this Report, for planning purposes pursuant to Sections 226 and/or 237 of the Town and Country Planning Act 1990 (as amended);
- 3.2 grant delegated authority to the Director of Regeneration and Asset Management, in consultation with the Head of Law and Head of Asset Strategy & Development (interim), to negotiate the terms of and enter into an indemnity agreement with Renewal;
- 3.3 grant delegated authority to the Director of Regeneration and Asset Management, in consultation with the Head of Asset Strategy & Development (interim) and the Head of Law, to carry out and complete the land referencing exercise with Renewal to identify all owners, tenants, occupiers and others with a legal interest affected by the Scheme and which may be included in any future Compulsory Purchase Order or become eligible for compensation under Section 237;
- 3.4 appoint the Director of Regeneration and Asset Management as the authorised officer pursuant to S.15 of the Local Government (Miscellaneous Provisions) Act 1976 for the purposes of the Scheme;
- 3.5 authorise the Director of Regeneration and Asset Management, in consultation with the Head of Asset Strategy & Development (interim) and the Head of Law, to issue requisitions for information pursuant to Section 16 of the Local Government Act (Miscellaneous Provisions) Act 1976 to all potential owners of legal interests affected by the Scheme;
- 3.6 agree that an Equalities Analysis Assessment is undertaken of the potential impact of the proposed Compulsory Purchase Order;
- 3.7 note that in the event that Renewal are unable to complete the assembly of the Site by agreement/private treaty by 31st September 2012, a further report will be presented to Mayor & Cabinet seeking authority to make a full and unconditional CPO for the Site and to acquire or appropriate the Site for planning purposes so as to trigger the provisions of Section 237;
- 3.8 to note that any resolution to make a full unconditional CPO and/or for the Council to appropriate land for planning purposes for the purposes of Section 237 for the Site will be subject, in particular, to the following pre-conditions being met:
 - I. the Mayor being satisfied that Renewal have used their reasonable endeavours to complete the assembly of the SCT Development Site by agreement/private treaty and that the redevelopment proposals cannot otherwise be delivered;

- II. the requirements of Section 122 of the Local Government Act 1972 and Sections 226, and 237 of the Town and Country Planning Act 1990 being met;
- III. the Mayor being satisfied that there is a compelling case in the public interest to make a Compulsory Purchase Order;
- IV. the Mayor being satisfied that there is a delivery mechanism with Renewal and/or others in place, which ensures that there is a comprehensive redevelopment of the whole Site and that the new development will be built and completed within a reasonable time period;
- V. the Mayor being satisfied that Renewal has a viable business plan and funding strategy to deliver a comprehensive regeneration scheme, together with a full and sufficient indemnity agreement(s) and appropriate financial bond covering the costs of making and confirming any such CPO/appropriation for the purposes of Section 237; and
- VI. consideration of any issues raised by the Equalities Analysis Assessment on the potential impact of the Compulsory Purchase Order.

4.0 Background

- 4.1 In early February 2011 the Council received an application for outline planning permission made by Signet Planning on behalf of the Developer: Renewal Bermondsey Two Limited for the comprehensive phased mixed-use development of the Site.
- 4.2 The Council's Strategic Planning Committee on 13th October 2011 resolved to approve the planning application, the full details of which are contained in the report to that Committee and available on the Council's website.
- 4.3 In summary, the Scheme consists of the comprehensive, phased, mixed-use development of the site based upon a set of planning parameters that would enable detailed proposals to come forward for the following:
 - 1. Demolition of all buildings other than MFC Stadium, Rollins House and Guild House;
 - 2. The provision of up to 240,000sqm of development on 17 different plots;
 - 3. A range of non-residential uses including retail, cafes/restaurants and drinking establishments, hot food takeaways, Business (B1), hotel, community and Leisure and Assembly, with non-residential floor space totalling at least 37,000sqm or 20% of the total floor space provided, whichever is the lower;
 - 4. Up to 2,400 residential dwellings of a range of sizes, including between 0 and 20% by habitable room of 'affordable housing;

5. Minimum and maximum building heights ranging from 5m above ground to 85.7m above ground (between one and 27 storeys);
6. Between approximately 1.51ha and 1.77ha of publicly accessible open space, other public realm areas and residential amenity/play space;
7. Between approximately 3,240m and 4,640sm of Living Roofs;
8. A network of altered and new streets, pedestrian and cycle paths and up to 1,084 car parking spaces and at least 1 cycle parking space per new home, plus at least 282 spaces for staff and visitors;
9. Provision for two bus services to access some of the proposed streets and the provision of bus stops and facilities for bus drivers in order to provide a public transport interchange with a new Surrey Canal Road Station on the East London Line Extension;
10. District Heating Network either connected to the nearby SELCHP plant or powered by an on-site Combined Heat and Power plant and 3,000sqm of photovoltaic panels at roof level; and
11. A vacuum waste storage and handling system.

5.0 Existing ownerships and land assembly issues

- 5.1 The majority of the land required for the Scheme is in the ownership of the Council and Renewal.

A Plan showing ownerships of the Council, Renewal, Millwall Football Club, Millwall Community Trust and other key landowners is shown in the Appendix 2 attached to this report.

The Council owns the freehold of the Stadium, the adjoining sports and community centre. Millwall FC ("MFC") has a long lease (with 132 years to run) on the Stadium and adjoining land and the Millwall Community Trust ("MCT") has a lease (with 18 years to run) on the sports and community centre. Neither MFC nor MCT can develop the land leased to them by the Council without the Council's consent as Landowner. Negotiations are currently ongoing with MFC and MCT, and at this moment in time it is not envisaged that any land occupied by either of these parties will be included in a CPO, if an agreement can be reached. If agreement is reached involving the Council's land, subject to contract and approvals, a further report will be presented to Mayor & Cabinet.

The majority of the remainder of the site is owned by Renewal who commenced acquisitions in 2004, and which have continued over the past 8 years, with offers to acquire by agreement the remainder of the land. However, there are still a small number of land parcels and rights that are owned by private owners, Transport for London and Network Rail which still need to be acquired in order for the scheme to be implemented.

5.2 Proposed CPO and Land Appropriation (S.237)

At this stage Renewal are seeking an “in principle” resolution indicating that the Council will support the scheme by compulsory purchase and appropriating land in its ownership for planning purposes for the purposes under Section 237. At this stage of the process, if agreement can be reached with land owners and those with rights then these powers will not need to be used. Any use of these powers will be subject to a further report to Mayor & Cabinet for a formal resolution. The preparation and implement of the CPO and land appropriation will be subject to the Council being indemnified against all the costs, including preparing for a CPO, claims of blight and statutory compensation as well as inquiry costs if the CPO is contested.

- 5.3 Compulsory purchase is a course of last resort, and Renewal have been and will be continuing to use reasonable endeavours to agree terms with interested parties by voluntary means. It is in the interest of all parties to do so and is also in accordance with Government advice in ODPM Circular 06/2004. This also recommends the use of alternative dispute resolution techniques including mediation and arbitration wherever appropriate. The Urban Task Force reported in 1999 on the decline of cities and in recommending a series of measures in their report “Towards an Urban Renaissance” specifically included that local authorities should use statutory powers to assist the private sector to bring forward proposals which are desirable in their areas. The SCT scheme is an important site specific proposal and regeneration opportunity for the Borough.

5.4 Oversailing rights

This is the right for construction cranes to use air space above properties, some of which will be outside the boundary of the development site. So far as oversailing rights over public highways are concerned there are statutory powers in the Highways Act 1980. The proposed scheme of development by Renewal is a very substantial construction project and if special oversailing rights need to be considered, Renewal will report on this in good time for them to be included in the proposed CPO.

6.0 Rights of Light and other rights – Land Appropriation S.237 Powers

- 6.1 The height of the proposed scheme and housing development may impinge on the daylight of some properties. Renewal and the Council’s advisors are still assessing the extent of this impact. Under the Prescription Act 1832 rights of light may arise after 20 years uninterrupted use of daylight through windows and this can be a problem in the construction of high buildings. It is a specialist issue for surveyors and lawyers to assess.
- 6.2 Rights of light issues will not arise where there is consent or agreement in writing by virtue of which the light was enjoyed but the landowner is compensated for its loss. Renewal will be using reasonable

endeavours to agree terms with interested parties by voluntary means. In the absence of agreement the issue can be resolved by relying on Section 237 where the land in question has been acquired or appropriated by the Council for planning purposes and where the works have the benefit of planning permission. Renewal is seeking the Council's "in principle" decision to use these powers if they are unable to reach agreement.

Renewal have agreed "in principle" to indemnify the Council in respect of any rights of lights claims or costs of other rights which need to be extinguished or acquired, and this will be included in the proposed indemnity agreement.

7.0 Highways

- 7.1 Surrey Canal Road and Bolina Road are public highways, managed by the Council. There are no road closures proposed by the scheme only the minor realignment of Bolina Road.

8.0 Financial implications

- 8.1 At this stage, the Council is being asked to only make an "in principle" decision to use its' powers. A full detailed assessment of the financial implications and costs of making CPO will be prepared and presented to Members in a further Report should a CPO actually be required.
- 8.2 The extent of the financial risks to the Council in making an 'in principle' decision to use CPO powers is considered by Officers to be "low". A draft indemnity agreement is currently being negotiated with Renewal that should provide the Council with the protection it requires to avoid financial risk.
- 8.3 In terms of Blight Notices and Purchase Notices, there is a risk, as with any major scheme in the Borough, that an owner may serve these notices. However there are strict legal criteria on which these notices can be served and assessed as valid. The Council's position is that it is unlikely to accept a notice following the "in principle" decision and will ask Renewal to negotiate with the owner by agreement.
- 8.4 Looking beyond an 'in principle' agreement, a prerequisite to any resolution of Council to acquire land by CPO will be a robust and viable business plan and funding strategy for delivery of a comprehensive redevelopment of the whole site. This will be considered further together with details of the financial risks and exposure to the Council, and will be presented to Mayor & Cabinet should a full CPO resolution be required.

9.0 Risk Assessment

- 9.1 A risk register is being prepared for this project and a Project Implementation Document (PID) has been prepared and will be monitored by the Council's SCT Proposed CPO Board. The indemnity agreement being prepared will provide the Council with all the protection it needs to avoid almost all financial risks. At this stage of the process, the "in principle" decision involves minimal risk to the Council, and the Council can decide whether or not it proceeds with the project or withdraws before a resolution is made.

10.0 Comments from the Head of Planning

- 10.1 The Core Strategy Development Plan Document (DPD) sets out the vision, objectives, strategy and policies to manage development in the borough over the next 15 years (2011 to 2026). The Core Strategy is the Council's key planning policy document and together with the London Plan forms the development plan for the borough. The Core Strategy allocates five sites in the north of the borough as 'strategic sites' one of which is Surrey Canal Triangle (Core Strategy Strategic Site Allocation 3, SSA3).
- 10.2 The strategic sites are considered central to the achievement of the Core Strategy as redevelopment can collectively transform the physical environment and achieve place making objectives by delivering a comprehensive range of regeneration outcomes in the borough's most deprived areas. This includes significant numbers of new homes, a range of economic, employment and training opportunities, accessibility improvements (public transport, pedestrian and cycle), and infrastructure provision and public realm improvements.
- 10.3 Surrey Canal Triangle represents an opportunity to transform the environment and infrastructure and create a new destination around the borough's premier sporting destination (Millwall Stadium) which currently is not enhanced or improved by the surrounding industrial estates.
- 10.4 The Core Strategy policy (SSA3) allocates the site for mixed use development and requires a comprehensive phase approach to redevelopment in line with an approved Masterplan. For the purposes of this site, the detailed planning application and supporting documentation which the Council resolved to approve on 13th October 2011. This represents the site's masterplan. The policy seeks to create a 'destination' that could act to focus and attract other regeneration opportunities. It ensures development facilitates and takes advantage of the proposed new station on the London Overground network and the existing sporting and leisure facilities at Millwall Stadium to create a new high quality destination in an area which is relatively devoid of local facilities. Specifically the policy:
- ensures the continued operations of Millwall Stadium and supports its potential redevelopment
 - seeks a range of uses including employment, retail, housing (up to 2,500 new homes), leisure and community

- makes provision for a range of infrastructure including the Surrey Canal Road London Overground Station and substantial improvements to walking and cycling routes, including on-site amenity space
 - ensures high quality design of all new buildings and spaces.
- 10.5 The Core Strategy is intended to encourage third party landowners and developers to bring forward their land and buildings for re/development where appropriate. The Council has been working with landowners and their agents to assist the process of bringing forward development within the earliest possible period. This particularly applies to the strategic site allocations. However, it is accepted that there may be instances where landowners may be reluctant or unwilling to bring forward their land for development. In such circumstances the Council may choose to use its compulsory purchase powers to achieve the Core Strategy's wider regeneration objectives.

11.0 Legal implications

Compulsory Purchase

- 11.1 The Council needs to give consideration to using its compulsory purchase powers to help implement the regeneration scheme. At this stage, the Mayor is only being asked to agree in principle to the use of these powers. Any future resolution to make a CPO will be subject, in particular, to the pre-conditions referred to at recommendation 3.8 being satisfied and to consideration by the Mayor of all other relevant considerations.
- 11.2 Any CPO would need to be made using planning powers pursuant to Section 226(1) (a) of the Town and Country Planning Act 1990. Section 226(1)(a) enables authorities with planning powers to exercise their compulsory acquisition powers if they think that acquiring the land in question will facilitate the carrying out of redevelopment of the land and it is not certain that they will be able to acquire it by agreement. Section 226(1A) provides that the acquiring authority must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area. In deciding whether to make a CPO using planning powers, the Council would be required to demonstrate that there is sufficient justification for acquiring the land compulsorily and that there is a compelling case for a CPO.
- 11.3 In particular, the relevant government guidance (Circular 06/2004) states that any programme of land assembly must be set within a clear strategic framework. The guidance goes on to state that such a framework will need to be founded on an appropriate evidence base and to have been subject to consultation processes, including with those whose property is directly affected. The Mayor, when making the CPO, and the Secretary of State, when considering whether to confirm

it, would be required to have regard in particular to whether the purpose for which the land is being acquired fits with the adopted planning framework for the area. These matters would have to be dealt with fully in any future report to Mayor and Cabinet recommending the making of a CPO for this scheme.

Section 237

- 11.4 In accordance with Section 122 of the Local Government Act 1972, an authority may appropriate land in its ownership from one purpose to another, when it is no longer required for the purpose for which it was previously held.
- 11.5 Land is held by the Council subject to any existing interests and rights belonging to third parties, including rights of light, and the land will be sold subject to any such interests and rights on disposal. However, under Section 237 of the Town and Country Planning Act 1990, the development of land which has been acquired or appropriated for planning purposes in accordance with a valid planning permission is authorised even if that development would interfere with any interests or rights affecting the land. The effect of the appropriation is to extinguish any such interests or rights.
- 11.6 Where rights are extinguished, the owners of any such interests are entitled to compensation calculated under the compulsory purchase compensation rules for injurious affection. However, appropriation removes the potential for excessive compensation claims and the ability for owners to obtain injunctions preventing the redevelopment or claim damages.
- 11.7 The Council can only appropriate land in its ownership to planning purposes. Acquisition of land for planning purposes (whether compulsorily or by agreement) has the same effect as appropriation for planning purposes. These matters would have to be dealt with in detail in any future report to Mayor and Cabinet recommending acquisition or appropriation of any part or parts of the Site for planning purposes.

Equality Act 2010 Implications

- 11.4 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 11.5 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.
- 11.6 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 11.7 The Equality Implications section of this report sets out the position in relation to the Equalities Impact Assessment which is in progress and the results will be reported to the Mayor to be considered at the time the relevant decisions are made.

Human Rights Act 1998 Implications

- 11.8 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. The rights that are of particular significance to the Mayor’s decision are those contained in Articles 8 (right to home life) and Article 1 of Protocol 1 (peaceful enjoyment of possessions).
- 11.9 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.
- 11.10 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.
- 11.11 Therefore, in deciding whether to proceed with the proposals, the Mayor will need to consider the extent to which the decision may impact upon the Human Rights of residents and to balance these against the overall benefits to the community which the Scheme will bring. The Mayor will wish to be satisfied at the time any resolution to make a full unconditional CPO and/or for the Council to appropriate land for planning purposes for the purposes of Section 237 for the Site

is made 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.

12.0 Equality Implications

12.1 An Equalities Analysis of the potential impact of the CPO is in progress and will outline issues to be addressed as part of the preparation and delivery of the CPO, and will be reported to Mayor and Cabinet for consideration before any formal resolution is requested for a CPO.

13.0 Environmental Implications

13.1 There are no immediate environmental implications associated with the recommendations of this report. The planning report referred to in the background papers has the environmental implications concerning the scheme.

14.0 Crime and disorder implications

14.1 There are no immediate implications associated with the recommendations of this report. The planning report referred to in the background papers has the implications concerning the scheme.

15.0 Conclusion

15.1 Mayor & Cabinet are recommended to approve “in principle” for the Council to use its Compulsory Purchase Powers and Land Appropriation powers under the Town and Country Planning Act 1990 (if required) to facilitate the land assembly of the SCT Development Site which will enable the implementation of the recently approved planning application and a comprehensive regeneration of the area.

Background Papers

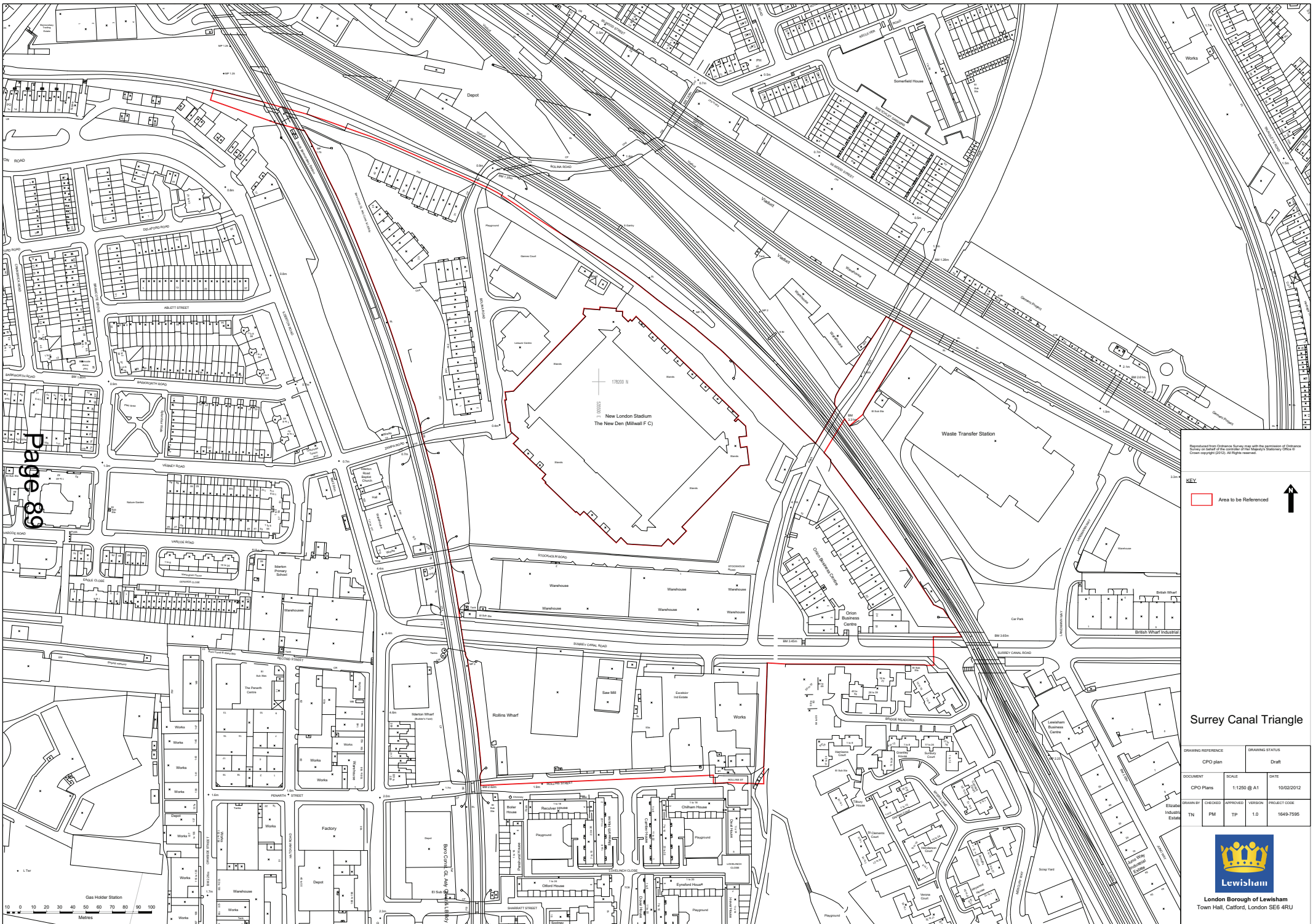
Copies of all background papers have been made available in the members' room prior to the meeting at which this report is due for consideration. The papers are listed in the table below.

<u>Short title of document</u>	Date	File Location	Contact Officer
Strategic Planning Committee Report Land to the North and South of Surrey Canal Road	13.10.11	Lewisham Town Hall	Chris Brodie

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APPENDIX 1 – PROPOSED CPO AND LAND REFERENCING REDLINE
BOUNDARY PLAN

APPENDIX 2 – LAND OWNERSHIP PLAN



Page 89

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KEY:

Area to be Referenced

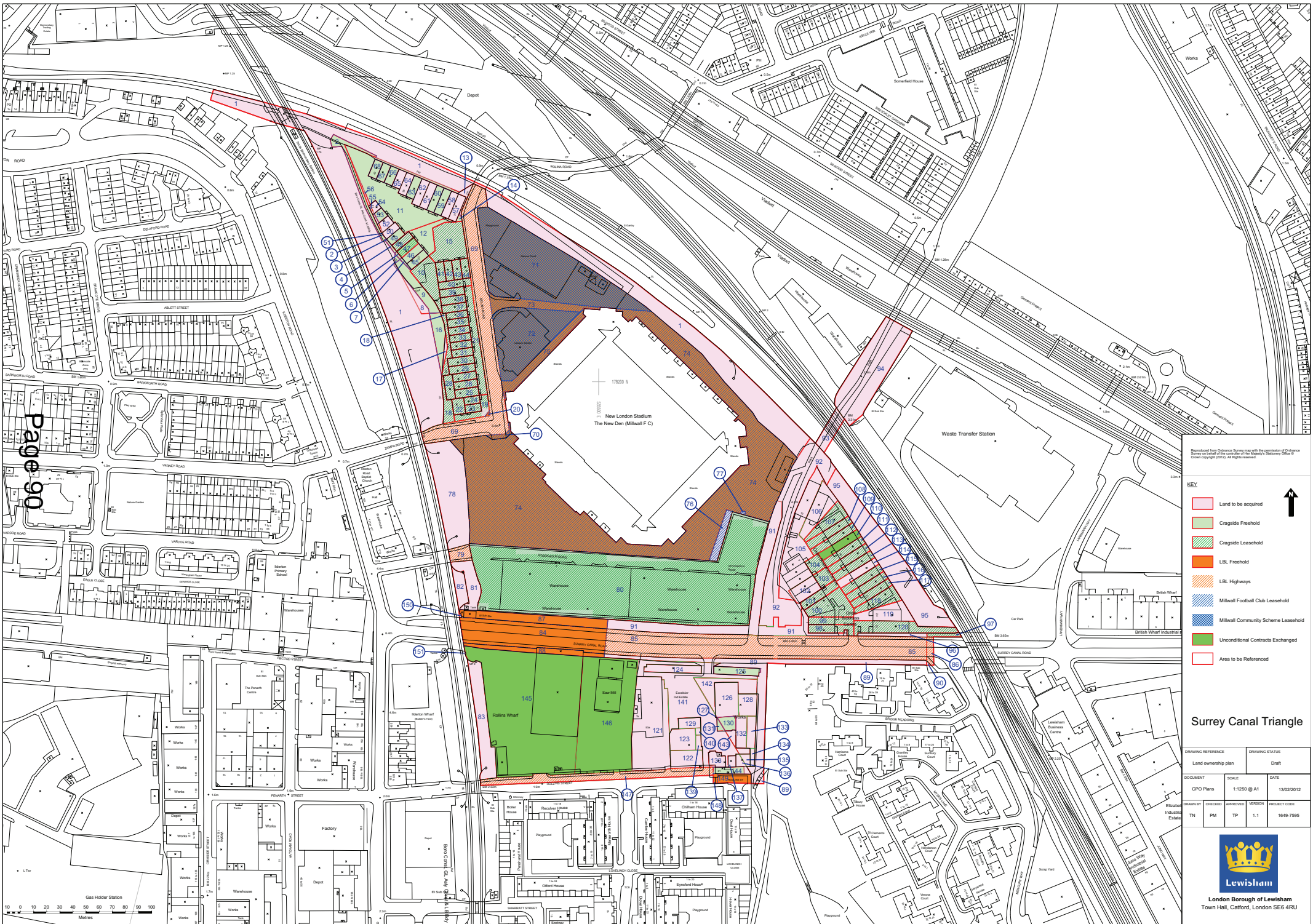
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Surrey Canal Triangle

DRAWING REFERENCE		DRAWING STATUS	
CPO plan		Draft	
DOCUMENT	SCALE	DATE	
CPO Plans	1:1250 @ A1	10/02/2012	
DRAWN BY	CHECKED	APPROVED	VERSION
ETABE INDUSTRIAL TEAM	PM	TP	1.0
PROJECT CODE		1649-7595	



Lewisham Borough of Lewisham
Town Hall, Catford, London SE8 4RU



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KEY

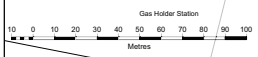
- Land to be acquired
- Cragside Freehold
- Cragside Leasehold
- L.B.L. Freehold
- L.B.L. Highways
- Millwall Football Club Leasehold
- Millwall Community Scheme Leasehold
- Unconditional Contracts Exchanged
- Area to be Referenced

Surrey Canal Triangle

DRAWING REFERENCE:		DRAWING STATUS:	
Land ownership plan		Draft	
DOCUMENT:	SCALE:	DATE:	
CPO Plans	1:1250 @ A1	13/02/2012	
DRAWN BY:	CHECKED:	APPROVED:	VERSION:
Elizabeth Industries Studio	PM	TP	1.1
PROJECT CODE:		1649-7596	

Lewisham

London Borough of Lewisham
Town Hall, Catford, London SE6 4RU



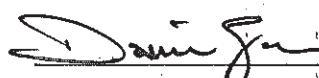
APPENDIX D

Chief Officer Confirmation of Report Submission	
Cabinet Member Confirmation of Briefing	
Report for: Mayor	<input type="checkbox"/>
Mayor and Cabinet	<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)	<input type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information <input type="checkbox"/>	Part 1 <input type="checkbox"/>
	Part 2 <input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	7 March 2012
Title of Report	Comprehensive Equalities Scheme 2012-16
Originator of Report	Paul Aladenika
	Ext. 47148

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	x	
Legal Comments from the Head of Law	x	
Crime & Disorder Implications	x	
Environmental Implications	x	
Equality Implications/Impact Assessment (as appropriate)	x	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed:  Executive Member

Date: 27/02/2012

Signed:  Director/Head of Service

Date: 27th Feb. 2012

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Comprehensive Equalities Scheme 2012 – 2016	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Chief Executive, Executive Director for Resources & Regeneration.	
Class	Part 1	Date: 7 March 2012

Introduction

1. This report summarises the draft Comprehensive Equalities Scheme (CES): 'Equality for All' 2012-16. (Attached as Appendix A) In particular the report provides details of the statutory context informing the development of the CES, information on how stakeholders have been engaged and information on the draft objectives going forward.

Recommendations

2. The Mayor is recommended to:
 - (i) approve the Comprehensive Equalities Scheme 2012-16;
 - (ii) approve and agree the draft equality objectives for the next four years.

Background and policy context

3. The Equality Act of 2010¹ brings existing equality legislation into a single statute and extends coverage to include a broader range of protected groups. The nine characteristics given protection under the Equality Act are: age, disability, gender, gender re-assignment, marriage, pregnancy & maternity, race, religion & belief and sexual orientation.
4. In respect of these protected characteristics the Equality Act places a General Duty on public bodies to have due regard to the need to:
 - eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;
 - advance equality of opportunity between persons who share a protected characteristic and those who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and those who do not share it.

5. The Specific Duties of the Equality Act² also provide that public bodies have a statutory duty to publish equality objectives by 6 April 2012. These objectives, which must set out how public bodies will comply with the General Duty, are required to be in place for four years and must be measurable.
6. In December 2010, the Government published its Equality Strategy³ *'Building a Fairer Britain'*. The Equality Strategy supplements the existing legislative framework of the Equality Act and focuses on two overarching principles:
 - equal treatment – it is not right that people are discriminated against because of who they are or what they believe;
 - equal opportunity – it is not right or fair that the opportunities available to people are not based on their ambition, ability or hard work, but who their parents are or where they live.
7. For Lewisham, the requirements of equalities legislation and the national policy context, provide a clear framework for the performance of Council functions and provision of services.

Comprehensive Equality Scheme 2012-16

8. Lewisham has a history of developing equality and diversity policy that has gone beyond the requirements of statute. Back in 2008 (as part of the first CES) in addition to statutory schemes for disability, gender and race the Council developed non-statutory schemes for age, religion or belief and sexual orientation.
9. The desire to extend our commitment to equality, beyond the requirements of the law, clearly demonstrated the Council's ambition to do what we believe to be right for our citizens, irrespective of what the law required.
10. Lewisham's CES 2012-16 replaces the previous scheme⁴ which ran from 2008 to 2011. In terms of its strategic fit, the CES sits within the wider framework of the borough's Sustainable Community Strategy⁵ and in particular the two overarching principles of the Strategy which focus on:
 - reducing inequality – narrowing the gap in outcomes
 - delivering together efficiently, effectively and equitably – ensuring that all citizens have appropriate access to and choice of high quality local services
11. In addition, the CES gives expression to the Council's ten priorities which set out the specific contribution that the local authority will make to the delivery of the Sustainable Community Strategy. The Council priorities are as follows:

- Community leadership and empowerment
- Young people achievement and involvement
- Clean, green and liveable
- Safety, security and visible presence
- Strengthening the local economy
- Decent homes for all
- Protection of children
- Caring for adults and older people
- Active health citizens
- Inspiring efficiency, effectiveness and equity

CES objectives

12. For the next four years, it is proposed that the objectives of Lewisham's CES will be to:

- tackle victimisation, harassment and discrimination
- improve access to services
- close the gap in outcomes for our citizens
- increase understanding and mutual respect between communities
- increase participation and engagement

13. The five objectives above, which cover the Council's role as both an employer and service provider, are deliberately high-level in as much as the intention is to ensure that every protected characteristic can recognise themselves within these aspirations.

14. In terms of the underlying intentions behind each objective; the Council will take reasonable steps to ensure that residents, service users and employees are not unlawfully discriminated against and will take appropriate action to prevent & tackle victimisation and harassment. The Council will also take reasonable steps to ensure that services are inclusive, responsive to risk, physically accessible and provided through the most efficient and effective channels available.

15. Similarly where gaps exist in life outcomes, the Council will take reasonable steps to improve life chances for citizens by closing outcomes gaps that exist within the borough as well as between the borough and elsewhere. The Council will also take reasonable steps to build stronger communities and promote good relations both within and between communities.

16. Finally where barriers exist to participation and engagement, the Council will take reasonable steps to remove such barriers and help residents (especially those who are under-represented) to participate in and influence local decision making.

wider national issues

17. Lewisham's CES has been developed at a particularly challenging time for those who provide public services as well as those who rely upon them. In the wake of the global financial crisis in 2008 and following the General Election in 2010, the Coalition Government made clear that its number one priority was deficit reduction.⁶
18. As part of this, substantial cuts to public spending and local government funding have left local authorities facing extremely difficult choices about future service provision and have in some instances, meant the discontinuation of some services.
19. These challenges are by no means short term and are instead likely to continue for many years to come. For the most vulnerable in our society, it is quite reasonable to assume that concerns might be raised as to how the Council will maintain its commitment to equity and fairness, whilst facing such testing and difficult times.
20. It is worth pointing out that the effects of the challenging economic climate are already being seen in official statistics, which show rising levels of unemployment nationally (at record levels for those aged 16-24).⁷ The potential equality impacts of these trends also present significant challenges as many of those who currently find themselves out of work, are likely to include those who may traditionally face discrimination in the job market.
21. Other important considerations which provide the backdrop to the CES include the Localism Act, which will devolve greater powers to local authorities and communities and the Government's welfare reform programme which will see the introduction of a cap on the amount of benefit that an individual can claim. In common with other councils, Lewisham is considering what the introduction of these measures will mean for our citizens and particularly the most vulnerable.
22. In light of these and other issues, the Council has become increasingly mindful of two things: firstly the need to be even more adaptive & resourceful and secondly the need to retain a focus on improving life outcomes for our citizens. Retaining our focus is particularly important because, irrespective of the difficulties we face our business will remain: public welfare, safeguarding the most vulnerable, community empowerment, fair distribution of public services, social protection and the responsible stewardship of public funds.

approach

23. Lewisham's CES is based on the overarching principle of 'equality for all'. In practical terms this means doing all we can to ensure that every citizen has an equal chance to do their best for themselves and for others. To facilitate this the CES underlines the importance of fairness in terms of making reasonable and proportionate provision for those whose circumstances make them particularly vulnerable.

24. The CES also highlights the importance of a shared approach to equality. This is especially important as it is a deliberate move away from a silo-based approach (which can place undue emphasis on difference and distinction), to one that focuses on shared aspiration and collective effort. As much as this approach is a clear recognition of the need to use our resources more effectively, it is also a recognition of the greater benefits that can be derived when individuals and groups work together towards a common good.
25. In addition, the CES underlines the Council's commitment to the efficient and effective use of data. As part of this, the scheme makes a clear commitment to collecting data that is appropriate to business needs and effective decision making. This systematised approach to data collection and use, will help reduce bureaucracy and plug knowledge gaps. It will also enable the Council to identify risks and determine what action might need to be taken in light of such risks. By pooling together richer data relating to protected groups, the Council will add even greater depth and breadth to its understanding and be able to further enhance its capacity for effective decision making.

consultation

26. Extensive consultation has been undertaken as part of the development of the CES. This has included presentations to voluntary & community organisations representing various protected characteristics and public bodies. Amongst those who have been consulted as part of this process include: the Standing Advisory Committee on Religious Education, the Ecumenical Borough Deans, the Lewisham Disability Coalition and Lewisham Ethnic Minority Partnership. Others included the Metro Centre, Lewisham Pensioners Forum and Lewisham's Young Mayor & Young Advisors. Presentations have also been made to internal staff forums.
27. At each engagement, stakeholders have been provided with an opportunity to express views and challenge the approach that has been adopted. As part of this, the views and contributions of stakeholders have been taken on board.

implementation

28. The intention is that CES objectives will be implemented as part of the Council's systematic process of budget, business and service planning. To that extent the implementation of the objectives will not require an additional investment of resource. The quite deliberate move away from the management of nine separate equality strands is one of the key features of the CES and is intended to reduce unnecessary bureaucracy, whilst retaining focus on the need to promote equal life chances for all.
29. In keeping with the broad approach described in this report, it is intended that the Council will, as appropriate, take the opportunity to adopt a more resourceful approach to the collection and use of data.

Financial Implications

30. There are no direct financial implications arising from this report. Any costs arising from implementing the Comprehensive Equality Scheme and associated action plans will be contained within existing service budgets council wide.

Legal & Human Rights Implications

31. The 2010 Equalities Act brings together all previous equality legislation in England, Scotland and Wales. The new public sector equality duty (the equality duty or the duty), replaces the separate duties relating to race, disability and gender equality. The duty came into force on 5th April 2011. The general equality duty has three aims, as previously set out within paragraph 4 above.

32. The “specific duties” announced by the Government in regulations which came into force on 10th September 2011 (stated in paragraph 34 below,) require the Council to set specific and measurable equality objectives and to publish information about our equality performance, no later than 31 January 2012 and at least annually thereafter.

33. Further, pursuant to regulation 3 of the 2011 Regulations all public authorities must prepare and publish one or more objectives they think they should achieve to further the aims of the general duty under section 149 of the Act by no later than 6 April 2012. These are equality objectives that are specific and measurable and that will help the Council to further its aims of the general duty. These must be based on equality evidence and analysis and must be published at subsequent intervals of no greater than four years beginning with the date of the last publication.

34. Basically, the specific duties require public authorities to be transparent about how they are responding to the equality duty – requiring them to publish relevant, proportionate information showing compliance with the equality duty, and to set equality objectives.

35. The Council’s Corporate Equality Scheme 2012-2016 meets the public sector equality duty (section 149) and the Equality Act 2010 (Specific duties) Regulations 2011 which came into force on 10 September 2011.

36. The Human Rights Act 1998, which came into force on 2nd October 2000, incorporates the European Convention on Human Rights into UK law. The Council, as a public authority, is under a duty, by virtue of section 6 of the 1998 Act, to act compatibly with Convention rights in the exercise of their functions.

37. Sections 12, 13 & 14 of the HRA expressly preserve freedoms of expression, thought, conscience and religion and this is further embodied within Articles 9 and 10 of Schedule 1 the HRA. These are however “qualified” rights, in that these freedoms, which carry duties and responsibilities, must also be subject to “... formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, ...or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary”.
38. Article 14 of Schedule 1 to the HRA, prohibits discrimination generally. Discrimination is prohibited on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Crime and Disorder Implications

39. The scheme itself does not have any direct crime and disorder implications.
40. However on a general note it is anticipated that improving service design and delivery to achieve equality of opportunities for local people, (while promoting good relations between different groups in the community) will have a positive impact on matters such as community safety, crime and disorder, and community cohesion.

Equality Implications

41. The primary focus of the CES is to promote equal life chances for all. The equality implications are therefore contained within the scheme itself. The CES was developed through the analysis of data and through consultation with the community, partners and stakeholders.
42. As a single equality scheme, the CES provides an overarching framework and focus for the Council’s work on equalities. Furthermore, the alignment of our legal duties and responsibilities into a comprehensive scheme will help minimise bureaucracy and free up Council staff to concentrate on the provision of services to the public.

