

Public Document Pack

Lewisham Council Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 22 January 2014.



Barry Quirk, Chief Executive
14 January 2014

Councillor Olufunke Abidoye	
Councillor Jackie Addison	
Councillor Obajimi Adefiranye	
Councillor Anne Affiku	
Councillor Christine Allison	
Councillor Abdeslam Amrani	
Councillor Pauline Beck	
Councillor Paul Bell	
Councillor Chris Best	
Councillor Kevin Bonavia	
Councillor John Bowen	
Councillor David Britton	
Councillor Duwayne Brooks	
Mayor Sir Steve Bullock	
Councillor Suzannah Clarke	
Councillor Jenni Clutten	
Councillor Liam Curran	
Councillor Janet Daby	

Councillor Vincent Davis
Councillor Amanda De Ryk
Councillor Damien Egan
Councillor Alexander Feakes
Councillor Peggy Fitzsimmons
Councillor Julia Fletcher
Councillor Patsy Foreman
Councillor Vicky Foxcroft
Councillor Helen Gibson
Councillor Sven Griesenbeck
Councillor Alan Hall
Councillor Carl Handley
Councillor Michael Harris
Councillor Ami Ibitson
Councillor Mark Ingleby
Councillor Stella Jeffrey
Councillor Darren Johnson
Councillor Helen Klier
Councillor Madeliene Long
Councillor Chris Maines
Councillor Jim Mallory
Councillor Paul Maslin
Councillor Joan Millbank
Councillor Pauline Morrison
Councillor John Muldoon
Councillor Marion Nisbet
Councillor Crada Onuegbu
Councillor Stephen Padmore

Councillor Jacq Paschoud

Councillor John Paschoud

Councillor Philip Peake

Councillor Alan Smith

Councillor Eva Stamirowski

Councillor Alan Till

Councillor Dan Whittle

Councillor Susan Wise

Council Agenda

Wednesday, 22 January 2014

7.30 pm,

Civic Suite

Lewisham Town Hall

London SE6 4RU

For more information contact: Kevin Flaherty 0208 3149327 (Tel: 0208 314 9327)

Part 1

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Members of the public are welcome to attend committee meetings. However, occasionally, committees may have to consider some business in private. Copies of agendas, minutes and reports are available on request in Braille, in large print, on audio tape, on computer disk or in other languages.

Britton

15. Motion 5 Proposed by Councillor Bonavia and Seconded by Councillor Handley

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Agenda Item 1

COUNCIL		
Report Title	Declarations of Interests	
Key Decision		Item No. 1
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: January 22 2014

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 members' 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

COUNCIL		
Report Title	Minutes	
Key Decision		Item No.2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: January 22 2014

Recommendation

It is recommended that the minutes of the meeting of the Council which was open to the press and public, held on November 27 2013 be confirmed and signed (copy previously circulated).

Agenda Item 3

COUNCIL		
Report Title	Announcements or Communications	
Key Decision		Item No.
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: January 22 2014

Recommendation

The Council is invited to receive any announcements or communications from the Mayor or the Chief Executive.

1. Obituaries

Nelson Mandela

Following the death of Nelson Mandela on Thursday December 5 the Council paid tribute by flying the South African flag at half mast, opening a book of condolence at Catford Civic Suite, and holding a one-minute's silence on Friday December 6 as a mark of respect. The Council also organised a multi-faith memorial service for former President Mandela at St Mary's Church, 346 Lewisham High Street, on Tuesday 10 December.

Councillor Sam Owolabi-Oluyole

Council had previously granted Councillor Sam Owolabi-Oluyole a leave of absence on ill health grounds. Regrettably, he failed to recover from his illness and died on Friday January 3 2014. He was first elected in 2002 and was in his third term as an Evelyn Ward Councillor.

A full tribute to Councillor Sam Owolabi-Oluyole can be viewed at:

<http://www.lewisham.gov.uk/news/Pages/Tribute-to-Councillor-Sam-Owolabi-Oluyole.aspx>

Former Councillor Jim Stevenson

Former Councillor Jim Stevenson died in December 2013 and his funeral took place at Hither Green Crematorium on Wednesday 18 December. He served the Ladywell Ward from 1986-1998 and had been Chair of both the former Central Services and Leisure Services Committees.

The Council will be asked to stand for a minute's silence in their memory.

