



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 3 OCTOBER 2012 at 6.00 pm, or upon the rising of Mayor & Cabinet (Contracts), whichever is the later.

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

**Enquiries to: Olga Cole
Telephone: 0208 314 8577 (direct line)
Email: olga.cole@lewisham.gov.uk**

MEMBERS

Sir Steve Bullock	(L)
Councillor Chris Best	(L)
Councillor Janet Daby	(L)
Councillor Damien Egan	(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: Tuesday, 25 September 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.

ORDER OF BUSINESS – PART 1 AGENDA

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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.

MAYOR & CABINET		
Report Title	Declarations of Interests	
Key Decision	No	Item No. 1
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: October 3 2012

Declaration of interests

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

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.

- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on member's participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (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)

Agenda Item 2

MAYOR AND CABINET		
Report Title	Minutes	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 3 October 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 12 and 19 September 2012 be confirmed and signed (copies 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, 12 SEPTEMBER 2012 at LEWISHAM TOWN HALL, CATFORD, SE6 4RU at 6.00 p.m.

Present

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

Apologies for absence were received from Councillor Smith.

Also Present

Councillor Muldoon and 3 members of the public.

Minute No.

Action

1. Declarations of Interests (page

The Mayor declared a personal and prejudicial interest in Item 8 as his wife is a Governor at Forster Park Primary School and he withdrew from the meeting during consideration of that item.

2. Minutes

RESOLVED that the minutes of that part of the meetings of the Mayor and Cabinet, which was open to the press and public held on July 11 and July 25 2012, be confirmed and signed.

3. Outstanding References to Select Committees (page

The Mayor received a report on issues which had previously been considered that awaited the responses requested from Directorates. He noted one item had slipped since the last meeting and was assured by the Executive Director for Resources and Regeneration the report would be available at the next meeting.

RESOLVED that the report be received.

4. Financial Survey 2013/16 (page

Having considered an officer report and a presentation by the Cabinet Member for Resources, Councillor Paul Maslin, the Mayor:

RESOLVED That the Financial Survey 2013/16 be

Minute No.

Action

endorsed.

5. Measures to increase the supply of permanent primary school places: Proposal to enlarge John Stainer Primary School (page

Having considered an officer report and a presentation by the Cabinet Member for Children & Young People, Councillor Helen Klier, the Mayor:

RESOLVED That

(i) there should be consultation on a proposal to enlarge John Stainer Primary School from 1 to 2 forms of entry with effect from September 2014; and ED CYP

(ii) the likely levels of demand for places in 2013 be noted and a further report be brought by December recommending measures to meet that demand. ED CYP

6. Torridon Infant and Junior Schools ASD Resource Base - Determination (page

Having considered an officer report and a presentation by the Cabinet Member for Children & Young People, Councillor Helen Klier, the Mayor:

RESOLVED That

(i) the absence of comments or objections received during the statutory representation period be noted; and

(ii) Agrees to the establishment of Torridon Infant and Junior School's ASD resource base, with an opening date of September 2013. ED CYP

7. Update on New Cross Library (page)

Having considered an officer report and a presentation by the Cabinet Member for Community Services, Councillor Chris Best, the Mayor:

RESOLVED That:

(i) the establishment of New Cross as a

Minute No.

Action

community library and the measures that are being put in place to support the organisational capacity of New Cross Learning be noted; and

(ii) a grant of £60,000 be awarded over two years to Bold Vision for the support of the anchor organisation New Cross Learning described

ED Community

8. Appointment of Local Authority Governors (page

The Mayor left the room during consideration of this item and the meeting was chaired by Councillor Crada Onuegbu.

Having considered information supplied in respect of the nominee, the Cabinet, in the absence of the Mayor, appointed the person listed below as a School Governor,

RESOLVED That the person listed below be appointed as a School Governor,

ED CYP

Mrs. E. Walker-Smith Forster Park

9. Mayoral response to the comments of the Healthier Communities Select Committee on Personalisation in Lewisham (page

Having considered an officer report , a presentation by the Cabinet Member for Community Services, Councillor Chris Best and comments from the Chair of the Select Committee, the Mayor:

RESOLVED That the response prepared by the Executive Director of Community Services be forwarded to the Healthier Communities Select Committee.

Head of Committee

10. Mayoral response to the comments of the Sustainable Development Select Committee on the Bakerloo Line Extension. (page

Having considered an officer report the Mayor:

RESOLVED That the response prepared by the Executive Director for Resources and Regeneration be forwarded to the Sustainable Development Select Committee.

Head of Committee

Minute No.

Action

11. Financial forecasts for 2012/13 (page

Having considered an officer report and a presentation by the Cabinet Member for Resources, Councillor Paul Maslin, the Mayor:

RESOLVED That the financial forecasts for the year ending 31 March 2013 be noted.

12. Exclusion of the Press and Public

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following 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:

The following is a summary of the items considered in the closed part of the meeting:

13. Disposal of 2-4 River Park Gardens, Bromley BR2 (page

Having considered a confidential officer report, the Mayor:

RESOLVED That the report be received.

(i) 2 -4 River Park Gardens BR2, be declared surplus to the Council's requirements

(ii) subject to the Council authorising an application to the Secretary of State under Section 32 of the Housing Act 1985, the disposal of the Council's freehold interest in 2-4 River Park Gardens to Phoenix Community Housing Association, on the terms detailed, be approved; and

(iii) authority be delegated to the Director of Regeneration and Asset Management, in

ED Resources/
Head of Law

Minute No.

Action

consultation with the Head of Law, to negotiate the final disposal terms with Phoenix Community Housing Association and conclude any outstanding matters relating to the sale of the Council's freehold interest.

The meeting ended at 7.12pm.

Chair

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, 19 SEPTEMBER 2012 at LEWISHAM TOWN HALL, CATFORD, SE6 4RU at 6.00 p.m.

Present

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

Apologies for absence were received from Councillor Smith and Wise.

Also Present

Councillors Brooks and Handley.

Minute No.

Action

1. Declarations of Interests (page

Councillor Millbank declared a personal and prejudicial interest in Item 2 as a Governor at Crossways and she withdrew from the meeting.

2. The Future of Crossways Sixth Form

The report was presented by the Cabinet Member for Children & Young People, Councillor Helen Klier and by a representative of the Executive Director for Children & Young People. Councillor Klier advised the Mayor to accept the recommendation, as she believed the broad ethos existing at Christ the King College would benefit students of all faiths and of none.

The Mayor was later addressed by Councillor Brooks who objected to the recommendation and said he was concerned about potential redundancies and that he feared students with low attainment would not be able to access provision at Christ the King. He noted 67% of all students attending Crossway were in deprivation band 1.

The Mayor was advised by the Executive Director for Children & Young People that staff would be covered by TUPE undertakings and that while no absolute guarantees could be made, staff transfers would take place where this was warranted by curriculum requirements. She also pointed out that the academic requirements for entry to Christ the King were identical to Crossways and that already the Borough controlled less than 50% of all admissions so fair admissions were achieved by negotiation with providers. She advised the Mayor

Minute No.

Action

that Christ the King had a strong record of partnership and had demonstrated a passion for providing quality education to local students.

The Mayor concluded that he believed the clear outcome of a consultation exercise involving staff, parents and students was that there was support for the proposed new provision. He noted that the lack of confidence in Crossways was clearly shown by the reluctance of students to access that institution. He said he was convinced a very high quality of education was available at Christ the King and he was happy to support the proposal.

Having considered the officer report, and the contributions made at the meeting, the Mayor:

RESOLVED	that the results of the consultation be received and officers be instructed to commence the statutory process, including public notice, to close Crossways Sixth Form and for Christ the King to expand their provision onto the site.	ED CYP
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The meeting ended at 6.26pm.

Chair

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 type="checkbox"/>	<input type="checkbox"/>

Date of Meeting	03 October 2012
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Title of Report	Young Mayor Budget Proposals
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Originator of Report	Malcolm Ball	Ext.6354
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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	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)		
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: _____ *C. O'Neil* _____ Executive Member

Date: _____ 24/09/12 _____

Signed: _____ *Conrad Hall* _____ Director/Head of Service

Date _____ 25 September 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	Young Mayor of Lewisham 2011/12– Budget Proposals	
Key Decision	No	Item 3
Ward		
Contributors	Executive Director for Resources and Regeneration	
Class	Part 1	Date: 3 October 2012

1 Summary

- 1.1 On 12th October 2011, Kieran Lang was elected the eighth Young Mayor of Lewisham. The Young Mayor and Advisors have been working throughout the year to develop, and then consult on a range of ideas that now form the Young Mayor’s Budget proposals for 2011/12.
- 1.2 These proposals are intended to provide improvements in services for children and young people in the borough. The Young Mayor for 2011/12 has had a budget of £30,000 to be allocated after consultation with young people. This report summarises the proposals which the 2011/12 Young Mayor is recommending.

2 Recommendation

That the Mayor agrees the Young Mayor’s budget proposals at paragraph 6.8 and section 7.

3 Policy Context

- 3.1 The Young Mayor Programme is a key priority for the Council in delivering on its commitment to enhancing young people’s achievement and involvement.
- 3.2 The Young Mayor Programme makes an important contribution to the objectives set out in Shaping our Future – Lewisham’s Sustainable Community Strategy 2008-2020. Of specific relevance are the priorities *‘Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities.’*, and; *Ambitious and achieving – to Inspire our young people to achieve their full potential.*

- 3.3 The work of the Young Mayor further relates and makes a contribution to many of the outcomes set out in the Children and Young People's Plan.

4 Background

- 4.1 The Young Mayor Programme has been in place since April 2004. Kieran Lang is the eighth Young Mayor. Kieran won the election with a turnout of 41.98% which represents 8076 young people voting.

5. Activities during 2011/12

- 5.1 Since October 2011, the Young Mayor and Advisors have continued to represent their peers at the local, regional, national and international level. Working collaboratively with the Mayor and Cabinet, Scrutiny Committees, councillors, Council officers, partner agencies and other key stakeholders, the Young Mayor and Advisors have made an important contribution to local policy development over the course of the last year. They have also continued to support projects that relate to and address issues which concern young people.

- 5.2 Examples of work and activities include:

<i>Organisation / Project / Work area etc</i>	<i>Activity</i>
The Positive Aging Board	Working together with older people to build understanding through intergenerational projects
Lewisham Hospital	Discussing young people's access to and experience of health services.
Race Equalities Steering Group	Providing a younger perspective to the development of the new organisation and issues around diversity
Job Fair and Enterprise Projects	Supporting young people to find employment or create their own opportunities and businesses
The New Generation (TNG) Centre and Youth Service	Supporting the development of the new youth venue, hustings and consultations.
B-involved Website and media course	Actively contributing to the website, developing media skills, promoting opportunities for young people, raising issues of interest and maintaining social media contact with peers.
Safeguarding Conference and Welfare Reform Workshop	Contributing to discussions on policy development and the impact for young people and the wider community.
Commissioning	Understanding processes and contributing to decision making (PAF, YOS, Children's Centres)
SHIP and Centrepaint:	Supporting young people and their

	housing issues, consultation on Housing Matters
Safe Havens, Policing and YOS	Joining the discussion about young people being safe and policing in the borough. Developing knowledge of and supporting young people involved in the Youth Justice System.
Local Regeneration Projects	Contribution to the consultation on past, current and future projects including Catford town centre and Surrey canal
School visits	Raising awareness and consultation through assemblies, citizenship days and school councils. Supporting peers at exhibitions, achievement events and activities.
Community Events and organisations	Attending civic events representing young people, recognising achievement, encouraging participation, cohesion and volunteering.
Sports and Arts including Intercultural Cities photography project and Live site activities	Supporting young people's achievements at awards events and promoting opportunities for young people to get involved.
Visits to Westminster, the House of Commons and Party Conferences, Politics Outside In Course, meeting politicians, operation Black vote, Voter Registration events:	Developing knowledge and understanding of party politics and democratic engagement
UK Youth Parliament, UK Youth and British Youth Council:	Engagement in and with the national Youth Participation strategies
European Visits	Invitations from Sweden, Poland, Denmark, Italy and Norway to share ideas, broaden horizons and raise aspirations with adults and young people
Other Partnerships	Working and sharing good practice/issues with adults and/or young people from Bangladesh, Sweden, Northern Ireland, Germany, Holland, France, Norway, Czech Republic, Iceland, Belgium, Ukraine, Denmark, Scotland, Wales, Islington, Dacorum,: to share ideas, raise aspirations and be part of a wider world.

5.3 Over the last year, the Young Mayor and Advisors have also worked extremely effectively with colleagues and services across the Council. Increasingly, this way of working has extended to other local agencies within the wider partnership structure. In order to both sustain the proposals of the previous Young Mayor, and to develop their own, these networks and relationships are providing crucial.

6 The Young Mayors Proposals 2011/12

- 6.1 The Young Mayor has worked closely with both his Advisors and with schools and youth organisations in identifying how to best spend the allocated budget. As well as consulting more widely than ever through a newsletter and the B-involved website and social media. There has also been dialogue with local groups in the voluntary and community sector.
- 6.2 In developing the proposals a wide range of ideas were initially put forward by local young people. A number of the initial ideas related to areas where similar services or projects already exist in the borough. To assist their colleagues in narrowing down proposals, the team spent time talking with internal and external colleagues to cross reference against activity already under way.
- 6.3 For example, promotion of visual arts was an idea which came up through the consultation process. As work is underway in this area, this idea will be explored through existing partnerships in the borough.
- 6.4 By way of summary, this year's proposals include supporting opportunities for young people to try new activities. Mechanisms that recognise and celebrate the achievements of young people as part of the community are also central to the proposals. Awareness of healthy eating and exercise feature as does the concept of supporting young people's mental wellbeing. Of a salient nature, proposals to promote safety issues relating to roller-skating are included. This will continue and enhance work which has already started in the borough
- 6.5 As in previous years, the proposals build on a number of the issues and objectives that previous young Mayors and advisors have identified. The Young Advisors have been keen to maintain support the Enterprise projects. As such, supporting young people's opportunities to find employment will continue to be a priority.
- 6.6 The actual proposals are intended to be very specific, linked to outcomes that are achievable and deliverable. Wider objectives will continue to be met, but the Young Mayor and Advisors wanted to concentrate on tangible areas in terms of their proposals, where genuine improvements are likely to be felt by young people.
- 6.7 The proposal will be delivered in partnership with local community organisations and council directorates to ensure their effectiveness.
- 6.8 The proposals are:

6.8.1 Health and wellbeing

Throughout the consultation process and wider debate, young people's health and well being was a major concern. Therefore, the Young Mayor and Advisors will seek to address this through :

- The promotion of gyms for young people and how to get involved, increasing and promoting the variety of sports available
- Cooking classes and competitions to encourage healthy eating
- Supporting young people's mental health and well being through peer key workers and mentoring

6.8.2_Roller skating

There was much discussion among young people about how they can contribute to supporting skating as a positive, safe and healthy activity - particularly given its popularity with young people in the community. The Young Mayor and Advisors intend to:

- Build on the work already underway by the council around safer skating in the borough. Promoting the dangers and developing the opportunities for skating.(maps, events, presentations, clothing)
- Provide an additional drinking fountain for all including skaters (venue to be confirmed but potentially blue square/ Brookmill road)

6.8.3 Hall of Fame

The way in which young people are perceived and portrayed remains a concern reflected through the consultations. Young people play a positive, constructive and creative role in Lewisham and the world generally. Initially they would like to celebrate and recognise this with a plaque in the Civic Suite recording the range of achievements of young people in the borough. They also want to explore the possibility of a permanent display in the borough as part of ongoing regeneration projects

7. Summary of proposed Expenditure

Health and Wellbeing	
Media training to produce promotional films to show what is available to young people in the borough (gyms etc.)	3K
Open days to promote existing services	1.5K
Cooking classes, materials, competition venue and publicity	1.5k
Work with service providers to promote existing services Pilot Peer Key worker Training	4.5K

Roller Skating Safety	
Maps and info, safety resources, workshops , presentation	2.5k
Safety film and launch event	3.5k
Water fountain	9.k
Hall of Fame	
Design, creation and installation of plaque in Civic Suite	4.5.K
Total	£30,000

8. Consultation

- 8.1 The Young Mayor has remained committed to his election manifesto in respect of identifying ways in which to promote opportunities for young people to have their voices heard; acknowledging and addressing issues of safety for young people, and; supporting local community initiatives.
- 8.2 In terms of the consultation process, initial ideas (from a range of sources and fora) were worked up and then discussed at the young advisors meetings. Following this, a long list was developed which was then taken to schools and youth projects where a wider group of local young people were able to debate, discuss and generally talk about the merits of the emerging proposals. The next stage involved taking these proposals and disseminating them even more widely through the young mayors newsletter (which was distributed to all the schools and colleges in the borough). The proposals were also available for viewing and comment on the B-involved website, facebook and twitter. With all the information, suggestions, thoughts and views from this process to hand, the Young Advisors then finalised the proposals as set out above.
- 8.3 Moving forward, the Young Advisors will help to plan, design and manage the planned events, where they have the capacity to do so. Colleagues, partners and young people from other organisations will also be asked to contribute to planning and organising the proposals.
- 8.4 The young mayor and advisors will report back to the Young Citizen's Panel, School Councils, Mayor and cabinet and the B-involved website and other social media in respect of progress in developing these proposals. An ongoing consultation and evaluation process will take place with local young people through the Youth Service, School Councils, the Voluntary and Community Sector and People's Day, as well as the B-involved website..

9 Financial Implications

- 9.1 The net costs of the proposed programme is £30k and will be met from the budget for the Young Mayor's programme.

10 Legal Implications

- 10.1 Section 2 of the Local Government Act 2000 empowers the local authority to do anything which it considers likely to achieve the promotion or improvement of the economic, social or environmental well-being of all or any persons within the local authority's area. It enables the Council to incur expenditure under these wellbeing powers which could include a budget for the Young Mayor. The sum of £30,000 is a reasonable for the purposes outlined in the report.

11 Crime and Disorder Implications

- 11.1 The Young Mayor's proposals relate to the development of activities, resources and information that will provide young people with diversionary activities, contribute to community initiatives and provide opportunities for young people to address issues concerned with their safety.

12 Equality Implications

- 12.1 The Young Mayor and Young Advisors have considered the equalities implications in all of the proposals and will ensure an inclusive approach to all activities undertaken.

13 Environmental Implications

- 13.1 There are no environmental implications arising from this report.

14 Background papers

None

Agenda Item 4

MAYOR & CABINET		
Report Title	Outstanding References to Select Committees	
Key Decision	No	Item No. 4
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 3 October 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 Sustainable Development Select Committee on the Financial Exclusion Review	ED Resources & Regeneration/ ED Customer	May 30 2012	October 24 2012	Yes
Comments of the Children & Young People Select Committee – Strengthening Specialist Provision	ED CYP	July 11 2012	October 24 2012	No

Comments of Safer & Stronger Communities Select Committee – Riots, Communities & Victims Panel	ED Community	July 11 2012	October 24 2012	No
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BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes, May 30 2012 and July 11 2012 available from Kevin Flaherty 0208 314 9327.

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"/>		

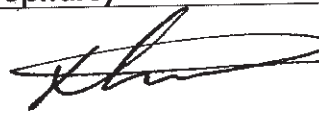
Date of Meeting	3 October 2012
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Title of Report	Response to Thames Water Section 48 Publicity on the Thames Tideway Tunnel
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Originator of Report	Brian Regan	Ext. 48774
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At 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)	N/A	
Reason for Urgency (as appropriate)	N/A	

Signed:  Executive Member

Date: 19.09.2012

Signed:  Director/Head of Service

Date: 21/9/12

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	Response to Thames Water Section 48 Publicity on the Thames Tideway Tunnel	
Key Decision	Yes	Item No. 5
Ward	All	
Contributors	Head of Planning & Head of Law	
Class	Part 1	Date: 3 October 2012

Reason for Urgency

The Chair of Council has agreed that the call in procedure shall not apply to the decisions in this report on the basis that the delay caused by the call in process would seriously prejudice the interests of the Council as it would result in the Council being unable to meet the consultation deadline of 5 October 2012. The Chair of the Business Panel has therefore agreed to this report being considered by the Business Panel on 25 September 2012 and any comments of the Business Panel will be reported to Mayor & Cabinet prior to the decisions in this report being taken.

1. Summary

- 1.1 Thames Water are currently publicising their proposed application for a development consent order of the Thames Tideway Tunnel, under section 48 of the Planning Act 2008. These proposals include two sites within the borough, one at Deptford Church Street and one at Earl Pumping Station.
- 1.2 The Council's official response to the section 48 publicity should be submitted to Thames Water by the close of the consultation on 5 October 2012.
- 1.3 A summary of the Council's concerns are set out in section 6 of this report.

2. Purpose

- 2.1 This report seeks Mayor and Cabinet approval for the submission of the Council's response to Thames Water's section 48 publicity on the Thames Tideway Tunnel.

3. Policy Context

- 3.1 The content of this report is consistent with the Council's policy framework. This report supports the following Sustainable Community Strategy objectives:

- *Empowered and responsible*: where people can be actively involved in their local area and contribute to tolerant, caring and supportive local communities;
- *Clean, green and liveable*: where people live in affordable, high quality and adaptable housing, have access to green spaces and take responsibility for their impact on the environment;
- *Healthy, active and enjoyable*: where people can actively participate in maintaining and improving their health and well-being, supported by high quality health and care services, leisure, culture and recreational activities;
- *Safer*: where people feel safe throughout the borough and are able to live lives free from crime, anti-social behaviour and abuse; and
- *Dynamic and prosperous*: where people are part of vibrant and creative localities and town centres, well-connected to London and beyond.

3.2 The Core Strategy adopted by the Council in June 2011 is also part of the Council's policy framework. This report supports the following core strategy objectives:

- 1: physical and socio-economic benefits through regeneration and redevelopment opportunities;
- 4: economic activity through investment in new and existing business;
- 5: adapt and mitigate effects of climate change;
- 6: protect the borough from risk of flooding;
- 7: protect and enhance open space provision;
- 9: ensure an accessible, safe, convenient and sustainable transport system;
- 10: protect and enhance Lewisham's character; and
- 11: promote social inclusion and strengthen the quality of life for residents.

4. Recommendations

It is recommended that the Mayor:

- 4.1 Agrees to formally object to Earl Pumping Station and Deptford Church Street as combined sewer overflow sites on the basis of the concerns set out in section 6; and
- 4.2 Delegates authority to the Executive Director for Resources & Regeneration, in consultation with the Head of Planning, to agree the final response to Thames Water.

5. Background

- 5.1 Thames Water state that around 39 million cubic metres of untreated sewage and rainwater pollute the River Thames every year when the current stormwater/ sewage capacity is exceeded and a mixture of sewage and

stormwater is diverted through the combined sewer overflow (CSO) pipes . These discharges occur, on average, once a week and have a significant environmental impact on the river.

- 5.2 Improvement works are required to enable the UK to continue to meet obligations under the EU Urban Waste Water Treatment Directive. The urgency of the works is increased by the infraction proceedings being pursued against the UK by the European Commission for an alleged breach of the Directive.
- 5.3 After several studies by Thames Water the Thames Tideway Tunnel was identified as the preferred infrastructure solution to address this issue. It comprises a major tunnel, likely to run for over 30km (including connection tunnels) from West to East London to intercept storm sewage overflows and transfer them for treatment at Beckton sewage treatment works (STW) in Newham, East London.
- 5.4 Thames Water is the organisation that the Government has instructed to identify a route and manage the project. Thames Water's proposed route for the Thames Tideway Tunnel is known as the Abbey Mills route; it is proposed the main tunnel starts at the Acton Storm Tanks in Ealing and then follows the Thames to Limehouse where it veers away from the Thames and runs underneath Tower Hamlets and Newham to the Abbey Mills Pumping Station and joins up with the Lee Tunnel (which is currently under construction) which then goes to the Beckton STW.
- 5.5 The main tunnel will steer away from Lewisham, however, it is proposed that a connecting tunnel runs from Greenwich Pumping Station to connect with the main tunnel at Chambers Wharf in Southwark. This connecting tunnel is known as the Greenwich connecting tunnel and would divert sewerage from Greenwich and Lewisham to the main tunnel running along the Thames. There are two CSO sites within Lewisham at Earl Pumping Station, Yeoman Street, Deptford and at Deptford Church Street.
- 5.6 Phase 1 consultation for the project started on the 13th of September 2010 and ran through until the 14th of January 2011. Earl Pumping Station was identified as a preferred interception site for the CSO shaft in an expanded Earl Pumping Station site on Yeoman Street. Officers wrote to Thames Water in response to the Phase 1 consultation and expressed concerns regarding the impact of this proposal on the amenity of residents, the impact on regeneration proposals in the adjacent Plough Way Strategic Site and suggested that one of Thames Water alternative sites would be more suitable (attached as Annex 1).
- 5.7 After the close of Phase 1 consultation, Thames Water announced that they were considering the Deptford Church Street site for an interception site for the CSO. This was due in part to the opposition to the Borthwick Wharf site

proposal that was the preferred site in the Phase 1 consultation. Thames Water held what they called an interim engagement drop-in session on 24th and 25th June 2011. Officers wrote to Thames Water objecting to the use of the site and outlining a number of concerns relating to the effects of the construction works (attached as Annex 2).

- 5.8 Thames Water undertook Phase 2 consultation from 4th November 2011 to 10th February 2012. The Phase 2 consultation provided an update on the changes made since the Phase 1 consultation and involved presenting the preferred sites and some alternative sites for comment. Thames Water's preferred sites within LB Lewisham were Earl Pumping Station and Deptford Church Street.
- 5.9 The phase 2 consultation material included a preliminary environmental impact report which set out what Thames Water considered to be the likely impact of the construction phase and the permanent structures in relation to each site. Officers responded to the phase 2 consultation and objected to the choice of sites and highlighted a number of concerns arising from the phase 2 consultation material, in particular the lack of a full assessment of impacts (attached as Annex 3).
- 5.10 After the close of phase 2 consultation, Thames Water issued their response to the comments received during the phase 2 consultation. On the whole Lewisham's objections did not result in changes to the project and Earl Pumping Station and Deptford Church Street remain Thames Water's preferred sites within Lewisham. Two areas were identified where objections were raised that may lead to changes to Thames Water's proposals.
- 5.11 The first issue is in relation to the provision of a suitable fire assembly point for St Joseph's School. Two new fire assembly locations are proposed by Thames Tunnel however the suitability of these alternative locations are yet to be agreed by LB Lewisham and St Joseph's School. The second objection that may lead to change is in relation to the likely traffic congestion caused by the works. Thames Water state that their full transport assessment, which is yet to be finalised and published, will consider whether closing two lanes of Deptford Church Street could be carried out without significant adverse traffic effects. If significant adverse effects are identified Thames Tunnel will develop mitigation measures.
- 5.12 Thames Water are currently carrying out section 48 publicity which is formal legal notification under the Planning Act 2008 that is required prior to submitting the application to the National Infrastructure Directorate (NID) at the Planning Inspectorate. The publicity started on 16 July 2012 and will close at 5pm on 5 October 2012. The publicity material shows that both Earl Pumping Station and Crossfield Amenity Green are to be taken forward as CSO sites in the application.