Contacts:

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Background Papers/References

- ¹ Equality Act 2010 - UK Parliament
- ² Equality Act 2010 (Specific Duties) – UK Parliament
- ³ Equality Strategy: 'Building a Fairer Britain' – Government Equalities Office
- ⁴ Comprehensive Equalities Scheme 2008-11- LB Lewisham
- ⁵ Shaping our Future: Sustainable Community Strategy 2010-2020 – Lewisham Strategic Partnership
- ⁶ The Coalition: Our Programme for Government – HM Government
- ⁷ Labour Market Statistics (January 2012) – Office for National Statistics



Equality for All

Comprehensive Equalities Scheme

2012-16

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Statement

Our vision

Our vision and ambition for our borough is that :

“Together we will make Lewisham the best place in London to live work and learn.”

This is underpinned by hard-edged principles for:

- **reducing inequality** – narrowing the gap in outcomes for citizens
- **delivering together efficiently, effectively and equitably** - ensuring that all citizens have appropriate access to and choice of high quality local services

Our message

Our main messages are:

- equality is about **everyone** in our community **whoever** they are;
- equality is about **everything** we do – every service we provide and every function we perform;
- equality is about the **empowerment** of our citizens and employees;
- equality is about **collective** aspiration, shared ideas and shared endeavour.

Our approach

Our approach is based on:

- a **clear understanding** of what is reasonable and proportionate;
- a **perspective** that extends beyond self interest;
- a **realisation** that we must be ready to do things differently if that will enable us to do things better.

Our objectives

Over the next four years our objectives will be to:

- **tackle** victimisation, discrimination and harassment;
- **improve** access to services;
- **close** the gap in outcomes for citizens;
- **increase** mutual understanding and respect between communities;
- **increase** participation and engagement.

Introduction

1. Lewisham's Comprehensive Equalities Scheme (CES) 2012-16 has been developed at a particularly challenging time for those who provide public services as well as those who rely upon them. In the wake of the global financial crisis in 2008 and following the General Election in 2010, the Coalition Government made clear that its number one priority was deficit reduction.¹
2. As part of this, substantial cuts to public spending and local government funding have left local authorities facing extremely difficult choices about future service provision and have in some instances, meant the discontinuation of some services.
3. These challenges are by no means short term and are instead likely to continue for many years to come. For the most vulnerable in our society, it is quite reasonable to assume that concerns might be raised as to how the Council will maintain its commitment to equity and fairness, whilst facing such testing and difficult times.
4. It is worth pointing out that the effects of the challenging economic climate are already being seen in official statistics, which show rising levels of unemployment nationally (at record levels for those aged 16-24).² The potential equality impacts of these trends also present significant challenges as many of those who currently find themselves out of work, are likely to include those who may traditionally face discrimination in the job market.
5. Other important considerations which provide the backdrop to the CES include the Localism Act, which will devolve greater powers to local authorities and communities and the Government's welfare reform programme which will see the introduction of a cap on the amount of benefit that an individual can claim. In common with other councils, Lewisham is considering what the introduction of these measures will mean for our citizens and particularly the most vulnerable.
6. In light of these and other issues, the Council has become increasingly mindful of two things: firstly the need to be even more adaptive & resourceful and secondly the need to retain a focus on improving life outcomes for our citizens.
7. Retaining our focus is particularly important because, irrespective of the difficulties we face our business will remain: public welfare, safeguarding the most vulnerable, community empowerment, fair distribution of public services, social protection and the responsible stewardship of public funds.

Lewisham - the place

8. Some 266,500 people live in Lewisham³. Some have lived all their lives in South East London, others have moved to London from elsewhere in the UK or from overseas. Our borough shares many of the characteristics of inner residential areas in the great world cities. In particular our population is fluid and dynamic, accessing London's education, employment, health, cultural, sporting and other experiences far beyond our local geographic boundaries.
9. Our citizens are socially diverse (in ethnic, religious, cultural and socio-economic terms); and they are energetic and ambitious. Furthermore Lewisham's citizens are welcoming – there exists a strong tradition of welcoming new people from elsewhere and building strong, vibrant and open communities. Over 170 different languages are spoken in the borough and Lewisham is the 15th most ethnically diverse local authority area in England.
10. According to forecasts by the Greater London Authority for 2011, some 163,000 (59 per cent of all residents) are white (white British, white Irish and white European); some 36,000 (13 per cent) of residents are of black-Caribbean origin, over 30,000 (11 per cent) of residents are of black-African origin and an ever growing proportion of residents are of dual heritage or mixed race⁴. Overall, some 40 per cent of all Lewisham residents are of black and minority ethnic origin. However, the generational profile of residents is such that 74 per cent of the 38,106 school pupils in Lewisham's primary and secondary schools are of black and minority ethnic origin. This illustrates the significantly changing profile of the borough.
11. The gender split of the population is about equal 133,300 female and 133,200 male. Of these children & young people aged 0-19 make up about a quarter of the population (64,300) and 9.4 per cent of residents are aged 65 or older. Approximately 14 per cent of our population (37,000) describe themselves as having a disability⁵ and 70 per cent (185,153) describe themselves as belonging to a faith group.⁶
12. Since the 2001 Census our population has grown by about 18,500⁷ and is forecast (by both the ONS and the GLA) to continue to grow over the coming years to reach some 321,900 citizens by 2033⁸. This is an increase of a further 55,400 people making their home in the borough. The population will increase not only in scale but also in social diversity. For example, by 2020 the percentage of residents from a black and minority ethnic background is projected to increase to 44 per cent, with a particular increase in the black-African and black-Caribbean communities.⁹
13. In Lewisham, 42 per cent of housing is owner occupied¹⁰ (lower than the London average of 55 per cent and well below the national average of 68 per cent¹¹). The spatial distribution of social housing is a key determinant

of the spatial distribution of poverty and disadvantage. Of course, there are also some poor and disadvantaged people living in owner occupied properties and in the private rented sectors – in 2001 privately rented tenants formed 14 per cent of all households in Lewisham but by 2007 this had risen to 31 per cent¹².

14. However, and as an example across London, while lone parent families comprise 24 per cent of all households who are socially renting (64 per cent of all lone parent families in Lewisham, live in social rented accommodation¹³). One of the distinctive features of Lewisham's social profile is the number of lone parent families locally. Across England as a whole just 7.2 per cent of all households are lone parent families. In London the figure is 9.7 per cent and for Inner London it is 11.6 per cent. In Lewisham, 17.8 per cent of all households are lone parent families - by far the highest rate in London¹⁴. This has a significant bearing on the implementation of social and labour market policy and also on relative income levels locally.

National policy context

15. There are two national policy frameworks that provide the backdrop for Lewisham's comprehensive equalities scheme. These are the Equality Act 2010¹⁵ and the Equality Strategy¹⁶ – *'Building a Fairer Britain'*. Further details regarding both of these frameworks are set out below.

equality act 2010

16. The Equality Act was passed in April 2010 and the Public Sector Equality Duty became effective in April 2011. The Act contains a General Duty which sets out that Public Authorities must, in the exercise of its functions have due regard to the need to:

Equality Act 2010: General Duty

- **eliminate** unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- **advance** equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- **foster** good relations between persons who share a relevant protected characteristic and person who do not share it

17. The Public Sector Equality Duty, also contains Specific Duties¹⁷ (published in September 2011) which are designed to help public bodies meet the requirements of the General Duty. Under the specific duties Public Authorities must:

Equality Act 2010: Specific Duties

- **publish** information to demonstrate its compliance with the General Duty across its functions by 31 January 2011, and at least annually after that;
- **prepare** and publish equality objectives by 6 April 2012 and at least every four years after that.

equality strategy

18. The Government's Equality Strategy– '*Building a Fairer Britain*', published in December 2010, sets out the Coalition Government's new approach to equality. This strategy supplements the existing legislative framework, the Equality Act 2010.

19. The Equality Strategy focuses on 2 key principles:

Equality Strategy: overarching principles

- **equal treatment** – it is not right that people are discriminated against because of who they are or what they believe;
- **equal opportunity**– it is not right or fair that the opportunities open to people are not based on their ambition, ability or hard work, but on who their parents are or where they live.

Local policy context

20. Lewisham's local policy context is encapsulated in an overarching vision, which is itself supported by values and priorities. The vision, values and priorities are the prism through which the Council demonstrates its commitment to tackling inequality and promoting equality.

vision

21. The vision of the Council and our partners is:

'Together, we will make Lewisham the best place in London to live, work and learn.' (Lewisham's 2020 vision)

values

22. We have a series of core values which provide a benchmark for behaviour across the Council. These are set out in the box below:

Council's values

- **we put** service to the public first

- **we respect** all people and all communities
- **we invest** in employees
- **we are open** and honest in all we do

23. The above values provide a simple message for us all in terms of how we act and behave in our dealings with each other and with the community we serve.

sustainable community strategy

24. In 2008 the Lewisham Strategic Partnership agreed a Sustainable Community Strategy. *“Shaping our Future”*. The strategy underlines Lewisham’s commitment to tackle inequality and is underpinned by our vision. The two key principles underpinning the strategy have equality; and fairness at their heart. These principles are as follows.

Sustainable Community Strategy Principles

- **reducing inequality** – narrowing the gap in outcomes for citizens
- **delivering together efficiently, effectively and equitably** – ensuring that all citizens have appropriate access to and choice of high quality local services

25. The Sustainable Community Strategy also contains six priorities. These are set out in the box below:

Sustainable Community Strategy priorities

- **ambitious and achieving** – where people are inspired and supported to fulfil their potential;
- **safer** – where people feel safe and live free from crime, antisocial behaviour and abuse;
- **empowered and responsible** – where people are actively involved in their local area and contribute to supportive communities;
- **clean, green and liveable** – where people live in high quality housing and can care for and enjoy their environment;
- **healthy, active and enjoyable** – where people can actively participate in maintaining and improving their health and well-being; and
- **dynamic and prosperous** – where people are part of vibrant communities and town centres, well connected to London and beyond.

council priorities

26. The six priority outcomes in “*Shaping our Future*” define the work of the Council and our partners over the coming years. The Council’s ten priorities describe the Council’s own specific contribution to the achievement of those outcomes. The Council priorities are set out in the box below.

Council priorities

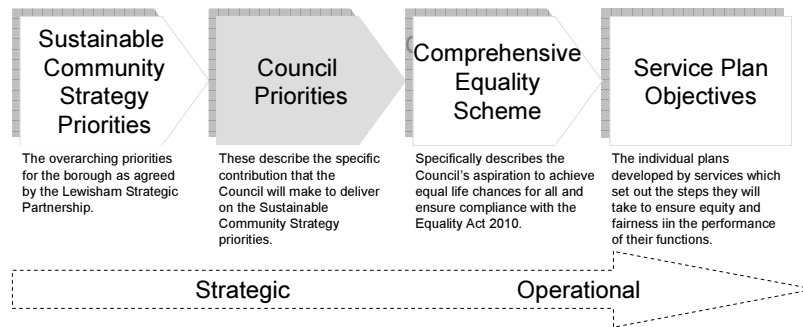
- **community leadership and empowerment** – developing opportunities for active participation and engagement of people in the life of the community
- **young people’s achievement and involvement** – raising educational attainment and improving facilities for young people through partnership working;
- **clean green and liveable** – improving environmental management, the cleanliness and care for roads and pavements, and promoting a sustainable environment;
- **safety security and visible presence** – partnership working with the police and others to reduce crime levels further and using Council powers to combat anti social behaviour;
- **strengthening the local economy** – gaining resources to regenerate key localities, strengthen employment skills and promote public transport;
- **decent homes for all** – investment in social and affordable housing to achieve the decent homes standard, tackle homelessness and supply key worker housing;
- **protection of children** – better safeguarding and joined up services for children at risk;
- **caring for adults and older people** – working with health services to support older people and adults in need of care;
- **active healthy citizens** – leisure, sporting and learning activities for everyone;
- **inspiring efficiency, effectiveness and equity** – ensuring efficiency and equity in the delivery of excellent services to meet the needs of the community

strategies and plans

27. The Council’s commitment to equalities is evidenced across a range of strategies, plans and core business processes. For example, our Children & Young People’s Strategic Partnership Plan 2009-12, sets out the borough’s commitment to improve life chances and life outcomes for children & young people living in the borough. Similarly, our Cultural Strategy sets out how the Council proposes to make arts, parks, heritage,

libraries, sports and leisure services accessible to our diverse local community.

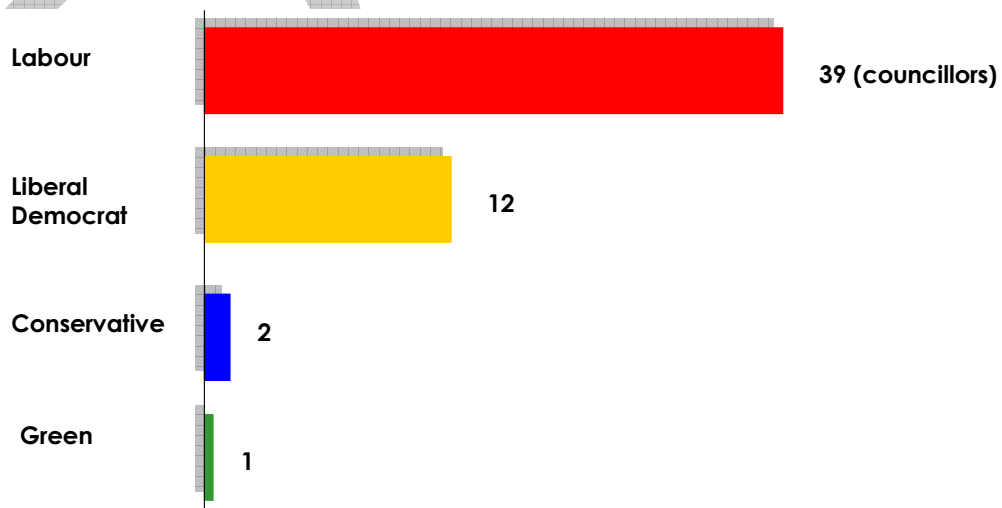
28. The Council's service planning process requires services to develop action plans, which are informed by issues arising from current performance, equality assessments analysis and feedback from user consultation. Service planning turns high-level strategic priorities into operational objectives.



29. Each year, as part of the annual budget savings process, the Council also undertakes equality assessments analysis of various budget savings to better understand their likely impact on equality groups, and where possible, to mitigate any negative effects.

Democratic leadership

30. A total of 54 councillors represent Lewisham's 18 wards (three for each ward). Following the 2010 Local Elections, the political make up of the Council is set out below.



mayor and cabinet

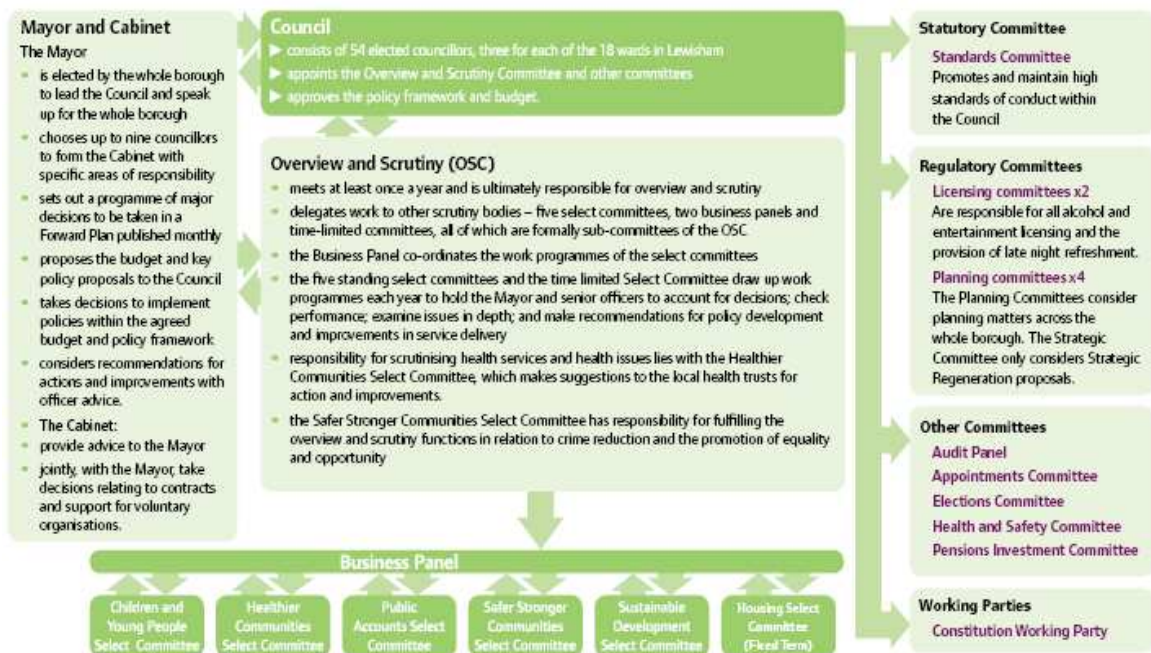
31. Lewisham is a Mayoral authority. The first directly elected Mayor being elected in 2002. The most recent elections in 2010 saw Sir Steve Bullock (knighted in 2007) re-elected for a third four-year term.

32. The Mayor is supported by nine Cabinet Leads. Portfolio holders are responsible for Children & Young People; Older People; Resources; Strategy & Communications; Community Safety; the Third Sector; Regeneration; Community Services and Customer Services. In addition to this, the Mayor is also supported by a number of advisers including for faith and community cohesion.

overview and scrutiny

33. Members who are not appointed to the Cabinet, support the Council's scrutiny function. In total there are currently six scrutiny committees. The six scrutiny committees cover Children & Young People; Healthier Communities; Safer, Stronger Communities; Sustainable Development; Public Accounts and Housing. The role of Overview & Scrutiny and Business Panel is to hold the Mayor and senior officers to account for decisions; check performance; examine issues in depth; and make recommendations for policy development and improvements in service delivery.

34. As part of Overview & Scrutiny, each of the above select committees considers equalities issues as it relates to the work of their committee. However, it is the Safer Stronger Select Committee that has the overarching responsibility for examining equalities issues. A summary of the Council's governance structure is illustrated in the chart below.



Corporate management

35. Officers play a crucial role in ensuring the Council follows through on its statutory duties under equalities legislation. For Lewisham, this role is cascaded through the work of the Council's Executive Management Team (EMT), as well as through the work of corporate groups, individual officers and staff consultative fora.

executive management team

36. The Chief Executive has overall responsibility for the performance of day-to-day functions across the Council. Supporting the Chief Executive is an EMT, comprising four Executive Directors, one for each of the Council's directorates. The present organisational structure, which has been in place since 2011, comprises directorates for Children & Young People; Community Services; Customer Services and Resources & Regeneration. The Executive Director for Community Services is also the EMT equalities lead.

37. Supporting EMT, officer groups oversee the Council's day-to-day work towards equality objectives.

equalities fora and accreditations

38. The Council has various staff equality fora including a Black Staff Forum, Disabled Staff Forum, LGBT forum and Young Employee Network. These forums provide a route through which Council staff can meet with their colleagues, have their say about working for the organisation and inform the development of policy in a way that promotes access, choice and fairness. In addition, Lewisham hold Investors in People accreditation and is a "two-ticks" employer, which further demonstrates our commitment to disabled staff.

39. Some 8,000 employees work for the Council (of which over 4,000 work in schools). The Council is the largest employer in the borough. Details of the Council's workforce profile for 2010-11 is attached to this document at Appendix A.

Comprehensive equalities scheme 2012-16

40. Lewisham's CES 2012-16 describes the Council's commitment to equality for citizens, service users and employees. Our commitment goes beyond the requirements of legislation and sets out our aspiration to take all reasonable steps to ensure that every citizen is able to do the best for themselves and for others.

41. As part of this, the new CES describes what we have learnt from the previous scheme (see Appendix B) and how the information we have gathered from a range of datasets has been used to inform the development of our overarching equality objectives.

42. This document also shows how business processes including performance management, review & assessment as well as procurement & commissioning will be utilised to monitor progress against CES objectives and help deliver successful outcomes.
43. The intention is to keep the CES as a high level document that all equality groups can recognise themselves within. Therefore the objectives that are described in this scheme are deliberately high-level. Meanwhile, the actions describing how specific equality objectives will be met, will be contained in service plans. A summary of the business case and themes that have shaped Lewisham's CES are set out under the sub headers below.

business case

44. Lewisham has a long-standing commitment to the equalities agenda. Our commitment is based on an understanding that the purpose of public service delivery is to achieve social and economic outcomes. As a provider, this means schools that equip pupils to achieve the highest standards of performance, services that are designed around the needs of the customer and neighbourhoods where people feel safe to live in. As an employer this means building a workforce that reflects the diversity of the borough and creating opportunities for development and advancement that are fair and reflect our desire to give everyone an equal chance to do their best for themselves and the community we serve.
45. This appreciation of the basics of equality is what has shaped the development of the CES. However, we are mindful that to respond to the requirements of new legislation and build on the work we have done so far, we need a new framework that:
- reflects current challenges;
 - spots new opportunities;
 - seeks to build consensus and
 - fully maximises potential.
46. The table below sets some of our thinking in this regard and describes how the development of the CES has led to a new approach, which is underpinned by collective ambitions and aspirations.

← Directions →

The unifiers

- Back to first principles – social results and outcomes for all
- Limited resources due to spending cuts
- Shared vision and values
- Avoiding competitiveness
- Better use of skill and knowledge assets
- The added cost of inequality to the taxpayer and community

The dividers

- Competition for resources at a time when resources are scarce
- Conflicting objectives within and between protected characteristics
- Special interests and loss of the wider perspective
- Labels and tags that create barriers to wider engagement
- Bureaucracy and process

equal life chances for all

47. Lewisham's CES gives expression to a shared vision and aspiration for equality for all who live, work and access services in the borough. In this way, the CES is intended as a statement of values and purpose - one in which all citizens can recognise themselves.
48. In addition, equality for all underlines the Council's commitment to deliver social results such as higher standards of educational achievement for our children & young people, an improved quality of life for those living with long-term conditions, strong cohesive communities and a narrowing of the gap in outcomes between the most affluent and the most deprived.
49. Recognition of a common perspective is an important feature of the Council's approach to equalities. Our view is that placing too great an emphasis on individual rather than shared characteristics, could create needless competition for resources and duplication of effort at a time when councils are being asked to do more or the same with less. In contrast a shared approach is intended to make better use of existing resources in a way that improves outcomes for everyone.

Benefits for Citizens, Service users and Employees

- ✓ shared aspirations within which everyone can recognise themselves and others
- ✓ dignity and respect
- ✓ improved access to services
- ✓ improved life chances
- ✓ social cohesion
- ✓ participation and engagement
- ✓ fairness for all

Benefits for the community

- ✓ stronger communities where everyone feels able to make a contribution
- ✓ everyone can recognise themselves
- ✓ services that meet the needs of the whole community
- ✓ a stronger local economy
- ✓ greater social cohesion and understanding
- ✓ better use of collective effort to get things done
- ✓ community empowerment

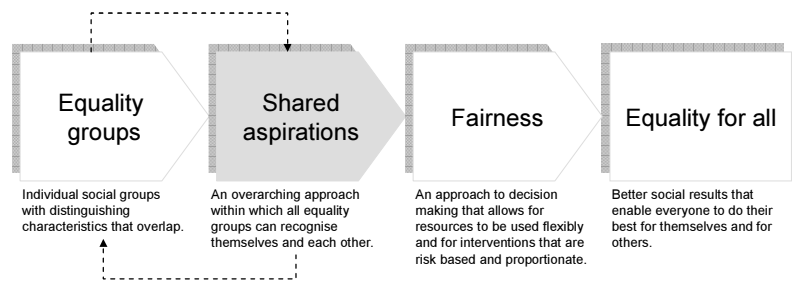
Benefits for the Council

- ✓ a shared vision and approach
- ✓ greater flexibility to target effort where it is needed most
- ✓ better use of limited resources
- ✓ proportionality and fairness
- ✓ Increased transparency
- ✓ better social results
- ✓ accountability to citizens, service users and employees
- ✓ reduce the social and economic impact of inequality

Equality for all

fairness for all

50. In Lewisham, we recognise that not everybody starts from the same place. Factors such as education, employment, health and where a person lives can all play a part in shaping an individuals life chances and outcomes. As a provider of public services and employer, the Council is of the view that none of these factors should be a barrier to a persons life chances. To address this, we recognise that it may be necessary to take practical steps to assist those for whom opportunities might otherwise be denied. Similarly, it might also be necessary to limit the adverse effects of decisions which might have a disproportionate effect on specific groups in society.
51. Although the Council believes this approach to be entirely appropriate, we are mindful that any action taken in light of these circumstances should be reasonable, tailored to each situation and proportionate. We believe such an approach to be in keeping with our commitment to fairness and one that will enable Lewisham to remain an inclusive place, working towards equal life chances for all.



Protected characteristics

52. The Equality Act 2010 identifies nine characteristics that are protected under the new legislation. The protection means that the Act specifically prohibits acts of discrimination (direct, indirect, by association and by perception) against any of these groups.

53. A summary of the specific characteristics based on descriptors in the Equality Act 2010 as well as local data relevant to each them, is set out under the sub headers below.

age

54. Age refers to a person belonging to a particular age or age range. As an employer and a provider of services the Council is required to ensure that it does not unlawfully discriminate against a person on account of their age. A summary of data on age is set out in the box below.

Data summary for age

- our data profile on the age of Lewisham's population (based on official statistics) shows that some 65,000 residents are aged between 0-19 years (25 per cent of the population);
- in contrast men and women aged over 60 total some 41,400 (15.5 per cent of the population);¹⁸
- official statistics also show that by 2021 residents aged 30-44 will still be the most numerous, however those aged between 50-69 will see the biggest increase in their numbers (up from 16 per cent in 2011 to 19 per cent of the overall population in 2021);¹⁹
- the Council's workforce profile for 2010-11 reveals that 35% of Council employees are aged between 45-54; 23 per cent are aged between 35-44; 22 percent are aged 55 or over; 16 per cent are aged between 25-34 and 2 per cent are aged between 16 -20.

disability

55. A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. A summary of data on disability is set out in the box below.

Data summary for disability

- Lewisham's data file on disability is based on the 2001 Census data, which showed that 15.6 per cent of the borough's population (38,824 people) had a long-term illness (proxy for disability), which limited daily activities or the work they could do;

- this figure is slightly higher than the London average of 15.5 per cent, but significantly lower than the national average of 18.2 per cent;
- the 2001 Census also recorded over a quarter of households in Lewisham (29.4 per cent) contain one or more people with a limiting long-term illness or disability, which is lower than the average for England and Wales as a whole where the proportion is 34 per cent;
- according to the 2001 Census, more women than men in Lewisham have a 'limiting long-term illness'. Going forward, it is reasonable to conclude that as people get older the proportion of Lewisham residents who have a long term illness is also likely to increase;
- in November 2010, 13,050 people in Lewisham were claiming Disability Living Allowance, of which 15.5 per cent had been claiming for less than two years (8.3 per cent claiming for 1-2 years), 19.3 per cent had been claiming for 2-5 years and 65.3 per cent of claimants had been claiming for over 5 years;
- there was very little different in the number of male and female Disability Living Allowance claimants. 14.2 per cent of claimants were children under the age of 16 and 67.7 per cent of claimants were of working age (16-64);²⁰
- the Council's workforce profile for 2010-11 reveals that 6 per cent of employees identify themselves as having a disability.

gender

56. Gender has the meaning usually given to it and refers to whether a person is man or a woman. A summary of data on gender is set out in the box below.

Data summary for gender

- according to published statistics the population of males and females in Lewisham is nearly identical (133,300 women to 133,200 men);
- however, by 2030 it is forecast that in Lewisham there will be more men than women (158, 500 men to 157,100 women);
- based on the 2010 mid-year population estimates Lewisham's males are more numerous than females between the 0-19 as well as the 20-44 and 35-59 age groups;
- females are more numerous than males in the 60 -79 and the 80+ age groups;
- by 2030 the percentage of males is still expected to be greater than females in the 0-19 and 35 -59 age groups. However, females will be more numerous in the 20-34 age group as well as the 60-79 and 80+ age groups
- the Council's workforce profile for 2010-11 reveals that 64 per cent of Council employees are female whilst 44 per cent are male.

gender re-assignment

57. Gender re-assignment describes the process of transitioning from one gender to another. For individuals within this group, the Act provides protection for transexual people from discrimination and harassment in various areas, such as work or the provision of goods and services. A summary of data on gender reassignment is set out in the box below.

Data summary for gender reassignment

- approximately 400,000 people in the United Kingdom regularly experience feelings of Gender Dysphoria²¹ (i.e. an individual's sense of the inappropriateness of their assigned birth gender);
- of these as many as 100,000 wish to undergo a transition to their true gender identity and 10,000 will discuss their desire to transition to a medical professional. Ultimately, about 6,000 people complete the transition;
- in 2006-07 Lewisham Council commissioned a research study of the LGBT populations who lived, worked, studied or socialised in the borough;
- of the 316 respondents, seven identified as trans people, which was insufficient to draw quantitative conclusions;
- data for 2010-11 reveals that there were only 2 hospital admissions (not in University Hospital Lewisham) of Lewisham residents for transexualism²²;
- an exercise is being undertaken early in 2012 for staff to self classify against the equality group of gender reassignment, which is contained within the Equality Act 2010.

marriage and civil partnership

58. Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. The Equality Act requires civil partners to be treated as the same as married couples on a wide range of legal matters. A summary of data on marriage and civil partnership is set out in the box below.

Data summary for marriage and civil partnership

- according to the 2001 Census 34.1 per cent of Lewisham adults over the age of 16 are married;
- nationally the number of marriages taking place has declined year on year which would indicate this figure is now lower than ten years ago;
- an exercise is being undertaken early in 2012 for staff to self classify against the equality group of marriage or civil partnership, which is contained within the Equality Act 2010.

pregnancy and maternity

59. Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding. A summary of data on pregnancy and maternity is set out in the box below.

Data summary for pregnancy and maternity

- for 2010 there were about 4,800 new babies recorded in official statistics²³ as Lewisham residents, and about 4,700 “maternity spells” (which records the fact of giving birth, but not whether a birth is single or multiple, nor whether the birth was live or a stillbirth, so cannot be used to count the resulting babies);
- Lewisham has an underlying population growth arising from its excess of births over deaths. In a typical year, there are more births (approximately 4,500-4,800) than deaths (approximately 1,500-1,800) in Lewisham residents;
- In recent years the number of births has been increasing, suggesting either a change in fertility rates or a greater increase in the numbers of women of fertile age than the population estimates have allowed for;

race

60. Race refers to the equality group of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. A summary of data on race is set out in the box below.

Data summary for race

- according to GLA forecasts for 2010, 59 per cent (158,757) of all Lewisham residents are white (White British, White Irish and White European);
- currently people from a Black Caribbean, Black African and Black other ethnic background represent 33 per cent (81,763) of the population;
- by 2030 the number of people in Lewisham from a Black Caribbean, Black African and Black other ethnic background is expected to rise to 106,208 (an increase of 3.1 per cent);
- those from a Bangladesh, Pakistani and Chinese background represent the smallest percentage of Lewisham’s population all at 1 per cent.
- the Council’s workforce profile for 2010-11 reveals that some 61 per cent of employees identify themselves as White and 39 per cent of staff identify themselves as BME.

religion or belief

61. Religion has the meaning usually given to it, but belief includes religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition. A summary of data on religion and belief is set out in the box below.

Data summary for religion or belief

- the most up to date information on religion or belief in Lewisham is from the Census of 2001. This revealed that nearly 70 per cent of Lewisham residents described themselves having a faith or religion, whilst some 20 per cent of residents described themselves as having no faith or religion;
- amongst those residents that described themselves as having a faith or religion some 61 per cent identified their faith as Christian, whilst 4.6 per cent described themselves as Muslim;
- of other religions, Hindus represent 1.7 per cent of the population, whilst Buddhists represent just over 1 per cent of the population;
- residents of the Jewish and Sikh faiths represent less than 1 per cent of the population;
- an exercise is being undertaken early in 2012 for staff to self classify against the equality group of religion or belief, which is contained within the Equality Act 2010.

sexual orientation

62. Sexual orientation is defined as whether a person's sexual attraction is towards the opposite the opposite sex, their own sex or to both sexes. A summary of data on sexual orientation is set out in the box below.

Data summary for sexual orientation

- in 2007, a question on sexual orientation was added to the Council's Annual Resident Survey for the first time;
- the results showed that out of 1,042 respondents 92 per cent identified themselves as heterosexual/ straight, whilst 2 per cent identified as being gay, lesbian or bisexual;
- in 2009 Annual Resident Survey, the same question was asked and out of a total of 1,022 people 95 per cent identified themselves as heterosexual/ straight and 1 per cent identified as being gay, lesbian or bisexual;
- in Britain, there are relatively few statistics on the number of people who are lesbian, gay and bisexual;
- using the Central Government's guideline of 6 per cent of the total

population, the gay and lesbian population in Lewisham would be more than 15,000;

- an exercise is being undertaken early in 2012 for staff to self classify against the equality group of sexual orientation, which is contained within the Equality Act 2010.

Analysis of data

63. We have drawn upon a wide range of data to inform the development of our CES objectives. Some of this data has come from local sources whilst others have been drawn from sources that are external to the borough.

64. The dataset includes: learning from the previous CES, outcomes from equality impact assessments, satisfaction surveys feedback from complaints, national statistics, service performance data and information relating to the recruitment and retention of Council staff. In addition, our baseline position has been informed by feedback from consultation with various stakeholders.

65. A summary of the information we have gathered and our analysis of it, is set out under the sub headers below, whilst a list of the various data sources that have been used to inform the development of the CES is attached to this document at Appendix C.

summary of messages

66. The purpose of the analysis was to identify key messages across the various datasets. As part of this, we have specifically analysed the various datasets in relation to each of the equality groups. Wherever possible the evidence was compared to other pieces of evidence in order gain an overall view from a range of different perspectives. Messages were then aggregated to identify themes, which could then be translated into a set of strategic objectives.

67. The analysis highlighted the fact that whilst in some instances data for some equality groups was relatively rich, for others it was less so. This is understandable to the extent that some of the equality groups are relatively new and meant that we have not had any historical data upon which to rely. However, the main themes that emerged through the analysis of the data available to us were as follows:

- evidence that the Council is perceived by its employees as an equal opportunities employer
- continuing evidence across a range of measures that Lewisham is a place where our citizens value social cohesion

- differing levels of outcomes between people who belong to an equality group and national comparators – this is particularly so with regard to educational achievement and health
- good evidence of participation and engagement – however a number of equality groups are not represented in the data

68. The above messages present both challenges and opportunities for the borough. The challenges are to the extent that an incomplete data means that the picture presented is also incomplete. In view of this, a concerted effort will be made to extend the collection of data and to determine whether any gaps that might be identified represent risks or merit a targeted response.

69. The opportunities meanwhile are with respect to building on our long-standing commitment to equity and fairness as an employer and service provider. To that extent we want to ensure that our process for recruitment, retention and development of staff continues to reflect the diversity of our community. We also want to ensure that Council services continue to protect public welfare, safeguard the vulnerable and empower individuals and communities.

70. Overall the approach is to ensure that we improve our level of knowledge and understanding so that we can better fulfil our obligations to service users and employees.

other insights

71. In some areas it is clear that information gaps may exist as a result of a persons wish to exercise their right to confidentiality. To that extent, as an employer and service provider, the Council will use its discretion in deciding whether the data we seek to collect is critical to our business needs. However, where information is deemed sensitive, we will as appropriate, respect the rights to confidentiality of individuals to withhold such information.

Equality objectives 2012-16

72. The high level strategic objectives that have been developed for this CES are relevant to each of the nine equality groups covered by the Equality Act and relate back to the General Duty. The strategic objectives are designed to ensure a holistic approach to tackling inequality and promoting equality and provide coverage particularly, for those equality groups for whom we are still compiling local data to inform comparisons.

73. The expectation is that through this approach, the achievement of objectives benefits all equality groups protected under the Act. The five strategic objectives are as follows:

Comprehensive Equalities Scheme overarching objectives

Tackle victimisation, harassment and discrimination

Take reasonable steps to ensure that residents, service users and employees are not unlawfully discriminated against and take appropriate action to prevent & tackle victimisation and harassment.

To improve access to services

Take reasonable steps to ensure that services are inclusive; responsive to risk; physically accessible and provided through the most efficient and effective channels available.

To close the gap in outcomes for citizens

Take reasonable steps to improve life chances for citizens by reducing outcome gaps that may exist within the borough as well as those that may exist between the borough and elsewhere.

To increase understanding and mutual respect between communities

Take reasonable steps to build stronger communities and promote good relations - both within and between communities.

To increase participation and engagement

Take reasonable steps to remove barriers that may exist to engagement and help residents (especially those who are under-represented) to participate in local decision making and influence local decisions.

74. The above objectives will remain in place for the next four years and each is specific, measurable, achievable, realistic and time-bound. Progress towards these objectives will be monitored through the implementation of existing and new plans.

commitments

75. There are a total of six commitments contained in the CES. These commitments describe what the Council aims to do to meet the objectives it has developed. The commitments specifically address the need to strengthen arrangements for collecting and utilising data - a key component part of our equality framework. Details of these commitments are set out in the box below.