2. Freedom of the Borough Ceremony: Baroness Doreen Lawrence of Clarendon OBE.

The Council is asked to note the date and time of the meeting has again had to be changed and will now take place on **Friday 14 March 2014 at 6pm**

3. Councillor Jenni Clutten

The Council is asked to congratulate Councillor Clutten on the birth of a baby girl named Evelina on November 28 2013.

4. New Year's Honours List

The Council is asked to note the following awards with a Lewisham connection:

Margaret and Barry Mizen have both been awarded the MBE for their work increasing young people's awareness of the consequences of violent crime.

Mrs Cynthia Eubanks. (Hyacinth), Executive Headteacher, Grinling Gibbons and Lucas Vale Primary Schools has been awarded the OBE for services to Education.

5. Holocaust Memorial Day - January 26 2014

Since the creation of Holocaust Memorial Day in 2001, this Council has marked the day with two events each year. One is the multi-faith service at the Catford synagogue and the other is a production featuring young people from a range of Lewisham schools, performing poetry, drama, dance and singing at the Broadway Theatre. Both events will reflect this year's theme of 'Journeys'.

This year the both the service and the theatre production will take place on Sunday, 26 January.

Councillor Pauline Morrison, as Chair of the Holocaust Memorial Committee, leads this Council's tribute to the victims of the Holocaust and will address the meeting.

Also, the London Cantorial choir under the directorship of David Druce will perform and the Minister at the Catford & Bromley synagogue, Reverend David Rome, will speak to Council and light a candle in memory of all those who perished in the Holocaust.

Members will be asked to observe a period of silence in their memory.

Amendment to the Mayoral Scheme of Delegation

On the 18th December 2013 in considering the Call- in by the Mayor and Cabinet Contracts Committee of the award of Contract relating to Highways Maintenance and Planned Works 2014 to 2019, it was resolved that all Public Realm Highways Contracts over £100,000 were to be reserved to the Mayor and Cabinet Contracts Committee for determination. The Mayor agreed to amend the Mayoral Scheme of Delegation to give effect to this decision.

Under Part IV D 6 of the Council's Constitution the Mayor may amend the Mayoral Scheme of Delegation of Executive Functions at any time during the year. He must give written notice to the proper officer and report those changes to the next ordinary Council meeting.

Notice is given of an amendment to the Mayoral Scheme of Delegation at **Section I, Table 1 headed "Executive Matters Reserved to Members- General "**

A new paragraph 14 is added as follows:

"All decisions relating to the determination of public realm works with a value in excess of £100,000 and the award of any contract relating to the same is reserved to the Mayor and Cabinet (Contracts) Committee" and

Consequential amendments to reflect this are also made at

Section M Table 5 headed "Executive Matters Reserved to Members – Resources and Regeneration" by the insertion after the word "Contracts" in Paragraph 6 "

"Subject to decisions relating to the tendering, award and variation of contracts relating to public realm works of a value in excess of £100,000 which are reserved to the Mayor and Cabinet (Contracts) Committee...."

and to Section R CONTRACTS

A new bullet point paragraph is inserted immediately after sub paragraph (1)

"decisions relating to the tendering, award and variation of contracts relating to public realm works of a value not exceeding £100,000 shall be taken by the appropriate Executive Director or his/her nominee"

Agenda Item 4

COUNCIL		
Report Title	Petitions	
Key Decision	no	Item No.
Ward	n/a	
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: January 22 2014

1. The Council is invited to receive petitions (if any) from members of the Council or the public. There is no requirement for Councillors to give prior notice of any petitions that might be presented.
2. The Council welcomes petitions from the public and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 14 days of receipt. This acknowledgement will set out what we plan to do with the petition.
3. Paper petitions can be sent to :-

Governance Support, Town Hall, Catford, SE6 4RU

Or be created, signed and submitted on line by following this link

<http://lewisham-consult.limehouse.co.uk/portal/petitions>
4. Petitions can also be presented to a meeting of the Council. Anyone who would like to present a petition at a Council meeting, or would like a Councillor to present it on their behalf, should contact the Governance Support Unit on 0208 3149327 at least 5 working days before the meeting.
5. Public petitions that meet the conditions described in the Council's published petitions scheme and which have been notified in advance, will be accepted and may be presented from the public gallery at the meeting.