- 5.13 During the publicity period Thames Water are inviting comments on the published material. When finalising the application, Thames Water are required to take into account all the responses received by the closing date.
- 5.14 TW intend to submit the application to the Planning Inspectorate in early 2013 however a date is yet to be set. The Planning Inspectorate will have 28 days to decide whether or not to accept the application, based on a number of legal criteria, including whether the consultation has been adequate. During this period LBL will be asked to comment on the adequacy of the consultation process. It is extremely unlikely that the application will be refused on consultation grounds.
- 5.15 Once NID have accepted the application, LBL and any other interested persons or parties will have to register an interest with NID in order to comment on the proposals and have the opportunity to appear at the Examination in Public. The registration period will be publicised closer to the time.
- 5.16 As a local authority LBL will also be invited to submit a local impact report (LIR) for the examining authority to consider. The LIR can set out the Council's detailed concerns about the impact on our borough. It should be noted that there will be a time limit of about 3 months to produce the LIR so preparation will need to start before the application is submitted.
- 5.17 The Examination process could take up to 6 months and is such that NID have limited room to alter or accept alterations to the application once it is submitted. This probably means that if TW continue with the preferred sites in LBL the Examination will have limited ability to change this.

6. Planning Considerations

Deptford Church Street Site

6.1 Alternative Sites

- 6.1.1 Borthwick Wharf Foreshore (BWF) was the preferred site during the phase one consultation. For the phase two consultation Deptford Church Street (DCS) was the preferred site and BWF together with the Sue Godfrey Nature Reserve, Bronze Street, were put forward as alternative sites. No information has been made available as to why Thames Water consider Deptford Church Street to be a more suitable site.
- 6.1.2 The early site selection assessment and weighting exercises do not include quantitative data. Qualitative assessments were carried out by Thames Tunnel staff who used their professional judgement to evaluate the sites. No technical studies or data were available for comparison at site selection stage.
- 6.1.3 The section 48 report on site selection process, which outlines that after phase one consultation they carried out 'more technical studies, which suggested

that the use of our preferred site at Borthwick Wharf Foreshore might not be the best solution', (Section 5, Appendix U, paragraph U.3.9). However the only published information on a 'technical study' is the reference to the Thames Water multi-disciplinary team appraisal and no details of this discussion are published to allow others to consider whether it is appropriate.

- 6.1.4 The phase two consultation 'site information paper' identifies three reasons why DCS is now preferred over BWF. The reasons given are that DCS has relatively good access compared to BWF; that DCS would avoid work to the Thames Foreshore and the potential effects on residents, visitors and business amenity is less than the BWF site. Although avoiding work to the Thames Foreshore is cited as a reason for not using BWF, the site selection assessment for a majority of the sites favours sites in close proximity to the River and with available jetty/wharf facilities.
- 6.1.5 The traffic and access issues, including HGV issues, that will impact on DCS are set out below (section 6.10). As no traffic impact assessment has been provided by Thames Water it is impossible to accurately compare the two sites. The Council therefore require Thames Water to provide quantitative data on traffic issues including the cumulative impact on the highway network from the many regeneration schemes proposed and those already agreed in Lewisham and Greenwich. The Council also require details of the access and egress proposals for HGV from BWF.
- 6.1.6 It is the Council's opinion that use of BWF has the great advantage over DCS in that spoil and material can be delivered and removed by use of the River Thames. This appears to be a much more sustainable solution than the use of DCS as it would reduce the number of HGV movements. It should also be noted that the primary aim of the Thames Tunnel project is to avoid sewage pollution entering the River Thames, therefore, use of the River during construction appears to be a price well worth paying.
- 6.1.7 The BWF site is located at the point where the CSO discharges into the River Thames. Intercepting the sewer at this point would capture the contents of the entire length of the sewer while intercepting the sewer further inland, would leave a length of sewer un-captured, in this case from the Deptford Church Street site north to the River Thames. BWF would therefore capture more sewerage and is considered a more effective site in achieving the goal of reducing the amount of untreated sewerage discharged into the River Thames.
- 6.1.8 Consideration should also be given to the use of Payne's Wharf as it is a brownfield site and has the advantage of being a foreshore site with access to the River Thames for transportation of spoil and materials. Road access to Payne's Wharf may also impact on less residential properties.

- 6.1.9 DCS is a valuable open space; a designated site of nature conservation importance and furthermore is located within a conservation area and is adjacent to a grade 1 listed building. It is acknowledged that the River Thames is an important and valuable recreational, open space and ecological asset to London however it is considered that the balance of advantage between the two sites is unproven by Thames Water and in the opinion of Lewisham Council clearly favours BWF.
- 6.1.10 As Thames Water have provided no data on the number of people, households and businesses affected at both sites it is difficult to see how the use of DCS over BWF is justified on these grounds. In addition the impact on St. Joseph's primary school at Deptford Church Street is direct and a major adverse impact compared to any comparable community impact from the use of BWF. There are a number of businesses directly affected by the use of DCS while Borthwick Wharf and the adjacent Payne's Wharf are currently vacant.
- 6.1.11 The DCS site is located within a wider town centre environment which is currently benefitting from significant investment and regeneration. Spatial Policy 2 of the Lewisham's Core Strategy emphasises the importance of improving connectivity throughout the area for pedestrians and cyclists with the explanatory text providing further guidance in relation to the provision of open space through the implementation of the North Lewisham Links Strategy (2007). The recently completed links project from Deptford High Street through to Margaret McMillan Park, as well as work underway on Giffin Square, the Deptford Lounge, Tidemill Academy and Wavelengths demonstrate the implementation of the Council's strategic aspirations for the area.
- 6.1.12 The North Lewisham Links Strategy shows the importance of an improved east-west connection through the site, linking Deptford High Street through to the Laban Centre and Deptford Creek in the east. The completion of the Thames Tunnel site works is not expected until 2021 and the site is not expected to become operational until 2022 which would result in an unacceptable delay to the delivery of the Council's strategic objectives for links to and connections through the area, as set out in the adopted Core Strategy and further detailed in the North Lewisham Links Strategy. The proposed works would undermine the objectives of both these documents.
- 6.2 Ecology
- 6.2.1 Deptford Church Street is classified as a site of nature conservation importance in the saved UDP policies and as such is protected by policy OS 12 'nature conservation on designated sites' and OS 13 'nature conservation'. If the borough were the local planning authority for this application it would likely refuse permission due to the adverse impacts on nature conservation or if recommended for approval would require an environmental appraisal that included methods of mitigation. At a minimum the Council considers Thames

Water should provide an environmental appraisal that includes methods of mitigation.

- 6.2.1 The impacts identified by Thames Water include the loss of medium mature trees and the associated bird nesting potential as well as the loss of an area containing ruderal meadow species. These impacts are based upon a Habitat Survey carried out by Thames Water that is, in officer's opinion technically deficient in several areas. It was carried out in mid February which is a sub-optimal time of year for identifying any notable plant species. The survey judges that the site is species-poor and/or of limited intrinsic value and therefore of 'low' habitat value. This is a subjective and generalised assessment illustrated by the fact that it failed to identify notable species on site, such as, the fiddle dock (*Rumex pulcher*) which is a very scarce species in Lewisham. Furthermore no assessment has been made of the flora and fauna that might be associated with the historic wall crossing the green space. If the project is to go ahead, Thames Water must provide a detailed environmental appraisal demonstrating that there are no negative impacts on the ecological value of the area in line with Core Strategy Objective 7 and Core Strategy Policy 12.
- 6.2.2 The report on phase 2 consultation does not identify or respond to LBL objections regarding the survey methodology and presence of notable species. This report does however state (page 406) that in relation to operational effects surveys have been completed and mitigation measures have been developed. LBL have not seen or reviewed the surveys and it is therefore uncertain whether or not the surveys have responded to LBL's areas of concern and incorporated LBL's suggestions. LBL request a copy of any updated surveys and survey methodology. The section 48 Project description and environmental information report (page 219) is very narrow in it's focus, only referring to bat species, and does not refer to the impact on plant species.
- 6.2.3 Without a full ecological assessment, including a full assessment of mitigation measures, TTT can not reasonably assert that "the scheme is not expected to have any detrimental effects on ecology" (Main report on phase two consultation, page 406). TTT have failed to identify notable species on site, have not provided an impact assessment and have not proposed any mitigation. Therefore significant effects have not been considered and the project should not progress until the impact of the development and the level of proposed mitigation is known and shown to be acceptable.

6.3 Open Space and Regeneration

- 6.3.1 The Crossfield Amenity Green will be made unavailable and inaccessible for an extended period (at least four years) during construction which will result in the loss of open space in an area with limited existing public open space. However it is a pivotal space in the Council's growth and regeneration strategy.

- 6.3.2 The area is one of major growth and significant developments have already been delivered as part of the Core Strategy objectives. Convoy's Wharf and a number of Mixed Use Employment Locations in Deptford (as identified in Lewisham's Core Strategy) are expected to begin delivering new housing next year with phased delivery through until 2022 (Convoy's Wharf is expected to be completed by 2027). 38 homes have already been delivered in Deptford, Tidemill Academy (a school with 420 places) and Deptford Lounge community centre has been opened and major regeneration proposals in the form of the New Deptford Station, The Deptford Project (132 homes, public space and commercial space) and 400 further homes are committed or expected immediately south of the rail line around Giffin Street. A further 150 residential units and 4,000 sqm of commercial space would be provided to the east on Creekside.
- 6.3.3 Crossfield Amenity Green is the closest open space to the new development and the Council has longer term aspirations to open up the rail arches linking directly to the space, as a pivotal part of its Links Strategy that would also join Margaret McMillan and Fordham Park to Deptford and the wider area.
- 6.3.4 The level of new development in the surrounding area will place increasing pressure on the limited remaining open space and therefore maintaining access to this space in the coming years and beyond is an essential requirement. This loss of open space is contrary to Core Strategy Objective 7 and Core Strategy Policy 12.
- 6.3.5 The type of alternative open space in the immediate area is not comparable. The PEIR (Vol 25, para 10.5.7) refers to space at St Paul's Churchyard and Sue Godfrey Nature Reserve however these are not green open spaces that could be used in similar ways as the Crossfield Amenity Green. The PEIR (Vol 25, para 10.5.8) states that the same types of activities could take place within these alternative spaces. This is not accurate as Sue Godfrey Nature Reserve is, as the name suggests, as nature reserve with paths through and limited potential for other forms of recreation. Similarly the Church yard is a sensitive, enclosed environment with a graveyard which would not be an appropriate setting for some recreational activities.
- 6.3.6 The effects from closure of this park on surrounding open spaces has not been considered. There will be particular issues with dog fouling. At present contractors maintain and clean up Crossfield Amenity Green whereas there is no contract for the management of Sue Godfrey Reserve. There will be an increased impact on the nature reserve which is a very different kind of space to manage and maintain and for which there is no budget. Mitigation is required.
- 6.3.7 The section 48 material states that the loss of the open space on users is considered to result in negligible effects (Project description and environmental information report, page 222). The PEIR (Vol 25, para 10.5.9)

considers that the loss of the open space 'minor adverse and therefore not significant' however it is stressed that the assessment is a 'preliminary and outline finding only at this stage'. The consultation report states that a comprehensive assessment of the likely significant effects arising from the proposals will be undertaken and included in the application. TTT must make available to LBL a full assessment of all sites and uses, not just those impacts identified as 'significant' in the PEIR.

6.4 Education

- 6.4.1 There are two Primary Schools close-by the proposed site; St Joseph's Roman Catholic Primary School is opposite the site and the newly opened Tidemill Academy is very near. In addition, students attending Addey and Stanhope School who live in the area may also have their journey to and from school affected. Officers have concerns about the effects of traffic, noise, vibration and dust on the school children.
- 6.4.2 The schools are located in Evelyn Ward, one of the 10% most deprived areas in England (Index of Multiple Deprivation). The proposed works are for at least a four and a half year period which represents the majority period of primary school attendance. It is considered that the potential impact on the education of children in an already deprived area is unacceptable and is sufficient reason not to use this site.
- 6.4.3 Fire evacuation for St. Joseph's during this period is a concern of both the school and the Council. The school requires an off-site space near the school that 260+ children and 25+ staff can reach quickly and safely. At present the school use the existing green space for this purpose, which, under the current proposal, would no longer be possible as the entire space would be required for construction purposes. A suitable alternative is yet to be agreed.
- 6.4.4 The proposed fire evacuation area to the rear of the Church, adjacent to Deptford Church Street, as shown in the section 48 publicity (Book of plans – section 21, construction phases – phase 1 & 2) is approximately 120 metres from the school. The distance from the school severely impacts on the roll call to ensure everybody is accounted for as the roll call can not occur until all children and staff have reached the area. It is estimated that this will exceed ten minutes. The fire brigade are likely to arrive before this, yet it will not have been ascertained whether or not everyone is accounted for.
- 6.4.5 The impact on children, teachers and parents from the HGV traffic servicing the sites also raises issues of safety that need to be addressed. A safety audit is required to demonstrate safe routes are available for children to access school and move through the surrounding area.
- 6.4.6 In addition to this there will be a severe impact on the life of the school and potentially on teaching and learning. Both indoor and outdoor learning will be impacted by noise and air quality.

- 6.4.7 The proposed closure of the bus lane in Deptford Church Street will mean that children who travel to school by bus will face considerable disruption. It is likely to result in increased late arrival at school which will further disrupt lessons and impact on education.
- 6.4.8 The section 48 Transport Strategy (page 7) states that work will take place over a five-day week, rather than 7-days as previously proposed. This has the effect of aligning all working days with school days which will compound the impact of the works on school children and teachers and may adversely effect the learning and teaching environment for the duration of the project. The Main report on phase two consultation (page 408) acknowledges that the working hours coincide with the hours of a number of other facilities and services and states that TTT will aim to minimise negative effects. Proposing a five-day week does not support this.
- 6.4.9 In response to socio-economic concerns made at phase 2 consultation, particularly regarding the impact on the school and education, TTT state (Main report on phase two consultation, page 414) that the assessment of effects is based on a methodology that has been agreed with LBL. This is not the case and LBL have **not** agreed to assessment methodologies.
- 6.4.10 The response also states that the site selection process included an assessment of the shortlisted sites against five 'community' considerations to help determine their suitability. A detailed assessment against these five considerations for the Deptford Church Street site has not been made available however the section 48 Report on site selection process broadly outlines the Thames Tunnel judgement reached when a back-check of the shortlisted sites was carried out. This judgement grouped socio-economic and community concerns (Volume 5, Appendix U, paragraph U.3.40) and considered the site 'less suitable' as it is likely that there would be some noise and visual disruption to the school.
- 6.4.11 No further assessment has been carried out and the section 48 Project description and environmental information report very briefly (para 21.3.28, page 222) looks at socio-economic effects and states that there are considered to be moderate adverse effects on pupils at St Joseph's Primary School. As outlined in the PEIR, the overall impact on the school is significant, particularly in relation to noise. TTT stress that this is a preliminary finding.
- 6.4.12 LBL consider that inclusion of this site based on preliminary findings and the judgement of TTT staff is not acceptable and therefore a further detailed assessment is required, particularly in accordance with the details set out in the section 6.11 Noise below.

6.4.13 Thames Tunnel have not demonstrated how the proposed works can take place without adverse effects to the operation, safety of children and teachers, and the learning environment at the school.

6.5 Employment

6.5.1 The proposed works will impact on the existing businesses along Crossfield Street, particularly given that access, both vehicle and pedestrian, would be disrupted and restricted. It is unclear from the information provided by TTT what the level of impact would be to the surrounding businesses and if they would be able to remain operational.

6.5.2 There are five businesses located on Crossfield Street. Cumulatively the businesses estimate upward of 25 cars, 20 vans and 15 lorries visiting per day. Each business has specific access requirements and each business said it was crucial to their on-going operations that access and parking is maintained. If access and parking is not maintained the businesses will experience significant adverse effects and the viability of the business would be undermined in an area with high levels of deprivation.

6.5.3 Some businesses are visited by large, articulated lorries, parking for up to half a day, other businesses deal with large fragile items that can not be easily moved or carried for long distances. All businesses receive frequent deliveries to their premises and these vehicles use Crossfield Street as a set down area while they pick up and drop off goods. Crossfield Street is used for parking by staff, customers, contractors and delivery vehicles.

6.5.4 It is clear that any disruption to access or parking will severely impact on these businesses and will compromise their on-going operations. They provide crucial local employment in an area where unemployment figures are higher than the overall figures for the borough and Great Britain as a whole. The site is located in Evelyn Ward and is adjacent to New Cross where the unemployment figures are consistently higher than the London Average. The ONS Claimant Count August 2012 shows that the percentage of people claiming job seekers allowance was 10% in Evelyn Ward and 9.9% in New Cross Ward, compared to 7.5% for Lewisham and 6.2% for Greater London. In an area with consistently high unemployment rates, the loss of these businesses would have a significant adverse impact on local people and the local economy.

6.5.5 The assessment included in the PEIR is incorrect. The project will clearly cause disturbance to the businesses and the businesses should have been further considered in the socio-economic impact assessment (PEIR, page 126). LBL commented in relation to this at phase 2 consultation and requested that further information was made available to understand how the works would impact on the on-going operation of the businesses and to understand how many employees would potentially be affected.

- 6.5.6 The site is within a town centre environment and is approximately 115 metres from Deptford High Street. Access disruptions from the relocation of bus stops on Deptford Church Street as well as the re-routing of pedestrians will adversely effect businesses in Deptford town centre, the borough's third largest centre after Lewisham and Catford.
- 6.5.7 At phase 2 consultation Thames Water were asked to provide more detail on the potential impact on business and any proposals to mitigate the impact and provide compensation for those adversely affected.
- 6.5.8 The main report on phase two consultation does not provide any further clarity, instead referring back to the incorrect assessment included in the PEIR and stating that "no preliminary assessment of business effects was scoped in as it was agreed with the local authority that there would be no effect" (Main report on phase two consultation, page 418). Again, this has **not** been agreed by LBL. LBL clearly objected to the inadequacy of the information provided at phase two consultation and requested a detailed assessment be undertaken.
- 6.5.9 Furthermore, the Main report on phase two consultation, page 400 states that "*as set out in appendix U of the Phase two scheme development report, we do not consider that our proposals would have a likely significant effect on commercially established areas*". Appendix U does not set out or assess the impact on commercial, business or town centre areas.
- 6.5.10 As an assessment of effects on business was 'scoped out' at the PEIR stage, no further consideration has been given to the impact on businesses in the section 48 Project description and environmental information report (page 221-222). The 'scoping out' decision was made incorrectly and an assessment of the impact on the businesses should be undertaken.
- 6.5.11 The adverse effect on businesses from the project would be major and therefore adequate arrangements for the continued smooth operation of the businesses is required. If the project is to go ahead mitigation and/or compensation are required.

6.6 Noise

- 6.6.1 The impact of the construction noise to St Joseph's School has not been assessed and the impact on the staff and students as well as on the learning environment is concerning. A full assessment of the noise effects on the use of the school from the construction site is required.
- 6.6.2 The section 48 material states (page 221) that significant noise effects associated with construction are predicted at St Pauls Church. The noise effects on other receptors are not discussed in the section 48 material however PEIR report showed different information and different levels of significance (PEIR, vol 25, section 9). The consultation report states that a full assessment will be included with the DCO application (Main report on Consult

– pg 411) and that the assessment methodology will be in line with BS5228, BS6472 and BS7385. LBL, in response to phase 2 consultation, stated that BB93 should be used in the assessment relating to the school. This has not been undertaken and, furthermore, the main report on phase 2 consultation incorrectly states (pg 411) that LBL have agreed to TTT methodology. LBL have **not** agreed to TTT methodology in this respect.

- 6.6.3 The PEIR identifies a relatively small number of receptors (under 100) and identifies residential uses as being highly sensitivity, but consider both St Paul's church and St Joseph's Primary School as medium sensitivity. Given the very close proximity of St Joseph's Primary School to the works site, the school should be identified as a high sensitivity site. The hours of work for the construction are during the school hours and therefore children and teachers could be exposed to noise for longer periods than a residential property where the occupiers may be out during the day.
- 6.6.4 The section 48 material introduces a 5-day working week (Monday – Friday), rather than previous proposals of a 7-day working week. This has the effect of aligning all working days with school days which could compound the impact of noise on school children and teachers and may adversely effect the learning and teaching environment for the duration of the project.
- 6.6.5 There is growing evidence linking detrimental effects on child learning to high levels of ambient noise. While many of the studies focus on noise from aircraft and road traffic, the principle of long term noise exposure also applies to a long-term construction site where the maximum noise levels are likely to be higher.
- 6.6.6 Building Bulletin 93, published in 2003, provides important assessment criteria that, although it is primarily written for the design of new school buildings to create environments conducive to learning, contains noise limits, derived through research, that should be reviewed against any assessment of the construction impacts at this site.
- 6.6.7 The BB93 states: 'For new schools, 60 dB LAeq,30min should be regarded as an upper limit for external noise at the boundary of external premises used for formal and informal outdoor teaching, and recreational areas' and 'Noise levels in unoccupied playgrounds, playing fields and other outdoor areas should not exceed 55 dB LAeq,30min and there should be at least one area suitable for outdoor teaching activities where noise levels are below 50 dB LAeq,30min. If this is not possible due to a lack of suitably quiet sites, acoustic screening should be used to reduce noise levels in these areas as much as practicable, and an assessment of predicted noise levels and of options for reducing these should be carried out.'
- 6.6.8 It also quotes an LAeq (30min), 35dB for indoor ambient noise levels upper limit within a Primary School classroom. The WHO Guideline for Community

Noise, also defines a level of 35dB over the classroom period and defines the critical health effects as speech intelligibility, disturbance of information extraction and message communication.

- 6.6.9 If the assessment results in a significant increase to the BB93 levels then as a minimum it would be expected that within a Part B COCP, there should be a commitment to the following:
- Levels of 65 dB LAeq,1h and of 70 dB LAeq,1 minute will apply as measured at 1 metre from the façade of the building during school hours and in term time. If these limits are predicted to be exceeded for at least ten school days out of any period of fifteen consecutive days or alternatively 40 school days in any 6 month period, then changes to the work programme in maximising the work during school holidays will be applied so these limits can be maintained.
- 6.6.10 The Code of Construction Practice Part A, 6.3.3 indicates that mitigation and action in relation to noise insulation or temporary re-housing will be considered but no clear indication is given as to the criteria being adopted.
- 6.6.11 A full assessment of the noise effects on the use of the school from the construction site is required and unless it can be demonstrated that the impacts of the proposal can be satisfactorily mitigated, the proposal will be contrary to Lewisham's retained UDP policy ENV.PRO11 which seeks to resist development that would lead to unacceptable levels of noise.

6.7 Air Quality

- 6.7.1 The DCS site is located within an air quality management area and therefore Thames Water will be expected to demonstrate that proposals do not result in a reduction in air quality, as set out in Core Strategy Policy 9 and the Lewisham Air Quality Action Plan (2008). The impacts of the construction/excavation activities and the HGVs using the site is likely to result in an increase in particulate matter. The transport proposals are likely to cause significant congestion along Deptford Church Street which is concerning as it would result in an increase in particulates (PM) and Nitrogen dioxide (NO₂). While NO₂ baseline monitoring has been carried out in the area, no monitoring or modelling data has been provided and therefore further information is required about the impact of PM and NO₂ and how these impacts will be managed and mitigated.
- 6.7.2 TTT have not yet demonstrated that the proposals will not result in a reduction in air quality. Approximately 11,000m³ of excavated material is proposed in order to create a 48m deep shaft. In addition, TTT estimate that there will be an average of 9 additional HGV movements per day reaching a maximum of 32 additional HGV movements per day during the peak period which lasts for seven months. These will give rise to increases in particulate emissions and will need to be appropriately managed and mitigated.

- 6.7.3 The section 48 material (Project description and environmental information report, page 218-219) concludes that mitigation measures are not required, however a full assessment has not been undertaken and the effects are unknown. Dispersion modelling has not been undertaken and therefore the impact of particulates and nitrogen dioxide is unknown as is how the impacts will be managed and mitigated. It is premature to state that the adverse effects on air quality from construction are likely to be minor at the residential properties and school, and negligible at the church, commercial/office premises, playground and leisure centre (Project description and environmental information report, page 218-219).
- 6.7.4 While the Main report on phase two consultation (page 407) states that TTT are preparing a full assessment for submission as part of the DCO application which will include dispersion modelling, at this stage it has not been undertaken and the results from the modelling have not been made available. LBL do not have any information regarding the air quality model to be used - ADMS or equivalent should be used.
- 6.7.5 Information is required for both the construction and operational phases in relation to:
- What are the impacts in terms of changes to concentrations of pollutants?
 - How have these impacts been assessed?
 - Who will be affected?
 - Can they be mitigated?
 - What are the proposed mitigation measures?
 - Have alternatives been considered and, if so, how does the data compare?
- 6.7.6 TTT should assess in the modelling the cumulative impacts at each location. The additional traffic movements, not just from each site but the total additional vehicle movements generated by the project as a whole, as well as factoring in the congestion created by changes to road layouts should be assessed in the modelling.
- 6.7.7 The Main report on phase two consultation (page 407) states that TTT have assessed the air quality, traffic and residential amenity of the proposed development, based on a methodology that has been discussed and agreed with the local authority. The air quality methodology has not been agreed by LBL. Discussions have been limited to the suitability of monitoring locations and the locations of sensitive receptors. Following these discussions the proposed monitoring regime was agreed however this is only one part of the assessment of air quality. The methodology will include what is going to be assessed (pollutants / sources), where, how and any variations between different phases. Invariably this is done using an air quality model which relies on data inputs. The monitoring data is one of the inputs. However, the model to be used and other inputs such as met data and the years will also need to be agreed.

6.7.8 At this stage there is insufficient information to demonstrate that the impacts of the proposal can be satisfactorily mitigated, the proposal is contrary to Core Strategy Policy 9 and therefore the proposal should not progress.

6.8 Heritage Assets and Conservation

- 6.8.1 The proposed site is located within St Paul's conservation area and is adjacent to the Grade I listed St. Paul's Church which is the single most significant listed building in the borough. There is an historic wall on the site that has been identified by the Council's Conservation Officer as being part of the rectory once attached to St Paul's and this would be destroyed or materially damaged as a result of the proposed works. The railway viaducts running along the southern boundary of the site are also listed.
- 6.8.2 The proposed shaft and associated building works directly affect the setting and structure of the Grade I listed church, the boundary wall to the church cemetery, which is listed in its own right (Grade II), and the Grade II listed railway viaduct to the south.
- 6.8.3 The impact of the construction works on the structural integrity of the church and churchyard boundary wall, as well as the impact of the final structures and landscaping on the setting of the church and the surrounding historic environment is of particular concern. Information is required in relation to how the works will affect both the structural integrity of the church and the setting and what mitigation is proposed. The Grade II listed 227 Deptford High Street is directly affected as is the listed railway viaduct where it crosses the Creek.
- 6.8.4 The run of the sewer and works sites is likely to affect buildings and structures within three conservation areas: Deptford High Street, St. Pauls and Deptford Creekside Conservation Area (now adopted). LBL identified these three conservation areas in the phase 2 response however this was not addressed in TTT's main report on phase 2 consultation and has not been included in section 48 material. The impact of the proposals on buildings, structures and the conservation areas is yet to be assessed and has not been included in the s48 publicity. The construction works will adversely impact on all three Conservation Areas and once operational the final design and above ground structures are likely to adversely impact on the Conservation Areas. Assessment of all heritage assets is required.
- 6.8.5 The section 48 material (Project description and environmental information report, page 220-222) states that, in relation to townscape there would be a major adverse effect on townscape character areas at the site and St Paul's CA. It also states that in relation to the setting of St Paul's CA and St Paul's Church, there would be moderate adverse impact during construction for which no mitigation is possible and moderate positive impact following completion of works. The construction phase is expected to last for at least 4 years which is an unacceptably long period given the impacts and the fact that no mitigation is possible.