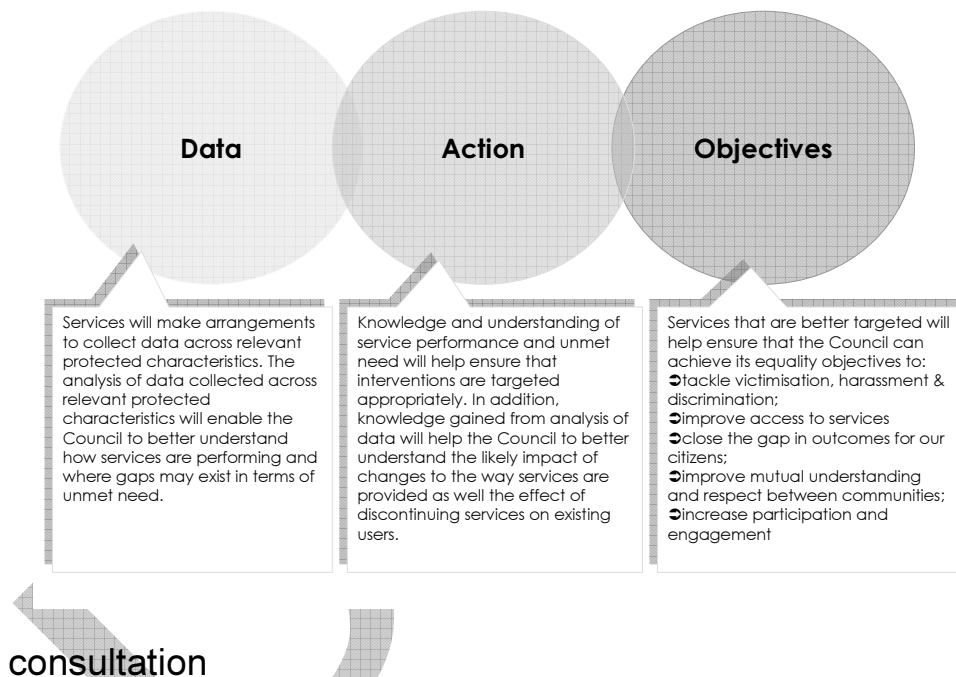
Comprehensive equalities scheme commitments

- **ensure that the right arrangements are in place to collect equalities data** - by refining existing systems or developing new ones so that we are able to collect the information we need to inform decisions
- **ensure that we only collect the information we need** – by making sure that the information we gather is based on a sound business case and is appropriate to service requirements
- **ensure that we do not make unnecessary requests for information** – by making better and more effective use of the data that we hold to avoid

unnecessary duplication

- **ensure that we use the information we hold to inform decisions** – by disseminating available data across the widest possible range of services that might be able to use the information that has been collected
- **ensure that everyone can see how we have used the data we have collected** – by exploring ways to increase transparency and accessibility of information that we place in the public domain
- **ensure that the information we hold is secure and confidential**- by fully complying with relevant legislation and standards of practice

76. The diagram below shows how we see the relationship between enhanced data, service delivery and achievement of equality objectives.

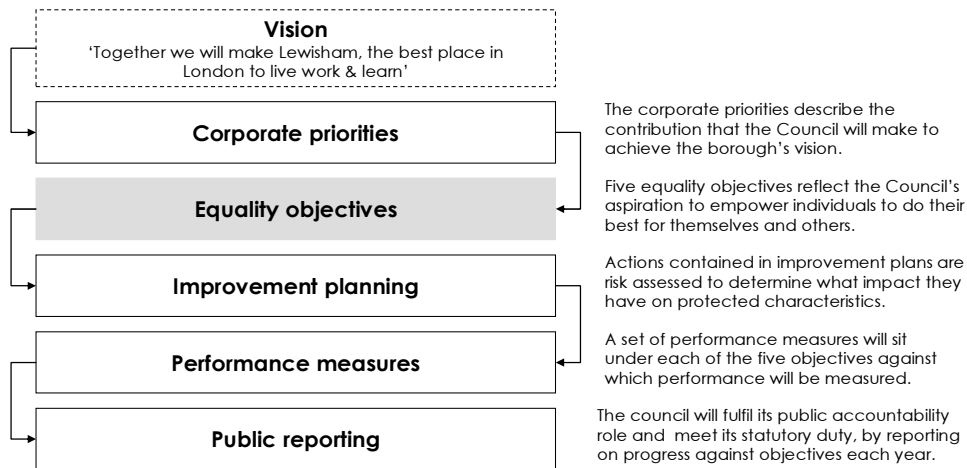


77. Extensive consultation has been undertaken as part of the development of the CES. This has included presentations to voluntary & community organisations representing various protected characteristics and public bodies. Amongst those who have been consulted as part of this process include: the Standing Advisory Committee on Religious Education, the Ecumenical Borough Deans, the Lewisham Disability Coalition and Lewisham Ethnic Minority Partnership. Others included the Metro Centre, Lewisham Pensioners Forum and Lewisham's Young Mayor & Young Advisors. Presentations have also been made to internal staff forums.

78. At each engagement, stakeholders have been provided with an opportunity to express views and challenge the approach that has been adopted. As part of this, the views and contributions of stakeholders have been taken on board.

Performance management

79. The Council has robust performance management systems which will be used to monitor progress against objectives. Our approach to performance management will include monitoring of performance data, equality assessment analysis, improvement planning and public reporting. Specific steps to be taken to monitor progress against objectives illustrated in the diagram and sub headers below.



monitoring arrangements

80. It is intended that progress against the CES objectives will be monitored through a variety of means. A number of equality indicators are incorporated in the Council's Management Report, which is considered by EMT each month and presented to Mayor & Cabinet on a quarterly basis. Data for these equality measures is collected on a monthly or quarterly cycle. As such, these measures lend themselves to management action.

81. Towards the end of the financial year, a report setting out progress against strategic objectives will be presented to Safer Stronger Communities Select Committee.

implementation and action

82. Lewisham Council is committed to improving life chances for our residents, service users and employees. Our work in this regard is evident in the steps we are taking to safeguard the most vulnerable, contribute to public welfare, provide social protection, regulate access to public services, steward public funds and empower local communities.

83. It is however important to note that, over the coming years, the Council faces significant challenges, which mean that we need to be more agile and adaptable and adopt smarter ways of managing. Although these challenges will not change our commitment to serve the public, so as to

improve their lives and life chances, they do require that we carefully consider how we might achieve our objectives. In view of this, and given resource constraints, the Council is mindful of the need to ensure both reasonableness and proportionality in the performance of its functions and provision of services to the public.

84. Going forward, an illustration of the various actions we expect to take to meet our equality objectives are summarised in the table below.

Illustration of actions to achieve objectives		
Action	Equality groups particularly affected	Delivery of objective
Supporting schools to raise educational achievement for all pupils and in particular for those pupils who perform below the average or may be falling behind the highest achievers	<ul style="list-style-type: none"> • age • ethnicity • gender • disability 	To close the gap in outcomes for citizens
Working with the partner agencies and communities to tackle incidents of hate crime and domestic violence	<ul style="list-style-type: none"> • religion or belief • race • disability • sexual orientation 	<ul style="list-style-type: none"> • To increase understanding and mutual respect between communities • To tackle victimisation, harassment and discrimination
Working with our partners to reduce the number of young people who are first time entrants to the criminal justice system and to reduce youth re-offending	<ul style="list-style-type: none"> • age • race 	To close the gap in outcomes for citizens
Working with our partners in schools, the health service and elsewhere to reduce teenage conception	<ul style="list-style-type: none"> • age • gender • pregnancy & maternity 	To close the gap in outcomes for citizens
Investing in social housing to ensure that it meets the Decent Homes Standard	<ul style="list-style-type: none"> • all equality groups 	To close the gap in outcomes for citizens
Assisting vulnerable adults to remain independent by helping them to re-learn their personal care skills	<ul style="list-style-type: none"> • age • disability • gender 	To close the gap in outcomes for citizens
Taking proactive steps to tackle discrimination in the work-place	<ul style="list-style-type: none"> • all equality groups 	To tackle victimisation, harassment and discrimination
Taking proactive steps to tackle discrimination in the provision of services	<ul style="list-style-type: none"> • all equality groups 	Tackle victimisation, harassment and discrimination
Promoting participation in local assemblies – particularly for those who are	<ul style="list-style-type: none"> • all equality groups (in particular those currently under- 	To increase participation and engagement

currently under-represented	represented)	
Supporting community organisations whose work helps to tackle disadvantage and improve life outcomes for the most vulnerable and under-represented	<ul style="list-style-type: none"> • age • race • religion or belief • disability • gender • sexual orientation 	To close the gap in outcomes for citizens
Making public buildings and public space safe and accessible for service users, pedestrians and residents	<ul style="list-style-type: none"> • age • disability • pregnancy and maternity 	To improve access to services
Increasing collection rates for Council Tax and Business Rates so as to be able to maximise the revenue streams available to the Council to target to those with the greatest need	<ul style="list-style-type: none"> • all equality groups 	All equality objectives
Tackling fraud so that resources can be targeted to those who need it most	<ul style="list-style-type: none"> • all equality groups 	To improve access to services
Taking reasonable steps to ensure that our workforce remains representative of our diverse community	<ul style="list-style-type: none"> • all equality groups 	All equality objectives
Improving the collection of data across all equality groups and ensuring that data continues to be used to inform decision making.	<ul style="list-style-type: none"> • all equality groups (in particular those currently under-represented in local statistics) 	All equality objectives

public reporting and data transparency

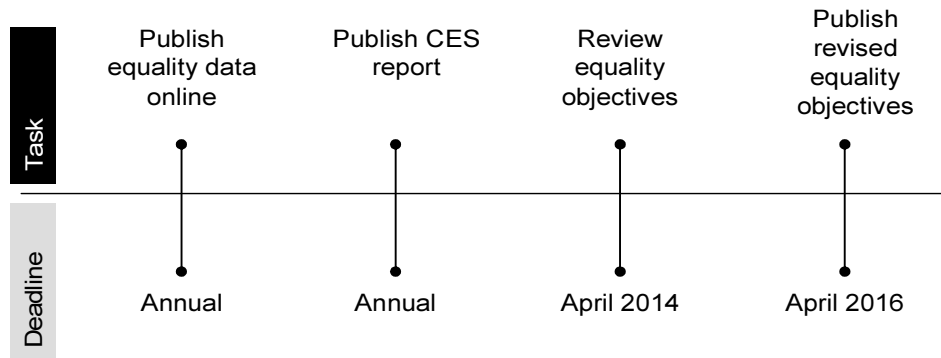
85. Consistent with the requirements of the Equality Act (Specific Duties) the Council will publish relevant equality data online by the 31 March each year. In addition to this, the Council will publish a report, also online, which will summarise the progress we are making towards our equality objectives.

Procurement and commissioning

86. The Council asks suppliers to provide copies of their equalities and diversity policies as part of the pre-qualifying questionnaire. The same questionnaire also asks that suppliers provide equality monitoring data to enable the Council to better understand the diversity of the suppliers, with whom it contracts to provide goods and services. The questionnaire has now been revised to better reflect the requirements of the Equality Act 2010.

Ongoing dialogue

87. The Council will maintain an ongoing dialogue with Lewisham residents, service users and staff with regard to how, by working together, we can improve life chances for all. This dialogue will be undertaken through existing community fora, democratic processes and staff engagement.



Draft

Appendix A: Workforce Profile 2010-11

Measure	Count	Percentage
Total number of employees (including schools)	8,136	100%
Total number of employees (excluding schools)	3,790	46%
Total number of full time equivalents (excluding schools)	3,258	40%
Total number of female employees	2,242	64%
Total number of male employees	1,548	46%
Total number of White employees	2,311	61%
Total number of BME employees	1,483	39%
Total number of disabled employees	211	6%
Total number of employees aged 16-20	29	1%
Total number of employees aged 21-24	85	2%
Total number of employees aged 25 -34	624	16%
Total number of employees aged 35-44	885	23%
Total number of employees aged 45-54	1,325	35%
Total number of employees aged 55 +	842	22%

Source: Lewisham Workforce Profile 2010-11

Appendix B: CES 2008-11 achievements catalogue

Summary of achievements reported in 2008-09

Shaping the Delivery of Services

A Stakeholder Challenge Panel comprising of 35 Community Groups, including representatives from black and ethnic minority and disabled communities, has been established to inform and shape service delivery as part of the customer service transformation programme.

'Lewisham Challenge – Closing the Gap' campaign

As part of the campaign we have worked alongside schools to develop the intelligent use of pupil level data to identify underachieving children and young people to close the gap and redress inequality.

Increased Number of Respite breaks

Through the Carers Grant, which offers funding to voluntary and community groups, more carers have received respite breaks. In 2007/09 the Council target was exceeded and 24,617 breaks were provided for carers.

Increased accessibility of communications for deaf and disabled people

This includes the introduction of a British Sign Language section on Lewisham Council's website and a the Browsealoud facility to speech enable the site for people with dyslexia and related learning disabilities.

Summary of achievements reported in 2009-10

Access to advice and support on drugs misuse

The Drugs and Alcohol Advice Team has effectively engaged with 550 women in 2009/10. This is an increase of 50 clients in comparison to the previous year. Crèche facilities have also been set up in the commissioned services to reduce barriers to access. Treatment services run women only sessions. Groups have also been set up to target women from different cultures where social barriers may prevent access (e.g. Somali women's groups). Advice and information has been provided in schools, via Health Visitor services. Advocacy work to support women to increase their health and well being has also been provided.

Access for carers

Lewisham continues to increase the number of carers involved in client assessments and reviews. The number of carers involved with clients for 2008-2009 was 1,210. The number of separate carer's assessments also continues to increase and is on track to meet the 2009/10 target. Lewisham has been selected by the Department of Health to become a national Demonstrator Site exploring new approaches to respite breaks for carers. One of only 12 authorities to be selected, and the only one in London, Lewisham will receive funding of £600,000 to support the project over the next 18 months.

Two Ticks' status

The 'Two Ticks' status provides external recognition that an organisation is "positive about disabled people". The accreditation is awarded to employers who demonstrate to the Department of Work and Pensions that they have achieved, and are committed to, continually achieving a set of commitments relating to the employment of disabled people. Lewisham Council went through the accreditation process in 2009 and has maintained it's 'Two Ticks' status.

Private Sector Housing Assistance grants

All grant allocations for Private Sector Housing have been taken up by vulnerable people in non decent accommodation. To date in 2009/10, 136 properties have been utilising a number of grants totalling £715,600.

Summary of achievements reported in 2010-11

Stonewall Workplace Equality Index

A submission for the Stonewall Workplace Equality Index 2011 was made in September 2010. The results show that there has been a 39 point overall improvement in our score since 2009. We ranked 173 out of 384 this year, up from 152 out of 310. An action plan will be developed following feedback received from Stonewall and a submission to participate in the 2012 workplace index will be considered in the summer of 2011.

Closing the gap between boys and girls

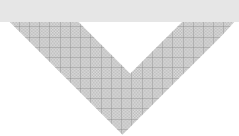
Closing the gap - The Early Years Foundation Stage results for 2010 show that the gap between boys and girls was narrowed in every single area. The greatest gains were in Dispositions and Attitudes, Writing, Reading and Creative Development, which were the key areas highlighted as part of the Boys and Writing project.

Translation and Transcription Service (Pearl Linguistics)

The Pearl Linguistics service is being used by all Directorates across the Council. In addition, the contract is also used by Lewisham Homes, Lewisham Hospital and over 10 Primary and Secondary schools across the Borough. A review of the contract is undertaken on a six-monthly basis. The results of the customer satisfaction survey that was undertaken during the summer of 2010 found that over 86% of users stated the service was excellent.

Collect data & monitor trends in relation to child casualty rates

Child casualty rates are evaluated annually via the Lewisham Road safety audit and the data forms the basis of the Council's program plan for the following year. This plan has included targeting secondary school pupils within the areas that have higher deprivation. In Lewisham over the last 10 years, the total number of all child casualties has fallen by 67%. Serious injuries has fallen by 80.5% with no recorded fatalities in the 2009 data. The figures indicate that there has been a decline in children from BME backgrounds being killed or seriously injured in road accidents.



Appendix C: Data used to inform development of the CES

Sources checked	
Surveys	Characteristics covered
Place Survey 2008-09	Specifically: Gender, Age, Race, Disability, Religion or belief, Sexual orientation
Annual Residents Survey 2009	Specifically: Gender, Age, Race, Disability
Talkback Survey 2009	Specifically: Gender, Race, Disability, Age, Sexual orientation, Religion or belief, Pregnancy & maternity
Lewisham Ward Assemblies attendance (2010-11)	Specifically: Gender, Race, Disability, Age, Sexual orientation, Religion or belief
Our Lewisham, Our Say Consultation 2010	Specifically: Age, Gender, Race, Disability, Sexual orientation, Religion or belief
Census 2001	Specifically: Age, Gender, Race, Disability, Religion or belief
Tell Us Survey: NI06 - Children who have experience bullying (2010)	Specifically: Sexual orientation, Gender, Race, Religion or belief, Disability, Gender reassignment
Tell Us Survey: NI110 – Young people's participation in positive activities (2010)	Specifically: Race, Religion or belief, Sexual orientation, Gender, Disability, Gender reassignment
Tell Us Survey: NI199 – Children & young people's satisfaction with parks and play areas (2010)	Specifically: Age
Stonewall Workplace Equality Index 2010	Specifically: Sexual orientation,
NI27 (Adult Social Care Survey): Self reported experience of social care users 2010-11	Specifically: Disability, Age
The Charges and Contributions to adult social care services consultation (2010)	Specifically: Disability, Age
Homecare for older adults consultation (2009)	Specifically: Age, Race, Disability
The Big Care Debate (2010)	Specifically: Disability
Proposal to close Kirkdale Centre, Community Education Lewisham (2011)	Specifically: Age, gender, disability
Better Access Consultation (2000)	Specifically: Age, race, disability
Customer Services Transformation Programme Regulatory Services Equalities Impact Assessment (2010): Private Sector Housing	Specifically: disability
Early Intervention: Children Centers	Specifically: age, maternity and pregnancy
Performance indicators	Characteristics covered
BV16a: Disabled employees (2010-11)	Specifically: Disability, Race
BV17a: Ethnic minority employees (2010-11)	Specifically: Sexual orientation, Gender, Race, Religion or belief, Disability, Gender reassignment

BV11a: Women in the top 5% of earners (2010-11)	Specifically: Gender
BV11b: BME in top 5% of earners (2010-11)	Specifically: Race
BV11c Disabled staff in the top 5% of earners (2010-11)	Specifically: Disability
DN054: Services for disabled children (2009-10)	Specifically : Disability, Age
NI108 gap in achievement between equality groups and their peers (2010-11)	Specifically: Race, Gender
MPS Hate crime data March 2010 to March 2011	Specifically: Race, Religion or belief, Sexual orientation
NI146: Adults with learning disabilities in employment (2010-11)	Specifically: Disability
Lewisham Health Profile 2011 (Life Expectancy, Child Poverty, Early Deaths, Teenage Conception)	Specifically: Gender, Age, Disability
PCT data on transexualism 2010-11	Specifically: Gender reassignment
Government Equality Office Survey 2011	Specifically: Gender reassignment
Local Adult Social Care data 2010-11	Specifically: Age, Disability, Gender
Local Children's Social Care data 2010-11	Specifically: Age, Gender
PTE Returns (Homelessness Statistics) 2011	Specifically: Race
Gender	Characteristics covered
Workforce Profile 2010-11	Specifically: Age, Disability, Gender, Race
Lewisham School Roll 2011	Specifically: Age, Disability, Gender

References

- ¹ The Coalition: Our Programme for Government – HM Government
- ² Labour Market Statistics (January 2012) – Office for National Statistics
- ³ ONS Lewisham Population Mid Year Estimate, 2009
- ⁴ GLA 2010 Round Ethnic Group Population Projections, DMAG (based on a forecasted Lewisham population of 274,896)
- ⁵ Lewisham Annual Residents Survey 2009
- ⁶ 2001 Census, Office for National Statistics
- ⁷ ONS Mid Year Population Estimate 2009
- ⁸ ONS 2008 Sub National Population Projections
- ⁹ Lewisham's Sustainable Community Strategy 2008-2020
- ¹⁰ Household Survey 2007, Office for National Statistics
- ¹¹ CLG Housing in England 2007-08 Report
<http://www.communities.gov.uk/documents/statistics/pdf/1346249.pdf>
- ¹² Household Survey 2007, Office for National Statistics
- ¹³ DMAG (2007) A Profile of Londoners by Housing Tenure, September 2007, GLA
- ¹⁴ ONS 2005, local authority, housing and labour market statistics Table 1.28
- ¹⁵ Equality Act 2010, HM Parliament
- ¹⁶ Equality Strategy - "Building a Fairer Britain" - Government Equalities Office 2010
- ¹⁷ Equality Act 2010 (Specific Duties) Regulations 2011
- ¹⁸ ONS Mid Year Population Estimates for all references to Lewisham's overall population and disaggregation by age and gender
- ¹⁹ Sub national Population Projections 2008, Quinary Age Groups All Persons
- ²⁰ NOMIS, November 2010
- ²¹ Our Community, Joanna Darrell, Beaumont Society, May 2011.
- ²² Lewisham PCT data on trans-sexualism for 2010-11
- ²³ Public Health Birth Files (PHBF) from the Office of National Statistics (ONS)

Agenda Item 9

MAYOR AND CABINET		
Report Title	Matter referred by the Lee Green Assembly – parking and CPZ report	
Key Decision	No	Item No.
Ward	Lee Green	
Contributors	Lee Green Assembly	
Class	Open	Date: 7 March 2012

1. Summary

This report informs the Mayor and Cabinet of the statement of community views of the Lee Green assembly relating to the issue of parking and CPZs within the ward. Parking is one of the top priorities for the Lee Green assembly, and a working group drawn from the assembly has worked with officers to develop a report on parking and the CPZ situation within the ward. The assembly has now passed a statement of community views which they would like the Mayor to consider.

2. Purpose of the Report

To inform Mayor and Cabinet of the statement of community views of the Lee Green assembly in relation to parking and CPZs in the ward, specifically, on charges, operational hours and the lack of choice in consultation, and to provide the Mayor and Cabinet with a copy of the assembly report on parking and CPZs in the ward.

3. Recommendation

It is recommended that the Mayor asks the Executive Directors for Customer Services and for Resources and Regeneration to consider and report back to him on the implications of the 'Statement of Community Views' from the Lee Green Assembly.

4. Lee Green Assembly – parking and CPZs

- 4.1 The first Lee Green assembly in June 2008 identified the issue of parking as one of its priorities. This priority was adopted again at the assembly's review of its priorities in autumn 2010, and has been the focus of many assembly meetings.

- 4.2 The Lee Green assembly presented a statement of community views to Mayor & Cabinet in May 2009, requesting a review of parking across the whole ward to find long term solutions for each area in the ward. This arose out of the assembly's concerns about a piecemeal approach to parking in the ward and a 'one-size-fits-all' CPZ model. A review was undertaken by parking officers, and a new parking zone was created following consultation with residents.
- 4.3 Lee Green Assembly agreed at its meeting of 13 September 2011 to set up a working group to look at the issue of parking in the ward, and in particular controlled parking zones (CPZs). The Working Group has met four times since then, with Parking Services officers in attendance. The Group discussed a wide range of issues, including the financing of parking, current parking zones, consultation and implementation, operational hours and flexibility of the schemes, charging policies and comparisons with other boroughs.
- 4.4 The Working Group have looked at the break down of costs associated with parking and have found it difficult to understand these, and have recommended that the Council publishes transparent accounts and that any savings made from service improvements should be reflected in reduced charges to residents.
- 4.5 The Assembly has noted widespread concern about the lack of consultation over the rise in annual charges for resident parking, and the Working Group have found that the current price of £120 is in the top five London Boroughs. Visitor permits were found to be the highest in London. The report recommends that the Council reviews its annual charge, reduce the cost of visitor permits, and establish a scale of higher charges for owners of more than one car (with the money being used to reduce the charge for those with one car).
- 4.6 The assembly has expressed concern about the inflexibility of the CPZ times, most of which are for the whole day. The Assembly has previously requested two-hour restrictions for zones that suffer most from commuter parking, but this has not been granted. This concern was among the most important to the Assembly, and they voted unanimously on shorter restrictions. The report recommends that the zones in the ward are consulted again on whether they wish to have a 2 hour system, adopting different time slots in neighbouring zones to make staffing affordable.
- 4.7 The assembly have expressed concern about the lack of choice or information, and the process used in consulting about CPZs. The report recommends the process is reviewed, local residents are involved in drawing up questionnaires, and consideration is given to using the Alternative Voting system.
- 4.8 The Working Group considered the impact of parking restrictions on local businesses and schools. The report recommends that the Council reduce charges to smaller businesses and undertake work with schools to establish how to overcome problems created by their parking needs.

4.9 The assembly therefore sets out the following statement of community views and requests that the Mayor considers:

- (i) A formal response from the Mayor and Cabinet to the parking and CPZ report and instruct officers to provide a formal response to the recommendations contained within the report (in particular, the recommendations calling for reductions and greater flexibility in all charges, zones adopting two-hour restrictions, and greater resident involvement in the consultation process), including the costs of the proposed changes.
- (ii) The Assembly also agreed to continue the Working Group in order to progress issues that can be resolved within Lee Green.

5. Financial Implications

That there are no direct financial implications arising from this report.

6. Legal Implications

Executive Procedure Rule 19 in the Constitution outlines that each local assembly may place up to one item on Mayor and Cabinet agenda in any twelve month period, unless the Mayor agrees to contrary, restricted to a maximum of any two such items on any agenda.

BACKGROUND PAPERS

Appendix 1: Lee Green parking and CPZ report (February 2012).

If you have any queries on this report, please contact Petra Smith on 020 8314 7034, or Liz Dart on 020 8314 6115.

February 2012

Parking and CPZs: Report for Lee Green Assembly

Background

Lee Green Assembly agreed at its meeting of 13 September to set up a working group to look at the issue of parking in the ward, and in particular controlled parking zones (CPZs). This followed a report back from Lewisham Council's then Director of Regeneration, Malcolm Smith, who proposed the formation of a Working Group, made up of residents from all parts of the ward, to look at what he described as the "most complex set of parking problems". He suggested that, aided by Council officers, it should be possible to produce a report with recommendations within four-six months.

The Working Group met four times – 26 October, 23 November and 15 December 2011, and 10 January 2012 – with Lesley Brooks and Bill Tarplett of the Council's Parking Services, supported by Ade Joseph of the Assemblies Team. We discussed a wide range of issues, including the financing of parking, current parking zones, consultation and implementation, operational hours and flexibility of the schemes, charging policies and comparisons with other boroughs.

Preamble

Lee Green – with two railway stations – is one of Lewisham's wards most susceptible to "creeping CPZism". The issue is so big that it has dominated many ward Assembly meetings – this, despite a strong commitment to funding priorities, notably regenerating a run-down shopping area, facilities for young people and enhancing the ward's green spaces. Overwhelmingly, residents have been concerned that fairness should have underpinned the schemes and have not been convinced that this has been the case.

Here is a summary of our findings, together with recommendations. Some of these will have borough-wide implications, some may be resolved within the ward... whatever, the exercise has been carried out in good faith and we hope and expect that it will be taken seriously by the Council.

The financing of parking

The Working Group found it extremely difficult to understand how costs were broken down, and while officers did their best to explain the workings, there was a sense that the way the accounts are prepared – at least for public consumption – was at best opaque. Annual income, takings by the contractor, and money accrued for re-investment – highway and road maintenance – were not clear.

In particular, the way in which since 2004 the implementation of the contract is based on prudential borrowing and the first call on revenue is to repay that borrowing, before any money goes towards equipment to sustain the contract or highway maintenance.

We also had information on improvements in the service such as online applications for permits and "virtual" permits removing the necessity for windscreen displays and, while we accepted these might result in savings, some of this should be reflected in savings to the customer. Also, the new systems would not help people without access to the internet.

We had income figures showing a reduction in demand for permits, but no information separating out income from the annual charge for a permit, income from visitor's permits and money accrued from fines. This information will be crucial in any Council review of whether it's meeting its income targets.

Recommendation

- 1) The Council should publish transparent accounts, with clear differentiation about costs and income for annual charges, visitor's permits and fines.
- 2) Service improvements, particularly those leading to savings, should be reflected in reduced charges to residents.

Charging policy

There was widespread concern that, while residents in the early CPZs had initially agreed to a £30 annual charge (which was then raised to £60) and other later ones to £60, the massive hike to £120 was not part of anyone agreeing to the CPZ, meaning that the decision was taken without consultation. Previous assurances that Lewisham's charges are average were found, on comparisons with other London boroughs, to lack validity. **Lewisham's annual charge is in the top six among London boroughs**, hardly reflective of its demographic and people's resulting ability to pay – Lewisham is the 31st most deprived borough in the country (10th in London), according to Government statistics of 2010.

Some other boroughs have a graduated scale of charges, increasing charges for second and third cars. This would seem a sensible policy.

The big increase in visitor's permits similarly also lacked consultation. Here, comparisons with other London boroughs indicate that **Lewisham charges for visitor's permits are the highest in London**. This seems particularly unfair on residents who have informal carers, and on non-car owners who also have to pay for visitor's permits, despite being unlikely to have voted for the CPZ. Some problems might be resolved by granting an initial "grace" period for visitors in which residents might pay less for an initial period.

Many local residents reported of rude treatment by staff issuing the permits at the Parking Shop in Rennell Street. This may well have added to their hostility to the charges for permits.

The most recent hike has produced a new form of abuse, with residents either unable or unwilling to pay, parking in neighbouring roads without a CPZ, thereby producing a further unfairness that pits residents in neighbouring roads against each other.

Recommendation

- 3) The Council needs to review its charges with a view to reducing the annual charge, and address this very real grievance.
- 4) The Council should look to reduce the cost of visitor's permits, the charges for which seem particularly inequitable on residents with informal carers and non-car owners. Or, there could be a "grace" period to mitigate the impact of the charge.
- 5) The Council should establish a scale of higher charges for owners of more than one car, with a reduction in the one-car charge being recompensed by increased charges for multi-car owners.

Current CPZs: Flexibility of schemes and operational hours

Most schemes are for the whole day, with some 9am-6pm, others 9am to 7pm, some weekdays only, others including Saturdays. Despite requests for a two-hour restriction from zones which suffer primarily from commuters, there has been great resistance by the Council in the past. This is really about money and income, not suitability.

The cost of policing such a scheme could be borne by creating different two-hour slots in adjoining zones, enabling parking officers to move from one zone to the next. There would be a staff saving to more than compensate for any loss of net income.

There was unanimous support for a shorter restriction – as practised borough-wide in Bromley and parts of Greenwich. This would still deter commuters, while enabling residents to accommodate visitors, services and tradespeople without excessive cost – and could mitigate the worst of the price hikes.

Recommendation

- 6) Zones in Lee Green ward should be consulted again on whether they wished to have a two-hour system, adopting different time slots in neighbouring zones in order to reduce the staffing costs for the contractor. This recommendation, more than any other, was seen as the most likely to meet residents' concerns about fairness. Furthermore, the two-hour zone would be possible to implement within one ward.

Consultation and implementation

The evidence is that residents are usually offered one option (all-day), based on officers' knowledge of "attractors". They often cite factors other than commuters, necessitating all-day parking – in Lee Green workers at Lewisham Hospital being cited. The only part of the ward in which this seemed to be valid was the College Park area. Residents' own experience was that few people living near the station were affected by anybody other than commuters.

The lack of choice was seen as a major denial of democracy. The questionnaires fail to provide sufficient information or choice, with a more complete questionnaire likely to lead to a different result. Little notice is taken of comments – which are not votes – and the evidence as scrutinised by the Working Group is that sufficient numbers of people asked for other options to warrant the need for greater choice.

To improve the sense of fairness and increase turnout, the Working Group believes local residents should be involved in drawing up the questionnaire and consideration should be given to the literature being delivered by volunteers, ensuring there was no bias. This would also reduce costs.

In a Council review of the Hither Green East CPZ, in which residents were sent questionnaires, there were 91 people who took the trouble to write in the "other comments" box. Of these, 97.9% wanted some kind of change, only 2.1% wanted it to stay as it was – 76% wanted to change the length (primarily two hours) and/or reduce charges. The review was before the latest increase to £120 per annum. As the questionnaire failed to include the two-hour option, this lack of choice undermined the validity of questionnaire.

The Council offered more than one option in Holme Lacey and Dallinger roads – but there was concern about the First Past the Post producing the "least bad" option. Consideration should be given to Alternative

Voting as it might produce a greater consensus. There were concerns about turnout, often pretty low, but the Group had no view about minimum turnout.

The Working Group also looked at the process – is it fair that zones are consulted, each successful ballot resulting in demand in the adjacent zone (“creeping CPZism”)? And whether it would be better to have a single zone for the whole ward? As conditions are different across the ward, it would be unfair to impose a CPZ for the whole ward as in some areas there have been majorities who are clearly opposed. However, should people living in such areas feel the impact of a new CPZ in an adjacent area, they should have the opportunity to be consulted again about having one in their area.

Recommendation

- 7) The consultation process should be reviewed, with questionnaires providing better information and ballots greater choice – greater clarity would lead to more informed choices. That review should be paid for from surplus revenue from the parking account.
- 8) Local residents should be involved in drawing up the questionnaires, and volunteers should be used to deliver the literature, ensuring that it is done without bias.
- 9) Consideration should be given to using the Alternative Voting system.

Local businesses and traders and local schools

Some CPZ zones encompass shopping areas, with shoppers getting free short-stay parking in a limited number of bays. This is the practice in Staplehurst Road next to Hither Green station and in front of the Manor Lane shops, and in Burnt Ash Hill near Lee station. This was seen as a good policy.

The Working Group looked at business permit charges, and comparisons with other London boroughs. Last year’s increase of 67% to £500 made **Lewisham’s business permits among the five most expensive**. This is really unfair in a borough like Lewisham with a relatively low-income population. It also hits small businesses hard at a time when Lewisham should be pursuing economic regeneration policies that encourage small businesses.

Local schools were seen as a problem, as they generate parking needs for staff and temporary ones for parents. There was insufficient information about how these might be accommodated. However, one suggestion that should be explored is negotiating special parking rates for staff at local car parks, run by supermarkets, etc.

Recommendation

- 10) The Council should reduce charges to smaller businesses as part of its economic regeneration strategy.
- 11) Work should be undertaken to establish how to overcome problems created by the parking needs generated by schools.

SUMMARY

Only the commuter-blighted, worst-affected areas vote for CPZs first time. Residents elsewhere only convert once the impact of a neighbouring CPZ translates into an increase in other people’s cars in their area. Charges across the board, as comparisons with the rest of London showed, have created a sense of

unfairness in a borough that is hardly among the wealthiest. Is this the best way of fostering community solidarity?

The massive price hikes have generated enormous ill-will, not least because they were taken without consultation. While we appreciate the Council faces difficult decisions in meeting the challenge of big cuts in their budget, we do feel decisions about charging need to be considered more carefully, and that the most recent hike was a step too far.

There is a strong consensus on the Working Group that the Council has a duty to residents to look for an accounting structure that would better serve its electorate, and we hope our work will be useful to other wards experiencing similar problems in the consultation over and implementation of Controlled Parking Zones in their areas.

In addition, we would like to thank the officers who provided comparative data that helped considerably in informing the discussions that helped to produce such a wide-ranging set of recommendations.

Finally, we believe that adopting these recommendations would help to alleviate the genuine sense of grievance arising out of the implementation of the CPZs and the subsequent increase in charges. In particular, making it possible for residents to vote for more flexible schemes including the two-hour option would, if agreed, also impact on the need for permits for visitors and tradespeople and would help to create a greater sense of fairness.

Agenda Item 10

Chief Officer Confirmation of Report Submission			
Cabinet Member Confirmation of Briefing			
Report for: Mayor			
Mayor and Cabinet			X
Mayor and Cabinet (Contracts)			
Executive Director			
Information <input type="checkbox"/>	Part 1 <input checked="" type="checkbox"/>	Part 2 <input type="checkbox"/>	Key Decision <input checked="" type="checkbox"/>

Date of Meeting	7 th March 2012
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Title of Report	Responses to matters referred by Housing Select Committee – Review Private Rented Sector Housing
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Originator of Report	Genevieve Macklin	Ext. 46057
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: Susan Wise Executive Member

Date: 23rd February 2012

Signed: [Signature] Director/Head of Service

Date: 27/2/12

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
Title	Responses to matters referred by Housing Select Committee – Review Private Rented Sector Housing.		
Wards	All wards	Item No	
Contributors	Executive Director for Customer Services		
Class	Part 1	Date	7 March 2012

1 Purpose

- 1.1 The purpose of the report is to respond to the recommendations made by the Housing Select Committee following their in-depth '*Private Rented Sector Housing Review*' in 2011.

2 Recommendations

It is recommended that the Mayor:

- 2.1 Considers the proposed response contained in this report;
- 2.2 Agrees that the response can be reported to Housing Select Committee.

3 Background

- 3.1 The private rented sector in Lewisham is large and growing. There are over 33,000 privately rented dwellings representing around 30% of the housing stock in the Borough. The private rented sector serves a large proportion of Lewisham's residents and is the first and only option for a number of residents, as home ownership is financially out of reach for many and the demand for social housing far outstrips supply.
- 3.2 As this is such an important sector for the Council and its residents the Housing Select Committee decided to review the provision of private rented accommodation in Lewisham. The review focussed on access to the sector; the quality of housing provided; and the security of tenancies. Members also chose to examine how the Council used the private rented sector and how it worked with private landlords and tenants.
- 3.3 The review was scoped in May 2011 and two evidence sessions were held in July and September 2011. At the July session, the Committee considered comprehensive written information relating to the review and at the September session, the Committee heard from expert witnesses.
- 3.4 To coincide with the review, a landlords' information day was held in September 2011 for all private sector landlords and established letting agents. Members were invited to attend the event. The main aim of the day was to attract as many new landlords as possible to join existing Council schemes and offer their properties for those in housing need and in receipt of housing benefit. There

were also a large number of stalls providing a range of information for new and existing landlords including details on the different types of leasing schemes the Council has in place; insurance services to provide protection around rent and damage; and landlord accreditation schemes. This event, and a later event targeted at Lewisham Homes Leaseholders who rent out their homes privately, were successful in attracting over 100 landlords. It is anticipated that events such as these will be repeated in the future.

- 3.5 The Housing Select Committee concluded its review and agreed its recommendations in November 2011. The following report summarises the recommendations made and updates on current progress. The Committee will be updated regularly as progress is made in relation to the recommendations.

4 Responses to the recommendations of the Housing Select Committee's review into Lewisham's Private Rented Sector

- 4.1 **The Housing Select Committee welcomes the potential development of a single unit within the Council to deal with all private rented sector housing in the borough. The services that this unit will be able to provide to private sector tenants requiring advice and assistance should be well publicised. Consideration should also be given to setting up a users forum, to allow private tenants to provide feedback to the unit on their experiences of privately renting and help shape the services provided by the new unit.**

- 4.2 Response - A Private Rented Sector Project has now been established to take forward the work associated with setting up the new Unit/ Lewisham's Social Lettings Agency. The project brings together colleagues from Environmental Services, Building Control, Private Sector Leasing, Hostels, and functions such as Fresh Start, Rent Incentive Scheme for homeless Prevention and Discharge, Procurement in the private sector etc.

- 4.3 The aim of the project is to bring together the full range of services associated with the private rented sector. Work has already commenced in assessing current practices and taking advantage of new initiatives to ensure that private sector tenants have access to the best information and advice available.

- 4.4 Initial work has also involved tightening up the Council's arrangements for leasing private sector units to meet the demand for social housing. In particular the management of voids has improved to ensure that the flow of properties to meet demand is maximised.

- 4.5 As the new unit evolves the longer term objectives of securing good quality supply for households, better availability of advice and guidance and a constructive relationship with a wider range of landlords will be achieved.