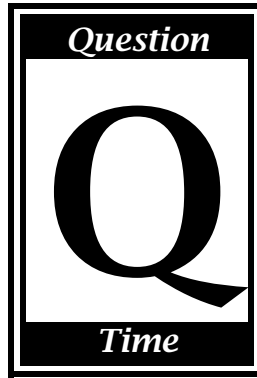
Agenda Item 5

COUNCIL		
Report Title	Public Questions	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: January 22 2014

The Council has received questions from members of the public in the order shown in the table below. Written responses will be provided to the questioners prior to the Council meeting and they will be entitled to attend and ask a supplementary question should they wish to.

Question **Questioner**

1.	Ray Woolford
2.	Patricia Richardson
3.	Peter Richardson
4.	Ray Woolford
5.	Patricia Richardson
6.	Peter Richardson
7.	Patricia Richardson
8.	Mary McKernan



PUBLIC QUESTION NO. 1

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

Question asked by: Ray Woolford

Member to reply: Councillor Wise

Question

Can the Council please confirm how many Lewisham Children were in Hostels and bed and Breakfast over the Christmas Period?

Can the Council explain why families in this type of housing are only allowed to bid on one property per week, and why in light of the huge cost to local, tax payers and the misery of the families they are not given great priority for housing?

Does the Council Agree with us that it is totally unacceptable that families are living in one room longer than 6 weeks at greater cost to the Council than living in social housing?

Reply

The Council has always only ever used nightly paid (B & B type) accommodation as the last resort when there are no other alternatives available for homeless households. When it is used all households placed in

this accommodation are immediately prioritised for a move to more suitable alternative temporary accommodation.

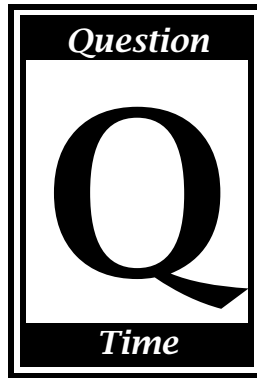
Lewisham is committed to reducing the use of temporary accommodation to a minimum and to this end has embarked upon a Council led house building programme for the first time in 30 years as well as continuing with an active programme of new build housing development with its Registered Provider partners to increase the supply of permanent housing in the borough. This programme includes new build, regeneration, conversion of existing properties and more recently approval for a self build scheme all of which has delivered over a 1000 units of affordable accommodation since 2011.

34 households were accommodated in the traditional B&B type accommodation with shared facilities. None of the households placed in accommodation with shared facilities have been there for more than 6 weeks which is a statutory target set by Government.

The Council does prioritise homelessness in its Housing Allocations Policy. The annual lettings plan, which is publicly available, seeks to distribute fairly the limited properties available each year to all the groups in housing need on the Housing Register. The current plan has a target to allocate 26% of all lettings to homeless applicants in temporary accommodation which is the single highest number of properties given to any applicant group on the Housing Register. To put this into perspective the next highest percentage of all lets given to a particular client group on the Housing Register is 10%. This reflects the high priority that the Council has given to homeless households in temporary accommodation.

In October 2012 when the Council adopted its new Allocations Policy all applicants were permitted one bid per week regardless of their banding. This was adopted following an extensive consultation process with all the Council's stakeholders and partners before being approved by the Mayor and Cabinet on 20th June 2012

The previous system of allowing applicants to bid for up to 5 properties per week adversely affected applicants themselves as it meant that a high number of bids were unsuccessful and the overall waiting time was longer. The previous system was also more cumbersome, inefficient and administratively expensive as well as leading to longer void periods on empty properties and this in turn had a significant adverse impact on rental income for the authority and its partner Registered Providers.



PUBLIC QUESTION NO. 2

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

Question asked by: Patricia Richardson

Member to reply: Deputy Mayor

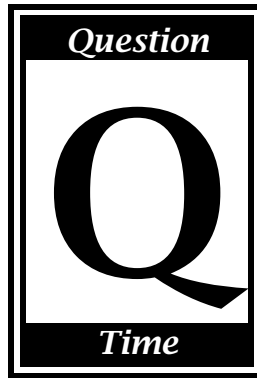
Question

The Christmas Lights in Lewisham were of noticeably poor quality for Christmas 2013, where they existed at all. Was this due to lack of funds? Or was it due to a new supplier, who failed? If the latter is the case, will the Council be pressing for repayment or a financial penalty on behalf of its residents?