- 6.8.6 Pages 408-409 of the Main report on the phase two consultation states that “The scheme has been designed to preserve and enhance the character of the existing conservation area, and the setting of the listed church. An assessment of the likely significant effects on the historic environment is being completed as part of our environmental impact assessment...The findings of the assessment, together with any recommendations for mitigation, will be available as part of the Environmental statement that will be submitted with our DCO application”.
- 6.8.7 The scheme will not preserve or enhance the character of the conservation area or the setting of the church as the extent of landscaping is limited to a small area (zone within which required landscaping would be located, as shown on s48 Site works parameter plan) which will result in a disconnect between any landscaping and the setting of the conservation areas and the church itself. Proposals for landscaping need to fully consider and respond to the setting of the conservation areas and the setting of the Church and churchyard. The phase 2 material (proposed landscape plan, book of plans and the site information paper) showed landscaping extending beyond the landscape area shown in the s48 material and crucially the landscaping is shown as extending up to the listed church wall.
- 6.8.8 The lack of a full assessment for all heritage aspects and the minimal and isolated landscaping area means that there is no certainty regarding the beneficial aspects of the lasting design in relation to heritage considerations as asserted in paragraph 21.3.20 of the section 48 Project description and environmental information report.
- 6.8.9 The works site and landscaping can not be assessed and addressed in isolation. It must respond to, and conserve and enhance the surrounding heritage assets.
- 6.8.10 Failure to identify all adverse effects and demonstrate that, with adequate mitigation, the heritage and conservation value of the area would not be harmed is contrary to Core Strategy Objective 10, Spatial Policy 1, Policies 15 and 16.
- 6.8.11 English Heritage prefer Borthwick Wharf over Deptford Church Street as there would be less impact on heritage assets.

6.9 Archaeological priority zone

- 6.9.1 The site is within an area of archaeological priority. An archaeological assessment is required including an investigation of the significance of the asset, an assessment of the impact of the works and details of any mitigation measures. In accordance with Lewisham’s Core Strategy Objective 10 and Policies 15 and 16, development must conserve and enhance all heritage

assets with archaeological interest. Failure to demonstrate adequate mitigation of impacts would be contrary to Lewisham's planning policies.

6.10 Transport

- 6.10.1 The use of this site is based on the assumption that the two north-bound lanes along Deptford Church Street will be closed. The two south-bound lanes would then provide one lane in each direction, which would result in congestion and significantly disrupt the surrounding road network. The transport impacts associated with the construction phases of the development is likely to be significant along the proposed construction vehicle routes. It is unclear at this stage how significant the impact would be as no detailed traffic modelling has been undertaken. There could be emergency vehicle access restrictions associated with the traffic management measures along the proposed construction vehicle routes and associated issues with accessing businesses, the school and the church in case of an emergency.
- 6.10.2 The main report on phase two consultation (page 404) says that TTT will 'consider whether closure of two lanes of Deptford Church Street (A2209) could be carried out without significant adverse traffic effects'. TTT should not have selected this as a preferred site without an assessment showing the adverse impact on the road network is minor and manageable. If the assessment shows that significant adverse effects will arise it is unlikely that these effects can be mitigated.
- 6.10.3 LB Lewisham have not been provided with details of what methodology was/will be used in assessing the effects. In addition, the methodology used for assessing the effects haven't been discussed or agreed with LB Lewisham. Furthermore, details of alternative site access options (for vehicles entering and leaving the site) haven't been considered. Thames Tideway Tunnel should consider alternative access arrangements that are less disruptive and safer for pedestrians and cyclists on roads and footpaths surrounding the site.
- 6.10.4 Bus lanes in both the north and southbound directions would be temporarily suspended however the width of the existing southbound carriageway is insufficient for two way traffic (to accommodate HGV's and buses), particularly as Deptford Church Street is on the borough's oversize vehicle route. Cyclists currently use the bus lanes on Deptford Church St and the proposed closure of the bus lanes would have highway safety implications. The closure of bus stops without the provision of temporary bus stops would have an impact on bus users that are less mobile, such as the elderly and disabled.
- 6.10.5 Construction traffic and the flow-on effects of reducing Deptford Church Street down to single lanes would significantly impact on the surrounding road network, particularly considering the cumulative effects from developments in the wider area coming on-stream at a similar time.

- 6.10.6 The proposed temporary suspension of all parking bays on Coffey Street and Crossfield Street for the duration of construction would displace existing on-street parking and would have an impact on parking in the surrounding streets as well as the drop off and collection associated with St Joseph's School. There would be an impact on the commercial units on Crossfield Street, particularly in relation to deliveries and servicing, as well as the parking for parishioners at St Paul's Church.
- 6.10.7 TTT's main report on phase two consultation (page 415) states that they are 'currently considering options for alternative parking and will discuss these with the local authority'. LB Lewisham would welcome details of alternative parking options as none have been discussed to date and no methodologies in relation to the assessments have been discussed or agreed.
- 6.10.8 LB Lewisham have **not** agreed a methodology for the assessment of TTT proposals at Deptford Church Street on local businesses, as stated in the main report on phase two consultation (page 415). The impact on St Joseph's primary school users, the Church and the impact on commercial units on Crossfield Street (particularly in relation to deliveries and servicing) has been not been assessed.
- 6.10.9 Pedestrian access along Deptford Church Street would be disrupted with pedestrians being diverted around the construction site. Crossfield Street only has a footway on the north side and closing this during the construction phase would force pedestrians to share the carriageway with construction vehicles, which would have highway safety implications. Similarly, the closure of the footway on the site boundary with Deptford Church Street would result in the loss of a pedestrian crossing on Deptford Church Street, which would have highway safety implications.
- 6.10.10 The construction vehicle movements would have a highway safety impact in Coffey Street, particularly for those accessing St Paul's Church and when the movements coincide with St Joseph's School arrival/departure times. The proposal to reduce the operating/delivery days/times (from 7 days to 5 days) would result in an increase in the number of trips per day (construction vehicle movements) adjacent to the school and would increase the potential for conflict at school arrival / departure times. Similarly, closing the westbound lane of Coffey Street would have an impact on drop off/collection associated with school and narrowing Crossfield Street would have an impact on the commercial units on Crossfield Street, particularly in relation to deliveries and servicing.
- 6.10.11 Swept path analysis has not been undertaken for the construction vehicle movements to demonstrate that there is sufficient carriageway space for construction vehicles to manoeuvre and an assessment of sightlines has not been undertaken to illustrate visibility on the construction vehicle route. Poor visibility would have highway safety implications.

- 6.10.12 The impact of the development on various user groups is stated in the s48 material as moderate adverse effects on the road network and pedestrians and a minor adverse effect on the bus network and cyclists. This is based on qualitative judgement and does not include any quantitative assessment (PEIR, vol 25, section 12). The lack of quantitative assessment was raised in LBL's phase 2 response and while the consultation report (pages 404-405) acknowledges that the full assessment is yet to take place and therefore the effects can not be determined. The project should not progress as there is insufficient information regarding the transport impacts.
- 6.10.13 Unless further information is provided demonstrating that the impacts of the proposal can be satisfactorily mitigated, the proposal would be contrary to Core Strategy Policy 14.

6.11 Design

- 6.11.1 The Council considers that Deptford Church Street is not an appropriate location for the CSO interception site. However, as the final decision on the site will not be made by Lewisham Council but by the Secretary of State, it is considered prudent to make comments on the design proposals for the site after construction. The views expressed on the proposed design of the permanent structures are made without prejudice to the Council's in principal objection to the use of the site.
- 6.11.2 The regeneration of Deptford town centre is a key priority for LBL. Lewisham is the 39th most deprived local authority in England and Deptford is in an area ranked in the 20% most deprived in England. Deptford is identified as an opportunity area in the London Plan and is therefore expected to accommodate a substantial number of new jobs and homes. Furthermore Lewisham's Core Strategy establishes Deptford as an area where key regeneration and development opportunities will be focussed. As set out in the Core Strategy, this is 'due to the desire to address deprivation issues in order to improve education standards, general health and well-being, and local employment and training, through improvements to the physical and economic environment...'. Spatial Policy 2 further details the quantum of proposed change and highlights opportunities in the area.
- 6.11.3 The Core Strategy details sustainable movement as a key component of the broader regeneration aims. In particular, priority will be given to improved connectivity through the area by improving existing, and creating new, walking and cycling routes, as well as raising the quality of the pedestrian environment. The North Lewisham Links Strategy (2007) details improvements to the open space and more direct connections through the area. The proposed Deptford Church Street works site is in a key location for east-west connections from the High Street through to Deptford Creek, the Trinity Laban Centre and beyond.

- 6.11.4 Significant progress has been made in achieving the regeneration goals for this area, including: Redevelopment of Margaret McMillian Park, completed in 2009; Deptford Lounge and Tidemill Academy, opened in 2011; Giffin Square, completed this year; Deptford Railway Station upgrade, currently under construction; and Deptford High Street upgrades, scheduled for completion in Autumn 2013. Many more projects are coming on stream in the area and in order to achieve the regeneration aims the Deptford area needs to be considered as a whole, not simply as isolated projects or development on individual pieces of land.
- 6.11.5 The design of the site proposed by Thames Tunnel does not adequately reflect and incorporate the Council's strategic aspirations for the area and the Council considers that considerable further work is required on the design of the open space and any permanent structures. The extent of landscaping is limited to a small area (zone within which required landscaping would be located, as shown on section 48 Site works parameter plan) which will result in a disconnect between any landscaping and the surrounding area. The site can not be considered in isolation and proposals for landscaping need to fully consider and respond to the wider strategic aspirations for the area, particularly the east-west links from Deptford High Street through the site to the east.
- 6.11.6 The site is a key area of green open space in the town centre and in an area in which green space is otherwise scarce. High quality public realm and open space is key to the successful further regeneration of Deptford, particularly as additional housing is constructed and more people live, work and spend their leisure time in the area. The value of this open space to the existing and future local community can not be disregarded.
- 6.11.7 The proposed timescale for completing works is 2022-2023. It is therefore likely that the landscaping would not be completed for ten-years and given the significant regeneration and change planned for the area, LB Lewisham consider it premature to agree a final design at this stage. The design should reflect the needs and wants of the local community closer to the completion of works, particularly surrounding users such as residents, St Joseph's school and St Paul's Church.
- 6.11.8 In the event that the proposals were approved, LB Lewisham would require either an agreed and fully worked up landscape scheme to be secured through planning conditions and the design referenced within that condition or that costs for implementation of a scheme are agreed with the Council and payment made to it by TTT in the event that LB Lewisham implement such a scheme.

Earl Pumping Station Site

6.12 Alternative Sites

- 6.12.1 No alternative sites are identified in the phase two consultation. During phase one consultation four alternative sites were identified, including the Foreshore adjacent to the boat yard and Helsinki Square and the Council supported the use of this site over Earl Pumping Station. For the reasons set out in response to phase one consultation, the Council still considers this alternative site to be more appropriate. Thames Water should therefore re-examine the use of this alternative site and provide a written explanation for any choice made.
- 6.12.2 The Preliminary environmental information report identifies 89 individual noise sensitive residential receptors (PEIR, Vol. 24, Table 9.4.2). The Main report on phase two consultation (page 382) states that alternative sites are considered less suitable as they are close to a larger number of residential properties which could be disrupted by the construction activities however the actual number of receptors has only been detailed at phase 2 consultation, in the PEIR. The site selection process did not involve any quantitative assessment and therefore a comparison between the actual number of receptors at different sites has not been undertaken and is not available.
- 6.12.3 Given concerns raised at phase 1 and phase 2 consultation, alternative sites should be reassessed using quantifiable data, rather than simply a judgement call made by TTT.

6.13 Employment

- 6.18.1 Thames Water identify that 24 employees are likely to be displaced, this is based on a calculated estimate rather than an assessment of the actual businesses in the area. Further information is required regarding the actual effect on businesses and their employees and what proposals, if any, Thames Water propose to compensate and relocate those businesses which are affected.

6.14 Noise

- 6.14.1 The impact of construction noise has not been assessed in relation to the proposed residential developments on surrounding and adjacent sites. These properties should be included in order to identify the full number of sensitive properties. The properties that have been assessed are identified as being within the London Borough of Southwark however the Croft Street residences are within the London Borough of Lewisham and should be identified as such.
- 6.14.2 The works producing the most noise will last for around 15 months of the 4 year construction period. Thames Water have identified the noise effects as being significant on all the residential properties assessed and the vibrations effects as being significant on many of the residential properties around the site. Further information regarding any proposed mitigation is required.

- 6.14.3 The compaction works have been identified as giving rise to relatively high levels of exposure. Further information is required regarding the method and design for compaction works to reduce the noise and vibration impact.
- 6.14.4 Given that traffic volumes on the surrounding roads are relatively low, there is likely to be a noise impact when introducing construction traffic. A traffic assessment is required in order to understand the expected impact.
- 6.14.5 A full assessment of the noise and vibration effects on the existing and proposed residential properties is required and unless it can be demonstrated that the impacts of the proposal can be satisfactorily mitigated, the proposal will be contrary to Lewisham's retained UDP policy ENV.PRO11 which seeks to resist development that would lead to unacceptable levels of noise.

6.15 Air Quality

- 6.15.1 The site is located within an air quality management area and therefore Thames Water will be expected to demonstrate that proposals do not result in a reduction in air quality, as set out in Core Strategy Policy 9 and the Lewisham Air Quality Action Plan (2008). The air quality impacts arising from traffic and construction/excavation activities are concerning and further information is required about the impacts and how these will be managed and mitigated.

6.16 Transport

- 6.16.1 No traffic assessment has been carried out however it is clear that construction vehicle movements would have a significant impact on the residential properties in Yeoman Street, Chilton Street and Croft Street, particularly as they are quiet traffic calmed streets. The removal of traffic calming measures as a result of the proposal would lead to increased vehicle speeds which would have highway safety implications.
- 6.16.2 LB Lewisham have not seen details of how the effects of the construction phase have been assessed, and TTT have not provided details of what methodology was/will be used to assess the effects. In addition, the methodology used for assessing the effects of the proposals has not been discussed or agreed with LB Lewisham no drafts of the Transport Assessments or details of preliminary assessments have been provided to LBL.
- 6.16.3 It is likely that the transport impacts associated with the construction phases of the development proposal would be significant along the proposed construction vehicle routes.
- 6.16.4 The removal of car parking bays along Plough Road, Yeoman Street and Croft Street to accommodate the construction vehicle movements would have an impact on on-street parking in the surrounding streets. It is unclear which

parking bays are to be removed and if there are any proposals to relocate them. Clarity on this issue is required.

- 6.16.5 Evelyn Street forms part of the proposed construction vehicle route, but the impact on the cycle superhighway along Evelyn Street has not been considered in the assessment and should be.
- 6.16.6 The impact of construction traffic is a particular concern given the potential cumulative effects associated with the construction of other developments in the area, particularly the Council's Strategic Sites. A full transport assessment is required.
- 6.16.7 The report on phase 2 consultation states that the assessment of transport effects is based on a methodology that has been agreed with LB Lewisham. The Council has **not** agreed to the methodology and seeks further information, as detailed above.
- 6.16.8 Unless further information is provided demonstrating that the impacts of the proposal can be satisfactorily mitigated, the proposal would be contrary to Core Strategy Policy 14.

6.17 Design

- 6.17.1 The views expressed on the proposed design of the permanent structures are made without prejudice to the Council's in principal objection to the use of the site.
- 6.17.2 The existing pumping station sits within a semi-industrial area however given the residential developments proposed and approved in the surrounding area, this setting will change dramatically. The proposed shaft is a large, solid concrete structure, generally about 4.5 metres high but up to 7.5 metres high in places. It will be surrounded by residential development and it is therefore important that the appearance of the site is enhanced and the redevelopment of the area does not suffer from blank walls, unpleasant and unsafe public realm.
- 6.17.3 The design for the site should include: betterment works to the existing Thames Water site, particularly replacing metal sections of the existing fence and repairs; lower the rear wall to improve permeability, depending on the final use of the site at 36-38 Yeoman St; Improve pedestrian access on the western boundary, along Croft Street as it is currently poor and the footpath should be widened to enable its use. To avoid adverse effects on the public realm, the boundary treatment is particularly important in this location. The strip of unused land at the southern end, adjacent to the existing terraces on Croft Street, is unusable.

7. **Financial Implications**

- 7.1 There are no direct financial implications arising from this report. The Council's Thames Tunnel consultation will be funded from within the agreed Planning Service budget.

8. Legal Implications

- 8.1 The applicant (Thames Water) must publicise the proposed application that they intend to submit to the Secretary of State for a development consent order (Section 48 of Planning Act 2008). The applicant must publicise the application in accordance with the Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 which specifies that a summary of the main proposals, specifying the location or route of the proposed development is included, as well as details of how to respond to the publicity and when to respond by.
- 8.2 There is a duty on the applicant to take account of responses to the consultation process, and earlier consultation stages (Sections 42, 47 and 48 of the Planning Act 2008), in deciding whether any changes are made to the proposed application before the actual application is submitted.

9. Crime and Disorder Implications

- 9.1 There are no direct crime and disorder implications arising from this report. The proposed works in Lewisham involve two construction sites that will be in operation for about four years. It will be necessary for Thames Water to make these sites secure and put in place measures to reduce the opportunity for crime.

10. Equalities Implications

- 10.1 This is a very large engineering project that will have considerable socio economic consequences including the impact on social and community infrastructure, local businesses and the local economy, as well as effects on local amenity. The two proposed sites in Deptford are located in Evelyn Ward which is one of the most deprived in Lewisham and amongst the 20% most deprived areas in England.
- 10.2 An Equality Analysis Assessment (EAA) has not been undertaken as part of the phase two consultation, nor has an EAA been presented in the section 48 material. Thames Water will submit an EAA as part of their full application to the Secretary of State in early 2013. LB Lewisham will, as part of the Local Impact Report, comment on the content of the EAA. By this stage it is likely that the 2011 Census data will be released and the Council will have the opportunity to comment on the proposals with reference to that data.
- 10.3 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.

10.4 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.

10.5 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.

10.6 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 later in 2011. The guides can be found at:
<http://www.equalityhumanrights.com/advice-and-guidance>

10.2 The EAA process involves systematically analysing a proposed or existing policy or strategy to identify what effect, or likely effect, will follow from the implementation of the policy for different groups in the community. The assessment seeks to 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. The Council consider a full EAA should be undertaken for this project prior to the application being made so that any impacts can be addressed through changes to the proposals.

11. Environmental Implications

11.1 This is a very large engineering project that will have considerable environmental impacts. The Phase 2 consultation included preliminary

environmental information reports on each proposed site. The full environmental assessment is expected to be submitted with the development consent order to the Planning Inspectorate in early 2013. The section 48 publicity material generally refers to the preliminary assessment published at phase 2 consultation and therefore many of the environmental impacts are unknown at this stage. The main body of this report deals with the need for Thames Water to provide more information to allow a proper environmental impact to be assessed.

12. Children and Young People’s Implications

- 12.1 As stated in section 6 of this report Thames Water’s preferred site at Deptford Church Street is immediately opposite a primary school. The construction programme is for up to four years of work and this is the majority of a child’s primary education period. This is the single most important adverse impact of the project on children and young people.

13. Sustainable Community Implications

- 13.1 Paragraph 3.1 set out the strategic objectives of the sustainable community strategy (SCS). The main body of the report has raised a great deal of concerns about the impact of the proposal on Lewisham. The adverse impacts on the open space, the conservation area, the town centre and traffic and environmental concerns all run contrary to the objectives of the SCS.

14. Conclusion

- 14.1 The Thames Tunnel project represents an opportunity to improve the environment by seriously reducing the amount of sewage pollution that is currently discharged into the River Thames. However, the preferred sites in Lewisham cause considerable concern to the council. No alternative to Earl Pumping Station is presented by Thames Water and the Council considers that Thames Water should re-examine the alternatives suggested as part of their phase 1 consultation.
- 14.2 The alternatives to the preferred site at Deptford Church Street offered in the Phase 2 consultation are the Sue Godfrey nature reserve at Bronze Street and the former preferred site at Borthwick Wharf Foreshore. For the reasons set out in this report the council considers that the Borthwick Wharf site should be the preferred location for the SCO site.

15. Background documents and originator

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning Act 2008	2008	Laurence House	Planning Policy	Brian Regan	No

Infrastructure Planning Regulations	2009 & 2011	Laurence House	Planning Policy	Brian Regan	No
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If you have any queries on this report, please contact Brian Regan, Planning Policy Manager, 5th floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 8774.

Annex 1: LB Lewisham response to Phase 1 consultation (January 2011)

Annex 2: LB Lewisham letter regarding additional sites (July 2011)

Annex 3: LB Lewisham response to Phase 2 consultation (February 2012)



Malcolm J. Smith
Executive Director for
Regeneration

Laurence House
Catford
London SE6 4RU

direct line 020 8314 6931
fax 020 8314 3642
malcolmj.smith@lewisham.gov.uk

date 12/01/11

your reference: S/25/40/thames

Thames Tunnel Consultation
Thames Water Utilities
Freepost SCE9923
PO BOX 522
Swindon
SN2 8LA

Dear Sir/Madam

Re: Thames Tunnel Consultation

Please find attached the response of the London Borough of Lewisham to the consultation by Thames Water on the proposed preferred route of the Thames Tunnel. If you have any questions regarding this matter please contact my assistant Brian Regan, Planning Policy Manager, direct line 020 8314 8774, who will be happy to help you.

Yours sincerely

Malcolm Smith
Executive Director for Regeneration

Thames Water – Proposed Thames Tunnel

Observations from the London Borough of Lewisham

Impacts of Proposed Thames Tunnel in Lewisham

Sites in LB Lewisham that could be directly affected under the three route options are:

	Option 1: River Thames route	Option 2: Rotherhithe route	Option 3: Abbey Mills route
Shaft Sites			
Drive	Convoys Wharf*	Convoys Wharf*	
Intermediate	Convoys Wharf Pepys Park	Convoys Wharf Pepys Park	
Reception	Convoys Wharf Pepys Park	Convoys Wharf Pepys Park	
CSO Sites			
Construction Operation	Foreshore Helsinki Square Grove St./Plough Way Earl Pumping Station*	Foreshore Helsinki Square Grove St./Plough Way Earl Pumping Station*	Foreshore Helsinki Square Grove St./Plough Way Earl Pumping Station*
* Preferred Sites			
Other Impacts in Lewisham			
Main tunnel	✓	✓	
CSO Connection tunnel	✓		✓

Planning Policy Context

The Deptford and New Cross area is located within the Thames Gateway Growth Area where the government expects 160,000 new homes to be provided (see: Thames Gateway Delivery Plan). The London Plan identifies two Opportunity Areas in the borough that are, by definition, considered suitable for intensification and regeneration; these are the Lewisham-Catford-New Cross Opportunity Area (with a minimum homes target of 6,000) and the Deptford Creek/Greenwich Riverside Opportunity Area (with a minimum homes target of 8,000, although this includes part of the London Borough of Greenwich so not all the homes target is expected to be delivered in Lewisham). Convoys Wharf is specifically mentioned in the London Plan in relation to delivery of this Opportunity Area.

It is apparent from this that strategic guidance and policy set out in the Thames Gateway Delivery Plan and London Plan requires and expects Lewisham to provide a considerable amount of new homes over the timescale of the Core Strategy, and that this will be focussed within the northern part of the borough.

In the light of this, opportunities to intensify and regenerate areas of the borough were reviewed as part of the Council's work leading to the development of the Core Strategy growth strategy. This included the preparation of the Deptford and New Cross Masterplan which looked at the development capacity of former industrial land in the north of the borough that was either vacant, under used and/or had low levels of employment and a poor record of investment over the past 10 years or more. This process also identified the potential the development of these sites could offer as catalysts for regeneration of the area through mixed use redevelopment that collectively could transform the physical environment and achieve place-making objectives. The study concluded that their development could deliver a comprehensive range of regeneration outcomes in the borough's most deprived areas focused on the provision of housing, jobs, accessibility improvements (public transport, pedestrian and

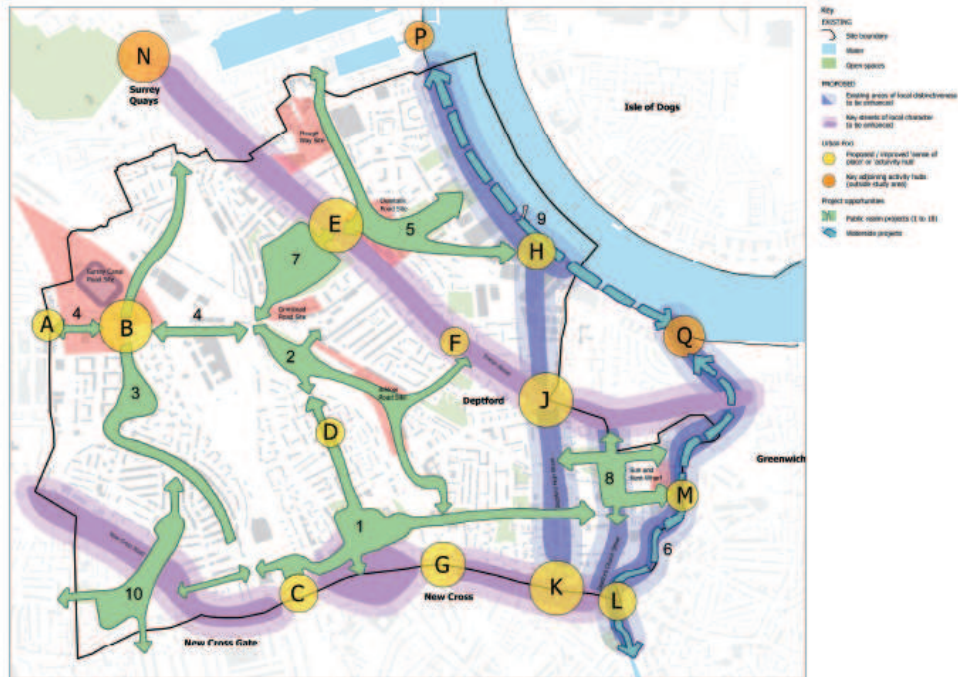
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cycle), public realm improvements and infrastructure provision (physical, social and green).

4.4 A place of streets, spaces and open spaces (quality, beauty, diversity, variety and choice, green grid)

4.0 Strategic Vision



Source: Deptford & New Cross Masterplan (November 2007)

As a consequence of this assessment, selected sites were identified as ‘Strategic Sites’ which means they are considered central to the achievement of the Core Strategy. In recognition of their role, and to enable progress as quickly as possible, the development of these sites is promoted directly through policies, explanatory text and illustrative diagrams in the Core Strategy rather than the Site Allocations DPD or an Area Action Plan.

Of particular relevance in terms of sites directly affected by the Thames Tunnel proposals are the Strategic Sites at Convoys Wharf and Plough Way both of which incorporate or are immediately adjoining main tunnel routes (Options 1 and 2) or CSO sites/CSO connection routes. In the case of Convoys Wharf this is also in close proximity to the proposed Borthwick Wharf Foreshore CSO site.

Thames Tunnel Consultation and Background Documents

The assessments undertaken by Thames Water in its consideration of potential sites for shafts and CSOs are based on the policies and proposals in the Council’s Unitary Development Plan. This is in the process of being replaced by the Local Development Framework of which a key document is the Core Strategy. This document is at an advanced stage of preparation and will be the subject of an Examination Hearing in February 2011.