- 4.6 The unit will also monitor the impact of Welfare Reform on tenants renting in the sector and on recent changes in the supply of housing.

- 4.7 A Users Forum will be set up. The Quality Team will consider the best medium which is likely to include an online facility.

- 4.8 **The Housing Select Committee fully supports the establishment of a “social lettings agency”, either for Lewisham or sub regionally, and asks to be kept updated on all progress made in relation to this.**
- 4.9 Response – The Housing Select Committee will be kept updated on the work of the PRS unit. It is intended that the Unit will be Lewisham’s ”Social Lettings Agency”.
- 4.10 **Regular “ landlord information days” should be held by the Council, with smaller landlords in particular encouraged to attend, to ensure that local landlords are aware of their legal rights and responsibilities.**
- 4.11 Response – One of the key priorities for the current PRS project is to look at how we currently communicate with landlords and how this can be developed into the future using the full range of technologies available to us. We are working to make sure that we have the right level of advice and support available for new and existing landlords. We are in the initial stages of developing a landlords’ website and plan to build on the two successful Landlords days held in the autumn of 2011. We are also in early discussions with staff through the PRS project to look at starting regular Landlords Business Forums, which are smaller more regular events supporting landlords as small businesses, but before these are launched we have started to re-look at the current temporary accommodation products offered by the Council to ensure we remain competitive. Additionally Lewisham will continue to support South East London Housing Partnership’s Landlords day, which are held in Lewisham’s Civic Centre annually.
- 4.12 **The proposals being taken forward by the Mayor of London, in partnership with London Councils, for the introduction of a ‘Decent Homes’ kitemark scheme for the private rented sector should be supported. If introduced, acquiring the kitemark should be compulsory for all landlords used by the Council via the PSL, RIS, Fresh Start schemes.**
- 4.13 Response – The Mayor of London is proposing to introduce a single badge of accreditation for London landlords and lettings agents. The aim is that the scheme will result in an increase of 100,000 accredited landlords across London by 2016. To incentivise landlords it is proposed to explore how accreditation can be linked to funding for landlords to bring their properties up to standard, or for direct payment of Housing Benefit to landlords again being conditional upon accreditation. Officers have already met with the GLA and London Councils officers to discuss these proposal. It is currently being proposed that the kitemark be awarded to properties rather than to landlords thereby enabling prospective tenants to quickly see which properties across the sector meet minimum standards. Lewisham is keen to become a pilot borough and will be developing a quality standard as part of the new unit.
- 4.14 **The Council should consider whether Lewisham should adopt an “additional licensing scheme” for Houses in Multiple Occupation (“HMOs”) to drive up standards and tackle anti-social behaviour.**
- 4.15 The setting up of an additional licensing scheme is resource intensive. It involves researching and collating the evidence to provide for a business case for the discretionary scheme and will involve carrying out an extensive consultation exercise. With general consent, the government requires that this consultation

must last for a minimum of ten weeks.

- 4.16 Also the CLG has given the following guidance on the reasons for introducing a licensing scheme in a given area: 'A significant proportion of HMOs are poorly managed and cause, or could cause, problems to occupiers or the public. The problems will include at least one of the following: Poor external conditions affecting the local environment, spatial overcrowding, insufficient kitchen and bathroom facilities, anti-social behaviour affecting other residents or the local community, poor management or bad practice by the landlord affecting the tenants.
- 4.17 So, evidence would need to be gathered to demonstrate that there are areas of problem HMOs that could be addressed by implementing an additional licensing scheme in conjunction with other methods. It is possible for schemes to be legally quashed if proper procedures are not followed. Officers will investigate whether grounds for such a scheme exist in Lewisham and shall report back accordingly.
- 4.18 In the meantime, in addition to the Council's regulatory role in taking enforcement action in relation to hazards under the HHSRS, the Council also has successfully implemented the licensing of HMOs under the mandatory scheme and to date 192 HMOs providing a home for 1,777 people in 1,610 households, have been licensed. Mandatory licensing applies to larger HMOs, which present a greater fire risk, that are 3 or more storeys high and have five or more people. Each licence specifies the maximum number of people who may live in the HMO and includes conditions relating to:- gas and electrical safety, suitable provision of fire resistant furniture, provision of smoke alarms and requirements about there being a proper tenancy agreement.
- 4.19 Action is being taken to increase the number of licensed HMOs.
- 4.20 **The London Landlord Accreditation Scheme (LLAS) should be promoted and made compulsory for all landlords used by the Council via the PSL, RIS, Fresh Start schemes and landlords used to provide emergency temporary accommodation.**
- 4.21 The accreditation scheme is promoted vigorously and officers will continue to do so. Officers will look at all possible methods of encouraging landlords to obtain accreditation and this will be kept under review.
- 4.22 A marketing stall in a prime location was made available to LLAS at last year's Lewisham Landlords Day. Literature from the LLAS is made available to landlords. Officers have helped facilitate training venues for LLAS accreditation training days and have spoken at these events and promoted the days to Lewisham landlords. Officers have also helped LLAS stalls at London Landlord Day events.
- 4.23 We currently have 263 (Nov 11) LLAS landlords approved in Lewisham. This has increased by 20% over the past year.
- 4.24 **The Council should consider whether there is sufficient provision in the borough for legal and housing advice for tenants, and keep this issue under review, particularly in the light of cuts to Legal Aid. The Council**

should investigate ways in which information about local landlords and lettings agents and the services they deliver, including the fees they charge, can be made publically available.

- 4.25 Legal aid funding currently supports one free housing advisory post in Lewisham. The Government's proposed cuts in legal aid funding could remove 50% of the housing advisory service in Lewisham which will need to be reconfigured. However Lewisham Council, through our private sector advisors, will continue to support the delivery of a free advice, case work and support service to assist all PRS tenants and landlords.
- 4.26 The council's team specialises in saving the homes of both private tenants and homeowners. Mortgage borrowers in difficulty can obtain support and advice from the team to negotiate solutions with their lenders to retain their home and to go to court with them and defend possession proceedings which are 99% successful. The team administers the Government's Mortgage Rescue Scheme.
- 4.27 Tenants experiencing harassment or illegal eviction are assisted by the team who negotiate and advise landlords wherever possible, using their legal powers to enforce landlord/tenant legislation where appropriate. The team obtains injunctions in the County Court against landlords where illegal evictions have taken place, ensuring tenants can re-occupy their homes and help in preventing further harassment.
- 4.28 The team are currently putting together a website to help all Lewisham's PRS residents and homeowners, linking them together, providing advice and services, plus links to a wealth of external resources, similar to the "Love Lewisham" site created by the Environmental team (<http://www.lovelewisham.org/Reports>).
- 4.29 **The Council should encourage landlords and lettings agents to carry out inductions for all new tenants (where the rights and responsibilities of the landlord and the tenant are outlined.) The provision of inductions should be made compulsory for all landlords (and lettings agents) used by the Council via the PSL, RIS and Fresh Start schemes.**
- 4.30 Response – The Council will continue to work with landlords and lettings agents through landlords days and business forums to support and encourage improvements in the services they deliver for private sector tenants. Work is underway, led by our Tenants and Landlord Advice Services to improve the scope and quality of information available for all tenants. For those tenants who access the PRS through the Housing Options Centre or are rehoused into the Private Rented Leasing Scheme they will receive a comprehensive sign up and advice interview and support. If required there is also access to floating support if their needs are greater. The actual sign up process is being reviewed as part of the PRS project to ensure we are giving as much advice and support at the right time to tenants. The ability to police and enforce any requirement for PRS landlords or lettings agents to provide a tenant induction beyond our Council managed private sector leasing scheme is limited however the Quality Team will encourage and promote this approach and provide a landlord and tenant pack.
- 4.31 **A pocket guide to housing law should be produced and provided to local police who are often unaware of the legal framework around illegal**

evictions.

As part of the PRS Quality project, officers will develop a summary housing law guide for local police. This will be available in web format so that it can be changed to ensure it keeps up to date. Advice will be sought from our Community Safety Team on the best way to link with police on the ground.

- 4.32 **The Committee supports the ongoing provision of the noise abatement service in its current form and believes there should be a single number for reporting Anti Social Behaviour in the Borough, regardless of tenure; and the information reported should be passed on to relevant housing providers or private landlords as appropriate.**
- 4.33 There are over four thousand private landlords in the Borough as well as a large number of RSLs. To provide a dedicated number and to staff such a service would be costly. It would also be difficult for those officers to provide a service across such a range of landlords' when it is the landlords responsibility to take the required action. However, officers will investigate the cost and feasibility of this and report back.
- 4.34 Meanwhile, there is guidance on the Lewisham website around the reporting of Anti Social Behaviour and advice that in an emergency situation the police should be called. The webpage contains contact details of the Community Safety Teams in Lewisham, along with contact details of our main housing providers. The current advice to private residents is to contact the Safer Neighbourhoods Teams.
- 4.35 **The Council should adopt a more proactive approach to enforcement and prosecution of the worst landlords, taking into account what is legally possible and with regard to the relative costs and benefits:**
- (a) The Council should consider escalating to enforcement action where landlords do not quickly respond to informal action in connection with poor housing conditions and disrepair; and to prosecution where they fail to respond to enforcement action and/or a landlord is known to be a serial offender. The council should aim to prosecute in all cases where landlords have illegally evicted tenants and the tenants have not been immediately readmitted to their homes following contact with the landlord by the council and/or a tenant has been unable to access their accommodation overnight.**
- (b) The Council should ensure that sufficient resources are available to support prosecutions of rogue landlords, and should seek so far as possible to ensure that prosecution provides an effective remedy for tenants and for the community, in pushing for penalties that reflect the impact of the offence on the tenant or on the community. This may be achieved by way of a community or victim impact statement being prepared as part of the evidence given to the court or tribunal.**
- (c) The Council should celebrate successful prosecutions of rogue landlords and publicise its successes in the local press and news media and in Lewisham Life (including the e-edition).**

- 4.36 The Council is always committed to taking enforcement action against any landlord who fails to meet the required standards. However this is always seen as a last resort because we make all efforts to work with landlords to improve services for their tenants. It is important to prioritise the immediate impact on tenants and if possible to improve the quality of housing by ensuring that both tenants and landlords are given the best advice, either from Environmental Health Residential with regard to standards, or from our Housing Advice Service with regard to tenancy matters. As a result most referrals (97%) are resolved informally through the giving of advice. As part of the PRS project dealing with Quality we will be looking at existing best practice across the country and will introduce initiatives that help us better deal with all “rogue” landlords working in our Borough. We will combine this with a review of the current support for landlords.
- 4.37 There are a number of presentations to the Housing Options Centre as a result of harassment and alleged unlawful eviction. In response to these approaches the team take a proactive and direct approach, including seeking injunctions in the county court for re-instatement of unlawfully evicted tenants and return of personal possessions taken by the landlords.
- 4.38 In past cases significant publicity has been obtained in the local press and news media. We will exploit all opportunities to ensure Landlords are aware of the consequences of breaking the law and exploiting tenants. Resources are always limited but it is considered that enforcement (and/or prosecution) is a vital tool in ensuring compliance with the law. As such, an appropriate proportion of resources will be set aside for this eventuality.

5 Legal Implications

- 5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

6 Financial Implications

- 6.1 The purpose of the report is to respond to the recommendations made by the Housing Select Committee following their in-depth *‘Private Rented Sector Housing Review’* in 2011.
- 6.2 The response, in itself, does not give rise to any financial implications although should costs arise from the initiatives mentioned within the report will need to be contained within approved budgets.

7 Crime and Disorder implications

- 7.1 There are no specific crime and disorder implications.

8 Environmental Implications

- 8.1 There are no specific environmental implications.

9 Equality Implications

- 9.1 If the new PRS units or “social lettings agency” moves forward an Equalities Analysis Assessment will be carried out and reported to Mayor and Cabinet.

10 Background Documents and Report Author

- 10.1 There are no background documents to this report.
- 10.2 If you have any queries on this report, please contact Gary Cummins, Strategy, Policy and Projects Officer on 020 8314 6155.

Chief Officer Confirmation of Report Submission
Cabinet Member Confirmation of Briefing
 Report for: Mayor
 Mayor and Cabinet
 Mayor and Cabinet (Contracts)
 Executive Director
 Information Part 1 Part 2 Key Decision

Date of Meeting	7th March 2012
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Title of Report	Private Sector Housing Assistance Policy
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Originator of Report	Genevieve Macklin	Ext. 46057
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: Susan Wise Executive Member

Date: 23rd February 2012

Signed: [Signature] Director/Head of Service

Date: 27/2/2012

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR & CABINET		
Report Title	Private Sector Housing Assistance Policy	
Key Decision	No	Item No.
Wards	All	
Contributors	Executive Director for Customer Services Head of Law	
Class	Part 1	Date: 7 March 2012

1. Summary

- 1.1 The current Housing Assistance Policy was adopted by the council in April 2006. Since then a number of legislative, political and economic changes have occurred. The main factor that necessitates changes to the Policy is the downturn in the economy. This has resulted in a general reduction in available budgets, and in the case of sub-regional monies, the complete loss of funding. As a consequence of these changes it is considered necessary to amend the policy to reflect the new circumstances.
- 1.2 The revised policy can be found in appendix A .The changes to the policy are described in appendix B.

2 Purpose

- 2.1 The purpose of the report is to amend the Council's Housing Assistance Policy 2006 for the reasons described in 1.1 The majority of the policy will remain unchanged but there are significant changes in the amounts of grant monies available and the relationship between grants and loans.

3. Recommendation

It is recommended that the Mayor:

- 3.1 approves the adoption of the revised Housing Assistance Policy as described in appendix A.

4. Policy Context

- 4.1 The Private Sector Housing Strategy reflects the Council's corporate priorities and the Sustainable Community Strategy to secure decent homes for all. Grant and loan support to vulnerable households plays a crucial role in raising the standards of property in the private sector to the 'Decent Homes' level. There are three principal ways that monetary assistance is made available:

1. As an Empty Homes Grant which is normally given on the basis of the property being made available to let to a homeless family.

2. As a discretionary or statutory grant. (which is not re-payable unless the Property is sold within five years.
3. As a discretionary loan (which is re-payable and is secured as a charge against the property.

4.2 Empty and derelict properties blight local communities and neighbourhoods. They attract anti-social behaviour, crime, vandalism and arson. Prior to 2011-12, significant sums of money were available through the South East London Housing Partnership (SELHP) to bring empty properties back into use. Lewisham has been successful in utilising this funding to renovate long-term empty properties and bring them back into use, whilst at the same time leveraging in substantial amounts of private funding and gaining the tenancy rights to the properties for five years or more. From April 2011 there is no longer any empty homes money available from SELHP, although a bid for further funding has been submitted by SELHP. If this is successful monies may become available later in the year. The Empty Homes Grant has therefore been kept in the revised policy so as to take full advantage of the SELHP funding stream if it becomes available.

4.3 Prior to 2011-12 SELHP provided a substantial proportion of the funding used to deliver our grants and loans program through its decent homes loans and handyman-plus grants schemes. The SELHP principal policy objectives are to raise housing standards for vulnerable people to the Decent Homes standard. This 'targeted funding stream' originates from the GLA and was claimed by individual boroughs on completion of qualifying works. Whilst these funding streams are no longer available, there are still some monies available from underspent budgets from previous years. This underspend is ring-fenced to individual Boroughs. It is therefore our intention to make full use of any funding that is still available to support this policy.

5. Background

5.1 The Regulatory reform (Housing Assistance) Order 2002 gave Local Authorities discretion to develop Housing Assistance Policies tailored to the local area. Before this, all housing grant policy was regulated by legislation and was mandatory. The 2002 order withdrew all previous grant legislation with the exception of that relating to the Disabled Facilities Grant, which remains the only mandatory grant.

5.2 The Private Sector Housing Assistance Policy 2006 was launched on 1st April 2006 after an extensive consultation exercise during 2005. This new policy introduced interest free loans and new grants relating to energy use.

5.3 The Policy is mainly focussed on providing help to low income households. This is intended to support safe and independent living, thereby reducing the burden on Health and Social services. Offering support to low income families with children also helps in tackling child poverty. Upgrading property to meet the Decent Homes standard will also reduce the amount of accidents or health problems produced by poor housing conditions, For example, costs to the Health Service dealing with injuries caused by trips or falls can be greatly reduced by quite minor adaptations.

- 5.4 The Policy also helps elderly people to stay in their homes longer and enjoy a comfortable and risk free (comparatively) environment. This greatly reduces costs to Health and Social Services. Offering help with energy efficiency will help address fuel poverty whilst reducing carbon dioxide emissions associated with climate change . It will also help to reduce the high winter death rate amongst older people associated with excessive cold. Help with home security will make people feel more secure within their own home and will improve resident's quality of life.

6 Amendments contained in the revised Policy

- 6.1 Amendments to the new policy are contained in appendix B. However the main change involves the Home Repairs Grant which currently provides for a £10,000 grant and a £20,000 loan. This is replaced with a smaller £3,000 grant and a larger £27,000 loan.
- 6.2 Demand for all types of grant has been steadily increasing over the last few years. There have been occasions when applications have been suspended owing to lack of resources. By reducing the amount of grant it should allow the Council to help more people and better balance the distribution of available Funds.

7. Legal and Human Rights implications

- 7.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, provides local housing authorities with a power to improve living conditions in their area. Article 3 (1) provides that Local Housing Authorities may "...directly or indirectly, [provide] assistance to any person for the purpose of enabling him –
(a) to acquire living accommodation...; (b) to adapt or improve living accommodation ...; (c) to repair living accommodation; (d) to demolish buildings comprising or including living accommodation; (e) where buildings comprising or including living accommodation have been demolished, to construct buildings that comprise or include replacement living accommodation."
- 7.1 Assistance may be provided in any form, unconditional or subject to conditions, "including conditions as to the repayment of the assistance or its value...but before imposing any such condition, or taking steps to enforce it, a local housing authority shall have regard to the ability of the person concerned to make that repayment or contribution" (article 3(4)).
- 7.2 A local housing authority may take any form of security in respect of the whole or part of the assistance (article 3(6))
- 7.4 The European Convention on Human Rights states in Article 8 that "Everyone has the right to respect for his private and family life, his home and correspondence". The Human Rights Act 1998 incorporates the Convention.

Whilst it does not, however, necessarily mean that everyone has an immediate *right* to a home, (because Article 8 is a “qualified” right and therefore is capable in certain circumstances, of being lawfully and legitimately interfered with,) the provision by an Authority of a relevant proactive Private Sector Housing Assistance Policy does assist to reinforce the Article 8 principles.

8 Financial Implications

8.1 The Council’s spend on the Private Sector Housing Assistance Policy over the past 3 years has been as follows:

Year	Total spend	Value of loans included in total spend
	£k	£k
2008/09	2,028	63
2009/10	1,850	25
2010/11	1,781	142

8.2 The Capital programme provides £1,570k to support the Private Sector Housing Assistance Policy, of which £486k is grant funded. (This is Central Government support for Disabled Facilities Grant funding.)

8.3 Whilst there would appear to be sufficient funding to meet current demands on the service, the reduction of the grant element of the scheme gives more certainty to the long term affordability of the policy in that it will reduce demand and the consequent pressure on resources. This is likely to achieve a situation where resources are available to more applicants albeit at a lower level.

8.4 Replacing large discretionary grants with smaller grants and loans will ensure that more monies are returned to the Council, resulting in a reduced capital budget requirement in this area as returned monies can be ‘recycled’ into further loans. This is, however, a long term strategy as the benefits of grant “recycling” cannot be realised until loans are repaid. The current value of loans to be repaid is £418k. The scheme has not been in operation long enough to generate any repayment of loan monies.

8.5 All loans are registered as a charge on the affected property with HM Land Registry and must be repaid if the property is disposed of, or if any other loan condition is not complied with.

9 Crime and Disorder Implications

9.1 Poor housing conditions are likely to increase anti social behaviour and crime. Improving housing standards should have a positive effect on crime and disorder.

10 Environmental Implications

- 10.1 The repair and improvement of properties, particularly when the work is external, results in a significant improvement in the local environment, and encourages other property owners in the area to maintain and improve their own properties.

11 Equalities Implications

- 11.1 The majority of grants & loans are given to improve the housing standards of elderly and vulnerable people and therefore assists those who are in the greatest financial need.
- 11.2 BME groups are shown to be disproportionately represented in those in greatest housing need. They are therefore likely to be the principal beneficiaries of any efforts to raise housing standards or increase the availability of good quality housing.
- 11.3 A consultation exercise was carried out in August 2011. Results show that our client base is in agreement with the proposed changes. An Equalities Impact Assessment was carried out at that time which took into account all of the relevant protected characteristics. The process has since changed and is now an Equalities Analysis Assessment. A review will be carried out in the near future to ascertain whether any changes are necessary.

12. Conclusion

- 12.1 Shifting the emphasis of housing assistance from grants to loans will result in a significant financial benefit to the Council and enable the Council to continue to help elderly and vulnerable people stay in their homes.

13 Background Papers and Report Author

- 13.1 There are no background papers to this report.
- 13.2 If you require further information about this report please contact Tony Mottram on 0208 314 8063.

Appendix A

Private Sector Housing Assistance Policy 2006(Revised 2012)

Appendix B

Policy Amendments

Private Sector Housing Assistance Policy

Private Sector Housing
April 2006 (as amended March 2012)

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Introduction

Improving the condition of the Borough's private sector housing stock is an important priority for the London Borough of Lewisham (otherwise known as "the Council"). This priority has also been recognised by Central Government through extending the decent homes target to vulnerable people living in private sector homes.

It is estimated that 36% of private sector stock fails to meet this standard and that 40% of vulnerable households are living in non-decent homes*.

**Source: London Borough of Lewisham House Condition Survey 2010*

The link between health and housing has been reinforced through the housing health and safety rating system which came into force in April 2006 and now forms part 1 of the decent homes standard. The Council now considers the health impact associated with poor housing conditions, rather than just concentrating on disrepair.

Whilst repair and maintenance remains the responsibility of the homeowner, it is sometimes necessary and appropriate for the Council to step in and offer assistance to those in greatest need. The development of new interest free loans has helped to reinforce the need for personal responsibility, by encouraging low income homeowners to help themselves. With decreasing resources, the Council can no longer offer home owners large grants and continue to help all the people it wants to. Therefore in order not to exhaust funds earlier and earlier each year, Home Repair Grant has been reduced to a maximum of £3000, and the Home Repair loan maximum increased to £27,000. The greater loan element of the assistance will help towards funding the scheme in the future, as any returned loans can be recycled into further loans.

Providing help to low income older households supports safe and independent living, thereby reducing the burden on health and social services. Offering support to low income families with children also helps in tackling child poverty.

Providing a disabled adaptation service in conjunction with Community Occupational Therapy will remain a high priority. Lewisham Staying Put has been amalgamated with the Housing Grants team so as to provide a more efficient, seamless service to vulnerable clients.

Offering help with energy efficiency will help address fuel poverty whilst reducing carbon dioxide emissions associated with climate change. It will also help to reduce the high winter death rate amongst older people associated with excessive cold. Help with home security will make people feel more secure within their own home and will improve residents' quality of life.

Within the private rented sector, assistance will be targeted at responsible landlords who are willing to make their properties available to benefit claimants for at least 5 years, thereby increasing the supply of affordable accommodation within the borough.

Addressing poor quality housing will also support wider regeneration and environmental sustainability objectives. Anyone who has lived near a long term empty and derelict property will know the negative impact this has and the extent to which it attracts vandalism, graffiti and associated anti-social behaviour.

All discretionary grants and loans are subject to available budgets and may be temporarily withdrawn without notice if budgets have been fully committed.

Home Repairs

Purpose

To provide safe, warm and decent homes for older and vulnerable residents living in private sector accommodation.

Background

Over 69% of all properties were built before 1945 and require significant investment to keep them in good repair. It is estimated that nearly 30,000 private sector properties fail the decent homes standard, of which 7780 are occupied by vulnerable households.

Many older homeowners are cash poor but asset rich. By releasing some of this capital value, many homeowners could afford to maintain or improve the condition of their home.

Eligibility

To obtain loan assistance, the applicant must:

- Have owned and occupied the property for at least three years immediately preceding the date of application;
- Be over 18 years old and living at the property as their main residence;
- Have a member of their household who is over 60 years old, children who are under 16, or someone who is disabled or has a long term serious illness; and
- Be on a low income.

To calculate whether someone is on low income, the Council will need full details of all income and savings. This information will be assessed using the Ferret Renovator software package, or any similar package the Council decide to use. Applicants will only be accepted if their assessed financial contribution is no more than £3,000.

What help is available?

Loan assistance is available to:

- Bring the property up to the decent homes standard;
- Install full gas central heating with a condensing combination boiler, controlled by a room-stat, programmer and thermostatic radiator valves;
- Replacement of boilers that are over 20 years old and in poor condition ;
- Install 270mm loft insulation and cavity wall insulation (where appropriate).

To obtain a loan, the applicant must carry out all necessary work to bring the property up to the decent homes standard.

Older, disabled or vulnerable residents may wish to use the services of Lewisham Staying Put to help organise the work. For further information, see the terms and conditions at the end of the policy.

Common parts of buildings containing flats

Provided the applicant meets the eligibility criteria outlined above, the grant and/or loan can extend to the common parts of the building containing their flat.

Assistance will only be available if the condition of the common parts is directly affecting the applicant and causing their flat to fail the decent homes standard. Other major repairs or elemental replacement designed to bring the whole building up to the decent homes standard may be considered at the discretion of the Housing Grants Manager.

Assistance will not be provided just because the applicant has a duty to contribute to the cost of work under the terms of their lease. In particular, assistance will not be available for ongoing regular cleaning, maintenance and redecoration of the common parts of the building, repair or replacement of lifts, or any works to the grounds around the building. If assistance is available, it will be given in proportion to the applicant's repairing responsibility for the work as stated in their lease.

Assistance will not automatically be given to leaseholders of right-to-buy housing stock that are being improved or maintained by the Council. In this instant, to qualify for grant or loan the works must fail the decent homes standard as determined by the Housing Grants Manager.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

A formal application is made completing and submitting:

- A prescribed application form;
- An owner-occupation certificate;
- Proof of ownership and prior occupation;
- Proof of earning and benefits;
- Proof of age and/or disability;
- Two competitive estimates from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

If the applicant has a long term serious illness, the Council may require a medical report from the applicant's GP or consultant. The cost of obtaining a report will be the applicant's responsibility but the cost can be included within the grant or loan if it is subsequently approved.

Amount of Grant and/or Loan Assistance Available

The Grant and/or loan will cover the full cost of eligible work up to a maximum of £30,000. This is the maximum level of grant or loan assistance that can be awarded in any 5 year period. In calculating this amount, any repairs grants or loans awarded under this policy or previous policies will be included.

In the case of buildings containing 3 or more flats, the maximum grant/loan allocation for the whole building will be £60,000 (with no more than £3,000 in grant for each leaseholder). The remaining loan will be split equally amongst all eligible leaseholders.

The applicant's assessed financial contribution (if any), will be deducted from the grant or loan, up to a maximum of £3,000. Once a grant or loan has been approved, the applicant will be expected to pay their contribution to the builder or agent before any grant or loan monies are released.

If the total cost of the eligible work exceeds £30,000, the scheme can only proceed if the applicant has access to private finance to fund the additional cost of the work, and in this case there will be two options available. The applicant can either withdraw

their loan enquiry or they can arrange private finance for the additional cost of the work. In the case of private finance, the applicant must provide the Council with full details of the amount and source of the funding before the grant can be approved.

Where a property is under-utilised, and the works exceed £30,000, and other finance is not available, and it is expected that the owner should consider selling the property and purchasing a smaller property. A Help with Moving Grant may be available.

The interest free loan is a product that has been designed by the Council. It is intended as a simple mechanism to help home owners secure additional finance at minimal cost. The loan will be provided by the Council and not a commercial lender. There will be no interest payments and no regular repayments. Loans will only be available to freeholders and long leaseholders where the lease has an unexpired term of at least 60 years.

In deciding whether an applicant is eligible for a loan, the Council will have regard to the value of any mortgage(s) and/or other loans secured on the property. The Council will also have regard to any unsecured debts exceeding £10,000. Loans will not normally be offered if the total value of mortgages, secured loans, and/or other unsecured debts exceeds 80% of the property's current market value. In some circumstances, a formal valuation may be required to confirm the property's current market value.

No loan will be offered if the applicant has any outstanding Council Tax arrears or other debt owing to the Council.

There are some fees and other ancillary charges associated with taking out a loan. These could include: Land Registry fees, legal fees, planning and building control fees, any necessary specialist reports (e.g. electrical or structural), medical reports and valuations. Any such costs will be clearly documented in the loan agreement.

Applicants will be given a Plain English Guide to Loans which explains the legal terminology in the formal loan agreement. Before signing the agreement, applicants will be encouraged to seek independent legal advice. When the loan agreement is sent out, applicants will be given 14 days to decide whether to proceed. In order to proceed with the loan, the applicant must sign (and have their signature witnessed) and return two copies of the loan agreement.

Throughout the duration of the loan, the owner must maintain a current buildings insurance policy for the full reinstatement value of the property. A copy of the policy must be provided to the Council on request.

The loan must be repaid in full and without interest in the following circumstances:

- Within six months of the death of the owner, or in the case of joint owners, within six months of the death of the last owner.
- If the whole or part of the property is sold at least five years after the Certified Date.
- In the case of long leaseholders, on the date 50 years from the expiry of the lease.

Even if property prices fall, the Council guarantees that it will not recover a sum greater than the value of the property under the circumstances listed above. This avoids the risk of putting applicants in negative equity. This guarantee does not apply to applicants who default on the terms of the loan agreement.

The loan must be repaid in full and with interest at 2% above the Bank of England base rate if the applicant defaults on the loan in any of the following circumstances:

- The Council finds the applicant gave false information on their application form.
- The Council discovers the applicant was not eligible for help at the time the application was made.
- The applicant ceases to be the owner of the property before the Certified Date.
- The applicant ceases to occupy the property for the whole of the five year period after the Certified Date.
- The applicant fails to provide information as to how they are complying with the loan conditions following a written request by the Council.
- The applicant fails to maintain an adequate buildings insurance policy.
- The applicant breaches any of the obligations in the loan agreement.
- The applicant becomes bankrupt or subject to an event of insolvency.
- The Council is at any time of the view that the applicant intentionally deprived themselves of income or disposed of savings so as to fulfil the criteria to qualify for a loan.

Loans will be registered at the Local Land Charges Section as a local land charge and at HM Land Registry.

The applicant retains the right to pay off the loan at any time, without any interest payments being incurred

Conditions applicable to grants

If the owner disposes of the property after any instalment of grant has been paid but before the Certified Date, the owner must immediately repay the full amount and the grant will be cancelled.

Throughout the five year grant condition period:

- The property must be owned and occupied by the applicant(s) as their main residence;
- The property must be kept in good repair;
- The owner must provide the Council with full details of how the property is being occupied and/or maintained within 21 days of a written request; and
- The owner must notify the Council in writing if they intend to dispose of the property and must provide any information reasonably requested by them in that connection.

The grant will be registered at the Local Land Charges Section as a local land charge and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date. These conditions are binding on the applicant and on any other person who is for the time being an owner of the property.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent grant applications, the Council will demand immediate and full repayment of the grant, plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

The Council reserves the right to either withdraw or change the level of grant or loan to take into account available funding.

Emergency Home Repairs

Purpose

To provide a quick and simple solution for vulnerable and low income homeowners who are at imminent risk of harm due to the condition of their property.

Background

The home repairs loan is the main route by which disrepair and poor housing conditions will normally be addressed. However, there will be circumstances where this approach takes too long and does not protect the homeowner from imminent risk of harm. In these circumstances, emergency home repairs assistance may be available.

Eligibility

To obtain grant assistance, the applicant must:

- Have owned and occupied the property for at least three years immediately preceding the date of application;
- Be over 18 years old and living at the property as their main residence; and
- Be in receipt of a qualifying benefit.

What help is available?

Grant assistance is available to deal with situations that place the applicant at serious or imminent risk of harm. In addressing the problem, there is no requirement to bring the property up to the full decent homes standard.

Examples of work eligible for grant assistance include:

- Dangerous electrical or gas installations;
- No form of heating (from 1 October to 31 March)
- No hot water supply;
- Risk of injury from falling elements or structural collapse;
- Serious roof leaks;
- Defective stair-lifts, through-floor lifts or other disabled adaptations which are required by the occupant to maintain independent living.
- Improving the security to windows and doors.

Older, disabled or vulnerable residents may wish to use the services of Lewisham Staying Put to help organise the work. For further information, see the terms and conditions at the end of the policy.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

A formal application is made completing and submitting:

- A prescribed application form;
- Proof of benefit entitlement; and
- One competitive estimate from a legitimate building contractor.

The Council will normally verify ownership details by carrying out a land registry check.

Special Arrangements for Defective Stair and Through-floor Lifts

The Council recognise the serious impact this can have on the ability of a disabled person to maintain independent living. In exceptional circumstances, provided the remedial work is ordered through the Council's Housing Grants section, the work can proceed prior to a formal grant application being received.

In such cases, a grant application must be submitted as soon as reasonably practicable after the work has been completed. In the event that the applicant is not eligible for grant assistance (i.e. not in receipt of a qualifying benefit) or does not make an application, they will be responsible for paying the full cost of the work.

This grant will not cover works to repair lifts that have been used incorrectly or misused.

This special arrangement does not apply to any other work carried out under the emergency home repairs assistance policy. In all other cases, the work must not be carried out until the grant has been approved in writing.

Home Security

To provide safe and secure homes for older and vulnerable residents living in private sector accommodation.

Applicants must be at least 65 years old, living at the property as their main residence and be in receipt of a qualifying benefit.

Help is also available to people aged under 65 if:

- They have been burgled whilst living at the property
- They have been a victim of racial or religious hate crime whilst living at the property.

Qualifying Benefits

For the purpose of this grant, qualifying benefits are defined as:

- Income support
- Income based job seekers allowance
- Guaranteed Pension credit
- Council tax benefit (excluding the single person allowance)
- Housing benefit
- Working tax credit (with an income of less than £16,040*)
- Child Tax Credit (with an income of less than £16,040*)

* or the current level at the time.

Amount of Grant Assistance Available

The grant will cover the full cost of eligible work, up to a maximum of £2,000. The maximum amount that is allowed for home security works is £500.

This is the maximum level of grant assistance that can be awarded in any 5 year period. In calculating this amount, any repairs grants or loans awarded under this policy or previous grant policies will be included.

Conditions

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

No other conditions will be attached to this grant.

Renewable Energy Systems

Purpose

To encourage local residents to generate their own renewable energy and help tackle climate change.

Background

As fuel costs continue to rise, the cost of installing a renewable energy system becomes a more realistic option.

Encouraging residents to install these measures will help to increase demand, which in the longer term will start to drive down installation costs.

Every new installation will help to reduce carbon dioxide emissions, thereby tackling the global issue of climate change.

Eligibility

Grant assistance is available to all private sector homeowners including landlords within the borough.

What help is available?

Anyone installing a new renewable energy system will be eligible for a single grant of £500 towards the cost. The installation must be professionally installed by a specialist contractor.

Any type of renewable energy system may be considered provided it can be shown to have long term benefits and be practical and possible to install. Because the technology in this area is constantly changing and improving, the Housing Grants Team should be consulted to discuss any proposals so as to ensure that the type of installation will attract grant aid.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email: housingassistance@lewisham.gov.uk, via the council website or in writing.

Alternatively, contact Sustainable Resources on telephone 020 8314 6339, email: energy@lewisham.gov.uk

A formal application is made by completing and submitting a prescribed form.

As funding for this scheme is limited, applicants are advised not to place an order with the contractor until the Council have confirmed in writing the grant assistance is still available.

Amount of Grant Assistance Available

A grant of £500 is available in respect of each property that has a new renewable energy system installed. This is in addition to any grants the applicant may be able to obtain from other sources.

Conditions

No conditions will be attached to this renewable energy grant.

Handyperson Service

Purpose

To help older, and disabled residents carry out small jobs around the home.

Background

The Lewisham Handyperson Service offers valuable support for older and disabled homeowners and tenants, and has been operating in the borough for the past 10 years.

The service assists with hospital discharge, falls prevention, fire safety and security. It provides residents with reassurance and encourages independent living. It enables small repairs and tasks to be done in the home that contractors would be unwilling to undertake due to the small nature of the work.

A gardening service has been introduced in 2009 to undertake grass cutting, hedge trimming and one off clearances if required.

The Handypersons employed by the Council are security checked for residents' peace of mind.

Eligibility

Clients must be over 60 or disabled.

For the gardening service the clients must be over 60 or disabled and in receipt of a qualifying benefit.

During periods of high demand, priority will be given to the most urgent cases.

What help is available?

Up to 2 hours labour to help with small jobs around the home. Residents pay for the cost of materials. The Council reserves the right to charge either a flat amount or an hourly rate for this service. Clients will be notified of any costs prior to any work being carried out.

The type of work carried out by the Handyperson service includes:

Small plumbing repairs, moving furniture for easier access, adjustments to doors and windows, fixing loose flooring or floor coverings, putting up handrails, grab rails and curtain rails, fitting and testing smoke alarms and changing light bulbs.

The service is unable to help with decorating, gas/electrical work or general domestic tasks.

Method of Application

Enquiries can be made by telephone (020 8314 6309), email handyperson@lewisham.gov.uk, via the council website, or in writing.

Disabled Facilities Grants

Purpose

To assist with disabled adaptations which fall within the mandatory Disabled Facilities Grant (DFG) regime.

Background

The Council has a duty to provide DFG's under the Housing Grants Construction and Regeneration Act 1996. DFG's are the last remaining mandatory grant.

Occupational Therapists, the Housing Grants Team and Lewisham Staying Put work in close partnership to deliver this important service.

Eligibility

To obtain grant assistance, the applicant must:

- Be the owner or tenant of the property;
- Be over 18 years old and living at the property as their main residence;
- Be disabled or have a member of the family living with them who is disabled; and
- Be referred to the Housing Grants Team by an Occupational Therapist in the Council's Community Services Directorate.

All applicants will be subject to a financial test of resources. To do this, the Council will need full details of all income and savings. This information will be assessed using the Ferret Renovator software package, or any similar package the Council decide to use. The resultant contribution (if any) will be deducted from the maximum grant allowed.

In the case of disabled children, the parents' income and/or savings are discounted (as of December 2005).

What help is available?

Grant assistance is available to adapt a property to meet the needs of a disabled occupant.