Reply

There has been no change in the location of festive lights or type, the Council provides the lights at those agreed locations and they are then installed and maintained by our service provider Skanska.

The exception to this is Blackheath, where in the past these have not been provided by the Council. The Council were made aware that there was a risk of not providing festive lights and, therefore, at short notice were able to provide festive lighting for Blackheath.



PUBLIC QUESTION NO. 3

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

Question asked by: Peter Richardson

Member to reply: Mayor

Question

Lewisham Council has continued to expand its programme of outsourcing several traditional council services to the private sector which seem to offer little or no accountability to the council taxpayer. Has the Council not considered an outcome of this programme is likely to result in an even sharper fall in voting turnout at the next local election on May 22nd than that already experienced in the past? Is there no one in Lewisham Council concerned about the yawning gap between voters and their assumed representatives with so many vital services now in the hands of quasi-independent corporations?

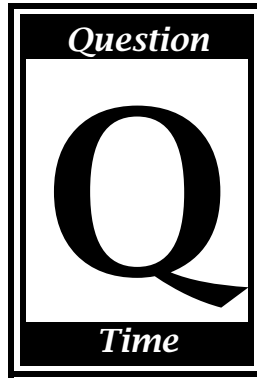
Reply

Lewisham Council has no programme of outsourcing traditional Council services. Decisions on whether services are provided by external organisations are made on an individual basis and judgements are made primarily on the quality of service provided. If an external organisation is able to provide a higher or equal level of service at a lower cost, then it is only prudent for the Council to consider this as a genuine option.

I do not believe that voter turn out is affected by outsourced services. There are many reasons why people chose not to vote on election day and I believe it is the responsibility of all candidates to help increase the numbers who do.

The table below lists voter turn out in each London Borough at the last two local elections in 2010 and 2006. As the 2010 election was held at the same time as the General Election, turn out was significantly higher. I would consider Wandsworth and Barnet to be two Councils that have outsourced a significantly higher proportion of their services than Lewisham. Both had a higher voter turn out than Lewisham in 2010 and 2006.

Borough	Percentage poll 2010	Percentage poll 2006
Barking and Dagenham	60.4	38.3
Barnet	62.8	41.7
Brent	60.1	37.3
Bromley	68.9	42.0
Camden	59.6	37.5
Croydon	63.8	40.4
Ealing	62.1	37.7
Enfield	64.5	38.0
Greenwich	62.0	35.8
Hackney	57.8	34.4
Hammersmith and Fulham	61.9	39.7
Haringey	60.5	35.8
Harrow	65.6	41.4
Havering	66.0	39.5
Hillingdon	63.4	38.1
Hounslow	59.7	37.8
Islington	61.9	33.1
Kensington and Chelsea	47.6	29.0
Kingston upon Thames	68.7	45.2
Lambeth	57.5	30.4
Lewisham	59.8	33.3
Merton	66.3	42.9
Newham	52.3	34.6
Redbridge	62.4	38.4
Richmond upon Thames	73.0	51.1
Southwark	57.8	33.7
Sutton	69.8	43.8
Tower Hamlets	60.5	40.7
Waltham Forest	59.2	37.7
Wandsworth	62.7	34.1
Westminster	53.2	29.8
London	61.8	37.9



PUBLIC QUESTION NO. 4

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

Question asked by: Ray Woolford

Member to reply: Councillor Wise

Question

A recent BBC report stated that Lewisham borough has a staggering 2,555 empty homes. What is the Council doing to ensure these empty properties are bought back to use to address the borough's chronic housing crises?

Reply

Our latest Council Tax return to government (CTB1) in October 2013 reported that we have 2,214 empty dwellings, which represents approximately 2% of our overall housing stock. 85% of these properties are owned by private individuals.

The total number of empty dwellings reported are a snap shot of empty dwellings in October 2013 and the vast majority do not require any action as they are not long term empty dwellings. The total number will include all social housing sector empty properties largely due to awaiting demolition or

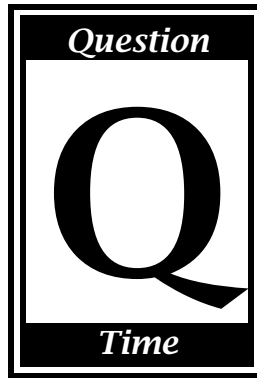
refurbishment, or in the private sector include properties awaiting probate, repossessed dwellings, owners going into care or moving out of the area/country and those where repairs and refurbishment is being undertaken. In addition it will include properties awaiting letting, occupation, newly built dwellings and properties developed from conversions which still need to be let

The focus of the Council's targeted action and concern are the 737 properties which have been empty for 6 months or more and which are the subject of complaint and giving rise to nuisance and worry to local residents.