The Thames Water assessment is therefore out-of-date and fails to acknowledge both the overall development and regeneration strategy for the area and the importance of the Convoys Wharf and Plough Way Strategic Sites in its delivery. As well as potentially leading to the permanent exclusion of land currently identified in the Core Strategy for development, in the case of Convoys Wharf the site is the subject of a valid planning application and at Plough Way there are valid planning applications on sites immediately to the east and south. The use of the identified sites as part of the

Thames Water – Proposed Thames Tunnel

Observations from the London Borough of Lewisham

Thames Tunnel project would as a minimum delay implementation of the Core Strategy and, given the land take and likely environmental impacts, would prejudice the implementation of the overall development strategy for the area.

Figure 8.1 Site boundaries for Convoys Wharf strategic site allocation

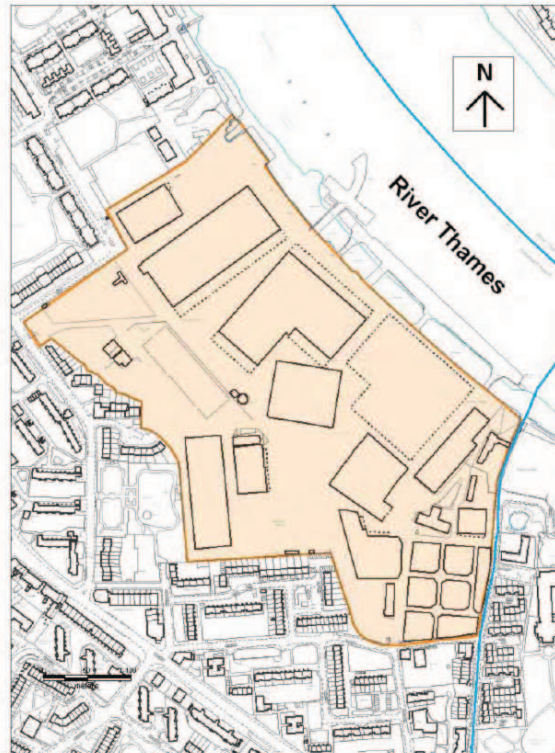


Figure 8.4 Site boundary for Plough Way strategic site allocation



Source: LB Lewisham Core Strategy: Submission Version (October 2010)

Whilst the Thames and Rotherhithe routes are not currently the preferred options, at this stage Thames Water has not ruled them out. This is reinforced by Thames Water's consultation response on the current application for Convoys Wharf which states that "Thames Water would therefore request that the potential need to use this site be taken into consideration, and reserves the right to comment further following the conclusion of our consultation on the preferred sites and routes of the Thames Tunnel."

Both the Thames and Rotherhithe routes involve the use of Convoys Wharf and (Upper) Pepys Park as shaft sites and in the case of Convoys Wharf as a preferred 'drive' site which would involve a permanent structure being retained on the site. In the case of Convoys Wharf the Thames Tunnel buildings and permanent compound is proposed to be sited close to the river frontage within the safeguarded wharf area. It is shown occupying the majority of the river frontage within the proposed safeguarded wharf area and adjacent to the proposed wharf pier/jetty. This would have a significant impact on operations and is likely to effectively prevent the site from being a viable wharf facility. As a consequence until such time as a decision is made to adopt the Abbey Mills Route the Council **objects** to the Thames and Rotherhithe routes and to the use of Convoys Wharf as a drive site.

Thames Water – Proposed Thames Tunnel

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Thames Tunnel Consultation Questionnaire Part 1: Need Solution and Tunnel Route

TW Question 1

There is a need to significantly reduce the amount of untreated sewage entering the River Thames in London. Please give your views about this.

LB Lewisham Response:

The Council agrees that there should be a significant reduction in the amount of untreated sewage entering the London section of the River Thames.

TW Question 2

Taking into account all the possible solutions please tell us whether you agree that a tunnel is the right way to meet the need, and why.

LB Lewisham Response

Based on the studies of other solutions undertaken by Thames Water (which indicate that these cannot consistently guarantee the necessary levels of reduction in sewage entering the Thames without huge expense) the tunnel appears to be the most expedient manner in which to achieve the EU requirements.

TW Question 3

If you prefer another way of meeting the need, please tell us which one and why.

LB Lewisham Response

In the light of the response to TW Question 3 the Council is not proposing an alternative way of meeting the need to significantly reduce the amount of untreated sewage entering the River Thames in London.

TW Question 4

Please select which route you prefer for the tunnel

LB Lewisham Response

Abbey Mills

TW Question 5

Please explain why you have chosen your answer to question 4.

LB Lewisham Response

Abbey Mills is identified in the TW reports as the most cost effective route. It is also the shortest route and so will present the least amount of disruption to river users, businesses and residents than the other routes. Although the route captures slightly less sewage than the other two options the overall water quality would still meet the project objectives set by the Environment Agency.

TW Question 6

Please give us any other comments you have about the project.

LB Lewisham Response

The availability of information regarding the site selection assessments for both the shaft and CSO sites has been difficult and requests for further information have been either unsuccessful or met only in part. The individual site assessments were not available as part of the consultation exercise and only supplied following a formal request from the Council following a meeting with Thames Water. Given the timescale for the consultation and the amount and complexity of information that needs to be

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reviewed before an informed response can be given the lack of a readily available evidence base is considered to seriously hamper consultees. For example the Site Selection Methodology Paper states that for the long list of shaft sites (which includes Convoys Wharf) criteria and assessment tables were completed for each site, however this did not form part of the publicly available consultation documents.

There is an error in Table 1.1 of the Site Selection Background Technical Paper which states that C31 Earl PS is in LB Southwark; it is in fact in LB Lewisham.

It is discussed in the introduction of the Site Selection Background Paper that the Environment Agency assessed the operation of the 57 CSOs in London that outfall into the River Thames and that 36 were found to cause significant adverse impacts on the environment and that it is 34 of these that the Thames Tunnel will manage. There is however, no discussion on how the remaining 21 CSOs will be managed if in the future they begin to contaminate the Thames River at unacceptable levels.

Thames Tunnel Consultation Questionnaire Part 2: Site Specific Questions

LB Lewisham Response

The series of questions regarding specific sites mixes requests for general views on a site (e.g. TW Question 1) with questions that pre-suppose the identified site is appropriate (e.g. TW Question 2 and 5). The Council's response below needs to be read in conjunction with the **Planning Policy Context** set out above and is without prejudice to the Council's **objection** to the identified sites ('preferred' and 'other') for use as a main tunnel shaft site and as CSO/CSO connection tunnel site.

Shortlisted CSO Sites Abbey Mills Route

Thames Water Preferred CSO Site

Earl Pumping Station

The Council **objects** to the use of land adjoining the Earl Pumping Station on Yeoman Street as a CSO site. The land forms part of the Plough Way Strategic Site in the LB Lewisham Core Strategy and its development as a permanent CSO site could prejudice the implementation the Core Strategy. Thames Water in their formal response (March 2010) to the Core Strategy state that the Earl Pumping station is an important element of London's sewage network and is not redundant nor is it likely to become so. The Council in its proposed changes to the Core Strategy specifically acknowledges the operational need for and implications of the pumping station for the Plough Way Strategic Site. [At that time Thames Water did not indicate the need (potential or otherwise) for additional land for operational (i.e. CSO) purposes adjacent to Earl Pumping Station.]

The information provided in the Site Suitability Report for Earl Pumping Station is based on an assessment of the existing pumping station site only, whereas the proposed preferred site is larger than that assessed and it is unclear whether a second assessment of this larger site has been undertaken using the same criteria. In terms of the larger site, the land take during construction would be approximately twice as large as the existing Thames Water pumping station and associated land; and the permanently retained structures would be sited on land outside the existing Thames Water operational pumping station site.

In terms of the site's suitability, Thames Water have provided a plan showing existing services on and around the site. The Site Suitability report states that, from an

Thames Water – Proposed Thames Tunnel

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engineering perspective, “the site is less suitable as a CSO site because it would be significantly constrained by the existing pumping station and screw lifting station, and the resultant working conditions would be very difficult” however it is not ruled out and is considered ‘suitable’ in terms of planning, property and environmental issues subject to further investigation of flood risk, air quality, noise and land quality issues. In the circumstances, and notwithstanding the Council’s objection to the use of land adjoining the Earl Pumping Station as a shaft site and for the siting of permanent CSO above ground buildings, whilst potentially ‘severe’ restrictions arising from the existing infrastructure on the site have been identified by Thames Water their own assessment would appear to conclude that these do not pose insurmountable problems to permanent structures being sited on existing Thames Water operational land.

The description of the Earl Pumping Station in the consultation pamphlet is erroneous in that it emphasises the industrial aspects of the site and down plays the number of residential properties immediately adjoining and in the vicinity of the site. Therefore whilst it is correct to state that the land directly to the east and south east of Earl Pumping Station is currently in light industrial use/storage use, the site of the proposed permanent CSO buildings would be immediately adjoining existing residential properties. In addition, given the development strategy for the Plough Way Strategic site and current planning applications for the Cannon Wharf and Marine Wharf West sites there would be a significant increase in the number of residential properties adjacent or in close proximity to the CSO.

It is unclear from the Site Suitability Report whether possible health and wellbeing issues that the residents immediately adjacent to the proposed shaft may experience during the drilling and construction phases, or any long term impacts that they or their properties may experience by being in close proximity to a ventilation column approximately 10m high. The Site Suitability report for the Car Park, Helsinki Square, which is similarly close to housing, indicates that the separation distances are unlikely to be considered sufficient to safeguard against impacts on residential amenity and significant mitigation of noise, dust, vibration and traffic movements would be required in order to comply with policies. Similar conclusions could well be drawn from a re-evaluation of the Earl Pumping Station site.

Further to the issue of the proposed CSO shaft at Earl Pumping Station is the connection tunnel that will need to be drilled to join the other proposed CSO sites. The connection tunnel will pass under parts of Deptford between the proposed Borthwick Foreshore CSO (in LB Greenwich) and the proposed Earl Pumping Station CSO. The only information formally provided regarding connection tunnels is that they are expected to range from 2.2m to 2.5m in diameter “at varying depths”. It is therefore unclear from the documents as to the depth of the tunnel in this location. Given that the area has existing and proposed high rise buildings (including, potentially, buildings up to 42 storeys on Convoys Wharf) there needs to be assurances that drilling and vibration will not adversely effect residential amenity and the structural integrity of the buildings, nor prejudice the development of buildings proposed on the Strategic Sites.

Other possible CSO Shaft Sites Abbey Mills Route

Foreshore adjacent to boat yard and Helsinki Square (TW ref. 1) – on the basis that a CSO site is required to deal with current overflow on the foreshore then the Council considers this site is **preferable** to the Earl Pumping Station site as although it is close to residential properties it is likely that the severity of loss of amenity will be less than that on the Earl Pumping station site or other short-listed sites. It is noted that in Thames Water’s Site Suitability report the site is “considered suitable for use as either a small or large CSO site option at an acceptable acquisition cost, given that in both

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cases, the site is wholly within the foreshore.” While there are issues to overcome according to the Report these are not considered insurmountable. There is also the benefit that the connecting tunnel between the Borthwick CSO and Earl CSO would not need to be bored under residential properties and could follow the route of the Thames.

Car Park Helsinki Square (TW ref. 2) – the Council **objects** to the use of this site as it is considered to be too close to the residential buildings on the western and southern sides of the site.

Boat yard on Calypso Way (TW ref. 3) – this site is in LB Southwark.

Car park corner of Grove St and Plough Way (TW ref. 4) – the Council **objects** to the use of this site as it forms part of the Plough Way Strategic site and its use as a CSO site would prejudice the implementation of development as set out in the Council’s Core Strategy. The site currently has a two storey office block on the eastern side of the site and residential properties to the north and south. Given the proximity of existing and proposed residential development surrounding the site and the loss of facilities for the existing office building this site is not considered appropriate.

Shortlisted Sites in relation to alternative routes

Convoys Wharf

The Council **objects** to its proposed use as a Drive, Intermediate or Reception site. Convoys Wharf is identified as a Strategic Site in the Council’s Core Strategy and is the subject of a current application for its redevelopment for mixed use purposes including up to 3,500 new homes, Primary School, hotel and business space as well as the retention of a safeguarded wharf. Its use as a shaft site would, as a minimum, delay the implementation of the Council’s Core Strategy during construction of the tunnel and as a Drive site the retained structures could prejudice the development potential and capacity of the site. The proposed siting of the shaft towards the north western boundary of the site would be in the location of the proposed area of retained safeguarded wharf under the current planning application and would prejudice the viability of the wharf contrary to London Plan policies. There is also the issue of the Grade II Listed Building, and the Scheduled Ancient Monument on the site; and the area being recognised as a Nationally Significant Archaeological Site.

(Upper) Pepys Park

The Council **objects** to its proposed use as an Intermediate or Reception site. Upper Pepys Park has recently undergone extensive re-landscaping as part of the Council’s improvements to open space on the Pepys estate and its use as a shaft site would involve the loss of public open space in an area where there is a significant resident population.



Clare Gibbons
Planning Projects Manager
London Tideway Tunnels
The Point (7th floor),
37 North Wharf Road
Paddington, London, W2 1AF

Brian M Regan
Planning Service
5th Floor, Laurence House
1 Catford Road
Catford
London SE6 4RU

direct line 020 8314 8774
fax 020 8314 3127
brian.regan@lewisham.gov.uk

date 29/07/11
our reference S/25/40/thamestunnel
your reference

Dear Ms Gibbons

Re: Thames Tunnel – Deptford Church Street Site

Following the close of formal consultation on Phase 1 of the Thames Tunnel in January this year, Council Officers were made aware of a newly proposed CSO interception site known as Deptford Church Street.

The Council objects to the use of this site and considers that there are a number of serious concerns with Thames Water's inclusion of this site, as detailed below.

- The site is adjacent to St Pauls Church Deptford which is a Grade I Listed Building and the works would materially harm the setting of the building;
- There is a historic wall on the site that has been identified by the Council Conservation Officer as being part of the rectory once attached to St Pauls and this will be destroyed or materially damaged as a result of the proposed works;
- The works will be taking place in a Conservation Area;
- Trees will be removed;
- The Crossfield Amenity Green will be made unavailable and inaccessible for an extended period during construction. It is in an area with limited public open space;
- There are two Primary Schools close by St Joseph's Catholic School is opposite the site and the new Tidemill School (due to be completed this year) is close by, and students attending Addey and Stanhope who live in the area may also have their route to and from school affected;
- The effects of noise, vibration and dust on the schools, nearby residents and people worshipping;
- The dust released, given the multiple uses on the site over the centuries, could be contaminated;
- The health of children attending St Josephs Catholic could be adversely effected by dust from construction;
- Given that the proposed works are projected to take 2-3 years – possibly longer, this will impact on a large portion of the children's primary education and the constant noise, dust, and vibration could effect their learning potential;

- There will be a substantial number of vehicle movements resulting from the proposal most of these will involve Heavy Goods Vehicles (HGVs);
- There may be a requirement to reconfigure the road system as Deptford Church St is a dual carriage way with no break until Creek Road where U turning HGVs would pose a serious safety hazard to other motorists;
- HGVs will also pose a safety risk to children accessing St Josephs Catholic and the new Tidemill School;
- There is likely to be long term disruption to Crossfield and Coffey Streets and a portion of Deptford Church St;
- Road surfaces are likely to be damaged as a result of the high levels of use by HGVs;
- Loss of parking during the construction phase and after.

For these reasons, the Council does not consider Deptford Church Street an appropriate site and encourages Thames Water to consider alternative sites.

Please do not hesitate to contact me if you have any queries.

Yours sincerely



Brian Regan
Planning Policy Manager



Thames Tunnel
Thames Water Utilities
Freepost RSSB-HYRU-EGUT
35 King Street
Bristol
BS1 4DZ

Janet Senior
Executive Director for Resources &
Regeneration
1st Floor, Town Hall
Catford
London SE6 4RU

direct line 020 8314 8013
fax 020 8314 3127
janet.senior@lewisham.gov.uk
date 06/02/2012
our reference S/25/40/thames tunnel
your reference

Dear Sir/Madam

Re: Thames Tunnel Phase Two Consultation

Thank you for consulting the London Borough of Lewisham on the preferred route and sites for the Thames Tunnel. Please find attached the London Borough of Lewisham's response to this phase two consultation.

If you have any questions regarding this matter please contact my colleagues Brian Regan, Planning Policy Manager, direct line 020 8314 8774 or Claire Gray, Senior Policy Planner, direct line 020 8314 7186.

Yours sincerely

Janet Senior
Executive Director for Resources & Regeneration

1. Introduction

- 1.1 The London Borough of Lewisham objected to the proposed use of Earl Pumping Station as part of the phase one consultation (letter dated 12/01/2011) and to the use of Deptford Church Street as one of the sites identified after phase one consultation (letter dated 29/07/2011). For the reasons set out below, Lewisham continues to strongly object to the proposed use of Earl Pumping Station and Deptford Church Street as combined sewer overflow interception sites.

2. Council Consultation Arrangements

- 2.1 The Council wished to fully understand local concerns in relation to both sites and therefore undertook a consultation exercise, collecting written comments and views expressed at two public meetings, one focused on each site. The views expressed by the public during this consultation exercise have informed the Council's response to the phase two consultation and are outlined briefly below.
- 2.2 Comments received in relation to Earl Pumping Station were generally supportive of the Thames Tunnel project as a whole with questions asked relating to engineering aspects, traffic impact, compensation for properties in close proximity and control of odour emissions.
- 2.3 Comments received in relation to Deptford Church Street oppose the use of the site and cover the following issues:
- proximity to schools in the area and the associated impact of the construction works including the impact on education and health and safety;
 - impact on businesses in the area, including those on Deptford High Street and the historic market;
 - proximity to residences (many without double glazing);
 - impact on St Paul's Church, a Grade I listed building, in terms of the setting, operational requirements and the structural integrity of the building;
 - impact on archaeology in the area;
 - disruption to access in the area, pedestrian, vehicular and from buses, and the associated difficulties in reaching key local facilities;
 - availability of Borthwick Wharf as an alternative site, the use of which would give rise to less effects, particularly as the river can be used as a mode of transport (reducing road traffic), there is no operational school in the area, and there are fewer residential properties;
 - impact on the surrounding road network;
 - environmental effects such as noise, vibration and air pollution and the inadequacy of the assessment so far, for example effects on additional properties should be assessed;
 - odour effects from the completed sewer;
 - value of the green space to the community;
 - value of the site to nature conservation and the loss of mature trees;
 - poor aesthetic value of the completed site;
 - the works would counteract the recent regeneration and positive improvements;

- inadequacy of information provided and assessment undertaken by Thames Water to date, particularly in terms of quantified analysis and site selection methodology;
- structural impact from vibrations and tunnelling on houses and businesses;
- disruption to the open space link from Deptford High Street through to the Laban Centre; and
- inadequacy of Thames Water consultation to date.

3. Deptford Church Street Site

3.1 Alternative Sites

- 3.1.1 Borthwick Wharf Foreshore (BWF) was the preferred site during the phase one consultation. For the phase two consultation Deptford Church Street (DCS) is the preferred site and BWF together with the Sue Godfrey Nature Reserve, Bronze Street, are put forward as alternative sites. Little information has been made available as to why Thames Water consider Deptford Church Street to be a more suitable site. Council officers have requested further information in relation to this issue. Thames Water should provide data for comparison as part of the full EIA which will be necessary to accompany any planning application to the IPC.
- 3.1.2 The phase two consultation 'site information paper' identifies three reasons why DCS is now preferred over BWF. The reasons given are that DCS has relatively good access compared to BWF; that DCS would avoid work to the Thames Foreshore and the potential effects on residents, visitors and business amenity is less than the BWF site. Although avoiding work to the Thames Foreshore is cited as a reason for not using BWF, the site selection assessment for a majority of the sites favours sites in close proximity to the River and with available jetty/wharf facilities.
- 3.1.3 The traffic and access issues, including HGV issues, that will impact on DCS are set out below (paragraphs 3.9.1 – 3.9.8). As no traffic impact assessment has been provided by Thames Water it is difficult to accurately compare the two sites. The Council therefore require Thames Water to provide quantitative data on traffic issues including the cumulative impact on the highway network from the many regeneration schemes proposed and those already agreed in Lewisham and Greenwich. The Council also require details of the access and egress proposals for HGV from BWF.
- 3.1.4 It is the Council's opinion that use of BWF has the great advantage over DCS in that spoil and material can be delivered and removed by use of the River Thames. This appears to be a much more sustainable solution than the use of DCS as it would reduce the number of HGV movements. It should also be noted that the primary aim of the Thames Tunnel project is to avoid sewage pollution entering the River Thames, therefore, use of the River during construction appears to be a price well worth paying.
- 3.1.5 The BWF site is located at the point where the CSO discharges into the River Thames. Intercepting the sewer at this point would capture the contents of the entire length of the sewer while intercepting the sewer further inland, would leave a length of sewer un-captured, in this case from the Deptford Church Street site north to the

River Thames. BWF would therefore capture more sewerage and is considered a more effective site in achieving the goal of reducing the amount of untreated sewerage discharged into the River Thames.

- 3.1.6 Consideration should also be given to the use of Payne's Wharf as it is a brownfield site and has the advantage of being a foreshore site with access to the River Thames for transportation of spoil and materials. Road access to Payne's Wharf may also impact on less residential properties.
- 3.1.7 It is acknowledged that the River Thames is an important and valuable recreational, open space and ecological asset to London. However, DCS is a valuable open space; a designated site of nature conservation importance and further more is located within a conservation area and is adjacent to a grade 1 listed building. The balance of advantage between the two sites is therefore unproven and in the opinion of the Council would favour the choice of BWF as the preferred site.
- 3.1.8 As Thames Water have provided no data on the number of people, households and businesses affected at both sites it is difficult to see how the use of DCS over BWF is justified on these grounds. In addition the impact on St. Joseph's primary school at Deptford Church Street is direct and severe compared to any comparable community impact from the use of BWF. There are a number of businesses directly affected by the use of DCS while Borthwick Wharf and the adjacent Payne's Wharf are currently vacant.
- 3.1.9 The DCS site is located within a wider town centre environment which is currently benefitting from significant investment and regeneration. Spatial Policy 2 of the Lewisham's Core Strategy emphasises the importance of improving connectivity throughout the area for pedestrians and cyclists with the explanatory text providing further guidance in relation to the provision of open space through the implementation of the North Lewisham Links Strategy (2007). The recently completed links project from Deptford High Street through to Margaret McMillan Park, as well as work underway on Giffin Square, the Deptford Lounge, Tidemill Academy and Wavelengths demonstrate the implementation of the Council's strategic aspirations for the area.
- 3.1.10 The North Lewisham Links Strategy shows the importance of an improved east-west connection through the site, linking Deptford High Street through to the Laban Centre and Deptford Creek in the east. The completion of the Thames Tunnel site works is not expected until 2021 and the site is not expected to become operational until 2022 which would result in an unacceptable delay to the delivery of the Council's strategic objectives for links to and connections through the area.

3.2 Ecology and Open space

- 3.2.1 Deptford Church Street is classified as a site of nature conservation importance in the adopted UDP and as such is protected by policy OS 12 'nature conservation on designated sites' and OS 13 'nature conservation'. If the borough were the local planning authority for this application it would either refuse permission that had

adverse impacts on nature conservation or if development was considered essential it would require an environmental appraisal that included methods of mitigation and proposals for compensation. At a minimum the Council considers Thames Water should provide this information.

3.2.2 The impacts identified by Thames Water include the loss of medium mature trees and the associated bird nesting potential as well as the loss of an area containing ruderal meadow species. These impacts are based upon a Habitat Survey carried out by Thames Water that is technically deficient in several areas. The survey lacks any detail; it was carried out in mid February which is a sub-optimal time of year for identifying any notable plant species. The survey judges that the site is species-poor and/or of limited intrinsic value and therefore of 'low' habitat value. This is a subjective and generalised assessment illustrated by the fact that it failed to identify notable species on site, such as, the fiddle dock (*Rumex pulcher*) which is a very scarce species in Lewisham. Furthermore no assessment has been made of the flora and fauna that might be associated with the historic wall. If the project is to go ahead, Thames Water must provide a detailed environmental appraisal demonstrating that there are no negative impacts on the ecological value of the area in line with Core Strategy Objective 7 and Core Strategy Policy 12.

3.2.3 The Crossfield Amenity Green will be made unavailable and inaccessible for an extended period (at least four years) during construction which will result in the loss of open space in an area with limited existing public open space. The development of Convoy's Wharf and a number of Mixed Use Employment Locations in Deptford (as identified in Lewisham's Core Strategy) are expected to begin delivering new housing next year with phased delivery through until 2022 (Convoy's Wharf is expected to be completed by 2027). This level of new development will place increasing pressure on the limited open space in the area and therefore maintaining access to this space in the coming years and beyond is an essential requirement. This loss of open space is contrary to Core Strategy Objective 7 and Core Strategy Policy 12.

3.3 Education

3.3.1 There are two Primary Schools close-by the proposed site; St Joseph's Roman Catholic Primary School is opposite the site and the new Tidemill Academy (due to be completed this year) is very near. In addition, students attending Addey and Stanhope School who live in the area may also have their journey to and from school affected. Officers have concerns about the effects of noise, vibration and dust on the school children.

3.3.2 The schools are located in Evelyn Ward which is a very deprived part of the borough and in the government's Index of Deprivation is recorded as amongst the 10% most deprived areas in England. The proposed works are for at least a four and a half year period which represents the majority period of primary school attendance. It is considered that the potential impact on the education of children in an already deprived area is unacceptable and is sufficient reason not to use this site.

- 3.3.3 Fire evacuation for St. Joseph's during this period is a concern of both the school and the Council. The school requires an off-site space near the school that 260+ children and 25+ staff can reach quickly and safely. At present the school use the existing green space for this purpose, which, under the current proposal, would no longer be possible as the entire space would be required for construction purposes.
- 3.3.4 The impact on children, teachers and parents from the HGV traffic servicing the sites also raises issues of safety that need to be addressed.
- 3.3.5 In addition to this there will be a severe impact on the life of the school and potentially on teaching and learning. Both indoor and outdoor learning will be impacted by noise and air quality. Children suffering from Asthma may be affected.
- 3.3.6 The proposed closure of the bus lane in Deptford Church Street will mean that children who travel to school by bus will face considerable disruption. It is likely to result in increased late arrival at school which will further disrupt lessons and impact on education.
- 3.3.7 Thames Tunnel need to demonstrate how the proposed works can take place without adverse effects to the operation, safety of children and teachers, and the learning environment at the school.

3.4 Employment

- 3.4.1 The proposed works will impact on the existing businesses along Crossfield Street, particularly given that access, both vehicle and pedestrian, would be disrupted and restricted. It is unclear from the information provided what the level of impact would be on the surrounding businesses and if they would be able to remain operational. Further information is required to understand how the works would impact on the on-going operation of the businesses and to understand how many employees would potentially be affected.
- 3.4.2 The site is within a town centre environment and is approximately 115 metres from Deptford High Street. Access disruptions from the relocation of bus stops on Deptford Church Street as well as the re-routing of pedestrians will adversely affect businesses in Deptford town centre, the borough's third largest centre after Lewisham and Catford.
- 3.4.3 Thames Water need to provide more detail on the potential impact on business and any proposals to mitigate the impact and provide compensation for those adversely affected.

3.5 Noise

- 3.5.1 The impact of the construction noise to St Joseph's School has not been assessed and the impact on the staff and students as well as on the learning environment is concerning. A full assessment of the noise effects on the use of the school from the construction site is required.