An Occupational Therapist from the Council's Community Services Directorate will recommend works that are necessary and appropriate for the disabled person, for one or more of the following reasons:

- To facilitate access to the dwelling.
- To make the dwelling safe.
- To facilitate access to a family room, bedroom or bathroom/toilet.
- To provide or improve any heating system.
- To provide access to controls to provide heating, lighting, power or amenities.
- To facilitate access around the dwelling to enable care of a resident.
- To enable access to a garden.

The Housing Grants Team will then determine whether the works are reasonable and practical.

Older, disabled or vulnerable residents may wish to use the services of Lewisham Staying Put to help organise the work. For further information, see the terms and conditions at the end of the policy.

Method of application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

To find out if a disabled person is eligible for a visit and assessment by an Occupational Therapist, contact the Community Occupational Therapy team direct on telephone 020 8314 7777.

A formal application is made by completing and submitting:

- A prescribed application form;
- An owner-occupation certificate or certificate of intended letting;
- Proof of ownership;
- If the applicant is a tenant, written confirmation from the owner that they agree to the work being carried out;
- Proof of earning and benefits;
- Two competitive estimates from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

Amount of Grant Assistance Available

The grant will cover the full cost of eligible work, up to a maximum of £30,000.

The applicant's assessed financial contribution (if any), will be deducted from the grant. Once a grant has been approved, the applicant will be expected to pay their contribution to the contractor or agent before any grant money is released.

If the total cost of work exceeds £30,000, the applicant may be entitled to an interest free loan to meet the balance of the cost. For further information, please refer to the Discretionary Disabled Adaptations section.

Conditions

If the owner disposes of the property after any instalment of grant has been paid out but before the certified date, the applicant must immediately repay the full amount and the grant will be cancelled.

Throughout the five year grant condition period:

- The property must be occupied by the disabled person as their main residence;
- The owner must provide the Council with full details of how the property is being occupied within 21 days of a written request; and
- The owner must notify the Council in writing if they intend to dispose of the property and must provide any information reasonably requested by them in that connection.

The grant will be registered at the Local Land Charges Section as a local land charge.

There are no conditions on the first £5,000 of any grant. The first £10,000 of any grant given above £5,000 (between £5,000 and £15,000) must be repaid in full if the owner or the disabled person disposes of the property or fails to comply with any of the grant conditions within 10 years of the Certified Date. These conditions are binding on the applicant and on any other person who is for the time being an owner of the property.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant, plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

Discretionary Disabled Adaptations

Purpose

To assist with disabled adaptations which fall outside the mandatory Disabled Facilities Grant (DFG) regime.

Background

Mandatory DFGs provide up to £30,000 to assist with work which is necessary and appropriate, reasonable and practical to meet the needs of a disabled person.

Larger schemes involving extensions or loft conversions often exceed this grant limit. Such schemes often require input from an architect or agent which pushes the cost even higher.

Schemes relating to the welfare, needs or employment opportunities of a disabled person fall completely outside the grant regime and are not eligible for a mandatory DFG.

Unless a family have access to private finance, limiting the grant to £30,000 may prevent some schemes from going ahead.

Eligibility

To obtain assistance, the applicant must:

- Be the owner of the property;
- Be over 18 years old and living at the property as their main residence;
- Be disabled, or have a member of the family living with them who is disabled; and be referred to the Housing Grants Team by an Occupational Therapist in the Council's Community Services Directorate.

In relation to cases involving the welfare, needs and employment opportunities of a disabled person, the applicant must also be on low income.

To calculate whether someone is on low income, the Council will need full details of all income and savings. This information will be assessed using the Ferret Renovator software package, or any similar package the Council decide to use. Applicants will only be accepted if their assessed financial contribution is no more than £3,000. In this connection, the parents of disabled children are assessed.

Private tenants and housing association tenants are not eligible for this type of assistance. For schemes costing over £30,000, the property owner will be expected to contribute to the cost.

What help is available?

Loan assistance is available to:

- Top up a mandatory DFG where the cost of the work exceeds £30,000; and/or
- Carry out building work which will improve the welfare, needs or employment opportunities of the disabled person or help provide satisfactory care arrangements.

In each case, the Occupational Therapist and the Grants Surveyor must be satisfied that the work is necessary and appropriate, reasonable and practicable and that this

is the most appropriate and cost effective option to meet the needs of the disabled person. This loan will not be available to fund alternative schemes put forward by clients.

Older, disabled or vulnerable residents may wish to use the services of Lewisham Staying Put to help organise the work. For further information, see the terms and conditions at the end of the policy.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

To find out if a disabled person is eligible for a visit and assessment by an Occupational Therapist, contact the Community Occupational Therapy team on telephone 020 8314 7777.

A formal application is made by completing and submitting:

- A prescribed application form;
- An owner-occupation certificate;
- Proof of ownership;
- Proof of earning and benefits;
- Two competitive estimates from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

Amount of Loan Assistance Available

An interest free loan will cover the full cost of eligible work, up to a maximum of £15,000.

In relation to cases involving the welfare, needs or employment opportunities of the disabled person, the applicant's assessed financial contribution (if any), will be deducted from the loan, up to a maximum of £3,000. Once a loan has been approved, the applicant will be expected to pay their contribution to the builder before the loan is released.

Interest Free Loan

The interest free loan is a new product that has been designed by the Council. It is intended as a simple mechanism to help homeowners secure additional finance at minimal cost.

The loan will be provided by the Council and not a commercial lender. There will be no interest payments and no regular repayments.

Loans will only be available to freeholders and long leaseholders where the lease has an unexpired term of at least 60 years. In deciding whether an applicant is eligible for a loan, the Council will have regard to the value of any mortgage(s) and/or other loans secured on the property. The Council will also have regard to any unsecured debts exceeding £10,000. Loans will not normally be offered if the total value of mortgages, secured loans, and/or other unsecured debts exceeds 80% of the property's current market value. In some circumstances, a formal valuation may be required to confirm the property's current market value.

No loan will be offered if the applicant has any outstanding Council Tax arrears or other debt owing to the London Borough of Lewisham.

There are some fees and other ancillary charges associated with taking out a loan. These could include: Land Registry fees, legal fees, planning and building control fees, any necessary specialist reports (e.g. electrical or structural), medical reports and valuations. Any such costs will be clearly documented in the loan agreement.

Applicants will be given a Plain English Guide to Loans which explains the legal terminology in the formal loan agreement. Before signing the agreement, applicants will be encouraged to seek independent legal advice. When the loan agreement is sent out, applicants will be given 14 days to decide whether to proceed. In order to proceed with the loan, the applicant must sign (and have their signature witnessed) and return two copies of the loan agreement.

Throughout the duration of the loan, the owner must maintain a current buildings insurance policy for the full reinstatement value of the property. A copy of the policy must be provided to the Council on request.

The loan must be repaid in full and without interest in the following circumstances:

- Within six months of the death of the owner, or in the case of joint owners, within six months of the death of the last owner. If the disabled person is not the owner, this condition will not be enforced whilst the disabled person remains living at the property.
- If the whole or part of the property is sold at least five years after the Certified Date.
- In the case of long leaseholders, on the date 50 years from the expiry of the lease.

Even if property prices fall, the Council guarantees that it will not recover a sum greater than the value of the property under the circumstances listed above. This avoids the risk of putting applicants in negative equity. This guarantee does not apply to applicants who default on the terms of the loan agreement.

The loan must be repaid in full and with interest at the 2% above the Bank of England base rate if the applicant defaults on the loan in any of the following circumstances:

- The Council find the applicant gave false information on their application form.
- The Council discover the applicant was not eligible for help at the time the application was made.
- The applicant ceases to be the owner of the property before the Certified Date.
- The applicant and/or the disabled person ceases to occupy the property for the whole of the five years after the Certified Date.
- The applicant fails to provide information as to how they are complying with the loan conditions following a written request by the Council.
- The applicant fails to maintain an adequate buildings insurance policy.
- The applicant breaches any of the obligations in the loan agreement.
- The applicant becomes bankrupt or subject to an event of insolvency.
- The Council is at any time of the view that the applicant intentionally deprived themselves of income or disposed of savings so as to fulfil the criteria to qualify for a loan.

Loans will be registered at the Local Land Charges Section as a local land charge and at HM Land Registry.

The applicant retains the right to pay off the loan at any time, without any interest payments being incurred.

Private Landlords

Purpose

To increase the supply of safe, warm and decent housing accommodation in the private rented sector.

Background

There is a shortage of affordable housing accommodation within the borough, with 2,500 homeless families in temporary accommodation and 17,000 people on the housing register.

The borough contains 33,180 private rented properties, comprising 29% of the total housing stock. Of these it is estimated that 4112 are non-decent let to vulnerable households*.

**Source: London Borough of Lewisham House Condition Survey 2010*

In April 2006, the fitness standard was replaced by a new housing health & safety rating system. This forms part 1 of the decent homes standard. A mandatory licensing scheme for certain larger houses in multiple occupation was also introduced.

Eligibility

To obtain grant assistance, the applicant must be:

- The owner of the property;
- A member of the London Landlord Accreditation Scheme (LLAS) or a recognised landlord association;
- A 'Fit and Proper' person; and
- Renting or intending to rent the property to someone who is not a member of their family.

The London Landlord Accreditation Scheme can be contacted on 020 7974 1970 or e-mail llas@camden.gov.uk website: www.londonlandlords.org.uk

Recognised landlord associations are associations where members sign up to a code of practice which has been approved by the Council e.g. London Landlord accreditation scheme or the Southern Private Landlords Association Tel 0845 456 9313 or email info@spla.co.uk. Other associations may be added in the future.

What help is available?

Grant assistance is available to:

- Bring the property up to the decent homes standard;
- Resolve any category 1 or 2 hazards which have been included on a Hazard Awareness, Improvement, or Prohibition Notice served by the Council;
- Provide adequate kitchen, bathroom and/or other amenities as required within a licensed HMO; and
- Provide 270mm loft insulation and cavity wall insulation (where appropriate).

To obtain a grant, the applicant must carry out all necessary work to bring the property up to the decent homes standard.

Common parts of buildings containing flats

Provided the applicant meets the eligibility criteria outlined above, the grant can extend to the common parts of the building containing the flat.

Assistance will only be available if the condition of the common parts is directly affecting the applicant's flat and causing it to fail the decent homes standard or causing a category 1 or 2 hazard on which the Council is considering enforcement action.

Assistance will not be provided just because the applicant has a duty to contribute to the cost of the work under the terms of their lease. In particular, assistance will not be available for ongoing regular cleaning, maintenance and redecoration of the communal areas, repair or replacement of lifts, or any works to the grounds around the building.

If assistance is awarded, it will be given in proportion to the applicant's repairing responsibility for the works as stated in their lease.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

Formal applications are made by completing and submitting:

- A prescribed application form;
- A certificate of intended letting;
- Proof of ownership;
- Documentary evidence of LLAS membership or membership of another recognised landlord association;
- Two competitive estimates from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

Amount of Grant Assistance Available

The grant will cover 50% of the eligible cost of the work (or whatever percentage is allowable at the time), up to a maximum of £3,000. The maximum grant limit will be increased to £6,000 for licensed Houses in Multiple Occupation (HMOs), or properties where an application is pending and the HMO will be subject to licensing on completion of the building work.

This is the maximum level of grant assistance that can be awarded for each property within any 5 year period. In calculating this amount, any grants awarded under this policy or previous grant policies will be included.

Conditions

If the owner disposes of the property after any instalment of grant has been paid but before the certified date, the owner must immediately repay the full amount and the grant will be cancelled.

Throughout the five year grant condition period:

- The property must be rented out to tenants who are in receipt of housing benefit (at the start of their tenancy). If the property is already tenanted, this condition will not come into force until the current tenants vacate the property;(this does not apply to Houses in multiple occupation);
- Rent levels must not exceed the Local Housing Allowance rates;
- The tenants must not be members of the Landlord's family;
- The property must not be rented out as a holiday let;

- The property must be kept in good repair and maintained in accordance with all necessary legal requirements; and
- The owner must provide the Council with full details of how the property is being occupied and/or maintained within 21 days of a written request.

The grant will be registered with the Local Land Charges Section as a local land charge and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date. These conditions are binding on the applicant and on any other person who is for the time being an owner of the property.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

Empty Homes

Purpose

To bring empty homes back into use and increase the supply of safe, warm and decent housing accommodation in the private rented sector.

Background

There are currently 2,500 homeless families in temporary accommodation, 17,000 people on the housing register and 350 families in hostel accommodation.

Within the borough, there are about 2,000 privately owned properties which have been empty for at least 6 months. Of those there are approximately 271 long term derelict or problematic eyesore empty properties that are causing concern. Grant aid will be prioritised to these properties.

Long term empty and derelict properties blight local communities and neighbourhoods. They attract anti-social behaviour, crime, vandalism and arson.

Empty Dwelling Management Orders were introduced in April 2006 as result of the 2004 Housing Act (section 133).

This grant policy will complement other initiatives and support those owners who want to take action to bring their properties back into use.

The Council obtain the tenancy rights to properties brought back into use for five years and in doing so help to reduce the number of people on the housing register.

Eligibility

To obtain grant assistance, the applicant must be:

- The owner of the property;
- A member of the London Landlord Accreditation Scheme (LLAS) or a recognised landlord association;
- A 'Fit and Proper' person; and
- Intending to rent the property to someone who is not a member of their family

and the property must:

Have been empty for at least 6 months; and

- Be intended for occupation as a single family house or as self-contained flats/maisonettes with no shared facilities. Studio flats will only be accepted if there are no reasonable alternatives having regard to the structure and layout of the property.

The London Landlord Accreditation Scheme (LLAS) can be contacted on 020 7974 1970 or e-mail at: LLAS@camden.gov.uk Website: www.londonlandlords.org.uk

Recognised landlord associations are associations where members sign up to a code of practice which has been approved by the Council e.g. the Southern Private Landlords Association Tel 0845 456 9313 or email info@spla.co.uk. Other associations may be added in the future.

The proposed scheme must also be supported by both the Housing Grants Manager and the Empty Homes Manager, having regard to all relevant factors (location, access arrangements, internal layout, etc).

What help is available?

Grant assistance is available to:

- Renovate empty homes and bring them up to the decent homes standard; or
- Convert empty properties into self-contained flats or maisonettes that comply with the decent homes standard.

In this connection priority will be given to properties that are entirely residential. Except in exceptional circumstances, the Council will no longer support grants to flats above shops.

For each unit of accommodation, the work must include:

- Full gas central heating with a condensing combination boiler, controlled by a room-stat, programmer and thermostatic radiator valves; and
- 270mm loft insulation (if there is a loft) and cavity wall insulation (if there are cavity walls).

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

A formal application is made by completing and submitting:

- A prescribed application form;
- A certificate of intended letting;
- Proof of ownership;
- Documentary evidence of LLAS membership or membership of another recognised landlord association;
- Two competitive estimates from legitimate building contractors;
- Details of any professional fees and/or other ancillary charges;
- Details of the management arrangements for the property

In the case of property conversions, evidence of planning permission and/or building regulation approval must also be provided.

Amount of Grant Assistance Available

The grant will cover 50% of the eligible cost of the work, up to a maximum of £15,000 for each house or unit of accommodation (e.g. self contained flat or maisonette) which is brought back into use. For studio flats, the maximum grant will be £7,000.

The maximum grant will usually be £50,000 per property. Larger grants will be considered at the discretion of the Head of Private Sector Housing. Relevant factors to be taken into account include the location of the property, the length of time it has been empty, how it will contribute to meeting housing need, how it links to other regeneration objectives and what match funding is available.

No grant will be awarded if the property has received an empty homes grant before.

This grant is given subject to funding being available from the South East London Housing Partnership.

Conditions

If the owner disposes of the property after any instalment of grant has been paid out but before the certified date, the owner must immediately repay the full amount and the grant will be cancelled.

Throughout the five year grant condition period:

- The property must be managed by the applicant and rented out to tenants nominated through the Council's Housing Options service, leased to a Registered Social Landlord (RSL), or leased to the Council through the Private Sector Leasing (PSL) scheme. Schemes that help key workers will also be considered at the discretion of the Council;
- If the property becomes unoccupied, the applicant or their agent must notify the Council and allow at least 14 days for the Council to nominate a new tenant. This condition will not apply whilst properties are being leased to RSL's or to the Council's PSL scheme;
- The applicant must not unreasonably refuse a tenancy to someone nominated by the Council;
- Rent levels must not exceed the Local Housing Allowance rates;
- The tenants must not be members of the Landlord's family;
- The property must not be rented out as a holiday let;
- The property must be kept in good repair and maintained in accordance with all necessary legal requirements; and
- The owner must provide the Council with full details of how the property is being occupied and/or maintained within 21 days of a written request.

The grant will be registered with the Local Land Charges Section as a local land charge and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date, or any such longer period which is negotiated with the Council at the time of grant approval. These conditions are binding on the applicant and on any other person who is for the time being an owner of the property.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

Help with Moving

Purpose

To help older or disabled residents move into a home which is more suitable to meet their needs.

Background

Whilst grants are available to adapt a property to meet the needs of a disabled person, it is not always reasonable and practical to carry out the work within the grant limit. Rehousing can sometimes provide a better long term solution.

Many older people living in non-decent homes fear the disruption that will be caused by major building works.

Given the shortage of housing accommodation within the borough, helping older people move into smaller and more suitable accommodation will reduce their heating and maintenance costs whilst freeing up larger family homes.

Eligibility

To obtain grant assistance, the applicant must:

- Be the owner of the property;
- Be living at the property as their main residence;
- Be over 65 years old, and/or have a member of the family living with them who is disabled (Disabled residents must be referred to the Housing Grants Team by an Occupational Therapist in the Community Services Directorate); and
- Be on a low income.

To calculate whether someone is on low income, the Council will need full details of all income and savings. This information will be assessed using the Ferret Renovator software package, or any similar package the Council decide to use. Applicants will only be accepted if their assessed financial contribution is no more than £3,000.

What help is available?

Grant assistance is available to:

- Help a disabled person move into a decent home which is already suitable or which is capable of being easily adapted to meet their needs. This option will only be considered if the Council are satisfied it is not reasonable and practical to adapt their current home and that finding alternative accommodation is the best and most cost effective long term solution;
- Help someone who is over the age of 65 and living in non-decent accommodation to sell their home and move into a decent home which is an appropriate size to meet their needs. The Council must be satisfied that this is the most appropriate option having regard to the condition of the property, the level of under-occupation and the amount of disruption that will be caused by major building works.

It will remain the applicant's responsibility to find suitable alternative accommodation. The Council is unable to provide this service.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

A formal application is made by completing and submitting:

- A prescribed application form;
- Proof of ownership;
- Details of the new property; and
- Two sets of competitive estimates for the cost of moving.

Amount of Grant Assistance Available

The grant will cover the full cost of:

- Legal fees;
- Estate agents fees;
- Stamp Duty; and
- Removal costs

up to a maximum of £3,000.

The grant is intended to help with the cost of moving and not the capital cost of purchasing a new property. This is the maximum level of grant assistance that can be awarded within any five year period.

The applicant's assessed financial contribution (if any), will be deducted from the grant up to a maximum of £3,000. Once a grant has been approved, the applicant will be expected to pay their contribution before any grant money is released.

No payments will be released until the Solicitor has provided written confirmation that the sale has been completed.

Conditions

Throughout the five year grant condition period:

- The new property must be owned and occupied by the applicant and/or the disabled person;
- The property must be kept in good repair;
- The owner must provide the Council with full details of how the property is being occupied and/or maintained within 21 days of a written request; and
- The owner must notify the Council in writing if they intend to dispose of the property and must provide any information reasonably requested by them in that connection.

The grant will be registered with the Local Land Charges Section as a local land charge and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date. If the applicant moves outside the borough, the grant will be registered as a charge with HM Land Registry.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

Terms and Conditions

The following terms and conditions are applicable to all grant and/or loan applications made under this private sector housing assistance policy.

Making an Enquiry

Following receipt of an initial enquiry, the applicant will be asked to complete a form to check whether they are eligible for assistance. Applicants will normally be asked to return the completed form within 28 days. Failure to do so will result in the enquiry being cancelled.

No applications will be accepted from an applicant who is a 'person from abroad' within the meaning of the Housing Benefit (General) Regulations.

No applications will be accepted in respect of a property that has been built or provided by conversion within the last 10 years.

Once the initial enquiry form has been returned, the Housing Grants Team will assess whether the applicant is eligible for assistance. If they are eligible for assistance, a Grant Surveyor will then visit the property to carry out a full inspection. The applicant will also be advised, based on the information they have provided whether they will need to make a financial contribution towards the cost of the work.

Following the inspection, the Grant Surveyor will prepare a schedule of work that needs to be carried out. This will be sent to the applicant together with a grant and/or loan application pack.

The application pack issued by the Council is only valid for six months from the date of issue. Failure to submit a grant and/or loan application within this period will normally result in the enquiry being cancelled.

Applicants should notify the Council in writing if they cannot submit a completed application within this time period. Applicants must explain the reasons why and give a clear indication how much extra time they require. The Housing Grants Manager may use his discretion to extend the time period.

Choosing a Building Contractor

Applicants should take care when selecting contractors. Applicants should not enter into any agreement with a contractor until a grant and/or loan has been approved and they are certain they can meet the cost of the work.

Guidance on employing contractors can be found by using 'Trustmark' – a scheme which is backed by Government, the building trade and consumer groups. For more information, visit www.trustmark.org.uk.

The Housing Grants Team does not maintain a list of recommended contractors. However, the team may be able to supply a list of contractors who have carried out similar types of grant work in the past. It is important to note that this is not a recommended list and so the applicant must satisfy themselves with the ability of the contractor to carry out the proposed works.

To obtain grant and/or loan assistance, applicants must normally supply two original quotations or estimates from legitimate building contractors for the full cost of the

building work. Photocopies or faxes are not acceptable. The contractor's quotation or estimate should:

- Be printed on company headed paper;
- Include the company's full address and telephone number;
- Include the date;
- Be signed by a representative of the company whose name is clearly printed below the signature;
- Include the company's VAT registration number (if applicable) and make clear whether the price is inclusive or exclusive of VAT.
- Include the company registration number, if it is a Limited Company.

Quotations or estimates that do not contain all this information will be rejected.

Wherever possible applicants are encouraged to submit quotes rather than estimates. A quote is a fixed price whereas an estimate can go up in price.

The Grant Surveyor will normally issue a schedule of work eligible for grant and/loan assistance. The applicant must ensure that all this work is included in the contractor's quotation or estimate. In some cases, applicants may decide to use different contractors for different elements of the work – roofing, damp proofing, electrics, etc. There is no problem with this, provided two sets of quotations or estimates are submitted for all the work.

The quotations or estimates must be itemised which means that a separate price must be given for each part of work to be carried out. The Grant Surveyor will assess the quotations or estimates and may disallow any costs which they consider are unreasonably high, or costs for works that are not included in the schedule.

If the applicant wishes to use a more expensive contractor, they are able to do so but will be responsible for paying any additional costs involved. Before using a different contractor, the applicant must get the Council's written consent.

Where Staying Put have obtained estimates by competitive tendering, only those contractors who have been asked to tender may carry out the works. Clients own contractors, who have not been part of the tendering procedure will not be allowed to carry out the works.

Professional and Ancillary Fees

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process. For example, agents fees, planning application fees, building control fees, or a report from a structural engineer.

The Housing Grants Team will charge a fee of £250 plus VAT for producing a schedule of work that is eligible for grant or loan assistance. This fee will automatically be included within the grant and/or loan and will be paid directly into the relevant Council account. In the event that an application does not reach approval stage, no fee will be charged.

Where repairs to personal lifting equipment are arranged through the Housing Grants Team via an Emergency Home Repair Grant, a fee of £50 plus VAT will be charged. In the event that an application does not reach approval stage, no fee will be charged.

All necessary fees will be included within a grant and/or loan that is approved by the Council. These fees can be paid directly from the grant and so applicants do not need to pay the fees themselves and reclaim the cost.

Where possible, applicants should not incur any costs until after the grant and/or loan has been approved in writing. Otherwise, if the case does not proceed to approval, the applicant will be responsible for any costs already incurred.

The applicant will be responsible for any costs above the maximum grant and/or loan limits. Any fees included in a grant and/or loan will also have to be repaid by the applicant in the event of a breach of conditions.

Approving Grants and Loans

Before the Council can decide whether to approve or refuse a grant and/or loan, the applicant must submit a 'valid application'. An applicant is considered to have made a valid application when:

- they submit all the information referred to under 'Method of Application' in the relevant part of the policy; and
- the Council are satisfied that they have all necessary information on which to base a decision.

Where necessary, the applicant may be required to submit further supporting documentation or information to help the Council reach a decision.

Any assessed financial contribution (excluding excess costs) that was paid towards previous housing grants within the last 5 years will be taken into account and will be deducted from any financial contribution due in respect of the current grant application.

The Council will notify the applicant in writing of its decision to approve or refuse an application for grant and/or loan assistance. The approval letter will set out details of the eligible work, the amount of grant and/or loan assistance available, any financial contribution by the applicant and any associated conditions. If the application is refused, the refusal letter will explain why the application has been refused and set out the applicant's right of appeal.

Decisions will normally be made within 28 days of receiving a valid application.

In the case of DFGs, the decision to approve or refuse a grant can be delayed for up to six months. Alternatively the Council can issue a grant approval but specify a date before which no grant payment will be made. This longer period time may also be applied to other forms of assistance if the budget becomes over committed or during periods of high demand.

Approvals will not normally be granted unless the applicant agrees to carry out all works listed in the Grant Surveyor's schedule of work. Most forms of assistance require the property to be brought up to the decent homes standard.

The Council will not pay grant and/or loan assistance for works carried out by the applicant and/or a member of his/her family. Any relationship between the applicant and the contractor must be declared at the time of the application. In such cases, the Council may use its discretion to approve the cost of materials only, provided the applicant can demonstrate that they are sufficiently competent to carry out the work.

Applicants should not carry out any work prior to receiving written confirmation that the grant and/or loan have been approved. Otherwise, the applicant may be responsible for all costs incurred.

Where the cost of eligible works, less an applicant's contribution, exceeds the maximum available grant and/or loan, the applicant will be responsible for paying all extra costs. If this situation arises at the time of application, the grant and/or loan will not be approved until the applicant satisfies the Council that they are able to fund the extra cost.

Obtaining grant or loan approval does not imply that the applicant has obtained all necessary approvals to allow the works to proceed. In particular, the applicant is responsible for obtaining any necessary planning and/or building regulation approval, party wall act agreement or any other permission that is required to enable the work to proceed.

Fraudulent Activity

The Council is committed to tackling dishonest and fraudulent activity associated with applications made under the housing assistance policy. The Housing Grants team works closely with the Council's Special Investigations team to identify any such fraudulent activity.

Applicants must ensure that all paperwork is honestly and truthfully completed to the best of their knowledge. Anyone found to have committed or attempted to commit fraudulent activity will lose the right to submit a further application in the future.

Where payments have already been made, the Council will demand immediate and full repayment of the grant and/or loan, plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date. The applicant could also be subject to further legal action in the criminal courts.

Supervision of Work

The applicant must inform the Council of the date that works are to start. To help do this, a standard form will be sent out with the approval letter.

The applicant retains full responsibility for supervising the contractor, dealing with any disputes and ensuring the work is properly completed. Visits by council officers or its agents are only for the purpose of administering the housing assistance policy and deciding that a payment can be made. They are not acting as a surveyor overseeing the works and are not responsible for identifying or remedying any poor or defective workmanship carried out by contractors.

Using an Agent

If an applicant lacks the knowledge, ability or confidence to manage the process themselves, they may wish to appoint an agent to carry out this role on their behalf. This will be particularly relevant for large or complex schemes which require specialist technical or architectural skills. The cost of appointing an agency can usually be included within the grant and/or loan. Applicants should therefore decide whether they want to employ the services of an agent (usually an architect or building surveyor) to oversee the work on their behalf. In reaching this decision, applicants should consider the complexity of the work and whether they feel confident to oversee contractors and manage the whole process themselves.

Simple guidance on employing contractors is available from Trading Standards. The guidance includes a standard contract which can be used for jobs costing no more than £5,000. Copies can be downloaded from the Council website

(www.lewisham.gov.uk/Business/TradingStandards/AdvicetoConsumers/BasicStandardContract.htm) or can be obtained by phoning 020 8134 7759. For contracts over £5,000, applicants may wish to consider purchasing and using the relevant Joint Contracts Tribunal (JCT) standard contract (www.jctltd.co.uk).

No agency fee will be paid to members of the applicant's family or building contractors who provide the applicant with an agency service.

Whilst the Council does not have an approved list of agents, Lewisham Staying Put is run by the Council and can provide an agency service to older, vulnerable or disabled residents. Applicants that do not fall into these groups would need to find their own private agent.

Fees will vary according to the nature of the agency service being provided. Agents offering a full agency service can claim an agency fee of up to 15% of the net cost of the building work. No additional amount will be paid for expenses or other disbursements. Agents offering only a partial service will be eligible for a lesser amount, at the discretion of the Council. Agents will be expected to provide full details of their charges as part of the application process.

A full agency service will include:

- helping the applicant complete all necessary forms and certificates;
- acting as the main point of contact with the Council;
- preparing a detailed specification and any necessary plans;
- obtaining any necessary planning and building regulation approval;
- overseeing the work on site;
- liaising with the Council over any unforeseen work;
- dealing with payments and resolving any disputes or snagging items on completion

Where an agent requires a report regarding a subject outside his area of expertise e.g. a structural engineer's report, or incurs extra costs as a result of a Party Wall Act dispute, this may be allowed as an extra cost, but only if this is deemed necessary by the Grants Surveyor.

Lewisham Staying Put

Lewisham Staying Put is a home improvement agency which has been established to help older, vulnerable and disabled residents through the grant and/or loan application process. They have a wealth of experience in planning and organising disabled adaptations and can also sometimes assist with repair works.

The agency service includes help with completing application forms, drawing up plans and specifications, obtaining quotes from contractors, supervising work on site and liaising with Building Control and Planning.

The agency is run by the Council and has established a close working relationship with both the Housing Grants Team and the Occupational Therapists.

When choosing an agent, applicants may wish to use Lewisham Staying Put. Before making a decision, it is a good idea for applicants to contact them, discuss the situation and find out what help they can offer.

Lewisham Staying Put does charge an agency fee for assisting with the application process. The fee will normally be included within any grant or loan that is approved. However, this may be required to be repaid at a later date (see conditions of specific

grant or loan). For details of the latest charges, please contact the Staying Put team direct.

One advantage of using Lewisham Staying Put is that if for any reason the work does not go ahead, they will not charge a fee. Many private agents might expect the applicant to pay their fee even if the work does not go ahead. When using a private agent, it is important for applicants to clarify this issue at the start, as the Council cannot pay for agency fees unless a grant and/or loan is subsequently approved.

Payments

No payments can be made until after the grant and/or loan has been approved in writing by the Council.

Applicants should check that all works have been completed to their satisfaction before requesting a payment. The applicant will be responsible for resolving any dispute about the nature and/or quality of the work in conjunction with their agent (if any) and the contractor.

Following receipt of a request for payment, a Grant Surveyor will visit the property to carry out an inspection. Payments will only be released if the work:

- has been completed to the Council's satisfaction;
- has been carried out within the time allowed; and
- has been carried out in accordance with any agreed plans and specifications.

If Lewisham Staying Put is acting as agent, it will not always be necessary for the Grant Surveyor to visit the property. If Lewisham Staying Put confirms that the work has been completed, the Grant Surveyor may agree to release a payment.

The applicant must provide original invoices or receipts. Invoices from contractors whose estimates did not form part of the grant and/or loan application will be rejected unless the applicant can satisfy the Council why the changed contractors without obtaining prior written consent.

If the applicant has to make a financial contribution (as set out in the grant and/or loan approval), this must be paid in full to the contractor and/or agent before any payments are released by the Council.

Where appropriate, the Council can make interim payments for completed items of work. Payments will not be made for materials kept on site or for any part completed items. Payments will be based on work that has been invoiced and completed to the satisfaction of the Council. Prior to final payment, interim payments cannot exceed 90% of the total grant and/or loan approved.

In relation to agents fees, these will normally be paid in full on completion of all grant and/or loan eligible works. However, the Housing Grants Manager does have discretion to pay up to 50% of the agents fee once the grant and/or loan has been approved. In such circumstances, the balance of fees would not be paid until all work had been completed to the satisfaction of the Council.

Once all work has been completed to the Council's satisfaction, the balance of the grant will be paid. Prior to releasing the final payment, the applicant must submit the following original documentation (depending of the nature of work carried out):

- An acceptable 20-year guarantee for wood rot, woodworm treatment and damp proofing works.

- A GAS SAFE certificate and the completed benchmark booklet for all new gas boilers.
- An NICEIC or other equivalent electrical certificate from an organisation approved in accordance with Building Regulations Approved Document P.

Unless otherwise stated in this policy, payments will normally be paid direct to the applicant by direct credit transfer into a suitable bank account. The applicant may elect to have the grant and/or loan paid directly to the contractor and some contractors may refuse to carry out work unless this method of payment has been agreed. In all cases, the applicant must complete the appropriate payment mandate (authority to pay) form and submit either their own or the contractor's bank account details prior to any payment being made.

The Housing Grants Manager retains complete discretion to overrule the wishes of the applicant and make grant payments direct to the contractor who carried out the work, particularly if he has reason to believe that the contractor would not otherwise be paid. If the manager decides to exercise his discretion and pay the contractor direct, the applicant will be advised of the decision in writing.

Exclusions and Variations

A grant and/or loan application will not be approved if the work has already been completed at the time the application is submitted. The only exception will be repairs to defective stair and through floor lifts provided the applicant has followed the procedure in the 'Emergency Home Repairs' section.

If the applicant believes there are urgent reasons which justify starting the work prior to receiving grant and/or loan approval, they should contact the Housing Grants Team for further advice. However, no help will be given for work that is carried out before the Grant Surveyor has visited to assess eligibility under the terms of this policy.

Even if the Council accepts there is a valid reason for starting the work early, this does not guarantee that the application will be subsequently approved. If approval is not obtained, the applicant will be responsible for all costs incurred.

Where work has been started prior to approval, the Council will normally treat the application as amended so as to exclude the cost of the completed work. However, the Council has discretion to approve the full cost of the scheme if it is satisfied the applicant had good reason for starting the work before the application was approved and that the applicant notified the Council of the start date at the earliest possible opportunity.

If, owing to circumstances beyond the applicant's control, there are unforeseen works that cannot be completed within the approved sum, or if there has been an unexpected increase in labour or material costs, the applicant can ask the Council to consider varying the approval.

The Council will consider any such requests and notify the applicant of their decision in writing. The applicant is strongly advised not to proceed with such work until they have received the Council's written approval. If approval is not granted, the applicant will be responsible for any extra costs incurred.

Time Limits

Once an application has been approved, it is a condition of the grant and/or loan that work must be completed to the satisfaction of the Council within the following time limits from the date of approval:

Home Repairs	12 months
Empty Homes	12 months
Private Landlords	12 months
Using Renewable Energy	12 months
Discretionary Disabled Adaptations	12 months
Help with Moving	12 months
Emergency Home Repairs	3 months

Applicants must notify the Council in writing if they cannot complete the work within this time. Applicants must explain the reasons why and give a clear indication of how much extra time they require. The Housing Grants Manager may use his discretion to extend the time period.

Failure to complete the work on time period will normally result in the grant and/or loan being cancelled and the applicant having to repay any interim payments with immediate effect.

No allowance will be made for any increase in material and/or labour costs caused by the applicant's delay in carrying out the work.

Planning Permission

Some works may require planning permission especially if they involve extending a property or changing its use. If the applicant lives in a flat, a conservation area or if the property is subject to an Article 4 Direction there are likely to be restrictions on making external alterations or restrictions on the type of materials that can be used, such as when changing windows or roof coverings.

It is the applicant's responsibility to contact the Council's Planning Service at Laurence House, 1 Catford Road, London SE6 Tel 020 8314 7400 to ensure their proposals meet with planning requirements and have the necessary approval. These checks should be undertaken at an early stage and should not be delayed until a grant and/or loan has been approved. The Housing Grants Team are not responsible for checking this information.

If planning permission is required or the applicant wishes to apply for a Certificate of Lawful Development, an agent (usually an architect or architectural technician) should be employed to prepare plans. The cost of employing an agent can normally be included within the cost of any grant or loan that is subsequently approved. For further information, refer to the section on 'professional and ancillary fees' or contact the Housing Grants Team.

The cost of any extra works which result from enforcement action after grant approval will have to be met by the applicant.

Building Regulation Approval

Some works will need to be approved by the Council's Building Control section to make sure that they meet the standards required by the Building Regulations (e.g. works to the roof or structural walls). For more major works or works involving drainage, plans may also be required. In all cases where Disabled Facilities Grants are funding loft conversions, and where Empty Homes Grants are funding conversions into flats, all schemes must obtain full plans building regulation approval from the London Borough of Lewisham's Building Control section prior to grant approval.

It is the applicant's responsibility to ensure that they, their agent or their contractor contact Building Control, send in all the forms and gain all necessary approvals.

Building Control are based at Laurence House, 1 Catford Road, London SE6 4RU
Tel 020 8314 8233. The Housing Grants Team are not responsible for checking this information.

The cost of extra works which result from enforcement action after grant approval will have to be met by the applicant.

Party Wall Act

There are special rules that apply when carrying out works on a party wall or along the boundary line which separates two properties. Applicants may need to consult their neighbours and obtain consent before carrying out any work. In the event of a dispute, it may be necessary to appoint a party wall act surveyor. If in doubt, applicants are advised to obtain independent legal advice.

Budget

Each year, the Council will decide what level of funding it makes available to support grants and/or loans as described in this policy. Funding will be subject to change without prior notice according to budgetary issues and the needs of the service. No guarantee of funding is provided under the terms of this policy.

With the exception of DFGs, all other forms of assistance are discretionary and can be withdrawn by the Council at any time. Once the budget has been committed, residents will be invited to re-apply the following year, subject to further funding becoming available.

Other ways we can help

Disabled Adaptations

For advice on disabled adaptations or to arrange an assessment by an Occupational Therapist, contact the Community Occupational Therapy team on tel: 020 8314 7777. E-mail: info.OTS@lewisham.gov.uk

Empty Homes

To investigate other options for bringing empty homes back into use, including leasing to a Housing Association or the Council, contact the Property Initiatives Manager on tel: 020 8314 8381.