The Council offers a range of partnerships and support to owners of empty property. In addition the Council has been awarded an allocation of empty homes grant. The first tranche of this budget is being matched against schemes across the borough.

The Council is also working closely with the community groups in the borough who have been awarded funding by the government. A large eyesore dwelling in Brockley Grove SE4 has recently been brought back into use in partnership with PHASES. The 3 & 4 bed flats developed have housed overcrowded tenants. Work to repair and renovate a long term problematic property in Romborough Way SE13 has recently commenced in partnership with ADCRIS CIC –social enterprise. This property was squatted by occupants giving rise to anti social behaviour and fly tipping.

Where owners of empty property do not respond to offers of help and support and there is no valid reason why a dwelling has been left empty, enforcement action is considered, namely the use of an empty dwelling management order. Over a 100 empty dwelling management order notices have been served on owners of empty properties. 43 units of accommodation have been brought back into use through 2012/13 as a result of grant support, enforcement action, partnerships and advice.



PUBLIC QUESTION NO. 5

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

Question asked by: Patricia Richardson

Member to reply: Councillor Muldoon (Chair of Healthier Communities Select Committee)

Question

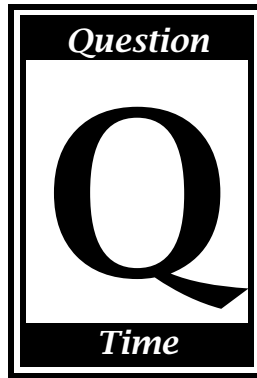
It has come to my notice that the Healthier Communities Select Committee is to produce a Monitoring Report on CEL. Why has this been instituted? What exactly is meant by a monitoring report and are any guidelines or specifications included? What are the expected outcomes? Is there a list of expected contributors? Will any staff/students be asked to contribute or even be made aware that this is being done? Will the report be made publicly available through CEL centres?

Reply

The Healthier Communities Select Committee routinely scrutinises the performance of the Council and other partner organisations, in relation to policy objectives, performance targets and service outcomes in the areas of Health and Wellbeing, Adult Social Care, Libraries, lifelong learning and Community Education Lewisham. The Committee agrees an annual programme of work through which it reviews all of these areas, focusing on priority areas each year. After consideration of an officer report and appropriate evidence, if it feels it is necessary, the Committee can make a

report of its views and recommendations for action to the Council or to the Mayor and Cabinet. Mayor and Cabinet is required to consider the views of the Committee and provide a response within 2 months.

Therefore, as part of its annual work programme, the Committee requests an update from officers on Community Education Lewisham each year. The Committee last considered a report on CEL on 6 February 2013 and is due to receive a further update on 5 February 2014. The report provided to the Committee ordinarily includes information about funding, courses offered, enrolment, partnership working, service improvements and key performance indicators. This is not an in depth review undertaken by the committee and therefore would not, as a matter of course, include contributions from staff and students over and above the feedback that the service ordinarily gathers. The report will be publicly available on the Council website.



PUBLIC QUESTION NO. 6

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

Question asked by: Peter Richardson

Member to reply: Deputy Mayor

Question

We are told that any monetary surplus achieved from the payment of Parking Permit fees, parking violations and the takings of parking meters is to be fed back in to the Service which may also include road repairs.

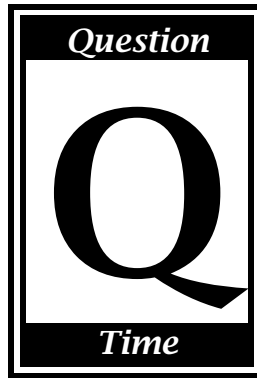
Is anyone at the Council monitoring this? Some of the roads in the borough are in an appalling state of repair with crumbling surfaces and pot holes becoming seriously hazardous to drivers and their vehicles. Has an audit ever been carried out?