- 3.5.2 The PEIR identifies a relatively small number of receptors (under 100) and identifies residential uses as being of high sensitivity, but consider both St Paul's church and St Joseph's Primary School as medium sensitivity. Given the very close proximity of St Joseph's Primary School to the works site, the school should be identified as a high sensitivity site. The hours of work for the construction are during the school hours and therefore children and teachers could be exposed to noise for longer periods than a residential property where the occupiers may be out during the day.
- 3.5.3 There is growing evidence linking detrimental effects on child learning to high levels of ambient noise. While many of the studies focus on noise from aircraft and road traffic, the principle of long term noise exposure also applies to a long-term construction site where the maximum noise levels are likely to be higher.
- 3.5.4 Building Bulletin 93, published in 2003, provides important assessment criteria that, although it is primarily written for the design of new school buildings to create environments conducive to learning, contains noise limits, derived through research, that should be reviewed against any assessment of the construction impacts at this site.
- 3.5.5 The BB93 states: 'For new schools, 60 dB LAeq,30min should be regarded as an upper limit for external noise at the boundary of external premises used for formal and informal outdoor teaching, and recreational areas' and 'Noise levels in unoccupied playgrounds, playing fields and other outdoor areas should not exceed 55 dB LAeq,30min and there should be at least one area suitable for outdoor teaching activities where noise levels are below 50 dB LAeq,30min. If this is not possible due to a lack of suitably quiet sites, acoustic screening should be used to reduce noise levels in these areas as much as practicable, and an assessment of predicted noise levels and of options for reducing these should be carried out.'
- 3.5.6 It also quotes an LAeq (30min), 35dB for indoor ambient noise levels upper limit within a Primary School classroom. The WHO Guideline for Community Noise, also defines a level of 35dB over the classroom period and defines the critical health effects as speech intelligibility, disturbance of information extraction and message communication.
- 3.5.7 If the assessment results in a significant increase to the BB93 levels then as a minimum it would be expected that within a Part B COCP, there should be a commitment to the following:
- 3.5.8 Levels of 65 dB LAeq,1h and of 70 dB LAeq,1minute will apply as measured at 1 metre from the façade of the building during school hours and in term time. If these limits are predicted to be exceeded for at least ten school days out of any period of fifteen consecutive days or alternatively 40 school days in any 6 month period, then changes to the work programme in maximising the work during school holidays will be applied so these limits can be maintained.

- 3.5.9 A full assessment of the noise effects on the use of the school from the construction site is required and unless it can be demonstrated that the impacts of the proposal can be satisfactorily mitigated, the proposal will be contrary to Lewisham's retained UDP policy ENV.PRO11 which seeks to resist development that would lead to unacceptable levels of noise.
- 3.6 Air Quality
- 3.6.1 The DCS site is located within an air quality management area and therefore Thames Water will be expected to demonstrate that proposals do not result in a reduction in air quality, as set out in Core Strategy Policy 9 and the Lewisham Air Quality Action Plan (2008). The impacts of the construction/excavation activities and the HGVs using the site is likely to result in an increase in particulate matter. The transport proposals are likely to cause significant congestion along Deptford Church Street which is concerning as it would result in an increase in particulates (PM) and Nitrogen dioxide (NO₂). While NO₂ baseline monitoring has been carried out in the area, no monitoring or modelling data has been provided and therefore further information is required about the impact of PM and NO₂ and how these impacts will be managed and mitigated.
- 3.7 Heritage Assets and Conservation
- 3.7.1 The proposed site is located within St Paul's conservation area and is adjacent to the Grade I listed St. Paul's Church which is the single most significant listed building in the borough. There is an historic wall on the site that has been identified by the Council's Conservation Officer as being part of the rectory once attached to St Paul's and this would be destroyed or materially damaged as a result of the proposed works. The railway viaducts running along the southern boundary of the site are also listed.
- 3.7.2 The proposed shaft and associated building works directly affect the setting and structure of the Grade I listed church, the boundary wall to the church cemetery, which is listed in its own right (Grade II), and the Grade II listed railway viaduct to the south.
- 3.7.3 The impact of the construction works on the structural integrity of the church and churchyard boundary wall, as well as the impact of the final structures and landscaping on the setting of the church and the surrounding historic environment is of particular concern. Thames Water should provide further information in relation to how the works will affect both the structural integrity of the church and the setting and what mitigation is proposed.
- 3.7.4 The run of the sewer affects buildings and structures within three conservation areas: Deptford High Street, St. Pauls and the proposed Deptford Creekside Conservation Area. The Grade II listed 227 Deptford High Street is directly affected as is the listed railway viaduct where it crosses the Creek.
- 3.7.5 There is a lack of information regarding the impact during construction work for all the above mentioned heritage assets.

3.7.6 Failure to identify all adverse effects and demonstrate that, with adequate mitigation, the heritage and conservation value of the area would not be harmed would be contrary to Core Strategy Objective 10, Spatial Policy 1, Policies 15 and 16.

3.7.7 English Heritage prefer Borthwick Wharf over Deptford Church Street as there would be less impact on heritage assets.

3.8 Archaeological priority zone

3.8.1 The site is within an area of archaeological priority. An archaeological assessment is required including an investigation of the significance of the asset, an assessment of the impact of the works and details of any mitigation measures. In accordance with Lewisham's Core Strategy Objective 10 and Policies 15 and 16, development must conserve and enhance all heritage assets with archaeological interest. Failure to demonstrate adequate mitigation of impacts would be contrary to Lewisham's planning policies.

3.9 Transport

3.9.1 The proposal involves closing the two north-bound lanes along Deptford Church Street. The two south-bound lanes would then provide one lane in each direction, which would result in congestion and significantly disrupt the surrounding road network. It is unclear at this stage how significant the impact would be as no detailed traffic modelling has been undertaken. There could be emergency vehicle access restrictions associated with the traffic management measures along the proposed construction vehicle routes.

3.9.2 Bus lanes in both the north and southbound directions would be temporarily suspended however the width of the existing southbound carriageway is insufficient for two way traffic (to accommodate HGV's and buses), particularly as Deptford Church Street is on the borough's oversize vehicle route. Cyclists currently use the bus lanes on Deptford Church St and the proposed closure of the bus lanes would have highway safety implications. The closure of bus stops without the provision of temporary bus stops would have an impact on bus users that are less mobile, such as the elderly and disabled.

3.9.3 Construction traffic and the flow-on effects of reducing Deptford Church Street down to single lanes would significantly impact on the surrounding road network, particularly considering the cumulative effects from developments in the wider area coming on-stream at a similar time.

3.9.4 The proposed temporary suspension of all parking bays on Coffey Street and Crossfield Street for the duration of construction would have an impact on on-street parking in the surrounding streets as well as the drop off and collection associated with St Joseph's School. There would be an impact on the commercial units on Crossfield Street, particularly in relation to deliveries and servicing, as well as the parking for parishioners at St Paul's Church.

- 3.9.5 Pedestrian access along Deptford Church Street would be disrupted with pedestrians being diverted around the construction site. Crossfield Street only has a footway on the north side and closing this during the construction phase would force pedestrians to share the carriageway with construction vehicles, which would have highway safety implications. Similarly, the closure of the footway on the site boundary with Deptford Church Street would result in the loss of a pedestrian crossing on Deptford Church Street, which would have highway safety implications.
- 3.9.6 The construction vehicle movements would have a highway safety impact in Coffey Street, particularly for those accessing St Paul's Church and when the movements coincide with St Joseph's School arrival/departure times. Similarly, closing the westbound lane of Coffey Street would have an impact on drop off/collection associated with school and narrowing Crossfield Street would have an impact on the commercial units on Crossfield Street, particularly in relation to deliveries and servicing.
- 3.9.7 Swept path analysis has not been undertaken for the construction vehicle movements to demonstrate that there is sufficient carriageway space for construction vehicles to manoeuvre and an assessment of sightlines has not been undertaken to illustrate visibility on the construction vehicle route. Poor visibility would have highway safety implications.
- 3.9.8 Unless further information is provided demonstrating that the impacts of the proposal can be satisfactorily mitigated, the proposal would be contrary to Core Strategy Policy 14.

3.10 Design

- 3.10.1 As stated above the Council considers that Deptford Church Street is not an appropriate location for the CSO interception site. However, as the final decision on the site will not be made by Lewisham Council but by the IPC and Secretary of State, it is considered prudent to make comments on the design proposals for the site after construction. The views expressed on the proposed design of the permanent structures are made without prejudice to the Council's in principal objection to the use of the site.
- 3.10.2 The design of the site put forward does not adequately consider the adjoining uses, for example the school and church, and does not reflect the Council's strategic aspirations for the area, for example those detailed in the North Lewisham Links Strategy (2007). The Council considers that considerable further work is required on the design of the open space and any permanent structures.

4. Earl Pumping Station Site

4.1 Alternative Sites

- 4.1.1 No alternative sites are identified in the phase two consultation. During phase one consultation four alternative sites were identified, including the Foreshore adjacent to the boat yard and Helsinki Square and the Council supported the use of this site over Earl Pumping Station. For the reasons set out in response to phase one

consultation, the Council still considers this alternative site to be more appropriate. Thames Water should therefore re-examine the use of this alternative site and provide a written explanation for any choice made.

4.2 Employment

4.2.1 Thames Water identify that 24 employees are likely to be displaced, this is based on a calculated estimate rather than an assessment of the actual businesses in the area. Further information is required regarding the actual effect on businesses and their employees and what proposals, if any, Thames Water propose to compensate and relocate those businesses which are affected.

4.3 Noise

4.3.1 The impact of construction noise has not been assessed in relation to the proposed residential developments on surrounding and adjacent sites. These properties should be included in order to identify the full number of sensitive properties. The properties that have been assessed are identified as being within the London Borough of Southwark however the Croft Street residences are within the London Borough of Lewisham and should be identified as such.

4.3.2 The works producing the most noise will last for around 15 months of the 4 year construction period. Thames Water have identified the noise effects as being significant on all the residential properties assessed and the vibrations effects as being significant on many of the residential properties around the site. Further information regarding any proposed mitigation is required.

4.3.3 The compaction works have been identified as giving rise to relatively high levels of exposure. Further information is required regarding the method and design for compaction works to reduce the noise and vibration impact.

4.3.4 Given that traffic volumes on the surrounding roads are relatively low, there is likely to be a noise impact when introducing construction traffic. A traffic assessment is required in order to understand the expected impact.

4.3.5 A full assessment of the noise and vibration effects on the existing and proposed residential properties is required and unless it can be demonstrated that the impacts of the proposal can be satisfactorily mitigated, the proposal will be contrary to Lewisham's retained UDP policy ENV.PRO11 which seeks to resist development that would lead to unacceptable levels of noise.

4.4 Air Quality

4.4.1 The site is located within an air quality management area and therefore Thames Water will be expected to demonstrate that proposals do not result in a reduction in air quality, as set out in Core Strategy Policy 9 and the Lewisham Air Quality Action Plan (2008). The air quality impacts arising from traffic and construction/excavation activities are concerning and further information is required about the impacts and how these will be managed and mitigated.

4.5 Transport

- 4.5.1 No traffic assessment has been carried out however it is clear that construction vehicle movements would have a significant impact on the residential properties in Yeoman Street, Chilton Street and Croft Street, particularly as they are quiet traffic calmed streets. The removal of traffic calming measures as a result of the proposal would lead to increased vehicles speeds which would have highway safety implications.
- 4.5.2 The removal of car parking bays along Plough Road, Yeoman Street and Croft Street to accommodate the construction vehicle movements would have an impact on on-street parking in the surrounding streets. It is unclear which parking bays are to be removed and if there are any proposals to relocate them. Clarity on this issue is required.
- 4.5.3 Evelyn Street forms part of the proposed construction vehicle route, but the impact on the cycle superhighway along Evelyn Street has not been considered in the assessment and should be.
- 4.5.4 The impact of construction traffic is a particular concern given the potential cumulative effects associated with the construction of other developments in the area, particularly the Council's Strategic Sites. A full transport assessment is required.
- 4.5.5 Unless further information is provided demonstrating that the impacts of the proposal can be satisfactorily mitigated, the proposal would be contrary to Core Strategy Policy 14.

4.6 Design

- 4.6.1 The views expressed on the proposed design of the permanent structures are made without prejudice to the Council's in principal objection to the use of the site.
- 4.6.2 The existing pumping station sits within a semi-industrial area however given the residential developments proposed and approved in the surrounding area, this setting will change dramatically. It is therefore important that the appearance of the existing site is enhanced, particularly the boundary treatment of the site. Pedestrian access on the western boundary, along Croft Street is poor and the footpath should be widened to enable its use. The strip of unused land at the southern end, adjacent to the existing terraces on Croft Street, is unusable.

5. **Equalities Implications**

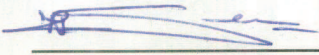
- 5.1 This is a very large engineering project that will have considerable socio economic consequences including the impact on social and community infrastructure, local businesses and the local economy, as well as effects on local amenity. The two proposed sites in Deptford are located in Evelyn Ward which is one of the most deprived in Lewisham and amongst the 10% most deprived areas in England.

5.2 It does not appear that an Equality Analysis Assessment (EAA) has been undertaken as part of the phase two consultation. The EAA process involves systematically analysing a proposed or existing policy or strategy to identify what effect, or likely effect, will follow from the implementation of the policy for different groups in the community. The assessment seeks to 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. The Council consider an EAA should be undertaken for this project.

6. Conclusion

6.1 The Thames Tunnel project represents an opportunity to improve the environment by seriously reducing the amount of sewage pollution that is currently discharged into the River Thames. However, the preferred sites in Lewisham cause considerable concern to the Council. No alternative to Earl Pumping Station is presented and the Council considers that Thames Water should re-examine the alternatives suggested as part of their phase one consultation.

6.2 The alternatives to the preferred site at Deptford Church Street offered in the phase two consultation are the Sue Godfrey nature reserve at Bronze Street and the former preferred site at Borthwick Wharf Foreshore. For the reasons set out in this report the Council considers that the Borthwick Wharf site should be the preferred location for the CSO site.

Signed: 
Executive Director for Resources & Regeneration

Date: 08-02-2012

Agenda Item 6

Chief Officer Confirmation of Report Submission		
Cabinet Member Confirmation of Briefing		
Report for: Mayor		
Mayor and Cabinet		<input checked="" type="checkbox"/>
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	3rd October 2012
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Title of Report	Re-Development of Heathside and Lethbridge: Section 105 Consultation and Phase 4 Decant
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Originator of Report	Rachel George	48146
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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	<input checked="" type="checkbox"/>	
Legal Comments from the Head of Law	<input checked="" type="checkbox"/>	
Crime & Disorder Implications	<input checked="" type="checkbox"/>	
Environmental Implications	<input checked="" type="checkbox"/>	
Equality Implications/Impact Assessment (as appropriate)	<input checked="" type="checkbox"/>	
Confirmed Adherence to Budget & Policy Framework	<input checked="" type="checkbox"/>	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: *Susan Wise* Executive Member
 Date: 25/09/12

Signed: *P. G. ...* Director/Head of Service
 Date: 25/09/12

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		Item no. 6
Report Titles	Re-Development of Heathside and Lethbridge: Section 105 Consultation and Phase 4 Decant		
Key Decision	Yes		
Ward	Blackheath		
Contributors	EXECUTIVE DIRECTOR FOR CUSTOMER SERVICES, EXECUTIVE DIRECTOR FOR RESOURCES & REGENERATION, HEAD OF LAW		
Class	Part 1	Date	3 rd October 2012

1. Summary

- 1.1 On 25th June 2003 Mayor and Cabinet agreed the proposal to expand Lewisham's established estates regeneration programme to include Heathside and Lethbridge. Following the outcome of the open competition, on the 22nd February 2006 Mayor and Cabinet agreed that Family Mosaic become preferred development partner for the re-development of Heathside and Lethbridge.
- 1.2 Through partnership working with our partners Family Mosaic and the Homes and Communities Agency (now part of the Greater London Authority), the regeneration of Heathside and Lethbridge is well developed, with builders Rydon close to completing the Phase 1 site and Ardmore more than half way through their building works on Phase 2. The Council started the process of obtaining vacant possession of the Phase 3 blocks in April 2012 with many residents moving into the new homes being built in Phases 1 and 2. Further, negotiations with the 23 leasehold interests in Phase 3 have also been progressing and the Council has obtained a Compulsory Purchase Order to enable it to obtain possession of any leasehold interests that cannot be obtained through agreement.
- 1.3 This scheme had been taken forward on the basis that funding would largely be through cross subsidy from the sale of private units. However the report to Mayor and Cabinet on 5th March 2008 set out that Government funding might be required. The economic down turn confirmed this as the funding mechanism became unviable. £14.4m funding from the Homes and Communities Agency (HCA) was secured to enable re-development of Phase 1 and £10m funding for Phase 2 was also provided by the HCA. Due to the bespoke financial model and scheme specific arrangements with the HCA, Family Mosaic has secured further funding from the HCA for Phase 3 and are using their own resources to ensure viability. On the 11th July 2012, Mayor and Cabinet agreed that upon securing vacant possession of the site, Phase 3 will be transferred to Family Mosaic to enable the demolition and building works. This is due to take place in January 2013.
- 1.4 Although the process of decanting Phase 3 tenants into the new build homes in Phases 1 and 2 is well underway, there are a number of new build properties remaining. This has given the Council the opportunity to look at accelerating the Phase 4 decant by re-housing tenants in the following decant Phase, which would

have a positive impact on tenants and the overall regeneration scheme. This report seeks to update Mayor and Cabinet on the outcome of the statutory Section 105 consultation carried out with secure tenants on the estate agreed by Mayor and Cabinet at the meeting on 11th July 2012. The consultation was necessary to find out residents' views on changes to the programme to bring forward the decant for those tenants in Travis, Ferguson and Melville Houses.

2. Purpose of Report

- 2.1 To update Mayor and Cabinet on the progress of the Heathside and Lethbridge Regeneration Scheme.
- 2.2 To ask the Mayor to consider the responses from residents to the formal Section 105 consultation.
- 2.3 To set out the necessary re-housing and buyback arrangements for Phase 4, should the proposal be agreed.

3. Policy Context

- 3.1 The re-development of Heathside and Lethbridge contributes to key national objectives, particularly meeting the decent homes standard and increasing the supply of affordable housing. The Decent Homes Strategy required all local authorities to carry out a stock options appraisal by July 2005 to determine how Decent Homes will be achieved for all Council housing stock.
- 3.2 Lewisham completed its stock options appraisal in June 2005 and submitted a comprehensive Decent Homes strategy to Government Office for London (GoL) setting out an investment plan for the entire housing stock to meet the Decent Homes standard.
- 3.3 The re-development will see the replacement of 565 non decent or unusable homes with modern high quality homes in a well designed neighbourhood. In addition, the scheme will deliver a minimum of 126 additional affordable units and a supply of intermediate rent or private sale units.
- 3.4 The whole scheme supports the Sustainable Community Strategy 2008 – 2020 especially the priority outcomes Reducing inequality – narrowing the gap in outcomes for citizens; Clean, green and liveable – where people live in high quality housing and can care for and enjoy their environment and Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond.
- 3.5 Further, the re-development of Heathside and Lethbridge is in line with Lewisham's established housing policy as set out in previous reports to Mayor and Cabinet and also contributes significantly to the Council's incoming Housing Strategy for 2009 – 2014 'Homes for the future: raising aspirations, creating choice and meeting need'.
- 3.6 The scheme will increase local housing supply and by introducing a range of housing types and tenures for a range of income households, the scheme will help to widen

housing choice. More specifically, the scheme contributes to a host of strategic objectives. 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 scheme aims to meet strategic targets of delivering 50% affordable units across the scheme and of providing 35% of affordable homes as family sized accommodation. 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. In addition, Family Mosaic will manage all new homes, regardless of tenure through an integrated management body that will work with existing residents to ensure it provides high quality housing management.

- 3.8 The Council has outlined ten corporate priorities which enables the delivery of the Sustainable Community strategy. The re-development of Heathside and Lethbridge 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 will also develop opportunities for the active participation and engagement of people in the life of the community.

4. Recommendations

It is recommended that the Mayor:

- 4.1 notes the progress of the Heathside and Lethbridge Regeneration Scheme;
- 4.2 having considered the responses to the statutory Section 105 consultation, agrees that the Council should seek to accelerate the redevelopment of Heathside and Lethbridge in line with the revised phasing strategy as set out in Appendix 1.

Subject to the Mayor agreeing recommendation 4.2, the Mayor is recommended to agree that:

- 4.3 Where necessary, Notice of Seeking Possession is served and possession proceedings brought against secure tenants under ground 10 of Schedule 2 to the Housing Act 1985;
- 4.4 Secure tenants are re-housed in line with paragraph 8.3 and 8.4 of this report;
- 4.5 Any properties in Travis, Ferguson and Melville Houses which were previously sold under the Right to Buy be repurchased by the Council at market value (plus reasonable professional fees) where agreement can be reached with leaseholders in advance of a Compulsory Purchase order being made by the Council and to delegate authority to the Head of Asset Strategy and Development in consultation with the Head of Law to negotiate and agree the acquisition terms;
- 4.6 Home loss and disturbance payments are made to displaced secure tenants and owner-occupiers where appropriate in accordance with the Land Compensation Act 1973.

5. Project Progress

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

- The Homes and Communities Agency (HCA) have committed £14.4m funding to Phase 1 of the re-development of Heathside and Lethbridge, £10m for the delivery of Phase 2 and £1.47m for the delivery of Phase 3 which will be combined with some recycled grant and resources from Family Mosaic.
- The structure of the scheme is that the Council forward funds the cost of obtaining vacant possession of the site and these costs are reimbursed by Family Mosaic. For Phase 1, £2.4m was paid to the Council in October 2010 and on Phase 2, £1.67m was repaid to the Council's Capital Programme in February 2012. The same will happen in future phases of the scheme.
- The Council has been working towards obtaining vacant possession of Phase 3 in October 2012. This has involved decanting residents, buying back leasehold interests and ending the lease of a private nursery.
- It is intended that Family Mosaic undertake the demolition of Phase 3 under licence from the Council. In line with funding criteria from the HCA, 46 of the rented homes must be complete by March 2015. It is envisaged that the Phase will complete in September 2015.
- The hybrid planning application (part outline/part detailed) in the joint names of the Council and Family Mosaic was approved in March 2010 and Family Mosaic have obtained detailed approvals for Phases 1 & 2 to date.
- The detailed planning application for Phase 3 was submitted in August 2012.
- Family Mosaic are progressing with the tender process for the Phase 3 builder and selection will once again include input from the resident steering group.

5.2 The decanting of tenants has been ongoing since April 2011. To date 75 households have been re-housed and 16 households remain. Roughly one third of these households have moved away from the estate as this has been their preference. Many residents have carried out 'residents choice' to enable provision of their choice of fixtures, fittings and paint colours. Residents in Phase 3 have all had the opportunity to see Phase specific 'show flats' and many have seen their actual new home. All tenants to date have been keen to move into their new homes with most very pleased with the properties.

5.3 In addition to re-housing tenants, the Council has been negotiating with the 23 leaseholders in Phase 3 and has obtained a confirmed Compulsory Purchase Order for the Phase. 7 leasehold interests have been purchased to date. Officers envisage using the CPO to acquire any remaining leasehold properties which cannot be acquired by agreement in order to provide vacant possession of the Phase 3 site in line with the development timetable.

5.4 A private nursery has operated on Heathside and Lethbridge for many years. Originally located in Phase 1, the Council re-located the service to Landale Court in Phase 3, in 2009. The nursery is required to move as part of the current Phase and despite ongoing discussions, the Council is having to take legal action in line with the terms of the lease to gain possession.

6. Scheme Proposals and Features

6.1 The overall scheme is to be carried out in broadly the same way as previously set

out to Mayor and Cabinet on 25th March 2009. Key points are:

- The scheme will provide the same amount of affordable rented, shared equity and shared ownership properties as previously reported (542) meaning that there will be enough homes for all secure tenants and leaseholders who wish to remain and the scheme will provide an additional number of affordable homes.
- All of the homes will meet the lifetime homes standard and all affordable rented homes will meet the code for sustainable homes level 4. There will be the required 10% wheelchair accessible or adaptable homes across the whole site.
- A multi function community centre will also be provided.
- The overall scheme will provide around 1192 units.
- As grant funding is being used and the Council is part of the South East Inter Borough Nominations Protocol, although the decant need will first be satisfied, subsequent nominations will then have to take into account the agreed formula for sub regional housing.

6.2 The overall mix of bed sizes changes with each detailed planning submission as architects take into account changing demands such as design and space standards. However the Council and Family Mosaic seek to create a sustainable development with desirable units and a mix of bed sizes with emphasis on 2 beds and above in the rented homes. The current overall bed mix is 394 x 1 beds, 294 x 2 beds, 255 x 3 beds and 51 x 4 beds. The 4 beds are all rented and represent an increase in the number of 4 beds that was on the original estate.

6.3 It has always been a key feature of the scheme that should the housing market improve throughout the life of the programme, private units will be built as part of future phases in order to reduce the amount of grant required and diversify tenure. There are 62 sale units in Phase 2 and 112 in Phase 3 with sale units envisaged throughout the later Phases, depending on the housing market. Family Mosaic have had significant success over recent years in sales of private and shared ownership units and are prepared to take the risk on building these units. Interest and sales in private and shared ownership units to date has been very positive. There is a fixed number of affordable rented homes across the scheme to make sure that all current residents can be re-housed in the new development and ensure an increase in affordable homes.

6.4 The terms of the Development Agreement are that should the scheme provide private sale units, any income into the scheme is carried over into the next phase to improve financial viability. At the end of the scheme, any remaining surplus is to be split between the HCA and Council on a 60/40 basis with any money received by the Council being treated as a deferred payment for the land.

7. Section 105 Consultation and Re-housing Proposals

- 7.1 The Council and Family Mosaic have been working together to look at whether the decant of Phase 4 can be brought forward. The key aims are to:
- Reduce time between building Phases to maintain the current speed of the development.
 - Keep current profile of the scheme with funders.
 - Maintain an ongoing sales and marketing process.
 - Speed up the decant and overall programme.

7.2 As one third of tenants in Phase 3 have chosen to move away from the estate, there are around 60 new homes in Phases 1 and 2. The Proposal is for the decant of Phase 4 to be split into two, so that secure tenants in Travis and Ferguson Houses have the opportunity to move into new build homes in Phases 1 and 2 in the autumn 2012. The proposal may also mean earlier re-housing for some Melville House residents, who would now be expected to be re-housed during 2013 and 2014 rather than some having to wait until 2015.

7.3 Half of new homes in Phases 1 and 2 have already been allocated to Heathside and Lethbridge residents that were decanted as a part of the Phase 3 decant and residents are still moving in. As with the previous decant Phase, we expect that some residents may want to move away from the area and this can be done through the Council's Homeseach system. If this Phase follows the previous Phase, subject to bed size requirements, there will be sufficient homes in Phases 1 and 2 for those in Travis and Ferguson Houses. If there are not enough homes in Phases 1 and 2 for tenants in Travis and Ferguson House to move into, these tenants would have to move away from the area with a request to return to the new build in future phases. We expect that tenants that wished to move away from the area would do so from early 2013.

7.4 The table below shows how the decant would work for Phase 4 when split into two parts.

Phase	Blocks	Number of residents	When tenants would move	Where tenants would move to
4A	Travis & Ferguson Houses	68 secure tenants 13 leaseholders	From November 2012 or early 2013	Phase 1 and 2 new build and off estate
4B	Melville House	40 tenants 8 leaseholders	From Summer 2013 – summer 2014	Phase 3 new build (block A - 48) and off estate

7.5 Under the proposal, Family Mosaic have agreed to keep new build units in Phase 1 until residents in Phase 4A can move in. This is expected to be in November – December 2012. The Council currently expects that moves off site would start in early 2013.