Energy Efficiency

To find out about other ways you can improve the energy efficiency of your home, contact Sustainable resources on tel: 020 8314 6339. E-mail: energy@lewisham.gov.uk

Home Maintenance

The Lewisham Handyperson service assists older, disabled and vulnerable people with small jobs around the home. For further information, telephone 020 8314 6309, email: handyperson@lewisham.gov.uk, or visit www.lewisham.gov.uk/handyperson.

Guidance for appointing contractors can be obtained from Trading Standards tel: 020 8314 7759. Contractors can also be found by using 'Trustmark' – a scheme which is backed by Government, the building trade and consumer groups. For more information, visit www.trustmark.org.uk.

Age Concern Lewisham run a Handyperson service for residents aged over 60. The service is operated by volunteers who have been security checked by Age Concern. For further information, contact Age Concern Lewisham on telephone 020 8690 9060 or visit them at 10 Catford Broadway, London, SE6 4SP

For general home security advice, contact the Crime Prevention Team at Lewisham Police Station on telephone 020 8284 5005.

Private Rented Accommodation

If your property is in poor repair or lacks adequate central heating and insulation, the Council may be able to serve a legal notice on your landlord requiring them to carry out the work. For further information, contact the Environmental Health Residential Team on Tel 020 8314 2170.

The Environmental Health Residential Team can also provide advice to landlords on housing standards in the private rented sector, including HMO Licensing and the Housing health and safety rating system. For further information, Tel 020 8314 2170.

Appeals

The purpose of the appeals procedure is to determine:

- Whether the housing assistance policy has been correctly interpreted and applied; and/or
- Whether there are any exceptional circumstances which justify a more flexible approach in the interpretation and application of the new policy.

Any person who is aggrieved by a decision made under this policy should first discuss the matter with the appropriate case officer.

If the matter cannot be resolved, the appellant should contact the Manager of the Housing Grants Team at the address in the 'Contact Details' section below.

If the matter remains unresolved, the appellant will be directed to the Council's Corporate Complaints Procedure. To initiate this procedure, the appellant should send their written ground of appeal to:

Head of Private Sector Housing
London Borough of Lewisham
5th Floor
Laurence House
1 Catford Road
London SE6 4RU.

The appeal will be investigated and a response will be sent within 10 working days. If the investigation is likely to take longer, an acknowledgement letter will be sent.

If the appellant remains dissatisfied, stage 2 appeals will be considered by the Head of Housing and stage 3 appeals by the Chief Executive.

If, after using the complaints procedure, the appellant feels the matter is still not resolved, they can complain to the Local Government Ombudsman at the address below:

Local Government Ombudsman
The Oaks
No 2 Westwood Way
Westwood Business Park
Coventry CV4 8JB
Tel: 024 7682 0000

All appeals on the grounds of exceptional circumstances will be considered by the Head of Private Sector Housing or a more senior manager. In considering such appeals, the manager will consider whether the appellant's exceptional circumstances fall within the general intention and purpose of the new policy and whether it would be fair and appropriate to allow the appeal.

Contact Details

Name: Housing Grants Team

Address: London Borough of Lewisham
5th floor
Laurence House
1 Catford Road
London SE6 4RU

Telephone: 020 8314 6622

Fax: 020 8314 3332

Email: housingassistance@lewisham.gov.uk

Opening hours: Monday to Friday, 9am to 5pm.

Name: Lewisham Staying Put

Address: London Borough of Lewisham
5th floor
Laurence House
1 Catford Road
London SE6 4RU

Telephone: 020 8314 6344

Fax: 020 8314 3242

Email: stayingput@lewisham.gov.uk

Opening hours: Monday to Friday, 9 am to 5 pm.

Glossary

Certificate of Intended Letting

A certificate which certifies the applicant has a qualifying owner's interest in the property and that they will rent out the property to tenants who are not members of their family for five years after the Certified Date.

Certificate of Title

A certificate which is completed by the applicant's solicitor or mortgage lender and which certifies the applicant is the freeholder or leaseholder of the property.

Certified Date

The date grant or loan eligible works are completed to the satisfaction of the Council.

Decent Home Standard

A property which has no category 1 hazards under the housing health and safety rating system, is in reasonable repair, has reasonably modern facilities, central heating and adequate thermal insulation.

Disabled Person

In relation to Home Repairs grants and/or loans, a disabled person is someone who receives a disability benefit or a disability premium as part of their claim for a means tested benefit. See also 'Long term serious illness'.

Fit and Proper Person

To help determine whether a landlord is a fit and proper person, they must complete and return a prescribed form giving details of any previous convictions for criminal activity or any history of non compliance relating to housing standards enforcement, harassment or illegal eviction. The Council will use this information to determine whether a landlord is 'fit and proper'.

Landlords that are not deemed fit and proper will not be eligible for assistance under this policy.

Fuel Poverty

A household which needs to spend at least 10% of its income to keep the home warm. This is likely to be the case with low-income households where the home is poorly insulated.

Home Improvement Agency (HIA)

An HIA assists older, disabled and vulnerable people with home repairs and disabled adaptations to help them continue living independently within their own home. This can include advice and assistance with home repairs or how to get access to welfare benefits, support services, voluntary organisations, etc. HIAs are normally funded by local and central government and the fee income they generate from offering a grant/loan agency service.

House in Multiple Occupation (HMO)

HMOs are generally properties which are occupied by people who are not all members of the same family and where there is some sharing of facilities. The definition is quite complex. Further details can be found in the Housing Act 2004, or advice can be sought from the Environmental Health Residential team on Tel 020 8314 6420.

Housing Health and Safety Rating System (HHSRS)

A new system introduced under the Housing Act 2004 to replace the old fitness standard. It now forms part 1 of the decent homes standard. The system assesses the health impact associated with poor housing conditions.

Imminent risk of Harm

In assessing imminent risk of harm, Council officers will consider all relevant factors including the severity of the problem, age and vulnerability of the applicant, time of year, other funding options available, and any other issues felt to be relevant.

Lewisham Staying Put

Lewisham Staying Put is the local Home Improvement Agency.

London Landlord Accreditation Scheme

A pan-London scheme which encourages landlords to adopt a high standard of management and professionalism, thereby improving accommodation within the private rented sector.

Long term serious illness

In assessing whether an applicant has a long term serious illness, Council officers will have regard to any medical report provided by the applicant's doctor or consultant. Factors to be taken into account include the severity and likely duration of the illness, whether the applicant's health restricts their ability to leave the home and the extent to which the condition of the home will aggravate their illness.

Members of the Landlord's Family

Members of the family include the applicant(s) spouse or a person living together with them as husband or wife, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece (whether or not) of the wife or husband, or whether the relationship is by blood or marriage. Child includes any step child or any illegitimate child by blood or marriage.

Owner Occupation Certificate

A certificate which certifies the applicant has a qualifying owner's interest in the property and that they will live in the dwelling as their main residence for five years after the Certified Date.

Person from Abroad

A 'person from abroad' is a person who has limited leave to enter or remain in the UK in accordance with any provision of the Home Office immigration rules relating to the rights to public funds. For further information, contact the Housing Grants Team.

Qualifying Benefits

For the purpose of this housing assistance policy, qualifying benefits are defined as:

- Income support
- Income based job seekers allowance
- Guaranteed Pension credit
- Council tax benefit (excluding the single person allowance)
- Housing benefit
- Working tax credit (with an income of less than £16,040*)
- Child Tax Credit (with an income of less than £16,040*)

* or the current level at the time.

Recognised Landlord Association

Recognised landlord associations are associations where members sign up to a code of practice which has been approved by the Council e.g. the Southern Private

Landlords Association Tel 0845 456 9313 or email info@spla.co.uk. Other associations may be added in the future.

Registered Social Landlord (RSL), previously known as Housing Associations

Registered Social Landlord is the technical name for social landlords that are registered with the Housing Corporation. They are providers of social housing, and although run as businesses do not trade for profit. Any surplus is put back into the organisation to maintain existing homes and help finance new ones.

Regulatory Reform Housing Assistance (England and Wales) Order 2002

This is the legislation which enables the Council to adopt a housing assistance policy which best meets the needs of local residents, including the power to establish new loan schemes.

Tenants Certificate

A certificate which certifies the applicant is a tenant of the property and that they will live in the dwelling as their main residence for five years after the completion of the grant-aided works.

Valid Application

An applicant is considered to have made a valid application when:

- they submit all the information referred to under 'Method of Application' in the relevant part of the policy; and
- the Council are satisfied that they have all necessary information on which to base a decision.

Warm Front Grants

This is a Government funded scheme which provides central heating, home insulation, draught proofing and energy advice for older and disabled people and households with children under the age of 16. Applicants must be in receipt of a means tested or disability benefit.

Appendix B

Summary of 2011 changes to the Private Sector Housing Assistance Policy 2006.

1.0 General

- 1.1 This document describes the major changes to the Private Sector Housing Assistance Policy 2006, and should be read in conjunction with the 2011 revised policy (appendix 2).
- 1.2 Where necessary, all statistics have been updated to represent current knowledge, in particular statistics produced by the Private Sector Housing Condition survey 2010 and the Empty Property Survey 2010.
- 1.3 Contact details have been updated where necessary.

2.0 Home Repair Grants and Loans

- 2.1 The home repair grant has been reduced to £3,000 and the interest free loan increased to £27,000, The maximum amount of assistance is £30,000. The maximum loan is registered at HM land registry, and must be repaid on disposal of the property. No changes have been made to the required qualification or conditions of this grant or loan.
- 2.2 With the withdrawal of the Lewisham Warmer Homes Grant, and the concluding of the SELHP Coldbusters grant, the replacement of old, inefficient boilers has been brought into the scope of the Home Repair Grant or loan.
- 2.3 A clause to vary the amount of grant or loan depending upon the availability of funding has been included.

3.0 Emergency Home Repair Grant

- 3.1 The maximum amount of grant has been increased to £2,000 to take into account the increased cost of carrying out small building works and repairing fixed equipment provided for disabled people. No changes have been made to the required qualification or conditions of this grant.
- 3.2 The Home Security Grant has now been included within the scope of this grant.

4.0 Warmer Homes Grant

- 4.1 The Warmer Homes Grant was managed by an external agent on a three year contract. The scheme was extended by twelve months and completed in 2010. This grant has therefore been withdrawn and the scope of this grant

included within the Home Repair Loan. Qualification is as the Home Repair Loan.

5.0 Warm-Front Top Up Grant

5.1 The government Warm-Front Grant will finish in 2013 . However, the recent changes to the appointed managing agents, has resulted in their inability to be able to provide us with adequate documentation. This grant has therefore been withdrawn.

6.0 Renewable Energy

6.1 Renewable energy systems have continued to develop. The original policy supported solar thermal panels which continue to be the most popular type of renewable energy system installed. However, recent increases in fuel prices, and the generous feed-in tariffs for electricity production using photo-voltaic panels has seen an increase in this type of system. The revised policy widens the scope of the grant to include any other form of renewable energy systems that are found to be worthwhile.

7.0 Home Security

7.1 The Home Security Grant has been withdrawn. The scope of this grant is now included within the Emergency Home Repair Grant.

8.0 Handyperson Service.

8.1 A basic gardening service has been introduced.

8.2 A clause regarding introducing a nominal charge for the service has been included if it becomes necessary to charge in the future.

9.0 Disabled Facilities Grant

9.1 The Disabled Facilities Grant is mandatory. The maximum mandatory amount has been changed to £30,000 in accordance with legislation.

9.2 Recent changes to legislation enable Local Authorities to recover a proportion of grant if the property is disposed of within 10 years. Up to £10,000 of Disabled Facilities Grant can be recovered of any grant over £5,000. The grant is registered as a local charge.

10.0 Disabled Adaptation Loan

10.1 No change.

11.0 Private Landlords

11.1 The maximum grant has been reduced to £3,000 for single occupied houses and £6,000 for houses in multiple occupation. No changes have been made to the required qualification or conditions of these grants.

12.00 Help with moving

12.01 No change.

13.0 Terms and Conditions

13.01 A £50 fee introduced for Emergency Home Repair grants for providing a schedule of works or for arranging the repair of fixed equipment provided for disabled people.

Chief Officer Confirmation of Report Submission		<input type="checkbox"/>
Cabinet Member Confirmation of Briefing		<input checked="" type="checkbox"/>
Report for: Mayor		<input type="checkbox"/>
Mayor and Cabinet		<input type="checkbox"/>
Mayor and Cabinet (Contracts)		<input type="checkbox"/>
Executive Director		<input type="checkbox"/>
Information <input type="checkbox"/> Part 1 <input type="checkbox"/> Part 2 <input type="checkbox"/> Key Decision		

Date of Meeting	7 th March 2012
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Title of Report	Appointment of Local Authority Governors
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Originator of Report	Sue Tipler	Ext. 46142
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources		√
Legal Comments from the Head of Law		√
Crime & Disorder Implications		√
Environmental Implications		√
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		√
Risk Assessment Comments (as appropriate)		√
Reason for Urgency (as appropriate)		√

Signed:  Executive Member

Date: 27/02/2012

Signed:  Director/Head of Service

Date: 20.2.12

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Appointment of Local Authority Governors	
Key Decision	Yes	Item No.
Ward	Various	
Contributors	Executive Director For Children And Young People	
Class	Part 1	Date: 7 th March 2012

1. Summary

- 1.1 The report sets out details of nominees for appointment as Local Authority governors.

2. Policy context

- 2.1 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children and the main purpose of a governing body is to account for the achievement of children and young people in their school. The appointment of governors is a vital element in achieving these aims.

3. Purpose

- 3.1 To consider and approve the appointment of Local Authority governors detailed in paragraph 6 below.

4. Recommendations

- 4.1 It is recommended that the Mayor
- agrees to appoint the nominees set out in paragraph 6.
 - notes the information concerning the new governors in Appendix 1

5. Narrative

- 5.1 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 Authority (LA) as part of its membership. A vacancy has arisen on the governing body of the educational establishments listed and a new appointment is required.
- 5.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The nominees listed in paragraph 6 would serve the normal 4 years.

6. Governors recommended for Appointment/Reappointment

Name	School	Constituency	Reappointment	New
Ms Annabel Walker (Non-party)	Baring	Lewisham East	---	Yes
Mr Pankaj Chugh (Non-party)	Edmund Waller	Lewisham Deptford	---	Yes
Ms Prerna Patel (Non-party)	John Ball	Lewisham East	---	Yes
Mrs Dahlia Douglas- Martin (Non-party)	New Woodlands	Lewisham East	---	Yes
Ms Gillian Harewood (Non-party)	New Woodlands	Lewisham East	Yes	---
Ms Catherine Bunten (Non-party)	Sandhurst Infants	Lewisham East	---	Yes
Mr Christopher Mitchell (Non-party)	Sandhurst Infants	Lewisham East	---	Yes
Ms Sarah Shaw (Non-party)	Sandhurst Junior	Lewisham East		Yes
Miss Odiri Obiakpani (Non-party)	Sandhurst Junior	Lewisham East	Yes	---
Ms Sarah Wainer (Non-party)	Sedgehill	Lewisham West & Penge	---	Yes
Mr Luc Altman (Non-party)	Stillness Junior	Lewisham Deptford	---	Yes
Mrs Amoy Chung- Saunders (Non-party)	Torridon Infants	Lewisham West & Penge	---	Yes
Ms Teresa Young (Non-party)	Torridon Infants	Lewisham West & Penge	---	Yes
Mr Simon Nundy (Non-party)	Trinity	Lewisham East	Yes	---

7. Financial implications

7.1 There are no financial implications arising from this report.

8. Legal implications

8.1 Under Section 36 and Schedule 9 of the School Standards and Framework Act 1998 every governing body is required to have at least one representative of the Local Authority (LA) as part of its membership.

9. Crime and disorder implications

9.1 There are no specific crime and disorder implications arising from this report.

10. Equalities implications

- 10.1 Lewisham Council's policy is to encourage all sections of the community to be represented as Local 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 governors. The numbers of governors in these groups is kept under review.

11. Environmental implications

- 11.1 There are no specific environmental implications arising from this report.

12. Conclusion

- 12.1 The new governors detailed in Appendix 1 are either local people or have close connections with Lewisham and view being a governor as a way of serving the local community. 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 Authority (LA) as part of its membership. A vacancy has arisen on the governing body of the educational establishments listed and a new appointment is required.
- 12.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The nominees listed in paragraph 5 would serve the normal 4 years.

Background documents and originator

There are no background papers.

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

APPENDIX 1

Name	School	Occupation	Residential Area	Précis of suitability to be considered as a school governor	Governor Monitoring Information
Ms Annabel Walker	Baring	Management Consultant	SE13	Ms Walker had a positive experience of school and would like to help others have a similar one. She has a good understanding of safeguarding issues, is used to questioning data, and has experience in interviewing.	White British
Mr Pankaj Chugh	Edmund Waller	Manager (IT & Engineering Services Company)	SE13	Mr Chugh's background in Technology can provide useful information for the governing body / school. He has also recently worked on a project around the IT curriculum in schools.	Indian
Ms Prerna Patel	John Ball	Teacher	SE23	As a teacher Ms Patel has a good understanding of education issues. She also has experience in staff recruitment and chairing meeting. She cares about children's attainment and would like to give something back to the community.	Indian
Mrs Dahlia Douglas-Martin	New Woodlands	Senior Administrative Officer	SE13	Mrs Douglas-Martin has a good understanding of the role of governors. She can bring a knowledge of how budgets work. She cares greatly about children reaching their full potential.	Black Caribbean
Ms Catherine Bunten	Sandhurst Infants	Policy Officer	SE13	Ms Bunten has held a range of positions within youth work and education which has given her a good knowledge of education issues and wider issues that can impact on a child's school experience. She has also worked directly with young people and their families and schools in helping the young people to re-engage with education.	White British

Name	School	Occupation	Residential Area	Précis of suitability to be considered as a school governor	Governor Monitoring Information
Mr Christopher Mitchell	Sandhurst Infants	Administrator	SE13	Mr Mitchell has recent experience of the education both as student and as a former Teaching Assistant in a primary school. This has sparked his interest in becoming a governor. He has a good understanding of dealing with data and is a good communicator.	White British
Ms Sarah Shaw	Sandhurst Juniors	Events Manager	SE4	Ms Shaw through her employment has had wide ranging contacts with schools. She is keen to use her knowledge and experience to benefit young people in Lewisham. She has a range of useful knowledge and experience in areas such as finance, personnel, project management.	White British
Ms Sarah Wainer	Sedgehill	Head of Strategy & Performance	Bromley BR2	Ms Wainer's appointment will strengthen the governing body. She has experience of developing and reviewing improvement strategies and action plans, and in analysing management information and data. Her professional experience is also relevant to other areas of governor responsibility such as budget monitoring and HR .	White British
Mrs Amoy Chung-Saunders	Torridon Infants	Self-employed (book keeper)	SE6	Mrs Chung-Saunders has been a parent governor, the governing body would like to retain her knowledge and skills. She has a financial background but also has HR experience	Black Caribbean
Ms Teresa Young	Torridon Infants	Local Govt Officer	SE6	Ms Young was a parent governor. She has been a very active governor chairing committees and being a link governor. It would be beneficial for the governing body to retain this experienced governor.	White British

1 Chief Officer Confirmation of Report Submission	
2 Cabinet Member Confirmation of Briefing	
3 Report for:	
Mayor	<input type="checkbox"/>
Mayor and Cabinet	<input type="checkbox"/>
Mayor and Cabinet (Contracts)	<input checked="" type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information <input type="checkbox"/>	Part 1 <input type="checkbox"/>
Part 2 <input type="checkbox"/>	Key Decision <input type="checkbox"/>


Date of Meeting	7 th March 2012
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Title of Report	Leathersellers Federation of Schools – Variation of Instrument of Government
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Originator of Report	Sue Tipler	46142
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources		X
Legal Comments from the Head of Law		X
Crime & Disorder Implications		X
Environmental Implications		X
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		X
Risk Assessment Comments (as appropriate)		X
Reason for Urgency (as appropriate)		X

Signed:  Executive Member

Date: 28.02.2012

Signed:  Executive Director Service

Date 28.02.2012

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Leathersellers Federation of Schools – Variation of Instrument of Government	
Key Decision	No	Item No.
Ward	All Wards	
Contributors	Executive Director for Children & Young People	
Class	Part 1	Date: 7 th March 2012

1. Summary

- 1.1 The report asks for a variation in the instrument of the Leathersellers Federation of Schools and sets out the reason why this variation has been requested.

2. Purpose

- 2.1 This report seeks authority to make an instrument of government for the Leathersellers Federation of Schools by the LA by Order

3. Policy context

- 3.1 Each school has to have an instrument of government. The LA must satisfy itself that the instruments of government for schools conform to the legislation. The LA must also agree its content.

4. Recommendation

- 4.1 It is recommended that

The instrument of government for the federation listed below be made by the LA by order

‘The Leathersellers’ Federation of Schools

5. Narrative

- 5.1 The Leathersellers Federation of Schools will comprise the following schools:

Name	Category
1.Prendergast Hilly Fields College	Voluntary Aided
2.Prendergast Ladywell Fields College	Community
3.Prendergast Vale College	Foundation

- 5.2 Prendergast Vale College is a new school and the Leathersellers Federation acted as the temporary governing body (TGB) for this new school. This new school is a member of the Leathersellers Federation of Schools. The School Governance (Federation) (England) Regulations 2007 allows two or more schools including existing schools and new schools to federate under a single governing body. The instrument of government needs to be changed to reflect the addition of Prendergast Vale College to the federation.
- 5.3 The instrument of government will take effect from the incorporation date as stated in the instrument.
- 5.4 The composition of the instrument of government for a federation of schools must comply with the principles set out in The School Governance (Federation) (England) Regulations 2007. This sets out that:
- The federated governing body has a choice as to the number of governors. There must be no fewer than 9 and no more than 29 governors.
 - The Regulations also sets out the following principles for a governing body comprising more than one category of school including at least one foundation or foundation special or voluntary aided school.
 - (a) for each federated school at least one parent governor;
 - (b) at least two but no more than one third staff governors;
 - (c) at least two but no more than one fifth LA governors;
 - (d) at least two community governors; and
 - (e) at least two foundation governors.
 - The governing body of the federation may, in addition appoint up to two sponsor governors, or where the federation contains secondary schools up to four sponsor governors.
 - Appendix A details the instrument which the federation is asking the LA to make by order.

6. Environmental Implications

- 6.1 There are no specific environmental implications.

7. Conclusion

- 7.1 The governing body has chosen a model which complies with the guiding principles set out in paragraph 5.1 and has given a valid reason for seeking the variation.

8. Financial implications

- 8.1 There are no financial implications for the school or the Local Authority.

9. Legal implications

- 9.1 These are contained in the body of the report.

10. Crime and disorder implications

- 10.1 There are no specific crime and disorder implications.

11. Equalities implications

- 11.1 Governors have been granted enough flexibility in their choice of constitutional models to enable them to address issues of representation of stakeholder groups and to ensure that governing bodies reflect the communities they serve.

12. Environmental implications

- 12.1 There are no specific environmental implications.

13. Conclusion

- 13.1 The instrument of government of the 'Leathersellers Federation of Schools' had to be changed to both reflect the inclusion of Prendergast Vale to the federation and to provide that Prendergast Vale College as a new school has a permanent governing body. The new instrument complies with the requirements that a governing body comprising more than one category of school including at least one foundation or foundation special or voluntary aided school and can therefore be agreed.

14. Background documents and originator

The School Governance (Federation) (England) Regulations 2007.
The School Governance (New Schools) England Regulations 2007.

Lineth Allen, Team Leader, Governors' services, 3rd Floor, Laurence House. Telephone: 020 8314 7993

INSTRUMENT OF GOVERNMENT

THE LEATHERSELLERS' FEDERATION OF SCHOOLS

1. The name of the Federation is: **The Leathersellers' Federation of Schools.**
2. The names and categories of the schools in the Federation are:

Name	Category
Prendergast Hilly Fields College	Voluntary Aided
Prendergast Ladywell Fields College	Community
Prendergast Vale College	Foundation

3. The name of the governing body is: **The Governing Body of The Leathersellers' Federation of Schools.**
4. The governing body shall consist of:

Category of governor	No. of governors in each category	Names of school (for parent governors 1 for each school))
Parent governors	3	Prendergast Hilly Fields College
		Prendergast Ladywell Fields College
		Prendergast Vale College
Staff governors	3	
Executive Headteacher	1	
LA governors	2	
Community governors	2	
Foundation governors	6	

5. The total number of governors will be **17**.
6. The Leathersellers' Company will nominate the Foundation governors.

7. The term of office for all categories of Governor is four years except for the Executive Headteacher who is a governor ex officio. Each school is responsible through the Clerk to the Governors for organising elections for parent and teacher governors.
8. This Instrument was made by order of the Lewisham Local Authority on **7 March 2012** and will come into effect on **21 March 2012**.
9. A copy of the Instrument must be supplied to every member of the Governing Body (and the Executive Headteacher if not a governor) and any Trustees not on the Governing Body.

APPENDIX D

Chief Officer Confirmation of Report Submission	
Cabinet Member Confirmation of Briefing	
Report for: Mayor	
Mayor and Cabinet	<input type="checkbox"/>
Mayor and Cabinet (Contracts)	<input type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information <input checked="" type="checkbox"/> Part 1 <input type="checkbox"/> Part 2 <input type="checkbox"/> Key Decision <input type="checkbox"/>	

Date of Meeting	7 March 2012
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Title of Report	Monthly Management Report
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Originator of Report	Stewart Snellgrove		Ext. 49308
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	x	
Legal Comments from the Head of Law	x	
Crime & Disorder Implications	x	
Environmental Implications	x	
Equality Implications/Impact Assessment (as appropriate)		
Confirmed Adherence to Budget & Policy Framework	x	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed:  Executive Member

Date: 15/02/2012

Signed:  Director/Head of Service

Date: 15/02/2012

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Management Report – January 2012	
Key Decision	No	Item No.
Ward	All	
Contributors	Executive Director for Resources	
Class	Open	Date: 7 March 2012

1 PURPOSE

- 1.1 To set out the Management Report as at January 2012.

2 EXECUTIVE SUMMARY

- 2.1 The Management Report aims to present a comprehensive account of organisational performance in achieving our ten corporate priorities.
- 2.2 The Council's ten corporate priorities identify the Council's own distinct contribution to the delivery of the six priority outcomes set out in the 'Shaping our future – Lewisham's Sustainable Community Strategy' (SCS).

3 RECOMMENDATIONS

- 3.1 That the Mayor notes the Management Report.

4 BACKGROUND

- 4.1 The Management Report indicates how well the Council is performing against a basket of 59 indicators including National and Local indicators which cross each of the Council's ten corporate priorities. The report aims to report on organisational performance by drawing together information on performance, risk, projects and finance. It is presented monthly to the Executive Management Team and quarterly to the Mayor and Cabinet.
- 4.2 The Monthly Management Report utilises exception reporting to focus attention on key areas: exception reporting for red Projects, Risk and Finance and Red and Green exception reporting for performance. By combining these four areas for each of our corporate priorities, it functions as an important tool for supporting decisions across the organisation.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications arising from the Management Report. However, the report does set out a summary of the Council's overall financial position as it stands at the start of each month.

6 LEGAL IMPLICATIONS

- 6.1 There are no direct legal implications arising from the report.

7 HUMAN RESOURCE IMPLICATIONS

- 7.1 Data on the performance of the Council's human resources function is found within the indicators contained in the Management Report, and in particular within the

indicators relating to the Council's priority to "Inspiring Efficiency, Effectiveness and Equity" (priority 10).

8 EQUALITIES IMPLICATIONS

8.1 Data on performance relating to equalities is found within the indicators contained in the Management Report. This is a theme that cuts across all priorities within the report.

9 ENVIRONMENTAL IMPLICATIONS

9.1 Data on performance relating to the environment is found within indicators contained throughout the Management Report, and there is a particular focus on the environment within the indicators relating to the Council's priority to make the borough "Clean, Green and Liveable" (priority 3).

10 CRIME AND DISORDER IMPLICATIONS

10.1 Data on performance relating to crime and disorder is found within indicators contained in the Management Report, and in particular within the indicators relating to the Council's priority to achieve "Safety, Security and Visible Presence" (priority 4).

BACKGROUND PAPERS

<u>Short Title of Document</u>	<u>Date</u>	<u>File Location</u>	<u>Contact Officer</u>
None			

For further information on this report please contact: Lucy Morton, Policy & Partnerships Unit, on 0208 314 3373.



Monthly Management Report










January

2011/12

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Key

-  On track to achieve our outcomes
-  Slightly behind and requires improvement
-  Not on track but taking corrective action
-  Improving
-  No change
-  Declining
-  Missing actual data
-  Missing target
-  Missing target and actual data

Foreword

The purpose of the Management Report is to place on record each month, in a consistent format, our performance against priorities. Each month we attempt to give a full account of what is being done, what has been achieved and which areas require additional management attention to secure future achievements. The report gives some coverage to the effectiveness of our partnership working. Reporting on performance is always double edged. We have high ambitions and targets which are set to stretch management and staff effort. So, there are areas where the need for greater management attention is highlighted.

The report focuses on the Council's performance in line with our corporate priorities, drawing data from performance indicators (PIs), project monitoring information, risk register assessments and financial reports. A dashboard summary on Page 4, presents an overall picture on one page using a Red, Amber, Green rating. The overall dashboard rating for this month shows there are 13 Green ratings, 12 Amber ratings and 10 Red ratings.

Performance: This January 2012 management report reports on December 2011 performance data. There are 29 performance indicators (64 per cent) reported as Green or Amber against target, and 19 performance indicators (46 per cent) which are showing an upward direction of travel. There are 16 performance indicators (36 per cent) reported as Red against target, and 22 indicators (54 per cent) which have a Red direction of travel. There are 14 indicators that have missing performance data.




Projects: There is no change to the projects summary dashboard this month. There are three red projects this month - Kender Phase 3, Building Schools for the Future, and Excalibur Regeneration which were also red projects last month.



















Risks: The dashboard for risk is unchanged this month. There are red dashboard ratings for risk for Priority 2, Young People's Achievement and Involvement; Priority 7, Protection of Children; Priority 8, Caring for Adults and Older People; and Priority 10, Inspiring Efficiency, Effectiveness and Equity. There are six red corporate risks this month - failure of central ICT infrastructure; non-compliance with health and safety legislation; litigation risks; employee relations; management capacity and capability; and avoidable death or serious injury to client or employee.



















Finance: Finance is being reported two months behind (i.e. November 2011 data). There have been two changes to the dashboard for finance this month: Priority 3, Clean, Green and Liveable has moved from Amber to Green and Priority 10, Inspiring Efficiency, Effectiveness and Equity has moved from Red to Green. The latest revenue monitoring is forecasting a General Fund year-end underspend of £0.301m against a net budget of £278.793m.

*Barry Quirk, Chief Executive
14 February 2012*

Dashboard Summary

-  On track to achieve our outcomes
-  Slightly behind and requires improvement
-  Not on Track but taking corrective action

01. Community Leadership & Empowerment	02. Young People's Achievement & Involvement	03. Clean, Green and Liveable	04. Safety, Security & Visible Presence	05. Strengthening the Local Economy
Performance	Performance	Performance	Performance	Performance
				
Projects	Projects	Projects	Projects	Projects
n/a			n/a	
Risk	Risk	Risk	Risk	Risk
				
Finance	Finance	Finance	Finance	Finance
				

06. Decent Homes for All	07. Protection of Children	08. Caring for Adults and Older People	09. Active, Healthy Citizens	10. Inspiring Efficiency, Effectiveness, and Equity
Performance	Performance	Performance	Performance	Performance
				
Projects	Projects	Projects	Projects	Projects
	n/a	n/a		
Risk	Risk	Risk	Risk	Risk
				
Finance	Finance	Finance	Finance	Finance
				

Overall Summary: Performance

Summary of performance indicators in this report.

Overall Performance				
Current Period				
Overall Performance				
▲	●	★	?!	?
16	13	16	6	1
			7	
				Total
				59
Direction of Travel				
Current Period vs 10/11				
Direction of Travel				
➔	➔	➔	➔	?
22	0	19	18	18
				Total
				59
Same period last year				
Overall Performance				
▲	●	★	?!	?
25	11	14	7	1
			1	
				Total
				59
10/11 outturn				
Overall Performance				
▲	●	★	?!	?
23	12	14	6	1
				3
				Total
				59
Previous Period vs 10/11				
Direction of Travel				
➔	➔	➔	➔	?
21	1	21	16	16
				Total
				59
Same period last year vs 09/10				
Direction of Travel				
➔	➔	➔	➔	?
28	0	21	10	10
				Total
				59

Performance

This management report contains December 2011 performance data, and finds that 29 indicators are reported as Green or Amber against target, a decrease of 1 indicator from last month (November 2011), but an increase of 2 indicators since last quarter (September 2011). In December, 16 indicators are reported as Red against target, an improvement on the 17 recorded last month (November 2011), and the 20 recorded for last quarter (September 2011). Missing data has increased to 14 in December, up from 12 for both last month (November 2011) and last quarter (September 2011).

Direction of Travel

A total of 19 indicators show an upward trend in December, which is the same as both last month (November 2011) and last quarter (September 2011). There are 22 indicators with a red direction of travel in December, which is a decrease from 23 last month (November 2011) and the same as last quarter (September 2011). In December, 18 indicators had missing data, an increase from last month (November 2011) when 16 indicators had missing data, and last quarter (September 2011) when 17 indicators had missing data.

N.B. direction of travel is the change in performance and is measured against the previous year. Therefore, changes to targets from one year to the next will affect this.

Areas for Management Attention

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Areas requiring management attention this month							
Performance Indicators - Monthly indicators							
	Against Target Dec 11	DoT Dec 11 v Mar 11	DoT Dec 11 v Nov 11	Consecutive periods Red (last 12 periods)	Priority No.	Page No.	
NI157b % Minor planning apps within 8 weeks	▲	▲	▲	9	5	p29	
LPI069 Number of cases where homelessness was prevented through the use of rent incentive scheme	▲	▲	▲	8	6	p34	
NI156 Number of households living in Temporary Accommodation	▲	▲	▲	10	6	p35	
NI130 Social Care clients receiving Self Directed Support (Direct Payments and Individual Budgets)	▲	▲	▲	-	8	p43	
NI146 Adults with learning disabilities in employment	▲	▲	▲	-	8	p44	
CE/C19 Health of LAC	▲	▲	▲	9	9	p48	
LPI002 Library visits per 1000 pop	▲	▲	▲	12	9	p49	
NI052 Take up of school lunches	▲	▲	▲	3	9	p50	
BY008 Invoices paid within 30 days	▲	▲	▲	12	10	p55	
LPI119 Number of FOI requests completed	▲	▲	▲	-	10	p56	
Performance Indicators - Monthly Indicators							
	Against Target Nov 11	DoT Nov 11 v Mar 11	DoT Nov 11 v Oct 11	Consecutive periods Red (last 12 periods)	Priority No.	Page No.	
NI192 Percentage of household waste sent for reuse, recycling and composting	▲	▲	▲	7	3	p22	
NI193 Percentage of municipal waste land filled	▲	▲	▲	8	3	p23	

Areas of Good Performance

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Areas of Good Performance

Performance Indicators - Monthly indicators

	Against Target Dec 11	DoT Dec 11 v Mar 11	DoT Dec 11 v Nov 11	Priority No.
⊕ LPI079 Percentage of fly tip removal jobs completed within 1 day	★	✓	✓	3
⊕ LPI080 Percentage of recycling bins collected on time	★	✓	✓	3
⊕ LPI705 Percentage urgent repairs completed within timescales	★	✓	✓	6
⊕ NI064 Child protection plans lasting 2 years or more	★	✓	✓	7
⊕ NI065 Children becoming the subject of a Child Protection Plan for a second or subsequent time	★	✓	↑	7
⊕ NI066 Looked after children cases which were reviewed within required timescales	★	✓	✓	7
⊕ NI067 Percentage of child protection cases which were reviewed within required timescales	★	✓	↑	7
⊕ LPI031 NNDR collected	★	✓	✓	10
⊕ LPI226 Percentage of calls answered by the call centre within 15 seconds	★	✓	✓	10

Overall Summary: Projects and Programmes

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Projects Forward Plan

Projects are reviewed monthly and portfolio Directorate Forward Plan Reports set out the progress made to date.

Major Projects Forward Plan - February Events 2012

Directorate		Comment
INVESTMENT PROJECTS		
Manor Park Bridge	Customer Services	Completion of construction works.
North Lewisham Links	Resources and Regeneration	Route 1 visit to North Lewisham Links projects by Greater London Authority scheduled for 7-9 March 2012.
Brockley Primary School	CYP	Following completion of main construction in February 2012, external works and demolition of old buildings will take place.
Gordonbrock Primary School	CYP	Completion of construction works on new school premises.
OTHER		
Catford Broadway – Phase 1	Resources and Regeneration	Local Markets event to take place: 3-day Catford Broadway consultation between 16-18 March 2012.
Deptford Lounge	Resource and Regeneration / Community Services	Formal launch event of new facilities on 1 March 2012.
Loampit Vale Development and New Pool	Resource and Regeneration / Community Services	Works completed on Block C (92 affordable rented units). Pool tanks tested for water tightness.
Olympics	Community Services	Route for the Lewisham leg of the Olympics Torch Relay confirmed and announced by the London Organising Committee of the Olympic Games (LOCOG) before upcoming London Mayor purdah begins on 20 March 2012.

Overall Summary: Projects and Programmes

Together, we will make Lewisham the best place in London to live, work and learn

Corporate Programmes

The status of the Council's Corporate Programmes in January 2012 is set out below. The Council's Corporate Programmes are made up of a number of individual projects.

Corporate Programmes	
	Current Status
PMSPROG Building Schools for the Future	
PIMPORG Information Management & Technology programme	
PMSPROG The Future of Deptford Town Centre Programme	
PMSPROG Primary Places Programme	




Overall Summary: Projects and Programmes

Together, we will make Lewisham the best place in London to live, work and learn

Major Projects & Programmes

Projects are reviewed monthly by Directorate Project Review Groups and quarterly by the Corporate Project Board. A summary of all the Programmes and Projects, with a value of £500k and over that have a red RAG rating, are detailed in the table at the bottom of this page.