Reply

Under the Road Traffic Regulation Act, 1984 the Council is required to maintain a separate account of its on-street parking business activities and to report the outcome and the use made of any surplus generated annually to the Mayor of London. The report, made by way of a return to Transport for London, must contain all expenditure and income in relation to the provision, management and enforcement of on-street parking in the Borough.

The return for 2012/13 showed a surplus of £2.5m, which was applied to improved lighting and safety maintenance.

Twice yearly annual inspections are carried out of all the borough's road network to identify defects and responsive maintenance works. In addition the Council carries out a condition survey of all its carriageways on a rolling programme so that all are surveyed every 3 years. As part of the Council's commitment to maintain the local environment , we have a major programme for resurfacing roads over a number of years and this year we are investing £5m in carriageway and footway works.



PUBLIC QUESTION NO. 7

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

Question asked by: Patricia Richardson

Member to reply: Councillor Best

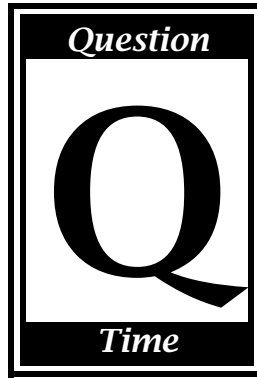
Question

What arrangements is the Council making for the possible closure of Grove Park Adult Education Centre that will include staff and students and the future of Adult Education in the south/east of the borough?

Reply

The Council is fully committed to ensuring that Adult Education continues to be provided in Grove Park. Pressure to provide more primary school places has meant that the option of expanding Coopers Lane School into the building currently occupied by Community Education Lewisham is now the subject of a public consultation. It is proposed to move the current Grove Park CEL provision to 333 Baring Road. CEL will be holding a separate consultation on the proposed relocation. This will enable all current and potential students to consider whether the best relocation site has been identified, to shape the new curriculum for the proposed site and to influence any issues relating to the move itself.

This consultation will commence on 20 January and run until 10 February 2014.



PUBLIC QUESTION NO. 8

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

Question asked by: Mary McKernan

Member to reply: Councillor Smith

Question

I would like to thank Lewisham Borough Council for its decision to add The Windmill Public House to the Register of Assets of Community Value. In doing so the Council has recognized the viability and importance of The Windmill to the social infrastructure of our area.

Sainsburys want to lease The Windmill for 15 years and carry out building works to convert it to a supermarket. Can Lewisham Council now use the Localism Act to help protect The Windmill from sale or lease as a supermarket?

Reply

If the owner of an asset which has been included on the Council's Register of Assets of Community Value wants to enter into a "relevant disposal" of their property they must notify the Council in writing first. The Council is then required to publicise the proposed disposal of the asset and notify the community group that originally nominated the asset for listing of the

proposed disposal. There is then an initial moratorium period of 6 weeks during which an eligible community interest group may make a request to be treated as a potential bidder. If such a request is made, there is then a full moratorium period of 6 months to give the community interest group an opportunity to prepare a bid. During that 6 month period, the owner may sell to an eligible community interest group but no one else. At the end of the 6 month period, the owner is not obliged to accept a bid from a community interest group and can sell to whoever they choose until a further 12 month period expires. However, if no sale takes place during that 12 month period and the owner subsequently wishes to enter into a relevant disposal, the above process must be repeated.

The Council will ensure that the relevant provisions of the Localism Act are followed whenever it is notified of a proposal to make a relevant disposal of any asset which has been listed on the Council's Register of Assets of Community Value. However, a relevant disposal is defined in the Localism Act as meaning either the sale of the freehold or the grant of a new lease of more than 25 years. The grant of a 15 year lease would not be a relevant disposal for the purposes of the Act and therefore falls outside of the above provisions. The Council has no discretion over this. It should also be noted that these provisions only apply to a disposal of a listed asset, not a change of use which is a planning matter.

Agenda Item 6

COUNCIL		
Report Title	Member Questions	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: January 22 2014

Questions from Members of the Council

Section C, paragraph 14 of the Constitution, provides for questions relevant to the general work or procedure of the Council to be asked by Members of the Council. Copies of the questions received and the replies to them will be circulated at the meeting.