Section 105 Consultation

7.6 Section 105 of Part IV of the Housing Act 1985 makes it a requirement for a landlord authority to consult with those of its secure tenants who are likely to be substantially affected by a matter of housing management. The Act specifically identifies a new programme of improvement or demolition to be a matter of housing management to which Section 105 applies.

7.7 On Tuesday 28th August a letter was hand delivered to all secure tenants on the Heathside and Lethbridge estates that explained the proposals. In addition, a specific letter was delivered to the tenants and leaseholders in the affected blocks. These

letters gave further information about the proposals to those who would be most affected by them. Due to the time constraints and requirement for a decision to be made on the proposals by Mayor and Cabinet at the earliest opportunity secure tenants were given 22 days to respond to the formal consultation. However, within this time period, there was an estate wide event where residents could meet with Officers to ask about the proposals and give their views and the Council and Family Mosaic held two drop in sessions for tenants and leaseholders in the affected blocks so that they could view a new build flat.

7.8 This statutory consultation has been undertaken three times before (in January 2008, August 2009 and November 2011). As the opportunity to speed up the decanting process has arisen, this needed to be undertaken again in relation to the revised phasing strategy. In all previous instances, the Mayor decided that there was general support for the scheme and agreed the overall decanting and demolition of Heathside and Lethbridge and proposals set out.

7.9 The Council has received 12 responses from 11 households to the consultation proposals out of 220 possible remaining tenanted properties (a 5% response rate). The full responses (with replies from Council Officers) have been made available in the Members room.

7.10 All of the responses received were from residents in Phase 4 and can be classified in the following way:

In favour of the proposals: 9 responses from 8 households

Neutral to the proposals: 3

7.11 The responses in favour of the proposals made comments such as that the proposal:

“is a brilliant idea... well done Lewisham Council”

“is a fantastic idea (as) it would enable ... residents to move into more suitable homes sooner”

“will have a very positive impact on the local community...me and members of my household feel delighted to be considered to move into one of the new build projects on the estate and would feel elated to be moving into one of these buildings in November/ December (as intended)”

“I would love it, it can't come too soon”

“moving into a new home earlier than I thought would be great, not just for me but my kids too”

“The benefits for Heathside and Lethbridge include... Providing new, decent homes compliant accommodation for residents in Phases 4 to 6 earlier than currently planned.... We are therefore very much looking forward to moving to a new home with adequate kitchen and bathroom space, modern facilities and more storage space.”

“I welcome this proposal and from speaking to several of my neighbours they too are

excited at the idea of potential moving early into their new flat. I hope the council do live up to this...It's great to know that the council are being proactive about the regeneration and taking it seriously. I know from speaking with other tenants that the last thing they would want is for a delay in moving into their new flats on the estate”.

7.12 Of the responses that were neutral to the proposals, one made no comments, one raised concerns about the increases to rents and service charges and one who felt the proposals were “okay” but raised lots of concerns about the possibility of moving away from the area if there are not sufficient flats for everyone to move into. Other responses also included questions on areas such as the type of tenancy with a housing association and about buying properties through right to buy/ right to acquire and shared ownership. These issues are explained further below:

Issue or concern	Council Position
Increased rents and service charges	The Council has always been clear with residents that rents in the new build scheme would reflect that the properties are new and so attract higher rents and service charges than residents currently pay. However, Family Mosaic do not operate the Governments new “affordable rents” and have stayed within the “target” rents so as to minimise the difference. In addition, Family Mosaic have carried out one to one visits to tenants in Phase 3 that were interested in the new build homes and will do so again for those tenants in Phase 4. These sessions look at each households financial situation, benefit entitlement and new build charges.
Availability of new homes in Phases 1 and 2	There are around 60 homes still available in Phases 1 and 2. Lewisham Homes current records show that there are 68 secure tenants in Travis and Ferguson Houses. In addition to secure tenants there will be a number of introductory tenants who will become secure tenants in due course. The decant visits will reveal the demand for the new build properties by bed size. Should the demand be much higher than the supply, officers will develop a transparent and robust way to prioritise the allocation of these homes.
Tenancy Information	Tenants moving into the new build will become tenants with Family Mosaic and have an assured tenancy rather than a secure tenancy. Tenants retain all their key rights with an assured tenancy.
Right to Acquire rather than Right to Buy	The key difference between the right to buy and right to acquire is the discount that is available. This is a recent change, felt due to the Governments increase to the discount available on right to buy in Council owned stock. The discount under on a Council owned property could be up to 75% of the value whereas it is capped at £16,000 off the value of a property owned by a Housing Association. Prior to recent changes, the cap was the same across council and Housing Association. Should the discount be a key factor in a tenants re-housing, they will be able to move off the estate into a Lewisham Homes property where the right to buy is still available.

- 7.13 The Council and Family Mosaic have held three events during the consultation for this proposal. The first took place the day after the letters were delivered and was an event to show the architects drawings for the detailed Phase 3 planning submission; to show case the name of the new development (Parkside); to promote and develop Family Mosaic's work on employment and training and to give residents the opportunity to talk about the decant proposals. Two further drop in style events took place on Thursday 6th September from 4pm to 8pm and then Friday 7th from 10am until 2pm in a new build flat on Phase 1 also to give residents the opportunity to discuss the proposals and also to view a new build home.
- 7.14 All events were well attended by residents, with 49 residents attending the drop ins, all of which were from blocks in Phase 4. These events have given Officers the opportunity to get feedback from a wide range of tenants and leaseholders in the affected blocks. All responses have been positive with residents keen to move out of their current homes. Generally residents seem very happy to do this as quickly as possible. Most residents have been positive about moving into the new build and say they would like to do this. A smaller proportion have expressed an interest in moving away, because they are keen to have greater parking freedom or a house or garden.
- 7.15 At the current time, Officers have been keen to consult with residents, particularly with those in Travis and Ferguson to see whether people are interested in moving into the new build homes in Phases 1 and 2. Officers have tried to be realistic with residents about the potential lack of parking availability which may mean residents would prefer to move away from the development at the current time and also to try to show residents what the new homes are like so that residents can start to think about the issue in an informed way.

8. Phasing and Re-housing

- 8.1 The overall phasing for construction of the new development is set out in Appendix 1. The location of Phase 1 was chosen largely to address the problem of two long term empty blocks with the added benefit of having a Phase 1 that required a small off site decant to kick start the programme. Family Mosaic have confirmed that the best phasing programme for the new development follows on from this geographically, continuing with the Heathside blocks before moving on to the demolition of Lethbridge Close.
- 8.2 Phase 2 is on the site of 1 -28 Lethbridge Close which is already decanted and demolished and two adjoining car parks. Phase 3 covers the blocks of Vardon, Holcroft, Doleman Houses, Landale Court and 29 – 56 Lethbridge Close. The latter block was included after formal section 105 consultation was carried out in November 2011. These blocks are nearly empty, with demolition expected to take place in January 2013.
- 8.3 Subject to Mayor and Cabinet approving this report it is intended that the remaining new homes in Phase 1 and Phase 2 will be first choice for residents in Travis and Ferguson Houses to move into. All households will have the option of moving away from the area using Homesearch if this is their preference.
- 8.4 The next stage is to look at how the demand for the new build homes compares

with the availability in Phases 1 and 2, especially by bed size. This will require a detailed visit to all tenants in Travis and Ferguson Houses to find out who lives in each home and discuss other issues such as rents and service charges on a one to one basis. In Phase 3, a third of tenants wished to move away from the development and if the same happens here in Travis and Ferguson Houses, this would mean that there could be sufficient homes in Phases 1 and 2 for those tenants that want them. However if there is the case that more tenants want to move into new build than are available, Officers will need to develop a robust and transparent way of prioritising the allocation of these homes. This would be done by Officers in discussion with colleagues across the Council.

Leaseholders and Compulsory Purchase Order (CPO) Powers

- 8.5 If this proposal is agreed it will mean changes to when the Council proposes to buy properties back from leaseholders in Phase 4. For resident leaseholders, it also means that homes to buy in the new development under the shared equity scheme may be in a different location than previously expected. The Council does not offer re-housing for non-resident homeowners or their tenants.
- 8.6 Resident leaseholders have the option of being bought back by the Council and moving away and they also have the option of buying again under the shared equity scheme. Currently two leaseholders in Phase 3 are taking this opportunity, which means that the leaseholder owns a share in the new property and doesn't pay rent on the part they own.
- 8.7 If the proposals are agreed by Mayor and Cabinet, the Council would start negotiating with leaseholders to buy back properties from November 2012. This would be leaseholders in Travis, Ferguson and Melville Houses, although the Council would prioritise buybacks in the following order:
1. Resident leaseholders in Travis, Ferguson or Melville houses that wished to buy homes in the new development. This is because these homes will be ready in early 2013.
 2. Other leaseholders in Travis and Ferguson Houses: This is because the Council would be working towards demolition of these blocks in autumn 2013.
 3. Leaseholders in Melville House that were resident but want to move away or that were non resident. The Council would be working towards demolition of this block in late 2014 so would be seeking to complete all buy backs prior to this.
- 8.8 As this scheme follows a development programme, it is anticipated that the Council will seek to put in place CPO powers and a report will come back to Mayor and Cabinet in due course.

Programme

- 8.9 Key dates for the proposals are as follows:

Preparation	121 visits to tenants and leaseholders in Phase 4A and 4B	September 2012 – November 2012
Phase 4A:	Allocation and moving for tenants that want to move into new build	November/ December 2012
	Tenants move away from the estate	Early – end 2013

Phase 4B	Tenants able to move away from the estate	Mid 2013 – mid 2014
	Tenants able to move into new build homes in Phase 3	Mid 2014
Leaseholders	Negotiations as priority order in para 8.6	November 2012 onwards
	Able to move into shared equity properties	November 2012 onwards
	CPO action, depending on requirements could be a CPO for both Phase 4A and 4B	Early 2013

8.10 Please note that these dates are currently projected dates and will depend on factors such as the number that wish to move into the new build units, leaseholder negotiations and the Phase 3 demolition and build progress.

9. Consultation

9.1 Consultation with residents on Heathside and Lethbridge has been recognised as a key element in the success of this project from the outset as the new homes and neighbourhood are being created to benefit these existing residents. Consultation with residents and local community groups has therefore been ongoing throughout the process and has been detailed in previous reports to Mayor and Cabinet.

9.2 Prior to Family Mosaic's selection, estate wide consultation included an independent survey, letters, newsletters and drop in sessions. Interested residents from the TRA formed the resident steering group, which have met on a monthly basis from December 2004. The group is also attended by a Ward Councillor. Initial consultation was undertaken with local community service providers through the Neighbourhood Forum also from 2004.

9.3 Since Family Mosaic's involvement in the scheme, a comprehensive consultation strategy has been developed. In drawing up the master plan, residents were involved through the resident design group, set up in 2007 which enables residents to effectively contribute to the master planning process. There have been estate wide fun days and exhibitions for residents and also for neighbours throughout the scheme so far with many concentrating on key milestones or items for consultation such as the Planning submissions.

9.4 During the summer 2012 there consultation was undertaken with estate residents, regarding the Phase 3 detailed planning application. This involved a series of detailed design group sessions on various key elements of the scheme such as appearance, landscaping and flat layouts. The event on the 29th August 2012 was carried out in conjunction with the Council's Youth Services team to try to utilise the end of the school holidays by providing additional attractions such as face painting and refreshments alongside the range of information about the scheme. The event was well attended and residents generally seem pleased with the progress of the regeneration scheme to date and the new homes themselves.

10. Legal Implications

- 10.1 Section 105 of the Housing Act 1985 provides that the Council must consult with all secure tenants who are likely to be substantially affected by a matter of housing management to which the section applies. The section specifies that a matter of housing management would include demolition of dwelling houses let by the authority under secure tenancies and that such consultation must inform secure tenants of the proposals and provide them with an opportunity to make their views known to the Council within a specified period. The section further specifies that before making any decisions on the matter the Council must consider any representations from secure tenants arising from the consultation. Such consultation must therefore be up to date and relate to the development proposals in question.
- 10.1 The Council has power under the Housing Act 1985 to acquire land for the provision of housing accommodation. This power is available even where the land is acquired for onward sale to another person who 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.
- 10.2 Section 84 of the 1985 Act provides that the Court shall not make a possession order of a property let on a secure tenancy other than on one of the grounds set out in Schedule 2 to the Act, the relevant ground in this case being ground 10.
- 10.3 Ground 10 applies where the local authority intends to demolish the dwelling house or to carry out work on the land and cannot reasonably do so without obtaining possession. The demolition works must be carried out within a reasonable time of obtaining possession.
- 10.4 Where the Council obtains possession against a secure tenant it is required to provide suitable alternative accommodation to the tenant. This is defined in the 1985 Act and requires consideration of the nature of the accommodation, distance from the tenants' family's places of work and schools, distance from other dependant members of the family, the needs of the tenant and family and the terms on which the accommodation is available.
- 10.5 There is a more limited statutory re-housing liability for leaseholders whose properties are re-acquired by the Council under CPO or shadow of CPO powers. The duty imposed by Section 39 of the Land Compensation Act 1973 is to secure that any person displaced from residential accommodation is provided with suitable alternative accommodation where this is not otherwise available on reasonable terms. In order to facilitate early possession of properties which have been sold under the Right to Buy, Family Mosaic has a range of flexible options for resident leaseholders who wish to invest in a new home in the development.

11. Financial implications

- 11.1 The financial structure of this scheme is that the Council forward funds the cost of obtaining vacant possession of each Phase and these costs are reimbursed by Family Mosaic. Additional costs from the proposal to bring forward the decant and buy back of units in Phase 4 are expected to be minimal and would be met by Family Mosaic.

12. Human Rights Act 1998 Implications

- 12.1 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.
- 12.2 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).
- 12.3 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.
- 12.4 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.
- 12.5 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 Heathside and Lethbridge 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.
- 12.6 It is relevant to the consideration of this issue, that should the scheme proceed all displaced secure tenants would be offered re-housing in accordance with the Council's re-housing policy. Resident leaseholders will be offered a range of flexible options to acquire a new home in the new development. The Council retains the discretion to enable resident leaseholders who cannot afford to purchase a new home to rent a home on an assured tenancy in order to prevent homelessness. Secure tenants will be entitled to home loss and disturbance payments. Leaseholders 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.

13. Environmental Implications

- 13.1 The new homes to be built by Family Mosaic will be more thermally efficient than the existing ones and hence, apart from being cheaper to heat, will generate less greenhouse gases.

14. Implications for Law & Disorder

- 14.1 The Family Mosaic redevelopment is planned to meet the police's Secured by Design standards and should lead to a reduction in crime and the fear of crime.

15. Equality Implications

- 15.1 Mayor and Cabinet approved the Equalities Impact Assessment for the regeneration of Heathside and Lethbridge in November 2009. Officers have since taken the new Equalities Analysis Assessment (EAA) additional categories into account in considering the impact of the regeneration scheme. There are equalities implications in the decanting and re-building process and there will also be benefits in the completed scheme and some of these are set out below.

Equalities implications: during the process

- 15.2 During the door knocking, Council and Family Mosaic staff built up a database of households that have English as a second language so that key information can be translated.
- 15.3 The decanting process provides a very individual service, where decant officers visit tenants at home and get to know them and their needs on an individual basis, so that any special requirements can be taken into account such as language, mobility or support needs. It is recognised that decanting is a very stressful time and decant officers will offer as much support as required to minimise the anxiety to residents.

Equalities implications: the completed development

- 15.4 The scheme will provide thermal and security improvements, with all new properties meeting the decent homes standard. This will be of benefit to the tenants of the new social housing, many of whom are likely to be disadvantaged.
- 15.5 All new affordable units in the development will meet lifetime homes standards. A Lifetime Home is the incorporation of 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.
- 15.6 In line with GLA and Council policy, 10% of units across the development will be wheelchair accessible or easily adapted for those using a wheelchair.
- 15.7 The topography of the site is challenging. The architects are designing the master plan to alleviate problems associated with access, particularly for the elderly and wheelchair users. Issues being taken into account are using ramps instead of steps and altering the land gradient where possible.
- 15.8 All new blocks will have lifts serving smaller cores/ units so will get less use and have a longer life expectancy.

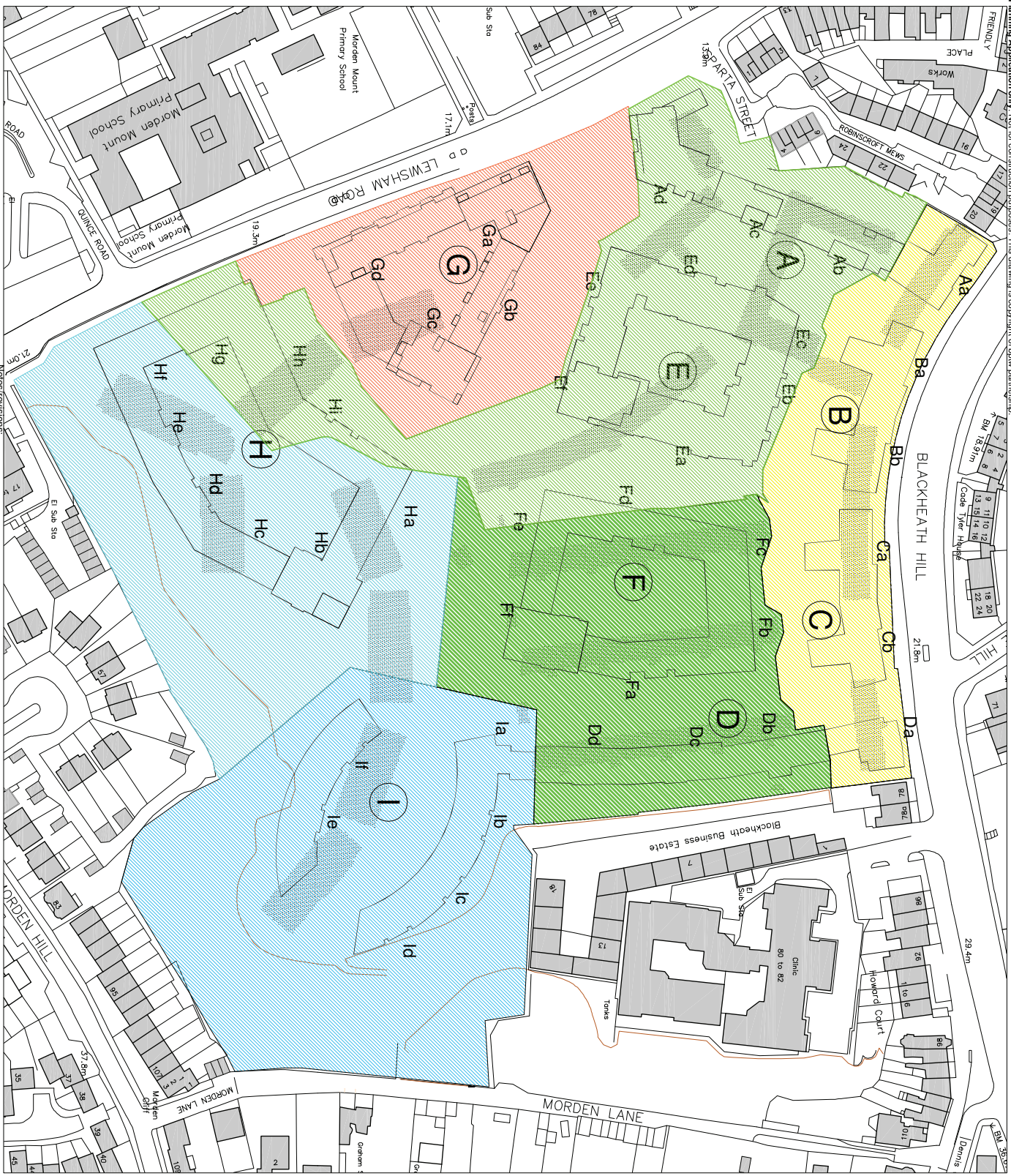
16. Conclusion

- 16.1 This report gives an update on scheme progress and seeks approval to proceed with the accelerated Phase 4 decant.

17. Background papers and author

Title Document	Date	Location
Re-Development of Heathside and Lethbridge: Update and Phase 3 land disposal	Mayor and Cabinet July 2012	5th Floor Laurence House
Re-Development of Heathside and Lethbridge: Section 105 Consultation and Phase 3 Decant	Mayor and Cabinet February 2011	5th Floor Laurence House
Re-Development of Heathside and Lethbridge: Phase 3 decant and Phase 2 land disposal	Mayor and Cabinet November 2010	5th Floor Laurence House
Re-Development of Heathside and Lethbridge: Update, Development Agreement and Phase 1 Land Disposal	Mayor and Cabinet November 2009	5th Floor Laurence House
The re-development of Heathside and Lethbridge– Update and Memorandum of Understanding	Mayor and Cabinet March 2009	5th Floor Laurence House
The re-development of Heathside and Lethbridge– Decanting and Demolition Notice	Mayor and Cabinet March 2008	5th Floor Laurence House
The re-development of Heathside and Lethbridge – initial funding requirements	Mayor and Cabinet June 2007	5th Floor Laurence House
The re-development of Heathside and Lethbridge – selection of preferred development partner	Mayor and Cabinet Feb. 2006	5th Floor Laurence House
The next four regeneration scheme update	Mayor and Cabinet 9 th June 2004	5th Floor Laurence House
Housing Investment Strategy: The way forward and The Housing Investment Strategy: Covering Report	Mayor and Cabinet 17 th September 2003	5th Floor Laurence House
The next four regeneration schemes	Mayor and Cabinet 25 th June 2003	5 th Floor, Laurence House

18.1 For more information on this report please contact Genevieve Macklin, Strategic Housing on 020 8314 6057.



- KEY:**
- PHASE 1
 - PHASE 2
 - PHASE 3
 - PHASE 4
 - PHASE 5
 - PHASE 6

bptw partnership
 Hillons Wharf, Norman Rd, Greenwich, London SE10 9QX
 telephone 020 8293 5175 fax/line 020 8293 5146
 email post@bptw.co.uk website www.bptw.co.uk

Rev	Preliminary Issue	Date	18/06/2012	Dwn	CG	CHK'd
	P2 Existing demolished building footprint shown with dotted hatch		28/09/2012			

Date:	Jun '12	Client:	Family Mosaic
Drawn:	CG	Project:	Heathside and Lethbridge Phase 3
Check:		Title:	Phase 3 - Phasing Plan
Scale:	1:1250	Dwgno:	11-072 / D(00)022
		Revision:	P2

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

Date of Meeting	3 October 2012
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Title of Report	Local Implementation Plan – Annual Spending Submission 2013/14
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Originator of Report	Bill Tarplett	Ext 42570
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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: 24/09/12

Signed:  Director/Head of Service

Date: 24/9/12

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 & CABINET

Report Title	Local Implementation Plan – Annual Spending Submission 2013/14		
Key Decision	Yes		Item No. 7
Ward	All		
Contributors	Executive Director for Resources and Regeneration		
Class	Part 1	Date: 3 October 2012	

1. Summary

- 1.1 In 2011 the draft of the Council's Local Implementation Plan (LIP) was prepared and submitted to Transport for London. The LIP was agreed by Mayor and Cabinet on 17th November 2011 and by full Council on 29th November 2011.
- 1.2 The LIP is designed to cover the policy on transport from 2011 to 2031. This includes a 3-year programme of projects (2011/12, 2012/13 and 2013/14) based on the indicative funding levels proposed by Transport for London. Of these, the proposals for 2011/12 were considered to be firm, and those in relation to 2012/13 and 2013/14 were to be based on "Annual Spending Submissions" which, if required, would vary from the draft LIP proposals.
- 1.3 This Annual Spending Submission for 2013/14 is primarily based on the programme of works submitted as part of the LIP, along with Transport for London's "LIP Annual Spending Submission Guidance for 2013/14".

2. Purpose of the Report

- 2.1 This report includes a brief description of the proposed LIP projects for delivery during 2013/14, and seeks approval to submit the LIP Annual Spending Submission 2013/14 to TfL for their approval.

3. Recommendations

- 3.1 The Mayor is recommended to approve the LIP Annual Spending Submission 2013/14 to TfL for as set out in Tables 1-3 (sections 6, 8 and 10).

4. Policy Context

- 4.1 The Greater London Authority Act requires each London Borough to prepare a plan (a LIP) to implement the London Mayor's Transport Strategy within their area. The strategy was published on the 10th May 2010, alongside statutory guidance to London boroughs on LIPs.

- 4.2 The Local Implementation Plan (LIP) sets out Lewisham's policy objectives for transport and has been developed within the framework provided by the Mayor's Transport Strategy. The goals, objectives, and outcomes for the LIP reflect local policies and priorities and are aligned with the Council's Corporate Priorities and the Sustainable Community Strategy.
- 4.3 As a major policy document, the LIP supports all six priorities of the Sustainable Community Strategy and has particular relevance to the many economic, environmental and social improvement that rely on a modern transport system.
- 4.4 Proposals recommended for 2013/14 LIP funding have been shaped and prioritised by these objectives.

5. Background

- 5.1 Much of the investment the Council makes in streets and transport uses TfL funding to support delivery of the proposals set out in the LIP.
- 5.2 Since 2011/12 most of this funding has been in the form of a single funding stream for "Corridors, Neighbourhoods and Supporting Measures". The other separate funding streams are Principal Road Resurfacing, Bridge Assessment and Strengthening and Major Schemes.
- 5.3 In 2011/12 TfL streamlined the funding processes to enable Boroughs to focus on fewer but more holistic projects that address a range of objectives and make a more significant improvement. The proposed programme for 13/14 reflects this approach, which improves value for money, and reduces the disruption caused by returning to make 'single objective' interventions each year.
- 5.4 LIP funding for "Corridors, Neighbourhoods and Supporting Measures" is allocated to local authorities based on a formula intended to reflect relative 'need'. Annually, each local authority must submit a programme to TfL for approval and release of this funding allocation.
- 5.5 TfL also requires local authorities to submit annual bids for 'Principal Road Maintenance' and 'Bridge Assessment and Strengthening' funding. Local authorities may also bid for 'Major Scheme' projects. The funding for 'Bridge Assessment and Strengthening' is considered on a pan London basis by the 'London Bridge Engineering Group (LoBEG)' and the allocations for 2013/14 are not know at the present time.
- 5.6 The Annual Spending Submission Guidance for 2013/14 requires that submissions need to be made to TfL by Friday 5th October 2012.

6. LIP Annual Spending Submission 2013/14

- 6.1 In TfL's "Local Implementation Plan (LIP) Annual Spending Submission Guidance 2013/14" it has been confirmed that Lewisham will receive:

£2.644M	Corridors and Neighbourhoods and Supporting Measures
£308K	Principal Road Maintenance
£100K	Local Transport Funding

Transport for London have also committed to £2.3m of Major Scheme funding for Sydenham town centre Area Based Scheme profiled over two financial years (£1.52m for 2012/13 and £0.78m for 2013/14)

- 6.2 Table 1 shows the proposed programme of Corridors Neighbourhoods and Supporting Measures for 2013/14, which will form the Council's Annual Spending Submission to TfL.
- 6.3 While TfL have not announced LIP funding levels for 2014/15 and beyond, the programme includes a number of projects funded over a period of more than 12 months. This allows careful development and consultation to take place before proposals are finalised. In anticipation of future funding settlements, development work is proposed on new projects for future implementation.
- 6.4 The following paragraphs set out a brief description of each proposed scheme for 2013/14.