Project Performance - January 2012

	10/11	%	Dec 11	%	Jan 12	%
	31	70	23	66	23	66
	12	27	6	17	9	26
	1	2	6	17	3	9
Total	44	100	35	100	35	100

Red Projects - January 2012

Red Projects	Project Summary	Page No.	Corporate Priority No.
Building Schools for the Future	The four school projects in construction (contracted via two PFI Project Agreements) are progressing satisfactorily. Of the two Design and Build schemes in construction, Addey and Stanhope is proceeding satisfactorily although showing a slight delay on the new-build element. Prendergast Hill Fields however, remains behind programme. Dialogue is on-going with the Local Education Partnership and their building contractor to resolve the difficulties.	20	2
Gender New-Build Phase 3 South	The New Cross Gate Board considered the current position and have noted the withdrawal of the developer due to viability concerns. A short soft market testing exercise has been undertaken that indicates why the existing scheme is undeliverable. Officers are discussing with the Board how the development of the site can proceed in a way that will meet both their and the Council's expectations and is commercially deliverable.	37	6
Excalibur	The decant is ongoing until October 2012 when it is expected that London & Quadrant (L&Q) will take possession of the site to commence the build. L&Q have confirmed their overall funding and programme for 2012-15 with the Homes and Communities Agency (HCA). The Council and L&Q are also currently looking together at the overall funding package required for the scheme.	37	6

Overall Summary: Projects and Programmes

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Major Projects & Programmes

Movements in status since the December 2011 Management Report:

Upgraded from Amber to Red:

None

Upgraded from Green to Amber:

Wavelenghts Refurbishment - The leisure providers Fusion are responsible for tendering the works. Issues with the contractual paperwork meant that the tendering process has been delayed and this has impacted the project.

Southern Site Housing (Deptford Town Centre) – This project has slipped from January to March 2012. The delay is due to complexities of options for disposal of sites in the current financial climate.

Downgraded from Red to Amber:

Resolution Way Studios (Deptford Town Centre) - Completion of this element of the Deptford Town Centre Programme is now due in March 2012. Water connections commence early February 2012 with final commissioning and testing concluded by end of March 2012.



Downgraded from Red to Green:

Tidemill School (Deptford Town Centre) and Deptford Lounge (Deptford Town Centre) - Both Tidemill School and Deptford Lounge opened to the public on 4 January 2012. A building user group has been set up and will meet weekly to review the operation of the building. This group includes representatives from the centre management service, Lewisham library service, Tidemill Academy and facilities management. A launch event for the Lounge building will take place on 1 March 2012. Whilst the majority of the systems are now operational, there are some outstanding elements of the fit out to be completed.

Downgraded from Amber to Green:

None

Removals:

None

Additions:

None

Overall Performance: Risk

5	10	15	20	25
4	8	12	16	20
3	6	9	12	15
2	4	6	8	10
1	2	3	4	5
Likelihood				
Impact				

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Risk can be defined as uncertainty of outcome due to an event or action in the future that could adversely affect an organisation's ability to achieve its business objectives and meet its strategies.

Good risk management allows an organisation to have increased confidence in achieving its desired outcomes; effectively constrain threats to acceptable levels; and take informed decisions about exploiting opportunities. Good risk management also allows stakeholders to have increased confidence in the organisation's corporate governance and ability to deliver.

In accordance with the Council's Risk Management Strategy, risk is monitored by way of risk registers. Risks are scored in terms of likelihood and impact, with a range from 1 to 5 (with 5 being the highest) and the result is plotted on a matrix (as shown) to produce the RAG rating. A target is also set and the risk registers contain action plans to manage the risks to target and these are subject to regular review by Directorate Management Teams. The risk registers are reported to the Risk Management Working Party and Internal Control Board on a quarterly basis and quarterly updates are provided in this report. The previous quarter's data will be routinely carried forward until the next quarterly update is made, unless there are matters of significance that need to specifically be brought to management's attention.

Red-Red (Corporate Register)		
Corporate priority	Risk name	Current status
10	02 Failure of Central ICT infrastructure A programme of monitoring and managing storage capacity is ongoing (e.g. email archiving). Management attention continuing to achieve resolution of telephone issues. Business Continuity Plans tested for recent IT failure. System reinstated and emails recovered.	▲
10	04 Non-compliance with Health & Safety Legislation Health & Safety Board now in place to enhance coordination and communication between corporate and directorate Health & Safety work. Rising number of Health & Safety incidents have been noted externally by the Health and Safety Executive and the London Fire Brigade.	▲
10	05 Litigation Risks Litigation risk was escalated to a red risk earlier in the year primarily due to the risk of litigation arising from historic events and the risk of legal challenge to savings proposals. The position is constantly monitored.	▲
7, 8	18 Avoidable death or serious injury to client or employee Regular and ongoing management action and review continues in respect of safeguarding. However, the risk of avoidable death or serious injury to client or employee will continually be rated red due to the potential severity should an event occur.	▲
10	19 Employee Relations Risk around consultations for changes, in particular to pensions and terms and conditions proposals. Work is continuing on engagement with the Trade Unions and staff consultation programme. Arrangements are in place to manage issues within established industrial relations mechanisms.	▲
10	24 Management capacity and capability This has been added as a new risk to recognise the risk of strain on management capacity and capability with continuing headcount reductions, increasing management spans and significant changes to ways of working. Declining budgets, changing demand pressures, new technologies and a different community role under the Localism Act drive the risk of a decline in the flexibility and quality of service due to insufficient time or resource.	▲

Overall Performance: Risk




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Change (Directorate Registers)									
Risk name	Directorate	Current status	Previous	Current	Source Date	Target	Against Target	Change	
13 Inadequate record collected or maintained (Data Quality)	COM	★	3	6	31/12/2011	3	▲	3.00	
Red-Red (Directorate Registers)									
Risk name	Directorate	Current status	Previous	Current	Source Date	Target	Against Target	Change	
03 Information asset safeguarding	COM	▲	16	16	31/12/2011	9	▲	0.00	
08 Failure of telephone systems	CUS	▲	16	16	31/12/2011	9	▲	0.00	
01 Avoidable death or serious injury	CYP	▲	25	25	31/12/2011	15	▲	0.00	
04 Industrial relations	CYP	▲	20	20	31/12/2011	6	▲	0.00	
05 Partnership working	CYP	▲	16	16	31/12/2011	4	▲	0.00	
09 Asset and premises management	CYP	▲	16	16	31/12/2011	6	▲	0.00	
13 Litigation risks	CYP	▲	16	16	31/12/2011	8	▲	0.00	
21 School places	CYP	▲	20	20	31/12/2011	4	▲	0.00	
08 Employee relations (corporate)	R&R	▲	20	20	31/12/2011	9	▲	0.00	
16 IT infrastructure is not resilient (corporate)	R&R	▲	16	16	31/12/2011	9	▲	0.00	
25 Management capacity & capability (corporate)	R&R	▲	16	16	31/12/2011	9	▲	0.00	
26 External reporting criticised/qualified (Resources & Regeneration)	R&R	▲	15	15	31/12/2011	9	▲	0.00	

Overall Performance: Finance

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Performance

	Oct 11	%	Nov 11	%
	5	50	7	70
	4	40	3	30
	1	10	0	0
Total	10	100	10	100

The final projected year end outturn on the General Fund is an underspend of £0.301m. This is against a Net Revenue Budget of £278.793m. The final outturn for the Housing Revenue Account (HRA) is a surplus of £0.920m (underspend).



Finance by Priorities (£000s)			
	2011/12 Budget	Latest projected year end variance as at Nov 11	% variance
01. NI Community Leadership and Empowerment	8,108	-244.00	-3.01
02. NI Young People's Achievement and Involvement	10,065	-297.00	-2.95
03. NI Clean, Green and Liveable	26,805	45.00	0.17
04. NI Safety, Security and Visible Presence	21,192	-490.00	-2.31
05. NI Strengthening the Local Economy	2,504	-70.00	-2.80
06. NI Decent Homes for All	3,361	0.00	0.00
07. NI Protection of Children	39,462	204.00	0.52
08. NI Caring for Adults and Older People	81,954	297.60	0.36
09. NI Active, Healthy Citizens	9,015	178.00	1.97
10. NI Inspiring Efficiency, Effectiveness, and Equity	76,326	76.00	0.10
CEX NI Corporate Priorities	278,793	-300.40	-0.11

Priority 01: Community Leadership & Empowerment

Hot Topics

There are no 'Hot Topics' for Priority 1 this month.

Priority 01: Summary	
Performance Indicators	
Against Target	Direction of Travel
n/a	n/a

Finance	
Variance Nov 11	Direction of Travel Nov 11 v Oct 11
★	
Risk	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11
★	

Projects	
Current Status	Direction of Travel
n/a	n/a

Priority 02: Young People's Achievement and involvement

Hot Topics

Primary places provision

Cabinet agreed proposals to expand Kelvin Grove primary school to increase the supply of permanent places in 2012. The Mayor agreed to move to stakeholder consultation on two further proposals with the potential to add places in 2013 by extending provision at Prendergast Ladywell Fields College so that it becomes an all-age school offering two forms of entry in the primary phase and establishing two permanent forms of entry on the site of the Mornington Centre as an enlargement of Torridon Junior School.

Priority 02: Summary													
<table border="1"> <thead> <tr> <th colspan="2">Performance Indicators</th> </tr> </thead> <tbody> <tr> <td>Against Target Dec 11</td> <td>Direction of Travel Dec 11 v Nov 11 </td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Performance Indicators		Against Target Dec 11	Direction of Travel Dec 11 v Nov 11			<table border="1"> <thead> <tr> <th colspan="2">Finance</th> </tr> </thead> <tbody> <tr> <td>Variance Nov 11</td> <td>Direction of Travel Nov 11 v Oct 11 </td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Finance		Variance Nov 11	Direction of Travel Nov 11 v Oct 11		
Performance Indicators													
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11												
Finance													
Variance Nov 11	Direction of Travel Nov 11 v Oct 11												
<table border="1"> <thead> <tr> <th colspan="2">Projects</th> </tr> </thead> <tbody> <tr> <td>Current Status Jan 12</td> <td>Direction of Travel Jan 12 v Dec 11 </td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Projects		Current Status Jan 12	Direction of Travel Jan 12 v Dec 11			<table border="1"> <thead> <tr> <th colspan="2">Risk</th> </tr> </thead> <tbody> <tr> <td>Current Status Jan 12</td> <td>Direction of Travel Jan 12 v Dec 11 </td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Risk		Current Status Jan 12	Direction of Travel Jan 12 v Dec 11		
Projects													
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11												
Risk													
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11												
Areas Requiring Management Attention this Month													
Performance Indicators - Monthly													
Against Target	Direction of Travel Dec 11 v Mar 11												
	Direction of Travel Dec 11 v Nov 11												
Performance Indicators - Half termly													
Against Target	Direction of Travel Sep 11 v Mar 11												
	Direction of Travel Sep 11 v Jun 11												
Red Projects													
PMSCYP Building Schools for the Future	Direc... CYP												
	Current Status												

2. Young People's Achievement and Involvement

Raising educational attainment and improving facilities for young people through partnership working

2.1 Performance

Priority 2 - Monthly Indicators										
	Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11	10/11	
NI103a Special Educational Needs - statements issued within 26 weeks excluding exceptions	Percentage	97.40	100.00							
NI103b Special Educational Needs - statements issued within 26 weeks	Percentage	97.20	100.00							
Priority 2 - Quarterly Indicators										
	Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last quarter	Against Target Sep 11	Against Target Jun 11	10/11	
LPT40 First time entrants	Number per 100,000	?	?							
LPT41 Reoffending	Percentage	?	?							
LPT42 Use of custody	Number per 1,000	?	?							
NET17 16 to 18 year olds who are not in education, employment or training (NEET)	Percentage	?	?							

2. Young People's Achievement and Involvement

Raising educational attainment and improving facilities for young people through partnership working

2.1 Performance

Priority 2 - Indicators reported half-termly										
	Unit	YTD Sep 11	Target Sep 11	Against Target Sep 11	DoT Last Year	DoT Sep 11 vs Dec 10	Against Target Dec 10	Against Target Dec 10		SchY 08/09
BV045.12 % Half days missed - Secondary	Percentage	6.94	6.10	▲	▲	▲	●	●		●
BV046.12 % Half days missed - Primary	Percentage	4.82	4.55	●	▲	▲	▲	▲		▲

2. Young People's Achievement and Involvement

Raising educational attainment and improving facilities for young people through partnership working

2.2 Projects

Priority 02 projects						
	Directorate	Budget	Est. completion date	Current Status		
PMSCYP Building Schools for the Future	CYP	£223m	Dec 2013	▲		
PMSCYP Strengthening SEN Provision	CYP	TBC	2015	●		
PMSCYP Tidemill School Deptf. TC Prog.	CYP	£11.063m	Jan 2012	★		
PMSCYP 16-19 Demographic Growth	CYP	£1.533m	Mar 2012	★		
PMSCYP My Place Syd.Wells Pk (In Dev.)	CYP	£3.757m	Dec 2012	★		
PMSCYP Primary Places Programme	CYP	£26m	Aug 2012	★		
PMSCYP Reinstatement works at Stillness School	CYP	£1.368m	Jun 2012	★		
PMSCYP Schools Minor Works Prog Phase 2	CYP	£950K	Aug 2012	★		
PMSCYP Early Intervention Programme	CYP	£14.4m YR1	Mar 2013	★		

2. Young People's Achievement and Involvement

Raising educational attainment and improving facilities for young people through partnership working

2.2 Projects

Red Projects			Current status
Senior Responsible Officer	Project Aim		
Executive Director for Regeneration	Project Aim Rebuilding and refurbishment of secondary school estate and commissioning of New School.	▲	
<p>PMSCYP Building Schools for the Future</p> <p>The four school projects in construction, contracted via two PFI Project Agreements, are progressing satisfactorily. Of the two Design and Build (D&B) schemes in construction, Addey and Stanhope is proceeding satisfactorily although showing a slight delay on the new build element. Prendergast Hilly Fields however, remains behind programme. Dialogue is on-going with the Local Education Partnership (LEP) and their building contractor to resolve the difficulties.</p> <p>Progress on the schemes in Development:</p> <p>The LEP has made a Stage 1 submission for Sydenham D&B scheme. The Authority has made its assessment of the submission and is in dialogue with the LEP with regards to next steps for the project.</p> <p>Stage 2 for Abbey Manor College is progressing satisfactorily. Planning permission has been obtained. Anticipated start date on site is April 2012.</p> <p>Stage 1 for Crossways is progressing satisfactorily. Planning permission has been obtained. Anticipated start date on site is April 2012.</p> <p>A Stage 0 business case for Brent Knoll has been approved. Starting development of the scheme with the LEP is dependent on the result of the current statutory consultation with regard to relocation of the school. This is expected to be completed in June 2012.</p>			

Priority 03: Clean, Green and Liveable

Hot Topics

New move to increase recycling

Until the end of February, recycling advisors will visit 30,000 homes on Lewisham's housing estates and blocks of flats, to help and encourage residents to recycle more. The recycling advisors will deliver leaflets providing all the latest information about the additional materials that can now be recycled, together with 50-litre recycling bags designed to help residents to store and carry their dry recyclables to their nearest recycling bins on their estate or development.

Following a change of contract, Lewisham Council's waste and recycling is now being handled by Bywaters (Leyton) Ltd. Using sophisticated sorting systems, Lewisham residents can now recycle many more items than in the past. The additional items include Tetra Paks such as juice cartons, mixed plastics, aerosols, shredded paper, bubble wrap, carrier bags, old clothes and other textiles.

Margaret McMillan Park named London's Best New Public Space

Margaret McMillan Park in Deptford has been crowned London's Best New Public Space – its third prestigious award in the space of a year. The park received its latest accolade at this year's London Planning Awards, which are jointly run by the Mayor of London, London First, the Royal Town Planning Institute (RTPI) and London Councils.

Lewisham Council, in conjunction with landscape architects BDP, has transformed Margaret McMillan Park by installing new lighting, seating, plants and sculptures, along with new equipment in the children's play area. The park is part of a 3km long network of open spaces between Deptford and New Cross Gate which the Council has revitalised over recent years, and marks the start of a long-term programme designed to enhance walking and cycling routes in the north of the borough.

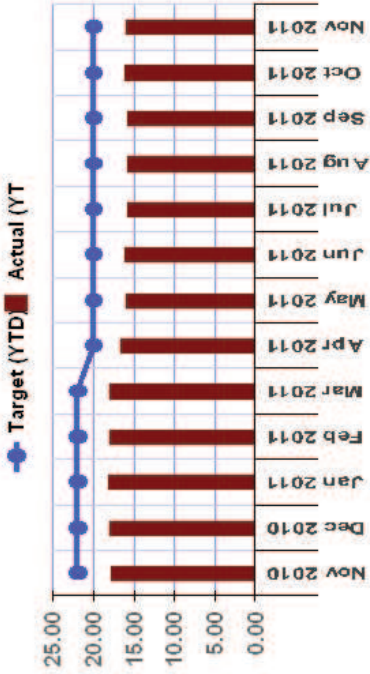
Priority 03: Summary	
Performance Indicators	
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11
▲	▲
Projects	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11
●	▲

Finance	
Variance Nov 11	Direction of Travel Nov 11 v Oct 11
★	▲
Risk	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11
★	▲

Areas Requiring Management Attention this Month			
Performance Indicators - Monthly			
	Against Target	Direction of Travel	Direction of Travel
	11 v Mar 11	11 v Nov 11	Dec 11 v Oct 11
Performance Indicators - Monthly			
	Against Target	Direction of Travel	Direction of Travel
	11 v Mar 11	11 v Nov 11	Dec 11 v Oct 11
■	NI192 Percentage of household waste sent for reuse, recycling and composting	▲	▲
■	NI193 Percentage of municipal waste land filled	▲	▲

NI192 - Percentage of household waste sent for reuse, recycling and composting

+ NI192 Percentage of household waste sent for reuse, recycling and composting			
Percentage			
	Actual (YTD)	Target (YTD)	Performance (YTD)
Nov 10	17.75	22.00	▲
Dec 10	18.00	22.00	▲
Jan 11	18.09	22.00	▲
Feb 11	18.04	22.00	▲
Mar 11	17.98	22.00	▲
Apr 11	16.69	20.00	▲
May 11	16.02	20.00	▲
Jun 11	16.05	20.00	▲
Jul 11	15.84	20.00	▲
Aug 11	15.82	20.00	▲
Sep 11	15.83	20.00	▲
Oct 11	16.04	20.00	▲
Nov 11	16.02	20.00	▲

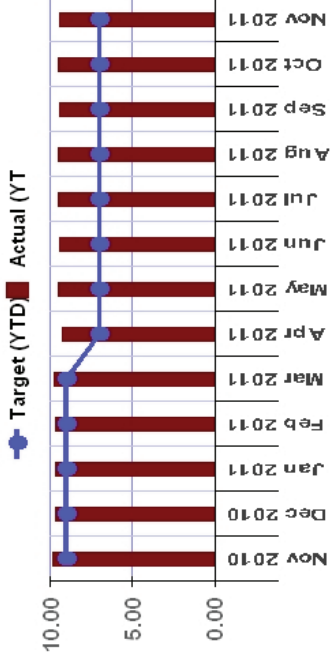


NI192 - comment	
Responsible Officer	Performance Comments
Head of Environment	<p>Performance This indicator measures the percentage of household waste that is sent for recycling, composting or for re-use. In November 2011, the service achieved 15.87%, a reduction compared to the previous month. This figure is taken as a percentage of household waste collected. Actual (YTD) performance for November 2011 is 16.02%.</p>
Action Plan Comments	<p>Performance Action Plan The service is striving to achieve the annual target through many ongoing initiatives. A new recycling contract started on 5 December 2011, which means that much more can be diverted from the residual (black) bin to the recycling bin. A feature in Lewisham Life as well as social networking such as blogs, tweets and presentations to various groups (e.g. Local Assemblies and housing provider's tenants meetings), will also promote the new service. It is expected that the improvement in the percentage of waste recycled will have an impact during the new financial year which will also have a positive effect on residual household waste.</p>

NI193 - Percentage of municipal waste landfilled

⊕ NI193 Percentage of municipal waste land filled

	Percentage		
	Actual (YTD)	Target (YTD)	Performance (YTD)
Nov 10	9.88	9.00	▲
Dec 10	9.71	9.00	▲
Jan 11	9.69	9.00	▲
Feb 11	9.71	9.00	▲
Mar 11	9.74	9.00	▲
Apr 11	9.26	7.00	▲
May 11	9.49	7.00	▲
Jun 11	9.43	7.00	▲
Jul 11	9.53	7.00	▲
Aug 11	9.48	7.00	▲
Sep 11	9.46	7.00	▲
Oct 11	9.49	7.00	▲
Nov 11	9.46	7.00	▲



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NI193 - comment	
Responsible Officer	<p>Performance Comments</p> <p>Performance This indicator measures the percentage of municipal waste which is sent to landfill. In November 2011, the service fell below the annual target of 7% achieving 9.25%, and 9.46% for the year to date.</p>
Action Plan Comments	<p>Performance Action Plan The following actions have or are being implemented which should help reduce the tonnage of waste being produced and going to landfill:</p> <ul style="list-style-type: none"> - 5267 mattresses collected (April 2011 - November 2011), a total of 162.21 tonnes diverted; - working with partners to reduce fly tipping within the borough; - Bulky Re-use Service promoted through the Call Centre, but take up is low, especially if people have to wait in for a collection. It is easier to use the Bulky Waste Service or to phone for a free collection from one of the other Re-use Organisations.

3. Clean, Green & Liveable

Improving environmental management, the cleanliness and care of roads and pavements, and promoting a sustainable environment

3.1 Performance

Priority 3 - Monthly Indicators									
Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11	10/11	
LPI079 Percentage of fly tip removal jobs completed within 1 day	72.28	60.00	★	✔	✔	★	★	★	
LPI080 Percentage of recycling bins collected on time	100.00	100.00	★	✔	✘	★	★	★	
LPI720 Percentage of noise nuisance complaints receiving a visit within 45 minutes, if necessary	94.70	98.75	●	✘	✔	●	●	●	
LPI752 Percentage of graffiti removal jobs completed in 1 day	99.59	99.50	★	✘	✔	★	●	★	

Priority 3 - Monthly Indicators - latest data available									
Unit	YTD Nov 11	Target Nov 11	Against Target Nov 11	DoT Last year	DoT Last month	Against Target Oct 11	Against Target Sep 11	10/11	
NI191 Residual household waste per household (KG)	64.83	60.00	▲	✔	✘	●	▲	▲	
NI192 Percentage of household waste sent for reuse, recycling and composting	16.02	20.00	▲	✘	✘	▲	▲	▲	
NI193 Percentage of municipal waste land filled	9.46	7.00	▲	✘	✔	▲	▲	▲	

3. Clean, Green and Liveable

Improving environmental management, the cleanliness and care of roads and pavements, and promoting a sustainable environment

3.2 Projects

Priority 03 projects					
	Directorate	Budget	Est. completion date	Current Status	
PMSRGN Deptford Rise Public Realm (In Devel)	Resources & Regeneration	Section 106	TBC		🟡
PMSCUS Rivers and People	Customer	£300k	Mar 2013		★
PMSRGN Sydenham Park Footbridge	Resources & Regeneration	£462k	Apr 2012		★
PMSRGN N. Lewisham Links (In Development)	Resources & Regeneration	£8.128m	Mar 2012		★
PMSRGN Beck. Place Park Mansion Options (in Devel)	Resources & Regeneration	£115k	Feb 2012		★
PMSCUS Beck. Place Park Management Contract (in Devel)	Customer	TBC	TBC		★
PMSRGN Pepys Environmental	Resources & Regeneration	£3.050m	Apr 2012		★
PMSRGN Highways Programme Prud. Borrowing	Resources & Regeneration	£3m	Mar 2012		★
PMSRGN Sydenham Rd Area Based Scheme (In Devel)	Resources & Regeneration	£3.6m	Mar 2013		★
PMSRGN TFL Programme 10/11 (Formula element)	Resources & Regeneration	£3.21m	Apr 2012		★
PMSCUS Mercury Abatement	Customer	£1.5m	Dec 2012		★



Priority 04: Safety, Security and Visible Presence





Hot Topics

Lewisham Crime Survey

The Safer Lewisham Partnership has launched a consultation seeking the views and experiences of local people of crime and anti-social behaviour in Lewisham.

The results of the Lewisham Crime Survey will be used by the partnership, which includes Lewisham Council, the police, probation and fire services, health, and voluntary groups, to set its annual priorities. The survey is open until 22 February 2012.

Priority 04: Summary	
Performance Indicators	
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11 
	
Projects	
Current Status	Direction of Travel
n/a	n/a

Finance	
Variance Nov 11	Direction of Travel Nov 11 v Oct 11 
	
Risk	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11 
	

4. Safety, Security and Visible Presence

Improving Partnership working with the police and others and using the Council's powers to combat anti-social behaviour

4.1 Performance

Please note that targets for these indicators have yet to be set by the Metropolitan Police.

Priority 4 - Monthly Indicators										
	Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11		10/11
LPI230	No. of recorded Violence Portfolio offences	4,235.00	4,338.00	★	?	▲	★	★		?!
LPI231	No. of recorded Property Portfolio offences	12,394.00	12,870.00	★	?	▼	★	★		?!

Priority 05: Strengthening the Local Economy

Hot Topics

Lewisham allocated £3 million from Mayor Of London's Outer London Fund

Lewisham Council is in line to receive just over £3 million from the Mayor of London's Outer London Fund - part of a major package of investment for London boroughs which aims to boost local high streets, deliver growth, new jobs and improve lives. Lewisham's allocation is for the purpose of delivering two projects:

- upgrading Catford Broadway to provide a better environment for businesses, residents and shoppers (for which approximately £1.49 million has been granted)
- making physical improvements to Deptford High Street including a focus on Deptford Market (approximately £1.51 million).

Funding is still subject to contract, and to the Council formally agreeing to provide match funding in the region of £600,000 per project from its capital programme.

Up

Get Involved in Fairtrade fortnight

Fairtrade is about better prices, decent working conditions, local sustainability, and fair terms of trade for farmers and workers in the developing world. This year Fairtrade fortnight runs from 27 February to 11 March and the theme is *Take A Step* – i.e. encouraging residents and businesses to do just that. The Council's website provides further information and suggestions on how to get involved.

Young enterprise programme

Lewisham College has established an Enterprise Hub for young business men and women with funding from Lewisham Council. The initiative, an idea which came from Lewisham's Youth Task Force, will help Lewisham's young people develop their business ideas and plans as well as gain real experience of the business world through a programme of mentoring and hands-on experience. The Enterprise Hub will provide a full range of advice and support for the borough's young entrepreneurs.

Priority 05: Summary

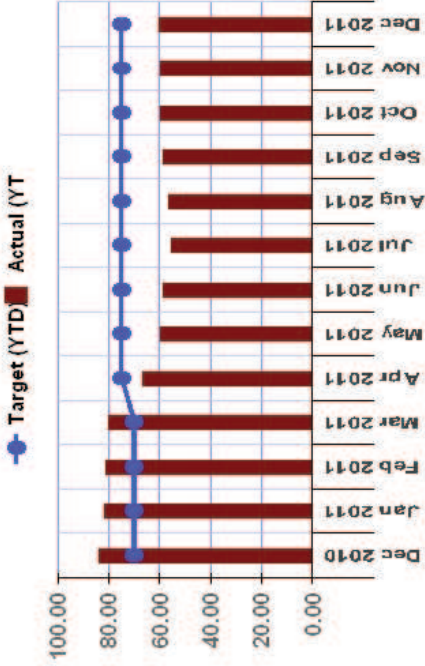
Performance Indicators		Finance	
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11	Variance Nov 11	Direction of travel Nov 11 v Oct 11
★	🔴	★	🔴
Projects		Risk	
Current Status Jan 12	Direction of travel Jan 12 v Dec 11	Current Status Jan 12	Direction of travel Jan 12 v Dec 11
●	🔵	●	🔵

Areas Requiring Management Attention this Month

Performance Indicators - Monthly		
Against Target	Direction of Travel Dec 11 v Mar 11	Direction of Travel Dec 11 v Nov 11
▲	🔴	🟢
<input checked="" type="checkbox"/> NI157b % Minor planning apps within 8 weeks		

NI157b - % minor planning applications within 8 weeks

+ NI157b % Minor planning apps within 8 weeks			
Actual (YTD)	Target (YTD)	Performance (YTD)	
83.97	70.00		★
81.88	70.00		★
81.09	70.00		★
80.19	70.00		★
66.67	75.00		▲
59.81	75.00		▲
58.54	75.00		▲
55.19	75.00		▲
56.69	75.00		▲
58.50	75.00		▲
59.88	75.00		▲
59.60	75.00		▲
60.05	75.00		▲



NI157b - comment

Responsible Officer	Performance Comments	Action Plan Comments
Head of Planning	<p>Performance Although actual monthly performance improved inclusively between August 2011 and October 2011, it has been comparatively lower in November and December 2011. This has been due to the need to focus on a number of complex, older cases which in turn increased the amount of time spent managing the process. However, this has resulted in a large number of older cases now being determined. YTD performance has improved slightly on last month, though is still below target, and below the same period for last year.</p>	<p>Performance Action Plan An improvement plan for the service has been adopted internally to guide the significant improvement work that is underway. This will form the basis for service planning for the section in 2012/13. The plan addresses the ongoing performance issues and also new standards for performance that focus on customer satisfaction i.e. to determine cases within minimum timescales.</p>

5. Strengthening the Local Economy

Gaining resources to regenerate key localities, strengthen employment skills and promote public transport

5.1 Performance

Priority 5 - Monthly Indicators										
	Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11		10/11
NI157b % Minor planning apps within 8 weeks	Percentage	60.05	75.00	▲	▼	▲	▲	▲		★
NI157c % of other planning applications determined within 8 weeks	Percentage	76.90	80.00	●	▼	▼	●	●		●
Priority 5 - Quarterly Indicators										
	Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last quarter	Against Target Sep 11	Against Target Jun 11		10/11
NI152 Working age people on out of work benefits	Percentage	15.30	15.60	★	▼	▲	★	★		★

5. Strengthening the Local Economy

Gaining resources to regenerate key localities, strengthen employment skills and promote public transport

5.2 Projects

Priority 05 projects				
	Directorate	Budget	Est. completion date	Current Status
PMSRGN Deptford Station Deptf TC Prog	Resources & Regeneration	£11.6m	Sep 2012	🟡
PMSRGN Catford Town Centre (In Devel)	Resources & Regeneration	£300k (Capital budget for Milford Towers buybacks)	TBC	🟢

Priority 06: Decent Homes for All

Hot Topics

Future of housing

Over the next 20 years the mismatch between new households forming and the projected supply of new housing in Lewisham means the shortage of housing could be as much as 15,000 units. The Government's new self-financing system provides opportunities to respond to this challenge creatively. The Mayor agreed that a full technical and legal appraisal should be undertaken on how policy challenges might be addressed to include the following two main options and the variants within each: 1) Council retains ownership of the housing stock or 2) Council transfers ownership to another organisation.

Priority 06: Summary	
Performance Indicators	
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11
Projects	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11

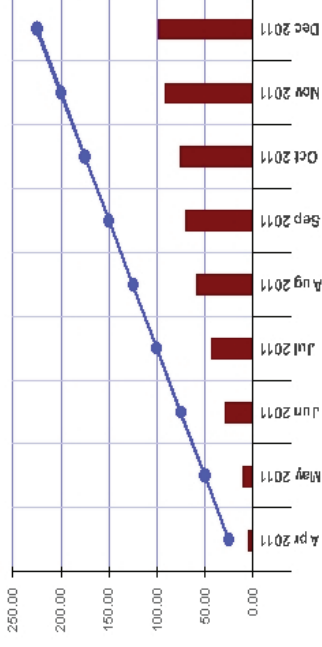
Finance	
Variance Nov 11	Direction of Travel Nov 11 v Oct 11
Risk	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11

Areas Requiring Management Attention this Month			
Performance Indicators - Monthly			
	Against Target	Direction of Travel Dec 11 v Mar 11	Direction of Travel Dec 11 v Nov 11
LPI069 Number of cases where homelessness was prevented through the use of rent incentive scheme			
NI156 Number of households living in Temporary Accommodation			
Projects - Red			
	Directorate		Current Status
PMSCUS Kender New Build grant phase 3 South	Customer		
PMSCUS Excalibur Regeneration	Customer		

LPI069 - Number of cases where homelessness was prevented through the use of the rent incentive scheme

LPI069 Number of cases where homelessness was prevented through the use of rent incentive scheme

Number			
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2010	212.00	225.00	▲
Jan 2011	225.00	250.00	▲
Feb 2011	239.00	275.00	▲
Mar 2011	252.00	300.00	▲
Apr 2011	4.00	25.00	▲
May 2011	10.00	50.00	▲
Jun 2011	29.00	75.00	▲
Jul 2011	43.00	100.00	▲
Aug 2011	59.00	125.00	▲
Sep 2011	70.00	150.00	▲
Oct 2011	76.00	175.00	▲
Nov 2011	91.00	200.00	▲
Dec 2011	98.00	225.00	▲



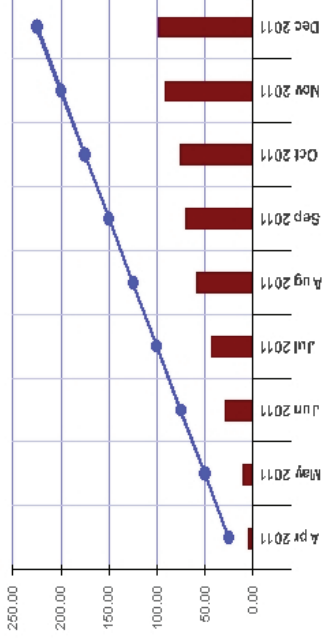
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LPI069 - comment		
Responsible Officer	Performance Comments	Action Plan Comments
Head of Strategic Housing	<p>Performance In December 2011 there were 7 cases where homelessness was prevented through the use of the Rent Incentive Scheme against a target of 25. Year to date, there have been 90 cases against a target of 225.</p>	<p>Performance Action Plan The service is working to develop a new Private Rented Sector Service including an on-going assessment of the products offered compared to those offered by other authorities in the sub-region and across London. It is anticipated that this will lead to the development of new products designed to increase supply. The number of properties available for procurement remains well below target due to the prevailing market conditions. There has been a spike in demand across London and this has reduced the number of landlords willing to offer properties under our scheme. The impact of benefit changes are also proving to be a significant deterrent to landlords who may previously have considered offering properties.</p>

NI156 - Number of households living in Temporary Accommodation

NI156 Number of households living in Temporary Accommodation

NI156 Number of households living in Temporary Accommodation			
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2010	957.00	877.00	▲
Jan 2011	928.00	877.00	▲
Feb 2011	918.00	877.00	●
Mar 2011	924.00	877.00	▲
Apr 2011	945.00	877.00	▲
May 2011	958.00	877.00	▲
Jun 2011	989.00	877.00	▲
Jul 2011	986.00	877.00	▲
Aug 2011	994.00	877.00	▲
Sep 2011	1,001.00	877.00	▲
Oct 2011	1,048.00	877.00	▲
Nov 2011	1,033.00	877.00	▲
Dec 2011	1,014.00	877.00	▲



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NI156 - comment	
Responsible Officer	Action Plan Comments
Head of Strategic Housing	<p>Performance The number of households living in temporary accommodation decreased from 1033 to 1014 between November and December 2011.</p> <p>Performance Action Plan Prevention activity is becoming more difficult due to the reduction in the number of lets available to the rent incentive scheme. The impact of welfare reform changes, tenure reform and housing supply are being closely monitored for their impact on temporary accommodation. However, there has been a reduction to the numbers in temporary accommodation for the second month in a row, partly due to the speed of making decisions and allocations.</p>

6. Decent Homes for All

Investment in social and affordable housing to achieve the Decent Homes standard, tackle homelessness and supply key worker housing

6.1 Performance

Priority 6 - Monthly Indicators										
Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11	10/11		
LPI029 Percentage of rent collected, excluding rent due on void properties	98.31	100.40	🟡	🔴	🔴	🟡	🟡	🟡		
LPI037 Average Time to Re-let	23.07	24.00	🟢	🔴	🔴	🟢	🟢	🟢		
LPI069 Number of cases where homelessness was prevented through the use of rent incentive scheme	98.00	225.00	🔴	🔴	🔴	🔴	🔴	🔴		
LPI705 Percentage urgent repairs completed within timescales	99.90	99.00	🟢	🟢	🟢	🟢	🟢	🟡		
LPZ706 Percentage of properties let to those in temporary accommodation	23.76	22.40	🟢	?	🔴	🟢	🟢	?!?		
NI156 Number of households living in Temporary Accommodation	1,014.00	877.00	🔴	🔴	🔴	🔴	🔴	🔴		
Priority 6 - Quarterly Indicators										
Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last quarter	Against Target Sep 11	Against Target Jun 11	10/11		
LPZ705 Percentage of homes made decent	630.00	662.00	🟡	?	🔴	🟢	?!?	?		

6. Decent Homes for All

Investment in social and affordable housing to achieve the Decent Homes standard, tackle homelessness and supply key worker housing

6.2 Projects

Priority 06 projects						
	Directorate	Budget	Est. completion date	Current Status		
PMSCUS Kender New Build grant phase 3 South	Customer	£1.49m	TBC	▲		
PMSCUS Excalibur Regeneration	Customer	£1.521m	Mar 2018	▲		
PMSRGN Resol. Studios - Deptf TC prog	Resources & Regeneration	£6.6m RSL	Mar 2012	●		
PMSCUS Kender New Build grant phase 4	Customer	£1.54m	Aug 2012	●		
PMSRGN Southern Site Housing -Deptf TC Prog	Resources & Regeneration	TBC	Mar 2012	●		
PMSCUS Lewisham Homes Capital Programme	Customer	£27.446m	Mar 2012	★		
PMSCUS Heathside & Lethbridge Redevelopment	Customer	£1.9m (Ph3)	Autumn 2012	★		

6. Decent Homes for All

Investment in social and affordable housing to achieve the Decent Homes standard, tackle homelessness and supply key worker housing



6.2 Projects





Red Projects			Current status
	Senior Responsible Officer	Project Aim	
PMSCUS Kender New Build grant phase 3 South	Customer Services. ED	Project Aim Kender New-Build Phase 3 South	▲
<p>The New Cross Gate Board considered the current position and have noted the withdrawal of the developer due to viability concerns. A short soft market testing exercise has been undertaken that indicates why the existing scheme is undeliverable. Officers are discussing with the Board how the development of the site can proceed in a way that will meet both their and the Council's expectations and is commercially deliverable.</p>			
PMSCUS Excalibur Regeneration	Mar 2018	Project Aim Regeneration of Excalibur bungalow estate	▲
<p>The decant of Excalibur households in Phases 1 and 2 is proceeding successfully. Out of the tenanted households 17 out of 30 have been re-housed with a further 2 under offer. Out of the freeholders 2 out of 7 have been bought back and terms have been agreed with another freeholder. Mayor and Cabinet agreed on 18 January 2012 to include a further 3 prefabs in the current decant phase and these tenants will also require re-housing. The decant is ongoing until October 2012 when it is expected that London & Quadrant (L&Q) will take possession of the site to commence the build. L&Q and the Council are looking at options around demolition to see if this could be done on an ad hoc basis to reduce Anti Social Behaviour and squatters in the void prefabs. The Council is also looking at using property guardians in void units across all decant schemes. L&Q have confirmed their overall funding and programme for 2012 - 15 with the Homes and Communities Agency. The Council and L&Q are also currently looking together at the overall funding package required for the scheme.</p>			

Priority 07: Protection of Children



Hot Topics

There are no 'Hot Topics' for Priority 7 this month.