QUESTION No. 1

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Johnson
of the Deputy Mayor**

Question

Given the environmental benefits that trees bring to the borough and given how spending cuts have drastically reduced the money available for new and replacement tree planting, can the Council investigate the scope for ensuring tree planting is included as a condition for smaller scale planning applications as well as larger developments (where tree planting and landscaping is often included as a condition anyway)?

Reply

Trees and landscaping are an integral part of the application and development process regardless of the scale of development. The overall aim is to ensure that high quality development is delivered. Policy 25 of the Council's Development Management Local Plan requires applicants of all major development and where appropriate smaller schemes to provide and retain trees and other landscape features. Where possible trees are provided as this is integral to the quality of the development being proposed.

QUESTION No. 2

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Feakes
of the Cabinet Member for Customer Services**

Question

What work has been done by the council to reduce energy wastage from external vents in boilers, central heating systems and drainage systems in social housing units?

Reply

The Council is working with Lewisham Homes to modernise its housing stock in ways that will minimise residents' heating bills.

As a result Lewisham Homes has installed approximately 6500 high efficiency central heating boilers that recover heat from the waste gases before they are vented through the external flue.

Additionally the Council has set up a scheme that will allow Lewisham Homes to access "Eco Funding" through the Energy Supply Companies. Initially the funding will be used to reduce energy consumption by installing cavity wall insulation. We are, however, looking to expand the programme over time to include the replacement of aging boiler plant.

Currently there is no provision for the recovery of heat from drainage water within the Lewisham Homes stock although that may be considered in future, most probably in connection with the construction of new dwellings.

QUESTION No. 3

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Cabinet Member for Customer Services**

Question

How many betting shops are there in Lewisham? Please give a break down by wards.

Reply

66 Live Premises Licenses for Betting shops (this does not necessarily mean all are currently trading)

New Cross	9
Telegraph Hill	2
Evelyn	4
Forest Hill	3
Crofton Park	3
Perry Vale	3
Rushey Green	6
Lewisham Central	10
Downham	3
Bellingham	3
Sydenham	5
Ladywell	2
Whitefoot	2
Catford South	3
Grove Park	0
Lee Green	4
Blackheath	1
Brockley	3

QUESTION No. 4

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Maines
of the Cabinet Member for Customer Services**

Question

How many empty properties are there currently in Lewisham? How many of these empty properties are in the ownership of the Council or a Registered Social Landlords (RSL) ? How many are in private ownership? What is the council doing to bring these properties back into use?

Reply

Our latest Council Tax return to government (CTB1) in October 2013 reported that we have 2,214 empty dwellings, which represents approximately 2% of our overall housing stock.

The total number of empty dwellings reported, are a snap shot of empty dwellings in October 2013 and the vast majority do not require any action as they are not long term empty dwellings. The total number will include all social housing sector empty properties largely due to awaiting demolition or refurbishment, or in the private sector include properties awaiting probate, repossessed dwellings, owners going into care or moving out of the area/country and those where repairs and refurbishment is being undertaken. In addition it will include properties awaiting letting, occupation, newly built dwellings and properties developed from conversions which still need to be let.

The focus of the Council's efforts is on the 737 dwellings across all tenures which have been empty for 6 months or more giving rise to nuisance and complaints and also specifically to the 80 properties in the private sector that have been empty for over 2 years.

Social housing: Less than 15% or just over 300 of these empty properties are Council or registered provider dwellings in the social sector. With a social stock of over 30,000 homes this only represents a turnover of social housing units of 1%, which is low. This causes difficulties in terms of availability of sufficient numbers of properties for letting and is a problem that we are facing currently, leading to an increase in numbers in temporary accommodation. Long term empties in this sector are small in number and include properties awaiting demolition as a result of regeneration schemes or dilapidated properties awaiting refurbishment or disposal.

Private Sector - The largest amount of empty properties are in the private sector at over 85%.

The Council Tax section have written to all owners of long term empty properties offering advice, help and support and grants to assist owners to bring them back into occupation. In addition the Empty Homes Officer has invited empty property owners to a market place event at the Civic Suite to introduce owners to property guardians, social enterprises and other partners to help offer solutions to bring back into use their empty properties.

44 empty homes have been brought back into use during last year, many providing homes for those in housing need. One example being a property in Further Green Road which was given an empty homes grant and housed an over-crowded family of 5 living in one room in a house in multi occupation.