Projects continuing in 2013/14

- 6.5 Surrey Canal Road Station

Phase 2 of the East London Line extension from Surrey Quays to Clapham Junction will complete the formation of an orbital route for the London Overground Network which will be open to passengers in December 2012. In order to complete the network, a new railway link is being constructed from Surrey Quays to the existing railway north of the Old Kent Road through Bridge House Meadows.

At the Mayor and Cabinet meeting of 2 March 2011, approval was given for up to £1.5m of TfL LIP funding spread over years 2011/12, 2012/13 and 2013/14, to secure long term access improvements in the form of three underpasses along the extended East London Line. These will complement the future delivery of the station at this location, to be funded by the redevelopment of adjacent land.

The funding for the construction of the project (£1.386m) was agreed from the LIP allocations for 2011/12(£462k), 2012/13(£462k) and 2013/14 (£462k).

Table 1: Summary of proposed LIP Corridor Neighbourhood and Supporting Measures for 2013/14

Local Implementation Plan Funding	£'000
	2013/14
Scheme name	Proposed funding
Surrey Canal Road Station	462
Ladywell Village	300
Sydenham Road east	420
Bus Stop Access	50
Cycle training	120
Review of previous 20 mph zones and local safety schemes	130
Evelyn Street traffic noise assessment	5
Roadside air quality monitoring	5
Completion of previous year projects	30
Grove Park Neighbourhood	40
Bellingham Estate Neighbourhood	70
Kender Corridor – local streets	60
Small traffic management works (Borough-wide)	20
Bell Green Neighbourhood	50
Coulgate Street	140
Blackheath Neighbourhood – programme of minor works	60
Lee Green East Neighbourhood	10
Grove Park Speed/Volume reduction	80
Dartmouth Road North – Pedestrian environment	50
Hither Green east Neighbourhood (east of railway)	100
Deptford High Street north	50
Brockley Road, Stondon Park and Brockley Rise Corridor	60
Evelyn Street Corridor	32
School Travel Planning	160
Independent Traveller Training	25
Road Safety Education, Training and Publicity	75
Travel Awareness	20
Workplace Travel Plans	10
Green Chain Walk promotion	10
Total	2644

6.7 Ladywell Village

A conceptual design for Ladywell Road, commissioned by the Ladywell Village Improvement Group (LVIG) in 2010, has been further developed alongside local stakeholders and is programmed for delivery in 2012/13 and 2013/14.

The estimated cost for implementation is around £800k over the two financial years and the scheme includes a range of streetscape enhancements, including new crossing facilities, widening of footways, and resurfacing works.

6.8 Sydenham Road (east)

Sydenham Road east of Mayow Road had previously been prioritised and LIP funding agreed to develop proposals on the basis of the high levels of casualties along its length. These works are programmed to follow on from the Sydenham high street Area Based Scheme which is expected to complete in September / October 2013. Consequently implementation is now planned to commence in around October 2013 and last until April 2014. It is therefore recommended to allocate £420k from 2013/14 and (provisionally) £220k from 2014/15. The Corridor design will primarily seek to address casualties, but will also aim to improve the environment of the local shopping parades, aid cycling, improve bus operation and bus stop accessibility and make walking and access improvements.

6.9 Bus Stop Accessibility

Any bus stop within the area of a LIP funded Corridor/Neighbourhood project, not meeting access standards will be addressed as part of that project. However, just under half of the bus stops on highway the Council is responsible for, do not meet those access standards. Thus it is recommended that a further separate £50K project be allocated to bring bus stops up to the required standard in other areas.

6.10 Cycle Training

The Council funds its own cycle training post which coordinates and manages programmes of both child and adult cycle training. In order to provide the training it is proposed that £40K of LIP funding be allocated in 2013/14 to deliver cycle lessons to adults starting to cycle for the first time, returning to cycling or cyclists wanting to build skills and improve confidence on the road to cycle further distances e.g. to and from work. The broader aims are to make cycling part of more healthy lifestyles; reduce reliance on the private car; and encourage safer cycling with less cycle casualties. A further £80k is proposed to deliver child cycle training to year 6 pupils throughout the borough. The LIP Outputs the Council has to report on include the numbers of adults and children given cycle training.

6.11 Review of previously implemented 20mph zones and local safety schemes

When previously implementing 20mph schemes, a commitment was made to review their effectiveness after a period, and make any necessary adjustments. Similarly, it is good practice to assess whether local safety schemes are achieving their objectives. Thus it is recommended that £130k be used in 2013/14 to review and assess such schemes introduced in recent years but not yet reviewed, and to make any necessary adjustments to them.

6.12 Evelyn Street traffic noise assessment

The DEFRA Noise Action Plan states that highway authorities will be asked to examine the 'Important Areas' containing 'First Priority Locations' identified in the Plan and form a view about what measures, if any, might be taken in order to assist the management of environmental noise. It is recommended that £5k LIP funding be used in 2013/14 to monitor and model noise from road traffic, in order to provide the evidence base for any action to reduce noise levels. The work would start in Evelyn Street, identified as a 1st priority area and managed by Lewisham Council. The other priority areas tend to fall on the Transport for London Road Network, in particular the A2.

6.13 Roadside air quality monitoring

It is proposed to use £5k in 2013/14 for localised air quality monitoring.

6.14 Completion of previous years schemes

Many schemes that are carried out each year that require the Council to commission services where it has little or no control over their programming and invoicing. This includes the provision of electrical connections, disconnections and supplies from the statutory companies. It is recommended that £30k be set aside for this during 2013/14. This funding is intended to allow a planned approach to settling these "late" accounts whilst not putting pressure on existing schemes in the programme. Any funding not required for this will be reallocated into existing or new schemes in 2013/14.

6.15 Grove Park Neighbourhood

The local shopping centre adjacent to Grove Park train station and bus interchange appears dilapidated, and the existing footways and forecourts are marred by unsightly high containment kerbs and railings. There are vacant shops and an empty, fire damaged public house, the Baring Hall Hotel. £40k has been allocated in 2012/13 to investigate improvements and commence implementation. It is recommended that £40k be utilised in 2013/14 to complete the implementation works.

6.16 Bellingham Estate Neighbourhood.

In 2012/13 £10k has been allocated to prepare proposals to regiment footway parking in streets with narrow carriageways and wide footways. These

proposals are likely to include reconstructing some footways, accessibility improvements and the removal of street clutter. It is recommended that £70k be used in 2013/14 to implement these proposals.

6.17 Kender Corridor local streets.

In 2012/13 £10k has been allocated to carry out an assessment of the impact of the Kender Triangle gyratory removal by TfL on adjoining areas such as Telegraph Hill. It is proposed that £60k be used in 2013/14 to implement the mitigation measures emanating from this assessment..

6.18 Small traffic management works.

The Council receives many requests for minor traffic management measures from the public. These are assessed and prioritised based on their cost against factors such as safety, traffic speed and volume, intrusive parking, community use and cost. It is recommended that £20k is used in 2013/14 to allow a small number of these schemes with the highest priority and "value" to be implemented.

6.19 Bell Green Neighbourhood.

A preliminary study into investigating improvements to the area known as the Bell Green gyratory was carried out in 2010/11 and £100k is allocated in 2012/13 to develop the proposals. It is recommended that a further £50k be used in 2013/14 to continue to develop proposals that include measures to reduce the severance of the gyratory through improvements for pedestrians, cyclists and traffic. This work may result in a bid to TfL for major project development funding if the measures identified result in a project value above £1m. Any TfL funding is likely to be supplemented by S106 funding from developments, notably the former gas works site, where such funding has been identified for "accessibility improvements".

Projects programmed to commence in 2013/14.

6.20 Coulgate Street Neighbourhood.

The scheme proposes improvements to the public realm in Coulgate Street adjacent to Brockley Common, and will enhance the pedestrian environment by various measures including renewing and realigning the footways, introduce new trees (subject to space available between underground mains, cables etc) and removing clutter. Other measures include the introduction of one-way traffic working and providing limited time waiting bays for customers using local shops. The proposals are supported by the Brockley Action Group and Brockley Society and a £100k contribution to the works could potentially be forthcoming as part of a S106 agreement in relation to a development on Coulgate Street should permission be granted for the scheme. It is recommended that £140k of LIP funding is used in 2013/14 to implement the works.

6.21 Blackheath Neighbourhood

This scheme involves the implementation of a number of small scale traffic management measures in Blackheath. Many of these have resulted from requests by local people and include alterations to existing traffic calming measures and the placing of permanent speed indicator devices. It is recommended that £60k of funding is used in 2013/14 to implement these measures.

6.22 Lee Green East Neighbourhood

This is an area to the Burnt Ash Road that suffers from rat running and vehicles travelling at inappropriate speeds. It is recommended that £10k of funding in 2013/14 is used to carry out an investigation and develop proposals for suitable amelioration measures.

6.23 Grove Park speed/volume reduction

This scheme involves a number of residential roads in the north of the area (including Winn Road) where there are problems with "rat running" and vehicles travelling at excessive speeds. From this it is planned to develop and implement a scheme to reduce or prevent the rat running and reduce traffic speeds. The proposed scheme may include speed indicator devices, no entries, width restrictions, controlled crossings, lining and signing. It is recommended that £80k of funding is used in 2013/14 to implement this scheme.

6.24 Dartmouth Road North – Pedestrian environment improvements.

Dartmouth Road forms one of Forest Hill's two high streets. The public realm environment in the northern section of Dartmouth Road is poor with illegal night time footway parking, unsightly street furniture, a number of vacant shops, a perception of inadequate lighting and anti-social behaviour. The initial funding will be utilised to investigate options by undertaking a feasibility study, consultation and designs to allow the development of proposals for a future programme of works. It is currently expected that the majority of the works will centre on the section of Dartmouth Road between its junction with the A205 and the Forest Hill Pools and library area, seeking to further enhance the public realm improvements resulting from the rebuilding of the pools. It is recommended that £50k of funding is used in 2013/14 to develop a suitable scheme for this area.

6.25 Hither Green East Neighbourhood (east of railway)

An Urban Design and Development Framework is in place for Hither Green. The project is to build on this strategy through the development and implementation of public realm and pedestrian environment improvements on the western side of the railway. This will include the areas around the two entrances to the station and the small local shopping area. This will

complement the improvements carried out in the eastern side of the Railway around Staplehurst Road. It is recommended that £100k be used in 2013/14 to develop proposals and partly implement the improvement works.

6.26 Deptford High Street north (north of railway bridge)

Deptford High Street is an important shopping area and has a thriving market. Although the southern section of the road is benefiting from a scheme funded by the Inner London Fund the northern section still remains in need of public realm and pedestrian improvements. An effective pedestrian environment will be particularly important when large developments such as Convoys Wharf are constructed, as this will form the main gateway to Deptford Town Centre, railway station and local leisure facilities.

An allocation of £50k is proposed in 2013/14 as development funding for a proposed bid for Major Scheme funding in the future (see 10.2 for further details).

6.27 Brockley Road, Stondon Park and Brockley Rise Corridor

These roads form the main north-south corridor between the A205 and Brockley Cross. The corridor contains four local shopping areas. Of these only one shopping area has benefited from recent improvements to the public realm and pedestrian environment. There is also a relatively high number of accidents on this busy route. Pedestrian movements are high in a number of areas along this route particularly around the shops and adjacent to the three railway stations that lie on or close to this route (Brockley, Crofton Park and Honor Oak Park).

It is therefore proposed to carry out a corridor study with a view to developing a “whole route” plan of improvements. These improvements are then likely to be implemented on a phased basis to limit the overall disruption to traffic on this corridor. It is recommended that £60k be used in 2013/14 to carry out surveys and development work on the plan of improvements.

6.28 Evelyn Street Corridor.

Although Evelyn Street was the subject of a parallel initiatives scheme some parts of this corridor are likely to be affected by major developments planned for this area. This will have the effect of substantially increasing transport movements (particularly pedestrian and cycling) in certain sections of the road which may require changes to the existing arrangements.

It is recommended that £32k be used in 2013/14 to carry out surveys and development work with a view to future improvements and potential alignment with a major scheme bid for Deptford High Street North.

Supporting Measures Programme

6.29 School Travel Planning

It is recommended that £160k be used in 2013/14 to continue to build on STP development programme delivered over the last seven years by monitoring and maintenance of STPs at all schools in borough including extensive consultation with whole school and local communities to identify and address barriers to using sustainable modes of transport. It will include projects to raise awareness and promotion of healthy lifestyles, active travel options, walking and cycling initiatives; resources and facilities to encourage behaviour change.

6.30 Independent Traveller Training

It is proposed to use £25k in 2013/14 for training and support initiatives to promote independent travel for pupils with Special Educational Needs and transition from primary to secondary schools. This initiative benefits both the end user by increasing independent travel and hence accessibility and also releases funding that would previously have been utilised on taxi or bus services etc.

6.31 Road Safety Education, Training and Publicity

It is proposed to utilise £75k in 2013/14 for this important work which is likely to include:

- Powered Two Wheeler Publicity Campaigns
- Young Driver Initiatives
- Schools Safety / Healthy Walks
- Secondary School Road Casualty Reduction Competition
- Elderly Road Users Road Shows

6.32 Travel Awareness

It is proposed to use £20k in 2013/14 for a programme of events, publicity and promotion to raise awareness of sustainable modes of transport and in particular active travel including national campaigns and local events such as Bike Week, Bike & Kite event, Car Free Day, Walking Works.

6.33 Workplace Travel Plans

It is recommended to utilise £10k of funding in 2013/14 to engage businesses and organisations in the borough to develop, implement and review voluntary travel plans using information and contacts from work carried out by consultants commissioned to identify and map geographic clusters of organisations. This will involve setting-up or supporting travel plan networks across the borough to encourage shared-use of facilities and initiatives that

support sustainable transport modes, such as cycle parking or shower facilities.

6.34 Green Chain Walk promotion

The proposal aims to increase visibility and awareness of the Green Chain and to promote walking as a healthy and effective mode of travel. The campaign will promote use of walking within the SE London region and use of the Green Chain targeting selected train stations, platforms and key bus routes. Posters and maps will be displayed to promote walking and provide a link to web sites which will offer comprehensive information about walking within the area. It is recommended to utilise £10k of funding in 2013/14 for this work.

7. Recommended Bridge Assessment and Strengthening Funding Bids

- 7.1 Historically, highway authorities need to ensure that the railway authorities are aware of the highway authority's aspirations in terms of bridge loadings and highway requirements. Generally the highway authorities seek bridges capable of accommodating vehicles up to 40 tonnes. Network Rail however is only required to ensure that its bridges are capable of carrying 24 tonnes. Highway authorities need to provide the funding for its aspirations over and above the minimum standard set for Network Rail. Application for funding for bridge-related works is made via the LIP funding process and a jointly coordinated procedure of TfL and LoBEG, the latter being subject to a pan-London prioritisation procedure. The budget is ring-fenced to bridge activities and changes in allocations are managed by TfL/LoBEG independently of any LIP funding settlement. Table 3 below shows the proposed funding bids to be made for bridge works in 2012/13 and 2013/14 however final allocations for bridge works in Lewisham will be a matter for TfL/LoBEG .

8. Recommended Principal Road Maintenance Funding Bid

- 8.1 Sydenham Road is a Principal Road and hence eligible for maintenance funding from TfL. Carriageway and footway replacement within that part of Sydenham Road forming Sydenham's high street has been held off awaiting the implementation of the major scheme. The Sydenham Area Based Scheme will be implemented during 2012/13 which reflects the proposal (in Table 2) to utilise the 2012/13 Principal Road Maintenance funding Sydenham Road.

Table 2. Summary of ‘Maintenance’ Funding Bids Recommended for 2013/14

Funding Stream	Proposal	Funding (£ ,000s)
		2013/14
Principal Roads	Sydenham Road. Other road(s)	385*
Bridge Assessment and Strengthening (Note-costs are budget estimates only)	Bridge load assessment:	
	Allerford Road	10
	Watermead Road	10
	Brightfield Road	10
	New bridge deck feasibility and design (for one of above bridges)	150
	TOTALS	565

* This includes an additional 25% over the financial allocation of £308k as recommended in the LIP guidance

9 Local Transport Funding

9.1 Transport for London provide annual flexible funding of £100,000 for local transport priorities. In June 2012, the Mayor and Cabinet approved the allocation of funding for 2012/13 to a programme of Small Scale Traffic Schemes, to the development of Future Traffic Schemes, and to public transport improvements.

9.2 Similarly, the allocation of the £100,000 funding for 2013/14 will be subject to a future report to Mayor and Cabinet.

10. Recommended Major Schemes

10.1 Sydenham Area Based Scheme

LB Lewisham’s Major Scheme for Sydenham town centre will provide significant improvements to the public realm and will be an important catalyst for regeneration in the area. In addition to enhancing the environment for those using the town centre, it will also cater for the increased pedestrian movements associated with people using the East London Line extension services that were introduced in May 2010.

The project is aimed at improving the quality of the street environment primarily to enhance the pedestrian experience, and includes the replacement of footways and carriageway from the shop frontages. Where agreed private forecourts will also be repaved and delineated with studs. All signals junctions will be remodelled with all around “straight through” crossings. New Toucan and Pelican crossings will be introduced on crossing desire lines either side of the railway bridge.

The scheme also aims reducing the level of personal injury accidents and enhance safety and security through the introduction of wider pavements, upgraded bespoke pedestrian lighting and upgraded CCTV surveillance.

It should be noted that the Council proposes to fund complementary works in Sydenham Station Approach utilising funding related to the East London Line extension. This work is dependant on successful negotiations with London Rail for the station approach road to be re-designated as public highway and suitable legal agreements put in place.

This scheme is at an advanced design stage and is currently progressing towards delivery with a contract having been awarded recently by Mayor and Cabinet (contracts) on 11 July 2012. The works are expected to last for 12 months and to be complete by September 2013. Works will be restricted to the side streets and Sydenham Station Approach during the Christmas shopping and New Years sale period.

Currently TfL has allocated £2.3M of major project funding to this scheme which is profiled as £1.52m (2012/13) and £0.78m (2013/14).

10.2 Deptford High Street and Deptford Church Street Improvements

Deptford and New Cross are key opportunity areas for regeneration within the borough. The area is rich in cultural history and has an exciting music and arts culture. The area includes four strategic development sites where developers will offer housing, business, leisure and education opportunities.

A programme of regeneration is already underway in Deptford town centre to provide for the future changes that these developments will bring with the anticipated increase in population (20-25,000 by 2025) and the subsequent increased demand on local services. The regeneration includes the new fully accessible Deptford rail station, a new shared school and council building offering numerous facilities, completed improvements to library and leisure facilities at Wavelengths pool and improvements to parks and streets to offer better and safer walking and cycling routes.

A successful bid to the Outer London Fund means that major improvement works will be made to the southern section of Deptford High St. However the northern section of Deptford High Street would benefit from improvements especially with the extra pedestrian movements that are expected when large developments such as Convoys Wharf are built. Deptford Church St is a dual carriageway road with few crossing facilities which creates severance between the town centre and the "Creekside" area.

Improvements to both Deptford High Street and Deptford Church Street will enhance and compliment existing development of the area. Major schemes for these streets would seek to enhance the urban realm while with improving traffic flow and road safety. Projects would also improve access to alternative modes of transport through better cycling and walking routes, better connections to public transport, improved connections to green spaces.

The overall proposals for Deptford High Street and Deptford Church Street fit well with the MTS goals, challenges and outcomes, and in particular would support economic development and population growth through the regeneration of the local shopping area and market to allow it to thrive and meet the aspirations of both existing and future residents.

It must be noted that at the present time Thames Water have a major proposal that, if implemented, is likely to affect the programming of improvements in Deptford Church Street.

Development of outline designs for both Deptford High Street (north) and Deptford Church Street will continue and Major Projects bid to TfL for “development funding” will be submitted once sufficient data has been obtained to meet the bidding guidance requirements.

10.3 Bell Green Gyratory Improvements

The Bell Green gyratory currently creates a relatively unattractive environment and severance in the local area which is exacerbated by queuing traffic. The adjacent rail over-bridge to the east of Bell Green also offers a very poor environment for the passage of pedestrians with only a single narrow footway.

The gyratory comprises 5 sets of signals from the junction of Perry Rise/Perry Hill until Southend Lane/Worsley Bridge Road. Bell Green, Southend Lane (A2218) and Stanton Way which make up the gyratory are London Distributor roads. The gyratory is included in the borough’s Emergency Services Priority Route Network and lies along the routes of buses 181, 352, 202, 194, 356 and 450.

Although the project is still within its feasibility stage the following interventions are likely to feature in the final scheme proposals:

- Linking all of the traffic signals around the gyratory to improve traffic flows and reduce congestion.
- Provide and improve pedestrian crossings at the signal junctions
- Create a new controlled crossing facility in Stanton Way.
- Public realm improvements throughout including new trees and street furniture.
- Possibility of a new pedestrian and cycle link through the railway embankment to the north of Southend Lane.
- Minor widening of the existing southern footway under the bridge to 1,200mm (4ft)

There is significant funding identified for the Bell Green site from the S106, for “Accessibility” works around the gyratory with further additional funding to be secured upon further developments in the site area. In addition LIP funding is being utilised for the feasibility stage. The current scheme proposals fit in well with the Mayor of London’s Transport Strategy goals particularly contributing

to the better streets agenda. It will improve road safety and make accessibility improvements for pedestrians, cyclists and disabled people.

It also fits in with the nearby proposed LIP schemes for Sydenham town centre and Sydenham Road east (Mayow Road to Bell Green). Also recent highway improvement schemes have been carried out in the Perry Rise to Catford Hill Corridor and in Southend Lane

If a major project bid is unsuccessful then the S106 monies and LIP neighbourhood funding will be used to fund a reduced scheme.

Table 3. Summary of Committed and Proposed Major Schemes for 2011 to 2014 with confirmed Major Scheme funding allocations for 2012/13 and 2013/14.

Funding Stream	Proposal	Funding (£ ,000s)	
		2012/13	2013/14
TfL Lewisham	Sydenham Area Based Scheme / Sydenham Station Approach	1,520	£780
TfL	Deptford High Street	0	0
TfL	Bell Green Gyratory Improvements.	0	0
TfL	Deptford Church Street	0	0
Total		1,520	780

10. Legal Implications

10.1 The Council's Local Implementation Plan is a statutory document that sets out how the Council proposes to implement the Mayor's Transport Strategy. It shows how the proposals cover the necessary policy, effects, projects, programmes implementing mechanisms, planning and activities. Resources assumptions and performance measures are also included.

10.2 By virtue of section 159, subsection 1, of the Greater London Authority Act 1999 (as amended) Transport For London (TfL) may give financial assistance to any body in respect of expenditure incurred or to be incurred by that body in doing anything which in the opinion of Transport for London is conducive to the provision of safe, integrated, efficient and economic transport facilities or services to, from or within Greater London. (subsection1) Financial assistance may be given under this section by way of grant, loan or other payment. (subsection2).The financial assistance that may be given to any London authority under this section includes in particular assistance in respect of any expenditure incurred or to be incurred by the authority in discharging any function of a highway authority or traffic authority. (subsection 3). In

deciding whether to give financial assistance to a London authority under this section, and if so the amount or nature of any such assistance, the matters to which Transport for London may have regard include—

- (a) any financial assistance or financial authorisation previously given to the authority by any body or person, and
- (b) the use made by the authority of such assistance or authorisation.

Financial assistance, under this section, may be given subject to such conditions as Transport for London considers appropriate, including (in the case of a grant) conditions for repayment in whole or in part in specified circumstances.

- 10.3 TfL's Guidance on the Preparation of Local Implementation Plans stated that TfL will have regard to the following matters in relation to activities undertaken by a borough:
- Use of TfL funding for the programmes or proposals for which it was provided
 - Removal or substantial alteration of works carried out or infrastructure installed, with the benefit of TfL funding, without the prior written consent of TfL
 - Implementation of the goals, challenges, outcomes and manifesto commitments of the Mayor, as outlined in the MTS
 - Other reasonable TfL requests for project management reports and other information relating to the provision of financial assistance

The Guidance also set out the conditions TfL imposes on financial assistance, namely the recipient authority is required to:

- Use funding for the purpose for which it was provided, except with prior written approval from TfL
- Comply with the requirements as set out in the Guidance

In circumstances where the recipient breaches the above conditions, TfL may require repayment of any funding already provided and/or withhold provision of further funding. In circumstances where, in TfL's reasonable opinion, funding is being used, or is about to be used in breach of these requirements, TfL may suspend payments or withdraw funding pending satisfactory clarification.

- 10.4 The detailed proposals for the implementation of measures set out in body of this report are proposals which the Council in its various capacities, for example as the highway authority for the area has the necessary powers to implement in due course.

11. Financial Implications

- 11.1 Transport for London's "Local Implementation Plan (LIP) Annual Spending Submission Guidance 2013/14" has confirmed the following indicative allocations for the following funding streams in 13/14:

£2,644m	Corridors and Neighbourhoods and Supporting Measures
£ 308k	Principal Road Maintenance
£ 100k	Local Transport Funding

The proposals to submit the expenditure plans set out in this report will ensure full take up of this funding.

- 11.2 Transport for London have also committed to £2.3m of Major Scheme funding for Sydenham town centre Area Based Scheme profiled over two financial years (£1.52m for 2012/13 and £0.78m for 2013/14)
- 11.3 The funding for 'Bridge Assessment and Strengthening' is considered on a pan London basis by the 'London Bridge Engineering Group (LoBEG)' and the allocations for 2013/14 have not yet been notified.

12. Environmental Implications

- 12.1 The preparation of the Local Implementation Plan (LIP) has been accompanied by a parallel process of Strategic Environmental Appraisal (SEA). A part of that process involved the development of objectives against which the proposals in the LIP might be assessed.
- 12.2 With regards to cumulative effects the assessment suggest that with all the policies, schemes and measures implemented through the period of the LIP, there are likely to be significant positive effects on SEA objectives relating to health, air quality, promoting more sustainable modes of transport, promoting safer communities, improving road safety, and improving accessibility in the Borough.
- 12.3 The proposed schemes will reduce hazards and make the road environment more attractive for pedestrians and cyclists. It is considered that the imposition of restrictions on vehicle movement referred to in the report, will not adversely impact on either the national or the Council's own air quality strategies.

13. Equalities Implications

- 13.1 The Council's Comprehensive Equality Scheme for 2012-16 will provide an overarching framework and focus for the Council's work on equalities and help ensure compliance with the Equality Act 2010.
- 13.2 An Equalities Analysis Assessment has been developed alongside the LIP to ensure that any potential adverse impacts were fully considered and, where necessary, appropriate changes made. The overall findings of the assessment were that the proposals within the LIP do not discriminate or have significant adverse impacts on any of the protected characteristics.
- 13.3 Instead, the focus on improving access to services and better, safer streets will have broadly positive impacts on the local community. More specifically,

the proposed schemes will reduce hazards for blind and partially sighted people, older people and those with impaired mobility.

14. Crime and Disorder Implications

14.1 The Sustainable Community Strategy reminds us that ‘Feeling safe is about more than crime and policing, it’s also about how an area looks and feels...’ Many of the recommended Corridor and Neighbourhood proposals seek help deliver the London Mayor’s ‘Better Streets’ objective, creating an environment that is well designed, looks well managed and cared for, thus aiding a sense of security.

14.2 Many of the schemes will also incorporate measures that address “Plans for the future” in the Sustainable Community Strategy to ”Make new developments, open spaces and public facilities including the new and refurbished train stations, feel safe by ‘designing out’ crime, improving lighting and accessibility and dealing with vandalism and graffiti.”