Priority 07: Summary	
Performance Indicators	
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11 
	
Projects	
Against Target	Direction of Travel
n/a	n/a

Finance	
Variance Nov 11	Direction of Travel Nov 11 v Oct 11 
	
Risk	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11 
	

Areas Requiring Management Attention this Month

Performance Indicators - Monthly			
	Against Target	Direction of Travel Dec 11 v Mar 11	Direction of Travel Dec 11 v Nov 11
Red Risks - Corporate Risk Register			
	Responsible Officer		Curr... Status
 RMSCYP01 Avoidable death or serious injury	Director Children's Social Care, HOSE, Head of Access & Support Services		

7. Protection of Children

Better safe-guarding and joined-up services for children at risk

7.1 Performance

Priority 7 - Monthly Indicators										
	Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11	10/11	
NI060 Percentage core assessments for children's social care carried out < 35 working days	Percentage	86.00	91.00	▲	▲	▲	▲	▲	▲	
NI062 Stability of placements of looked after children: number of moves	Percentage	9.30	9.00	●	▲	▲	▲	▲	★	
NI063 Stability of placements of looked after children: length of placement	Percentage	71.10	77.00	▲	▲	▲	▲	▲	▲	
NI064 Child protection plans lasting 2 years or more	Percentage	4.70	8.00	★	▲	▲	★	★	▲	
NI065 Children becoming the subject of a Child Protection Plan for a second or subsequent time	Percentage	7.20	10.00	★	▲	▲	★	★	★	
NI066 Looked after children cases which were reviewed within required timescales	Percentage	99.20	99.00	★	▲	▲	★	★	●	
NI067 Percentage of child protection cases which were reviewed within required timescales	Percentage	100.00	100.00	★	▲	▲	★	★	●	
NI068 Percentage of referrals to children's social care going on to initial assessment	Percentage	87.60	91.00	●	▲	▲	●	▲	▲	
NI200 Percentage of Initial Assessments for CSC carried out < 10 working days	Percentage	86.20	?	!	?	?	!	!	!	

7. Protection for Children

Better safe-guarding and joined-up services for children at risk

7.3 Risk

Priority 7 - Corporate Risk Register - Red Risks				
Current status				
RMSCYP01 Avoidable death or serious injury				▲
Priority 7 - Corporate Risk Register - Red Risks				
Consequences	DoT Current Quarter v Previous Quarter	Responsible Officer	Comments	
<p>Risk - What are the worst consequences of the risk?</p> <p>Public outrage, damaged reputation, cost of response, reduced staff morale, loss of staff, decreased performance, poor performance assessments/Ofted.</p>	↑	<p>Director Children's Social Care, HOSE, Head of Access & Support Services</p>	<p>Risk - What have we done to control the risk?</p> <p>Quality control, relationships with providers. Strength of partnerships. Child protection systems. Strong PR. Ensure safeguarding plans fully implemented. Regular supervision of staff procedures. Regular timely communication and meetings. Education Psychologists now trained in trauma support, ensure strong safeguarding mechanisms for all staff across contract bids from other organisations. Safeguarding Board monitors action plans from Serious Case Reviews Adherence to CYP Lone Working Policy, violence to staff meetings and review of lessons learnt.</p>	

Priority 08: Caring for Adults and Older People

Hot Topics

There are no 'Hot Topics' for Priority 8 this month.

Priority 08: Summary	
Performance Indicators	
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11
Projects	
Current Status n/a	Direction of Travel n/a

Finance	
Variance Nov 11	Direction of Travel Nov 11 v Oct 11
Risk	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11

8. Caring for Adults and Older people

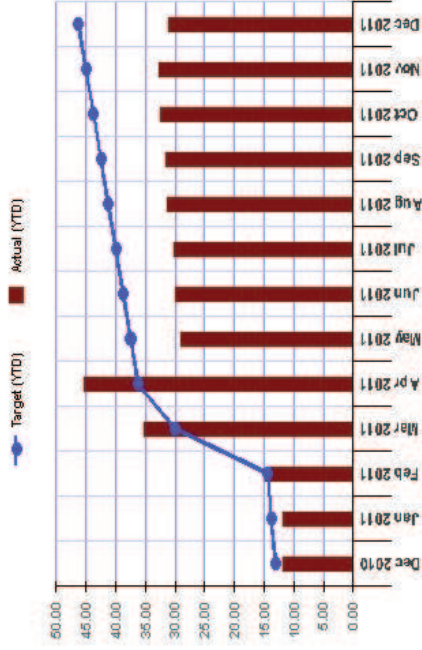
Working with Health Services to support older people and adults in need of care

Areas Requiring Management Attention this Month				
Performance Indicators - Monthly				
	Against Target	Direction of Travel Dec 11 v Mar 11	Direction of Travel Dec 11 v Nov 11	
NI130 Social Care clients receiving Self Directed Support (Direct Payments and Individual Budgets)	▲	↘	↘	
NI146 Adults with learning disabilities in employment	▲	↘	↘	
Red Risks				
	Responsible Officer			Curr... Status
RMSCOM04 Avoidable death or serious injury of Client or Staff Member	Head of Adult Assessment and Care Management, Head of Communities and Neighbourhood Development; Head of Cultural Services; Head of Crime Reduction.			▲

NI130 Social Care clients receiving Self Directed Support

⊕ NI130 Social Care clients receiving Self Directed Support (Direct Payments and Individual Budgets)

	Rate per 100,000			Performance (YTD)	Performance (YTD)
	Actual (YTD)	Target (YTD)	Performance (YTD)		
Dec 2010	11.74	13.10	▲		
Jan 2011	11.74	13.80	▲		
Feb 2011	14.82	14.40	★		
Mar 2011	35.20	30.00	★		
Apr 2011	45.19	36.25	★		
May 2011	28.94	37.50	▲		
Jun 2011	29.84	38.75	▲		
Jul 2011	30.11	40.00	▲		
Aug 2011	31.21	41.25	▲		
Sep 2011	31.59	42.50	▲		
Oct 2011	32.34	43.75	▲		
Nov 2011	32.77	45.00	▲		
Dec 2011	31.02	46.25	▲		

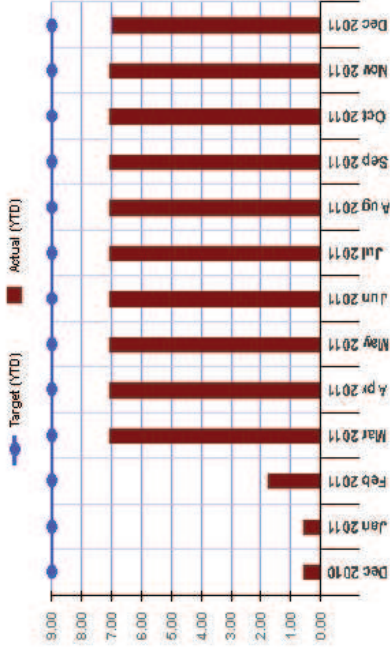


NI130 - comment	
Responsible Officer	Action Plan Comments
Head of Adult Assessment and Care Management	<p>Performance This indicator measures the number of vulnerable adults and carers receiving Self Directed Support (SDS) in the year as a percentage of all community-based social care service users. This includes clients and carers in receipt of Direct Payments and also those with Personal Budgets.</p> <p>Performance Action Plan Progress in developing and allocating Personal Budgets is advanced and the automated Resource Allocation System and support planning is now available. This should ensure that all users, once reviewed, will be in receipt of a personal budget. This work aligns with that measured by AO/D40 (% Adult Social Care clients receiving a review). Additional capacity has been identified and will be allocated to this area of work.</p>

NI146 - Adults with learning disabilities in employment

⊕ NI146 Adults with learning disabilities in employment

	Percentage		
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2010	0.56	9.00	▲
Jan 2011	0.56	9.00	▲
Feb 2011	1.76	9.00	▲
Mar 2011	7.05	9.00	▲
Apr 2011	7.05	9.00	▲
May 2011	7.05	9.00	▲
Jun 2011	7.05	9.00	▲
Jul 2011	7.05	9.00	▲
Aug 2011	7.05	9.00	▲
Sep 2011	7.05	9.00	▲
Oct 2011	7.05	9.00	▲
Nov 2011	7.05	9.00	▲
Dec 2011	6.97	9.00	▲



NI146- comment		
Responsible Officer	Performance Comments	Action Plan Comments
Head of Adult Assessment & Care Management	<p>Performance This indicator measures the number of adults with learning disabilities who were in paid employment at the point of assessment or review. Service users in volunteering and training are not included.</p>	<p>Performance Action Plan Supporting adults with learning disabilities into meaningful employment has been set as an outcome for a total of 64 people living in 24 hour supported accommodation. Providers are required to feedback quarterly on progress. It is intended to extend this employment outcome to other service users including those with day care packages. In addition during reviews, employment status will be verified.</p>

8. Caring for Adults and Older People

Working with Health Services to support older people and adults in need of care

8.1 Performance

Priority 8 - Monthly Indicators										
	Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11	10/11	
NI130 Social Care clients receiving Self Directed Support (Direct Payments and Individual Budgets)	Rate per 100,000	31.02	46.25	▲	🔴	🔴	▲	▲	★	
NI131 Delayed transfers of care	Rate per 100,000	2.56	2.50	●	🟢	🔴	★	★	▲	
NI132 Timeliness of social care assessment (all adults)	Percentage	?	?	?!	?	?	?!	?!	▲	
NI146 Adults with learning disabilities in employment	Percentage	6.97	9.00	▲	🔴	🔴	▲	▲	▲	
AO/D40 % Adult Social Care clients receiving a review	Percentage	53.81	56.00	●	🟢	🟢	▲	●	▲	

8. Caring for Adults and Older people

Developing opportunities for the active participation and engagement of people in the life of the community

8.3 Risk

Priority 8 - Corporate Risk Register - Red Risks				
Current status				
RMSCOM04 Avoidable death or serious injury of Client or Staff Member	Consequences	DoT Current Quarter v Previous Quarter	Responsible Officer	Comments
				<p>Risk - What have we done to control the risk? Adherence to rigorous Health & Safety practice; current risk assessment; monitoring and audit, all services to comply with Health and Safety Executive requirements. Processes checked against the BS18001 for compliance. Working with external providers to improve safeguarding as evidenced by the Care Quality Commission (CQC) regulator report.</p> <p>Risk - When is it going to be completed? Adult Social Care (ASC) safeguarding processes have been reviewed - safeguarding procedures are monitored as part of performance management and there is a review of all safeguarding activity for the year 2010-11 underway as part of the end of year reporting process in preparation for the ASC annual returns. Service plan for 2011-12 has been updated to include new service level risk registers. Lewisham safeguarding procedures updated in light of Pan-London guidance.</p>

Priority 09: Active, Healthy Citizens

Hot Topics

Quit smoking with free drop-in events across Lewisham

People who want to stop smoking can get help at drop-in events across the borough, run by NHS Lewisham. Free advice and support is being offered between 10.30am and 4.00pm at the following venues:

- Lewisham market – February (10th and 24th), March (9th and 16th)
- Cafford Centre – February (27th), March (8th)
- Deptford market – February (3rd), March (7th)

Almost half of smokers who sign up to these services go on to quit. This includes a seven-week group programme that helps you quit alongside other smokers facing the same challenges.

The greatest show on earth - live on Blackheath

The London Borough of Lewisham has announced its plans to host a Community Live Site on Blackheath for the London 2012 Olympics from 27 July to 12 August 2012. This summer, Lewisham residents and visitors to the borough will be able to enjoy for free all the Olympic sporting action on a big screen.

Events taking place at the site will also be designed to encourage communities to participate in improving their health and well being, become involved in their local community and celebrate local achievements. The Community Live Site will provide a showcase and fundraising opportunities for local voluntary and charitable organisations.

Community festival returns to Telegraph Hill

Over 70 different activities are being planned for this year's Telegraph Hill Festival, which runs throughout the Telegraph Hill ward in New Cross from 15 March to 1 April. The festival is run entirely by local volunteers. An international food celebration, a skate jam, classical concert and open studios are just some of the local activities being organised. This year's community production is Fiddler on the Roof, which takes place on Saturday 17 and Sunday 18 March and will bring together over 200 local performers and volunteers.

Priority 09: Summary

Performance Indicators		Finance	
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11	Variance Nov 11	Direction of Travel Nov 11 v Oct 11
▲	▲	●	▲
Projects		Risk	
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11	Current Status Jan 12	Direction of Travel Jan 12 v Dec 11
★	▲	★	▲

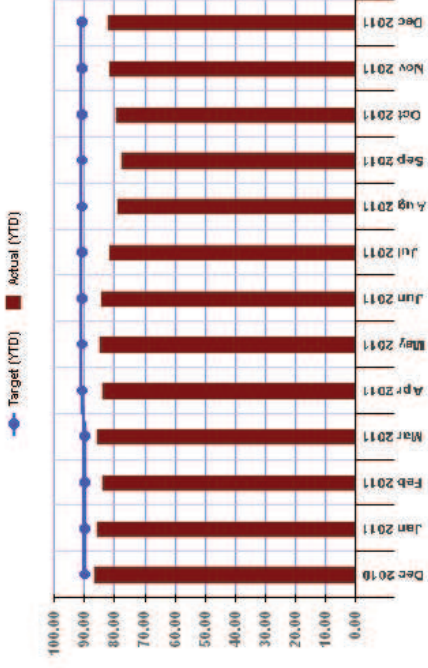
Areas Requiring Management Attention this Month

Performance Indicators - Monthly			
	Against Target 11 v Mar 11	Direction of Travel Dec 11 v Mar 11	Direction of Travel Sep 11 v Jun 11
CF/C19 Health of LAC	▲	▲	▲
LPI202 Library visits per 1000 pop	▲	▲	▲
NI052 Take up of school lunches	▲	▲	▲
Performance Indicators - Quarterly			
	Against Target 11 v Mar 11	Direction of Travel Sep 11 v Mar 11	Direction of Travel Nov 11 v Jun 11

CF/C19 Health of LAC

+ CF/C19 Health of LAC

	Percentage		
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2010	86.70	90.00	●
Jan 2011	85.70	90.00	●
Feb 2011	83.90	90.00	▲
Mar 2011	85.60	90.00	●
Apr 2011	83.80	91.00	▲
May 2011	84.70	91.00	▲
Jun 2011	84.30	91.00	▲
Jul 2011	81.40	91.00	▲
Aug 2011	78.70	91.00	▲
Sep 2011	77.70	91.00	▲
Oct 2011	79.30	91.00	▲
Nov 2011	81.70	91.00	▲
Dec 2011	82.20	91.00	▲

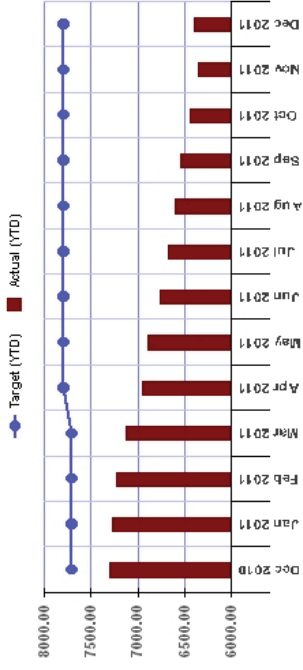


CF/C19 - Comment	
Responsible Officer	Head of Access and Support Services
Performance Comments	<p>Performance Health of Looked After Children (LAC) is below target in December 2011, at 82.20% (year to date) against a target of 91%. However, there has been an incremental increase in year to date figures from September 2011 (77.7%).</p>
Action Plan Comments	<p>Performance Action Plan The recording of the Health Review completion date within the Local Authority IT system had been identified as a barrier. Health Partners now have direct access to the IT system to input the date that the Health Review has been completed. Further challenges remain for health partners who have no control over other boroughs completing the Health Review within the timescales. A new LAC nurse and administrative worker have now started in Health.</p>

LPI202 - Library visits per 1,000 population

⊕ LPI202 Library visits per 1000 pop

Number per 1000			
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2010	7,293.85	7,707.00	▲
Jan 2011	7,269.71	7,707.00	▲
Feb 2011	7,220.96	7,707.00	▲
Mar 2011	7,121.94	7,707.00	▲
Apr 2011	6,953.69	7,795.42	▲
May 2011	6,895.41	7,795.42	▲
Jun 2011	6,765.96	7,795.42	▲
Jul 2011	6,674.39	7,795.42	▲
Aug 2011	6,595.44	7,795.42	▲
Sep 2011	6,537.80	7,795.42	▲
Oct 2011	6,441.56	7,795.42	▲
Nov 2011	6,358.77	7,795.42	▲
Dec 2011	6,390.95	7,795.42	▲



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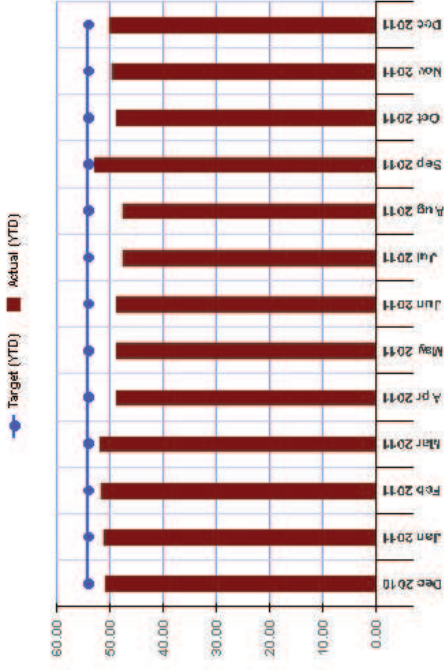
LPI202 - comment

Responsible Officer	Performance Comments	Action Plan Comments
Head of Culture	<p>Performance This indicator measures the number of physical visits to libraries as a proportion of the local population. Performance is below target although there are signs of improvement.</p> <p>The decrease in performance shown for this period is due in part to a reduction in activity during the establishment of five community libraries and the restructuring of the Service. However the opening of Deptford library and the further development of the community libraries is expected to result in performance significantly improving.</p>	<p>Performance Action Plan The Service has introduced a new Library Management System (that links Lewisham to the London Library Consortium - a group of 15 local authorities); has introduced self-issue terminals in four of the five community libraries; is benefitting from the refurbishment of Torrison Road Library; and opened the new library in Deptford on 4 January 2012. Performance at local level shows improvement, with Catford now joining Forest Hill and Torrison Road, where performance is increasing. Additional positive results are expected from the new library in Deptford. The performance at Catford will however be adversely affected over the coming months by the weekend closures due to electrical works in the Laurence House building. The Service continues its stock promotion and audience engagement, and has plans to improve performance through initiatives such as the World Book Day in March 2012.</p>

NI052 - Take up of school lunches

NI052 Take up of school lunches

	Percentage		
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2010	50.70	54.00	▲
Jan 2011	51.00	54.00	▲
Feb 2011	51.50	54.00	●
Mar 2011	51.70	54.00	●
Apr 2011	48.70	54.00	▲
May 2011	48.70	54.00	▲
Jun 2011	48.70	54.00	▲
Jul 2011	47.40	54.00	▲
Aug 2011	47.40	54.00	▲
Sep 2011	52.70	54.00	●
Oct 2011	48.70	54.00	▲
Nov 2011	49.40	54.00	▲
Dec 2011	50.00	54.00	▲



NI052 - comment

NI052 - comment	
Responsible Officer	Performance Comments
Head of Resources CYP	<p>Performance The overall school meal take-up has been affected badly by the low level of take-up in Secondary schools.</p> <p>Action Plan Comments</p> <p>Performance Action Plan Lewisham Council and Chartwells continue to develop new and exciting menus to encourage secondary school pupils to eat a meal at lunchtime.</p>

9. Active, Healthy Citizens

Leisure, sporting, learning and creative activities for everyone

9.1 Performance

Priority 9 - Monthly Indicators										
Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11	10/11		
CF/C19 Health of LAC	82.20	91.00	▲	▲	▲	▲	▲	▲		
LPI202 Library visits per 1000 pop	6,390.95	7,795.42	▲	▲	▲	▲	▲	▲		
NI052 Take up of school lunches	50.00	54.00	▲	▲	▲	▲	▲	●		
Priority 9 - Quarterly Indicators										
Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last Quarter	Against Target Sep 11	Against Target Jun 11	10/11		
NI053 Prevalence of breastfeeding at 6 - 8 weeks from birth	?	75.00	?	?	?	★	★	★		
NI023 Stopping smoking	?	?	?!	?	?	!	!	★		
LPI324 MMR1 Immunisation rates 2nd birthday	?	91.00	?	?	?	▲	▲	▲		

9. Active, Healthy Citizens

Leisure, sporting, learning and creative activities for everyone

9.1 Performance

Priority 9 - Monthly Contextual Indicators						
	Unit	YTD Dec 11	YTD Nov 11	YTD Oct 11	YTD Sep 11	10/11
☒ LPI211a Children free swims	Number	29,044.00	27,849.00	26,239.00	23,305.00	54,082.00
☒ LPI211b 60+ free swims	Number	6,407.00	5,957.00	5,269.00	4,593.00	19,659.00

9. Active, Healthy Citizens

Leisure, sporting, learning and creative activities for everyone

9.2 Projects

Priority 09 projects				
	Directorate	Budget	Est. completion date	Current Status
PMSCOM Wavelengths refurbishment	Community	£1.550m	Oct 2012	
PMSCOM 'Deptford Lounge' - Giffin Street programme	Community	£8.7m	Jan 2012	
PMSCOM Loampit Vale & Pool	Community	£2.59m	Apr 2013	
PMSCOM Forest Hill Pools	Community	£12.53m	Sep 2012	

Priority 10: Inspiring Efficiency, Effectiveness & Equity

Hot Topics

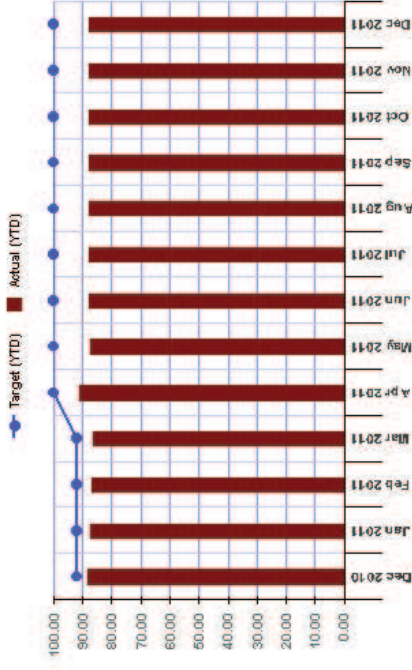
There are no 'Hot Topics' for Priority 10 this month.

Priority 10: Summary			
Performance Indicators			
Against Target Dec 11	Direction of Travel Dec 11 v Nov 11		
Variance Nov 11	Direction of Travel Nov 11 v Oct 11		
Projects			
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11		
Risk			
Current Status Jan 12	Direction of Travel Jan 12 v Dec 11		
Finance			
Variance Nov 11	Direction of Travel Nov 11 v Oct 11		
Areas Requiring Management Attention this Month			
Performance Indicators - Monthly			
BV008 Invoices paid within 30 days	Against Target	Direction of Travel Dec 11 v Mar 11	Direction of Travel Dec 11 v Nov 11
LPI519 Number of FOI requests completed			
Red Risks - Corporate Risk Register			
RMSCOR02 Resilience of Central ICT infrastructure	Responsible Officer	Executive Director of Resources & Regeneration	Curr... Status
RMSCOR04 Non compliance with Health & Safety Legislation		Chief Executive	
RMSCOR05 Litigation Risks		Head of Law	
RMSCOR19 Employee Relations		Chief Executive	
RMSCOR24 Management capacity and capability		Executive Director for Resources & Regeneration	

BV008 % of invoices paid within 30 days

⊕ BV008 Invoices paid within 30 days

	Percentage		
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2010	88.31	92.00	●
Jan 2011	87.20	92.00	▲
Feb 2011	86.78	92.00	▲
Mar 2011	86.42	92.00	▲
Apr 2011	91.16	100.00	▲
May 2011	87.42	100.00	▲
Jun 2011	87.95	100.00	▲
Jul 2011	87.59	100.00	▲
Aug 2011	87.80	100.00	▲
Sep 2011	87.85	100.00	▲
Oct 2011	87.82	100.00	▲
Nov 2011	87.74	100.00	▲
Dec 2011	87.88	100.00	▲

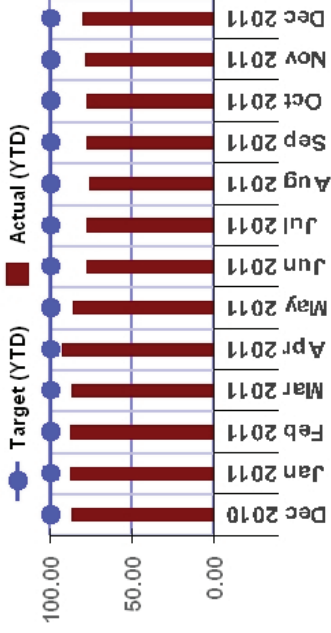


BV008 - comment

Responsible Officer	Performance Comments	Action Plan Comments
Finance Shared Services Manager	<p>Performance 89% of Lewisham's undisputed commercial invoices were paid within 30 days during December 2011. Actual (YTD) for December 2011 was 87.88%.</p>	<p>Performance Action Plan Detailed analysis continues to be undertaken to identify the budget holders who are late in submitting invoices and identifying those that are disputed and those taking action on invoices held via the e-procurement system. As part of the Procure 2 Pay project, e-procurement training is being organised and will raise the issue of non-action within e-procurement and the effect on payment performance. Information is circulated to the departmental management teams for appropriate action.</p>

LPI519 Number of FOI requests completed in given timescales

+ LPI519 Number of FOI requests completed			
Percentage			
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2010	87.29	100.00	▲
Jan 2011	87.57	100.00	▲
Feb 2011	87.47	100.00	▲
Mar 2011	87.02	100.00	▲
Apr 2011	92.86	100.00	▲
May 2011	86.42	100.00	▲
Jun 2011	78.17	100.00	▲
Jul 2011	77.67	100.00	▲
Aug 2011	76.50	100.00	▲
Sep 2011	77.51	100.00	▲
Oct 2011	77.72	100.00	▲
Nov 2011	79.00	100.00	▲
Dec 2011	80.29	100.00	▲



LPI519 - comment

LPI519 - comment	
Responsible Officer	Action Plan Comments
Head of Technology & Transformation	<p>Performance Comments</p> <p>Performance The Council received 79 FOI requests in December 2011 which at this point in time for reporting purposes, represents the last 'closed period'. 73 have been closed within the timescales and 3 requests closed out of the statutory timescales, and 3 remain open. This results in a compliance rate of 92.4% (actual) and a YTD (actual) of 80.29%.</p> <p>Performance Action Plan The Corporate Team have continued to support directorates and provide weekly reminders of requests due, performance has continued to improve. The Corporate Team manage output of responses for all directorates to increase compliance and ensure a consistent approach to the application of exemptions. All requests were acknowledged within 3 days.</p>

10. Inspiring Efficiency, Effectiveness and Equity

Ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community

10.1 Performance

Priority 10 - Monthly Indicators										
Unit	YTD Dec 11	Target Dec 11	Against Target Dec 11	DoT Last year	DoT Last month	Against Target Nov 11	Against Target Oct 11	10/11		
⊕ BV008 Invoices paid within 30 days	Percentage	87.88	100.00	▲	▲	▲	▲	▲		
⊕ BV012 Days / shifts lost to sickness (Including Schools)	Number	68.15	8.00	▲	▲	▲	▲	▲		
⊕ BV016a Disabled employees	Percentage	?	5.00	?	?	?	?	▲		
⊕ BV017a % Ethnic minorities employees	Percentage	32.59	34.00	▲	▲	●	●	●		
⊕ LPI031 NNDR collected	Percentage	113.63	99.40	▲	▲	★	★	●		
⊕ LPI032 Council Tax collected	Percentage	93.91	94.50	▲	▲	●	●	★		
⊕ LPI500 % staff from ethnic minorities recruited at PO6 and above	Percentage	?	25.00	?	?	?	?	▲		
⊕ LPI519 Number of FOI requests completed	Percentage	80.29	100.00	▲	▲	▲	▲	▲		
⊕ LPI537 Council jobs gained by young people under 25 as % of junior level appointments (Sc1-Sc5)	Percentage	?	27.00	?	?	?	?	▲		
⊕ LPI726 Percentage of calls answered by the call centre within 15 seconds	Percentage	91.92	91.00	▲	▲	★	★	▲		
⊕ LPI755 Percentage of customers with appointments arriving on time seen within their appointed time	Percentage	91.79	95.00	▲	▲	●	●	▲		
⊕ NI181 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events	Days	7.02	8.00	▲	▲	★	★	★		

10. Inspiring Efficiency, Effectiveness and Equity

Ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community

10.2 Projects

Priority 10 projects				
	Directorate	Budget	Est. completion date	Current Status
PMSRES Inf. Management & Technology Programme	Resources	£6.98m	Mar 2012	
PMSRES Asset Rationalisation	Resources & Regeneration	Savings of £1.455m	Mar 2014	

10. Inspiring Efficiency, Effectiveness and Equity

Ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community

10.3 Risk

Priority 10 - Corporate Risk Register - Red Risks				
Current status				
	Consequences	DoT Current Quarter v Previous Quarter	Responsible Officer	Comments
<p>RMSCOR02 Resilience of Central ICT infrastructure</p> <p style="text-align: right;">▲</p>				
Priority 10 - Corporate Risk Register - Red Risks				
<p>RMSCOR02 Resilience of Central ICT infrastructure</p>	<p>Risk - What are the worst consequences of the risk? Breakdown in service/ performance/ quality delivery. Additional costs. Contractual liability. Litigation. Loss of reputation. Decreased productivity.</p>	<p>↑</p>	<p>Executive Director of Resources & Regenera...</p>	<p>Risk - What are we planning to do? A programme of monitoring and managing storage capacity is ongoing.</p> <p>Risk - What have we done to control the risk? Consistent and regular monitoring of storage headroom, and monitoring and maintenance of network resources. Proactive security approach. Disaster recovery plans/emergency plans in place to provide shadows of all main departmental and corporate systems from an alternative site. Back up facilities in place. Anti-virus systems updated. Housekeeping maintained. Project completed to ensure no further risk of catastrophic power loss. Focus is now on resolving telephony issues.</p> <p>Risk - When is it going to be completed? .</p>

10. Inspiring Efficiency, Effectiveness and Equity

Ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community

10.3 Risk

Priority 10 - Corporate Risk Register - Red Risks			
			Current status
RMSCOR04 Non compliance with Health & Safety Legislation			▲
Priority 10 - Corporate Risk Register - Red Risks			
Consequences	DoT Current Quarter	Responsible Officer	Comments
<p>Risk - What are the worst consequences of the risk? Death or injury to staff or public. Criminal prosecution. Civil litigation. Reputation damage. Costs. Service stopped/closed. Lost time.</p>	↑	Chief Executive	<p>Risk - What are we planning to do? Display Screen Equipment (DSE) risk assessments and home worker assessments to be completed for each service. Health & Safety board in place from 2011/12 to enhance coordination and communication between corporate and directorate Health & Safety work.</p> <p>Risk Notes Position regarding management of large Health & Safety cases with focus on providing evidence and making the case to limit the Council's liability exposure. However, a rising number of Health & Safety incidents (more frequent, but lower level) arising from lack of internal induction training and more imported risks (e.g. community safety, collaborative working and use of contractors) are being seen. This has been noted externally by the Health and Safety Executive and the London Fire Brigade and is impacting on services and pushing up insurance costs.</p>

10. Inspiring Efficiency, Effectiveness and Equity

Ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community

10.3 Risk

Priority 10 - Corporate Risk Register - Red Risks				
Current status				
RMSCOR05 Litigation Risks				▲
Priority 10 - Corporate Risk Register - Red Risks				
Consequences	DoT Current Quarter v Previous Quarter	Responsible Officer	Comments	
<p>Risk - What are the worst consequences of the risk? Litigation. Major Projects Delayed. Negative publicity. Costs. Budget implications. Reputation damage. Higher insurance costs. Lost staff time.</p>	↑	Head of Law	<p>Risk - What are we planning to do? Continue with agenda planning & reports to the Executive Management Team and deliver training programme throughout 2011/12. Review potential liabilities.</p> <p>Risk - When is it going to be completed? Training throughout 2012 e.g. equalities and decision-making sessions.</p>	

10. Inspiring Efficiency, Effectiveness and Equity

Ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community

10.3 Risk

Priority 10 - Corporate Risk register - Red Risks				
Current status				
RMSCOR19 Employee Relations	Consequences	DoT Current Quarter v Previous Quarter	Responsible Officer	Comments
RMSCOR19 Employee Relations	<p>Risk - What are the worst consequences of the risk?</p> <p>Potential increase in disputes and grievances. Increased staff turnover. Recruitment difficulties. Diversion of management attention.</p>	<p>↑</p>	Chief Executive	<p>Risk Notes</p> <p>Impending savings process will need to be sensitively managed. Risk around consultations for changes, in particular for pensions and terms & conditions proposals. National strike action took place in November 2011. Terms of Conditions changed with effect from November 2011 and will do so again in April 2012.</p>

10. Inspiring Efficiency, Effectiveness and Equity

Ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community

10.3 Risk

Priority 10 - Corporate Risk register - Red Risks				
Current status				
<p>RMSCOR24 Management capacity and capability</p>				▲
Priority 10 - Corporate Risk register - Red Risks				
Consequences	DoT Current Quarter v Previous Quarter	Responsible Officer	Comments	
<p>Risk - What are the worst consequences of the risk? Decline in the quality and flexibility of service delivery. Failure to meet customer/citizen need. Failure to innovate and improve delivery of services and deliver better value for money for the public purse.</p>	↑	Executive Director for Resources & Regeneration	<p>Risk - What have we done to control the risk?</p> <p>There are a range of measures in place to ensure and assure both capacity and capability;-</p> <ul style="list-style-type: none"> • Consultation processes inform and support staff re-organisations • ER/VR panel provides robust challenge to requests for redundancies, flexible retirements and working beyond retirement age • Requests for permanent and temporary appointments are challenged through the Recruitment Approval Panel (RAP) • Regular review through Directorate Management Team with briefings on national policy changes • Ongoing monitoring of well-being through absence management processes. 	

Appendix A - Performance Scoring Methodology

Together we will make Lewisham the best place in London to live, work and learn

Performance

Performance can be measured using two methods. Firstly, current performance is appraised against past performance to assess “direction of travel” – is it improving or worsening? Secondly, performance can be measured against a norm, standard or target.

Areas for management attention are determined by considering performance against the following 2 elements - Against target and Direction of Travel (DoT) against the previous years outturn (in this case March 2011). If both of these elements are red we consider that the indicator should be flagged as an area for management attention.

The Council has aims and objectives as an organisation responsible for securing local public services. But it also has wider aims to work in partnership with other organisations (in the public, private and community sectors) to improve Lewisham as a place to live. It is therefore essential that our PIs not only measure our organisational and service performance against the Council's corporate priorities but also evaluate our efforts to achieve improvements through partnership working. These wider aims are described in Lewisham's Sustainable Community Strategy. A summary on performance can be found in the 'Overall Performance summary' at front of the Executive Summary report.

Data Quality Policy

The Council has a Data Quality Policy which is adhered to and sets out the corporate data quality objectives. Directorates also have a statement of data quality and a data quality action plan. In addition to this, a corporate data quality risk register is maintained and reported monthly to the Strategic Performance Improvement Group (SPIG).

Appendix B - Projects, Risk & Finance Scoring Methodology

Projects

Together we will make Lewisham the best place in London to live, work and learn

Project status is recorded using a red / amber / green traffic light reporting system.

Red: Projects considered to be at significant risk of late delivery, of overspending or of not achieving their primary objectives. Project likely to be facing issues or uncertainties e.g. funding concerns, lack of clarity over scope / costs, other significant risks not yet under effective control. Sheer scale of a project, its complexity and overall risk level can also attract a red rating.

Amber: Projects considered to be at moderate risk of late delivery, of overspending or of not achieving some objectives. Issues may have been escalated outside the project team, but likely that these can be resolved e.g. resources will be identified to deal with moderate changes to costs or scope.

Green: Project considered to be on time, on budget, with current risks being managed effectively within the project structure.

Risk

Risks are scored in terms of likelihood and impact, with a range from 1 to 5 (with 5 being the highest) and the result is plotted on a matrix (as shown) to produce the RAG rating. A target is also set and the risk registers contain action plans to manage the risks to target and these are subject to regular review by Directorate Management Teams. The risk registers are reported to the Risk Management Working Party and Internal Control Board on a quarterly basis and quarterly updates are provided in this report.

Finance

Financial monitoring is recorded using a red/amber/green traffic light reporting system.

Net expenditure on the priority is forecast to vary from budget by either:-

Red - more than £0.5m or 2.5% overspent or more than £10m or 50% underspent

Amber - more than £0.1m and less than £0.5m or by more than 1% and less than 2.5% overspent or more than £5m and less than £10m or by more than 25% and less than 50% underspent

Green - up to £0.1m or up to 1% overspent or up to £5m or up to 25% underspent

The Executive Management Team will take into account:-

- (i) The performance of the housing part of the Capital Programme in assessing the traffic light for Decent Homes;
- (ii) The overall financial position on revenue and capital in assessing the traffic light for 'Inspiring Efficiency, Effectiveness & Equity'.

The methodologies for Projects, Risk and Finance outlined above will be reviewed annually at the end of the financial year as part of the review of this report and the target setting process for performance indicators. The text above will be subject to change at this point.

MAYOR & CABINET		
Report Title	Exclusion of the Press and Public	
Key Decision	No	Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: 7 March 2012

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, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:-

- 16 BSF Crossways College Stage 2 Approval
- 17. BSF Sydenham School Stage 1 Approval