15. Background documents and originator

Short Title Document	Date	File Location	Reference	Contact Officer	Exempt
London Mayor’s Transport Strategy	May 2010	See link below		Simon Moss/ Bill Tarplett	
LIP 2011 - 2031	April 2011	See Link below		Simon Moss/ Bill Tarplett	
EIA for LIP 2011 - 2031	Nov 2010	On Website		Simon Moss/ Bill Tarplett	
SEA for LIP 2011 - 2013	March 2011	On Website		Simon Moss/ Bill Tarplett	
LIP Annual Spending Submission Guidance for 2013/14	2012	On Website		Simon Moss / Bill Tarplett	

If you have any queries on this report, please contact Bill Tarplett Tel No. 0208 314 2570, Transport, Wearside Service Centre, Wearside Road, Lewisham, SE13 7EZ

Links:

1. London Mayor’s Transport Strategy:

<http://www.london.gov.uk/publication/mayors-transport-strategy>

2. LIP 2011 – 2031

<http://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/strategies/Documents/Local%20Implementation%20Plan%202011-31.pdf>

Agenda Item 8

Mayor and Cabinet			
Report title	Matters referred by Sustainable Development Select Committee – preserving local pubs review		
Contributors	Sustainable Development Select Committee	Item No.	8
Class	Part 1	Date	3 October 2012

1. Purpose

- 1.1 This report presents the final report and recommendations arising from the Sustainable Development Select Committee's preserving local pubs review, which is attached at appendix A.

2. Recommendations

- 2.1 The Mayor is recommended to:
- (a) Note the views and recommendations of the Committee set out in the main report at appendix A.
 - (b) Agree that the Executive Director for Resources and Regeneration be asked to respond to the recommendations set out in the review.
 - (c) Ensure that a response is provided to the Sustainable Development Select Committee.

3. Context

- 3.1 The review was scoped in May 2012 and an evidence gathering session was held in July 2012. The Committee agreed the report and the recommendations in September 2012.

4. Financial implications

- 4.1 There are no financial implications arising out of this report, however the financial implications of the recommendations will need to be considered in due course.

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. Equalities implications

- 6.1 There are no equalities implications arising out of this report. The implications of implementing the Committee's recommendations will need to be considered at the appropriate time. In the delivery of its

duties the Council works to eliminate unlawful discrimination and harassment, promote equality of opportunity, encourage good relations between different groups in the community and recognise and take account of people's differences.

7. Further implications

7.1 None.

Background information

If you have any queries on this report, please contact Timothy Andrew, Scrutiny Manager (0208 3147916), or Kevin Flaherty, Head of Business & Committee (0208 3149327).

Overview and Scrutiny

Preserving Local Pubs

Sustainable Development Select Committee

September 2012

Membership of the Sustainable Development Select Committee in 2012-13:

Councillor Liam Curran (Chair)

Councillor Suzannah Clarke (Vice-Chair)

Councillor Obajimi Adefiranye

Councillor Abdeslam Amrani

Councillor John Bowen

Councillor Jenni Clutten

Councillor Julia Fletcher

Councillor Marion Nisbet

Councillor Sam Owolabi-Oluyole

Councillor Eva Stamirowski

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Chair's Introduction



To be inserted.

Liam Curran
Chair of the Sustainable Development Select Committee

Executive summary

A pub can provide a central focus to an area or enhance the vitality of a residential neighbourhood. Pubs can be important hubs for generating social interactions. They can champion sporting activities and host community interest groups. If they are well managed, well run and well supported by patrons they can add to the character and resilience of a local community. Some pubs are housed in buildings of cultural, architectural or historic value, which means their use as pubs may preserve important assets for community use.

Using the detailed work carried out by the Lewisham planning policy team as a starting point, the Committee invited speakers to give evidence about the current challenges facing Lewisham's pubs. As well as receiving information about pub numbers and the distribution of licensed premises in the borough, the Committee heard from pub enthusiasts, publicans and community groups about the importance of preserving Lewisham's heritage, supporting communities and enhancing the protection available for local pubs through the planning process.

Lewisham's pubs are an important community resource. Evidence submitted to the Committee for this review suggests that the historic, cultural and community value of pubs can be enhanced by proactive landlords and responsible pub owners. However, the number of pubs is decreasing. A combination of factors has led to the change of use or redevelopment of many of the borough's pubs. Following consideration of the evidence, members of the Select Committee have put forward seven recommendations to suggest how pubs might be protected for the benefit of Lewisham's neighbourhoods and communities.

Purpose and structure of review

At the April 2012 meeting of the Sustainable Development Select Committee, members resolved to carry out a short review into the role of pubs in Lewisham. The aim of the review was to examine recent data relating to pubs and to gather evidence about the role of pubs in local communities. The Committee were particularly interested in finding out:

- Whether there had been a decline in the number of pubs and if so, whether the decline had been the result of identifiable factors.
- Which of Lewisham's pubs are located in historic buildings and where this is the case what is done to protect historic buildings.
- What happens when a pub closes.

The Committee also wanted to determine what role the local authority might play in protecting pubs and enhancing the role of pubs in their local areas.

The review was scoped in May 2012 and an evidence session was held in July 2012. The Committee considered comprehensive written information from the planning policy team. Further evidence was received from:

- Brian Regan and Janice Tse from Lewisham council's planning policy team
- Tony Mottram and Cheryl Collins from Lewisham council's licensing team
- Dale Ingram and Neil Pettigrew from the Campaign for Real Ale (CAMRA)
- Mark Dodds from the Fair Pint Campaign
- Max Alderman from the Antic pub group
- John King and Stephen Kenny from the Grove Park community group
- Voluntary Action Lewisham

The structure of this report is based on evidence taken by the Committee. It is presented in 5 sections, which are drawn from the themes arising at the evidence session:

- 1: Lewisham's pubs
- 2: The social and economic role of pubs
- 3: Pubs as historic assets
- 4: Pubs and the planning process
- 5: Pubs and licensing

The Committee concluded its review and agreed its recommendations in September 2012.

Key findings

Key finding 1: there has been a decline in the number of Lewisham pubs.

Pubs are in decline. The number of pubs in Lewisham has dropped significantly in the past 20 years. The picture is similar across the country, where pubs are closing in villages, towns and metropolitan centres. The reasons for the decline of local pubs are multiple. Changing lifestyles and demographics have had an impact. Beer, the traditional pub staple, is under pressure from new more cosmopolitan beverages and pubs find that they must adapt and diversify in order to stay in business. Beer taxes and the price of alcohol in supermarkets have also reduced the profitability of pubs. Furthermore, high residential and retail values often make premises more lucrative to developers and pub companies as flats or convenience stores than as pubs.

Key finding 2: pubs have a social and economic role in their communities.

Pubs often support community groups and local charities. As well as providing an informal space for communities to come together they may also provide more formal activities and entertainment, venues for hire and support for sporting groups. A well run pub has the potential to provide a locus for its neighbourhood and enhance the vitality of its locality.

Key finding 3: some Lewisham pubs are historic assets.

Pubs may be historic assets for an area and they can be in buildings of merit. Four Lewisham pubs are nationally listed and 12 are locally listed for their historic or architectural interest, age or rarity. Many other pubs in the borough are treasured by their communities regardless of official listing or special classification.

Key finding 4: pubs are only partially protected by recent changes to the planning process.

Communities have few means available to them if they choose to join together to protect their local pubs from development. Permitted development rights allow pubs to be changed in to shops without planning permission. Recent changes in planning policy at the national and regional levels have recognised the importance of pubs and create a platform for local communities, policy makers and planners to preserve community facilities. The Council's planning department recognises the benefit of well-managed pubs and officers are proposing new policy as part of the Development Management Development Plan Document (DMDPD) for cases in which planning permission is required.

Key finding 5: new licensing measures may have an impact on pubs.

Early morning restriction orders and the late night levy are two new licensing measures that Lewisham may look to implement. These measures may have an impact on pubs.

Recommendations

The Committee would like to make the following recommendations:

Recommendation 1:

The Council should ensure that its economic viability test for pubs sets a new benchmark for best practice. The test should ensure that there is a high standard of evidence required to demonstrate the effective marketing of a pub before approval is given for demolition or change of use. The period of marketing to test economic viability should be increased to 36 months.

Recommendation 2:

The Council should update its register of community venues for hire to include available spaces in local pubs.

Recommendation 3:

The Council is reviewing all local pubs to see whether they should be considered for local listing. Local residents and community groups are already entitled to put forward buildings for local listing but may not be aware that this is the case. The review should be widely publicized to make them aware of the process of applying for local listing.

Where pubs do not meet the criteria for listing, the Council should assist communities in protecting local pubs from development. Officers should bring forward a range of further recommendations for enhancing the protection of the borough's landmark buildings through the planning system.

Recommendation 4:

The Development Management Development Plan Document (DMDPD) should include enhanced protection for pubs through its 'pubs policy'. Any new policy relating to pubs should be consulted on widely and brought before the Sustainable Development Select Committee for scrutiny before being approved.

The new planning policy should assume a default protection for pubs both as a building and as a pub business with the onus on developers to prove why a particular building cannot any longer be a pub by using the following key sections from the National Planning Policy Framework 2012:

- Section 8, paragraph 70, which promotes social, recreational and cultural facilities and services, including pubs.
- Section 12, which seeks to conserve and enhance the historic environment.
- Paragraph 152 which seeks a balance to economic, social and environmental dimensions of sustainable development, with mitigations to negative impacts considered.

Recommendation 5:

Local groups should be encouraged to submit their local pub to the list of 'assets of community value' when it becomes available.

Recommendation 6:

The proposed changes to local licensing should be carefully examined to determine their potential impact on businesses in the borough. Where possible, pubs should be protected from additional bureaucracy or excessive financial burdens.

Recommendation 7:

A further report on local pubs, including updated information relating to the recommendations set out in this report should be brought before the Sustainable Development Select Committee in the 2013/14 municipal year.

Findings

1. Lewisham's pubs

Has there been a decline in the number of pubs in Lewisham?

- 1.1 There are approximately 92 pubs in the London Borough of Lewisham. The planning policy team base this figure on the number of premises designated as drinking establishments (A4) under the national use class system. Lewisham's licensing team report the number to be slightly lower at 82, based on their interpretation of what constitutes a 'traditional pub'.
- 1.2 There is an uneven distribution of pubs across the borough. The 'Pubs in Lewisham: an evidence base study'¹ (2012, p30) carried out by the planning policy team illustrates that there is a concentration of pubs across the north of the borough in the Brockley and New Cross wards. Pub numbers are lower in the residential areas in the south of borough. The study shows that the wards of Catford South and Downham have very few pubs and the ward of Whitefoot has none.

Number of pubs in Lewisham, 2001-11

Ward	Existing	Closed	Pubs loss
Whitefoot	0	2	100%
Evelyn	5	16	76%
Telegraph Hill	2	5	71.4%
Downham	1	2	66.7%
Rushey Green	4	5	55%
Lewisham Central	7	5	41.6%

¹ In spring 2012, the planning policy team carried out a review of the data relating to Lewisham's pubs. In April (2012) the team published an evidence base study, as part of work on the Development Management Development Plan Document (DMDPD). The study presents detailed analysis of the data and provides commentary on the issues facing the borough's pubs.

Grove Park	2	1	33.3%
Sydenham	5	2	28.5%
New Cross	15	6	28.%
Brockley	11	4	26.7%
Ladywell	3	1	25%
Bellingham	3	1	25%
Crofton Park	6	1	14.3%
Forest Hill	7	1	12.5%
Blackheath	12	1	7.7%
Catford South	1	0	0%
Lee Green	3	0	0%
Perry Vale	5	0	0%
Total	92	53	36.6

(From Pubs in Lewisham: an evidence base study)

- 1.3 In the last 10 years Lewisham has lost at least 53 pubs, which represents more than half of the current total. This follows the national trend in the decline of pubs, which indicates that pub numbers have been falling for many decades. Research² on pub closures commissioned by CAMRA suggests that 12 pubs a week are closing nationally with very few areas maintaining their levels of provision or opening new pubs.
- 1.4 The evidence base study indicates that there are 34 approved developments in the borough which will, if carried forward for development, lead to the loss of a local pub. The main reason for demolition or redevelopment is for residential use, followed by mixed residential and retail development.

Is the decline in the number of pubs the result of identifiable factors?

- 1.5 The decline in the number of local pubs is the result of several key factors. Section 2 of the 'Pubs in Lewisham: evidence base study' (p6) draws on work carried out for the Institute of Public Policy Research (IPPR), which suggests that the following factors have had a significant impact on pub numbers:

'The economic recession

Not surprisingly the health of the pub trade is linked to the health of the wider economy. The reduction in spending that goes with an economic recession is statistically linked with the decline in beer drinking.

CAMRA maintain that, particularly in areas of high land values, pub closure is not always the result of commercial failure of the pub but the attractiveness of the site for redevelopment, often for residential use.

Changes to communities

² Campaign for Real Ale (2012)

Despite a national rise in alcohol consumption over the past decade the pub has continued to decline. The IPPR report attributes the decline in part to changes in the composition of local communities over the past 50 years. In rural areas many villages no longer sustain local employment but have become commuter villages. In urban areas the decline of manufacturing employment and the break up of more traditional working class neighbourhoods is given as a reason.

Changes to taste and lifestyles

Beer consumption is an important component of pub sales and this has been in decline for at least the past 30 years as more people chose wine. The pub has also faced competition from other leisure pursuits such as eating out or the cinema and most importantly the shift towards drinking at home.

The ban on smoking in pubs is also suggested as a contributory factor in the recent decline. Although the IPPR report only found a weak positive correlation between rates of smoking and pub closure.

Prices and cost

One of the key factors lying behind the industry's economic problems was the predominant business model adopted by the large pub companies.

The 'tied lease' model means that a publican who leases their pub from a pub company, generally has to buy all of their beer from that company, rather than directly from the brewery. This pushes up cost and makes it harder to make a profit. Tax on beer is also considered an issue, as every government for the past 20 years has put up the tax on beer.'

(Pubs in Lewisham: an evidence base study 2012, p6)

- 1.6 In combination, these factors have had a demonstrable impact on the viability of pubs. The Committee also heard further evidence that the residential and retail value of the land occupied by pubs often has a greater development value for owners as housing or as a part of a national chain of supermarkets than as a local pub.
- 1.7 Evidence submitted by the Antic pub group, which runs a chain of London pubs, set out the difficult situation facing one of their pubs in Lewisham. The short term nature of the pubs tenancy and the perceived desire of the pub's landlord to increase their short term profits, led the group to believe that the pub would be turned into a supermarket once it had been closed.
- 1.8 Citizens from the Grove Park community group gave evidence relating to their ongoing campaign to save a local pub. They made the case to the Committee that the period of marketing required before a pub is approved for development is too short. They also suggested that more rigorous checks be put in place to ensure that pubs are marketed to

their full potential before a change of use is approved. The group were interested to understand the provisions of the Localism act. Specifically, they were keen to explore how neighbourhood planning and the proposals for community asset registers could be used to protect local heritage and prevent local pubs from being turned into flats or shops.

- 1.9 Mark Dodds from the Fair Pint Campaign agreed with the Grove Park Community Group that the economic viability test for pubs should be enhanced. He attributed the decline in pubs to the practices of pub companies, which are also known as Pubcos.
- 1.10 Pubcos own over half of all pubs nationally. They lease pubs to tenants who run the premises and pay rent. As noted above, a mechanism called a 'beer tie' obliges tenants to buy beer from the Pubcos own supply, which may be more expensive than other options available.
- 1.11 Mark Dodds stressed that disproportionately high rent reviews imposed by Pubcos exacerbate the difficult climate that pubs find themselves in. He maintained that the pressure of increased rents can put formerly profitable pubs out of business. The ease with which a pub can be turned into a supermarket or housing may make the closure of a pub profitable for a large landlord. The social and community benefit of the pub is then lost and replaced by short term financial gain for a pub company.

Recommendation 1:

The Council should ensure that its economic viability test for pubs sets a new benchmark for best practice. The test should ensure that there is a high standard of evidence required to demonstrate the effective marketing of a pub before approval is given for demolition or change of use. The period of marketing to test economic viability should be increased to 36 months.

2. The social and economic role of pubs

What role can the local authority play in enhancing the role of pubs in their local area?

- 2.1 Pubs have a role to play in the social and economic life of their communities. The pubs in Lewisham evidence base study recognises that pubs can provide an important place for communities to meet. As well as bringing people together and creating a neutral place for social interactions, pubs might provide more formal meeting places and venues for hire. Some pubs offer live music, which might offer a platform for local musicians and artists to exhibit their work. However, the Council's register of venues for hire does not widely list local pubs or market them as community spaces.

- 2.2 Evidence submitted by Voluntary Action Lewisham suggests that many pubs support community events as well as fundraising campaigns by individuals and community organisations. It also highlights the links between pubs and community groups. Some groups are constituted specially to support their local pub and campaign for better use of its facilities.
- 2.3 Pubs also have a role to play in reducing social isolation. The support networks created through pubs can enhance the flow of information in a community and provide a point of contact for local businesses. However, research also highlights the negative role of pubs. The health problems and financial impact on health services created by increased alcohol consumption may negate the positive effects created by local pubs. In Lewisham alcohol misuse is the third highest contributor to ill health after smoking and raised blood pressure³.
- 2.4 The Committee heard evidence from a Max Alderman from the Antic group about the positive role that pub landlords can play in their local communities. He suggested to the Committee that pub landlords have a responsibility to reduce harm and boost the community benefits associated with well run establishments. He reported that the difficult situation that some pub landlords find themselves in may exacerbate problems associated with alcohol misuse as they struggle to remain in profit.
- 2.5 Max Alderman presented the case of an Antic pub in the borough which has been taken over from a struggling landlord. The group spent time renovating the premises as well as improving the quality of the food and beverages on offer. He noted that pubs can have a transformative effect on a locality. This is supported by IPPR research, which suggests that the pub is one of the most important places for people to come together outside of their own home.

Recommendation 2:

The Council should update its register of community venues for hire to include available spaces in local pubs.

3. Pubs as historic assets

Which of Lewisham's pubs are located in historic buildings and where this is the case what is done to protect historic buildings?

- 3.1 Four Lewisham pubs are nationally listed and 12 are locally listed for their historic interest, architectural interest, age or rarity. Many other pubs in the borough are treasured by their communities regardless of official listing or special classification.

³ Lewisham Annual Public Health Report (2011-2012) p55.

Nationally listed pubs

1. The Royal Albert Public House, New Cross
2. The Five Bells Public House, New Cross Road
3. Capitol Cinema, Forest Hill
4. The White Hart, New Cross Road

Source: LB Lewisham

Locally listed pubs in Lewisham

1. Lord Northbrook
2. The Bird's Nest
3. Bricklayers Arms
4. Dartmouth Arms
5. Fox & Hounds
6. The Greyhound
7. Skehans
8. The Princess of Wales
9. Goose on the Green
10. Railway Telegraph
11. The Crown Hotel
12. The Baring Hall Hotel

Source: LB Lewisham

- 3.2 Local listing in itself does not provide protection to a pub business. Development may take place which is in keeping with the architectural heritage of a building but which changes its use. However, listing does protect buildings from demolition in conservation areas, as does the use of article four directions, which rescind permitted development rights. When an article four directions are in place, owners must apply for permission before change of use will be permitted.
- 3.3 The Committee heard that there are pubs in the borough which were designed by notable architects of their day. In a residential area, the local pub may be the building of the most historic and architectural significance. An appeal was made by CAMRA for pubs to be protected outside of the official listing process, due to their social historic value as well as merely for their aesthetic or architectural value.

Recommendation 3:

The Council is reviewing all local pubs to see whether they should be considered for local listing. Local residents and community groups are already entitled to put forward buildings for local listing but may not be aware that this is the case. The review should be widely publicized to make them aware of the process of applying for local listing.

Where pubs do not meet the criteria for listing, the Council should assist communities in protecting local pubs from development. Officers should bring forward a range of further recommendations for enhancing

the protection of the borough's landmark buildings through the planning system.

4. Pubs and planning

What role can the local authority play in protecting pubs? What happens when a pub closes?

- 4.1 The Council's planning department recognises the benefits of well managed pubs and it is proposing a new policy as part of the Development Management Development Plan Document (DMDPD), for cases in which planning permission is required. However, as outlined above, permitted development rights mean that a pub can be changed into a shop without planning permission.
- 4.2 The current planning policy framework at national, regional and local levels can offer pubs some form of protection with the London Plan and NPPF providing a stronger framework for pubs within planning policy:
- Town and Country Planning (Use Classes) Order 2010 sets out provisions for Use Classes, as noted, pubs do not need planning consent to change use from A4 to A1, A2 or A3 classes.
 - Article 4 Directions – applied by local planning authority to remove permitted development rights.
 - Nationally listed buildings have restricted development, local listing has no restrictions but it may influence local development management control processes.
 - Localism Act 2011 includes Community Right to Bid.
 - NPPF 2012 sets out government planning policies and includes sections related to pubs:
 - Section 8, paragraph 70 promotes social, recreational and cultural facilities and services, including pubs
 - Section 12 seeks to conserve the historic environment, which can include pubs
 - Paragraph 152 seeks a balance to economic, social and environmental dimensions of sustainable development, with mitigations to negative impacts considered.
 - The London Plan cites the protection and enhancement of social infrastructure which can include pubs.
 - Lewisham Core Strategy strategic objectives 4 (economic activity and local businesses), 10 (protecting and enhancing Lewisham's character), 11 (community well-being) and 19 (community and recreation facilities) can be applied to pubs.

4.3 Dale Ingram from CAMRA submitted the cases of three pubs to the Committee:

- The Unicorn, Cambridge
- The Carpenters Arms, Cambridge
- The Queens Hotel, Lytham St Anne's

All three of have been saved from development using the National Planning Policy Framework. Paragraph 70 and paragraph 69 contain wording which may be of particular use to campaigners.

4.4 The pub policies of Lambeth and Merton borough councils were commended by CAMRA for meeting the organisation's best practice standards. Speakers from CAMRA asked the Committee to build on the new planning policy framework and their examples of best practice in the region to make Lewisham a 'beacon' authority for the protection of pubs.

4.5 Lewisham's Core Strategy strategic objectives recognise the importance of community facilities. Objective 19, which can apply to pubs, supports the provision, retention and maintenance of community facilities.

Recommendation 4:

The Development Management Development Plan Document (DMDPD) should include enhanced protection for pubs through its 'pubs policy'. Any new policy relating to pubs should be consulted on widely and brought before the Sustainable Development Select Committee for scrutiny before being approved.

The new planning policy should assume a default protection for pubs both as a building and as a pub business with the onus on developers to prove why a particular building cannot any longer be a pub by using the following key sections from the National Planning Policy Framework 2012:

- Section 8, paragraph 70, which promotes social, recreational and cultural facilities and services, including pubs.
- Section 12, which seeks to conserve and enhance the historic environment.
- Paragraph 152 which seeks a balance to economic, social and environmental dimensions of sustainable development, with mitigations to negative impacts considered.

Recommendation 5:

Local groups should be encouraged to submit their local pub to the list of 'assets of community value' when this register becomes available.

5. Pubs and licensing

5.1 Lewisham's licensing team is controlled by the Licensing Act 2003, which passed responsibility for licensing to local authorities. The work of the team is based on the four licensing objectives set out by the act:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

5.2 The licensing team deals with both applications and enforcement of licenses, with monitoring visits carried out at least 3 times a year. Mandatory conditions are applied on the granting of a licence, though other conditions can be imposed in addition if necessary.

5.3 There are 897 licensed premises in the borough, with 174 licensed to sell alcohol for consumption on the premises. The licensing team has to deal with very few unlicensed premises in Lewisham and enforcement action through the review process is rare.

5.4 Early morning restriction orders and the Late Night levy are two new licensing measures which Lewisham may look to implement. Both would have an impact on local business, but it would be up to the Council to decide whether or not to implement these measures.

Recommendation 6:

The proposed changes to local licensing should be carefully examined to determine their potential impact on businesses in the borough. Where possible, pubs should be protected from additional bureaucracy or excessive financial burdens.

Monitoring and ongoing scrutiny

Recommendation 7:

A further report on local pubs, including updated information relating to the recommendations set out in this report should be brought before the Sustainable Development Select Committee in the 2013/14 municipal year.

Sources

1: Lewisham Planning Policy Team (2012) *Local Development Framework: Pubs in Lewisham: an evidence base study*

(<https://www.lewisham.gov.uk/myservices/planning/policy/Documents/Pubs%20Report%20Final%2031%20May%202012.pdf>)

2: Institute of Public Policy Research (2012) *Pubs and places: the social value of community pubs* (2nd ed) (<http://www.ippr.org/publications/55/8519/pubs-and-places-the-social-value-of-community-pubs>)

3: NHS Lewisham (2012) *Lewisham annual public health report 2011-2012 Assessing the Impact of the Financial Crisis on Health and Wellbeing in Lewisham*

([http://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/strategies/Documents/Public%20Health%20Annual%20Report-2011\(v.4\).pdf](http://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/strategies/Documents/Public%20Health%20Annual%20Report-2011(v.4).pdf))

4: Campaign for Real Ale (2012) *County pub closures*

(<http://www.camra.org.uk/countypubclosures>)

Mayor And Cabinet			
Report Title	Comments of the Sustainable Development Select Committee on Baring Hall Hotel Resulting From the Item on Preserving local pubs: Community pubs, preserving buildings and the planning process		
Key Decision	No	Item No.	9
Ward	All		
Contributors	Sustainable Development Select Committee		
Class	Part 1	Date	3 October 2012

1. Summary

- 1.1 This report informs the Mayor and Cabinet of the comments and views of the Sustainable Development Select Committee, arising from discussions held on the Preserving local pubs: Community pubs, preserving buildings and the planning process item at the Committee's meeting on 12 July 2012.

2. Recommendation

- 2.1 The Mayor is recommended to:
- a) Note the views of the Sustainable Development Select Committee as set out in section three of the report.
 - b) Agree that the Executive Director for Resources and Regeneration be asked to respond to the Committee's views
 - c) Ensure that a response is provided to the Select Committee

3. Sustainable Development Select Committee Views

- 3.1 On 12 July 2012, the Sustainable Development Select Committee heard evidence for their review 'Preserving local pubs: Community pubs, preserving buildings and the planning process'. During the meeting evidence was provided by planning officers, licensing officers, Campaign for Real Ale (CAMRA), Antic Group Ltd, Fair Pint Campaign and Grove Park Community Group.
- 3.2 The Sustainable Development Select Committee would like to make the following recommendation to the Mayor and Cabinet:
- 3.3 The Mayor should request a full explanation as to why a demolition order was approved for Baring Hall Hotel by officers prior to a decision that was scheduled to be made at Planning Committee on an application that pertained to the same building.

4. Financial Implications

- 4.1 There are no financial implications arising out of this report per se, although the financial implications of accepting the Committee's recommendations will need to be considered.

5. Legal Implications

- 5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider them.

BACKGROUND PAPERS

Minutes of the Planning Committee A meeting held on 30 June 2011

Minutes of the Planning Committee A meeting held on 11 August 2011

Baring Hall Hotel – Mayor and Cabinet meeting 14 September 2011

Baring Hall Hotel: Confirmation of Article 4 (1) Direction – Mayor and Cabinet meeting 12 January 2012

Minutes of the Sustainable Development Select Committee meeting held on 12 July 2012

If you have any queries on this report, please contact Andrew Hagger, Scrutiny Manager (ext. 49446), or Kevin Flaherty, Head of Committee Business (ext. 49327).