The Council has been successful in bidding for an allocation of £240k from the GLA to tackle empty properties. The first of these dwellings – two long term derelict flats above shops in Rushey Green are nearing completion. In addition a further £500k to support owners to tackle their problematic empty dwellings has been awarded to the borough from the GLA. All empty properties now receiving the help of a grant are leased to the authority and made available to those in acute housing need.

Since 2010 the borough has seen a fall of more than 200 in the number of long term empties.

As a last resort, where a property has been left empty for no good reason, enforcement action is considered to focus the mind of empty property owners –namely the use of empty dwelling management orders. We have to date served over 100 Empty Dwelling Management Notices.

QUESTION No. 5

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Fletcher
of the Cabinet Member for Resources**

Question

Please provide the total amount in allowances paid to members of the Mayor and Cabinet over each of the last five financial years.

Reply

The combined Basic and Special Responsibility Allowances paid to the Mayor and Cabinet Members

2008/09	Mayor and 7 Cabinet Members	£278,794
2009/10	Mayor and 7 Cabinet Members	£278,794
2010/11	Mayor and 9 Cabinet Members	£329,014
2011/12	Mayor and 9 Cabinet Members	£329,014
2012/13	Mayor and 9 Cabinet Members	£329,014

QUESTION No. 6

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Feakes
of the Cabinet Member for Customer Services**

Question

How many trees have been lost or damaged in public spaces and roads in the recent stormy weather? Please break this information down by ward. What plans are there to replace or substitute fallen or damaged trees?

Reply

As of Friday 10th January a total of 231 trees have been recorded as lost due to the severe weather conditions, this includes the 171 trees lost as a result of the St Jude's Day Storm of 28th October 2013.

Losses by location :

Streets and Roads - 131
Parks and Open Spaces - 48
Housing Estate Grounds - 52

Losses by Ward:

Bellingham - 5
Blackheath -19
Brockley -19
Catford South -17
Crofton Park - 9
Downham - 5
Evelyn – 20
Forest Hill – 5
Grove Park – 22
Ladywell – 31
Lee Green – 8
Lewisham Central – 8

Perry Vale – 7
New Cross – 16
Rushey Green – 3
Sydenham – 14
Telegraph Hill – 9
Whitefoot – 13

The cost of replacing all the lost trees is estimated to be in the region of £82k
Although there is currently no identified budget to make good these losses
Officers will continue to work with residents groups to secure funding to
replace as many of the trees as possible.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Deputy Mayor**

Question

Lewisham is one of the worst boroughs in London for low pay and 5% are paid minimum wage or less – what is the Council's strategy for encouraging businesses across the borough to pay the London Living Wage?

Reply

Lewisham has supported the payment of the London Living Wage (LLW) since 2009, and the approach with regard to the LLW has three strands, which mirrors the Living Wage Foundation's accreditation scheme, to which Lewisham was an early signee.

The first strand was to ensure that all employees, whether permanent or temporary are paid the LLW; permanent staff have always been paid above this amount and temporary staff since Autumn 2011.

The second strand related to staff indirectly employed by the borough on contracts and a Mayor & Cabinet report recommendation on the 10th June 2009 was agreed, it stated "That the Mayor determines to implement the London Living Wage such that in letting all future contracts (excluding those where tenders have already been invited as at the date of this decision) due consideration, to the limit legally allowed, will be given to whether or not a contractor proposes to pay its staff the London Living Wage".

Since that time, an assessment was carried out at the start of the tendering process to identify where staff employed on Council services would potentially be paid below the LLW. If this is identified as likely, tenderers are asked to submit two pricing schedules (with/without LLW). All contracts except one have been awarded, including paying LLW to staff providing services to Lewisham via a contract. The one contract where it was not legally possible to procure the service to include the LLW was Residential & Nursing Care Homes. The Educational catering contract is the last major contract where this requirement will be included in the contract requirements, and this is being tendered in March 2014.

The last element relates to third party sub-contractors and local businesses, and the borough is starting on this final element. It is planned to include this requirement for sub-contractors as part of the 'Social Value' Act within our major contracts upon renewal. In terms of other businesses within the borough, we will use our influence to push for their adoption of paying the LLW.

Regarding independent businesses, the borough tends to have smaller businesses and ones that would be considered by the Low Pay Commission to be in low-paying occupations such as hospitality, retail and security. These types of businesses are less likely to sign up to London Living Wage and this is reflected in the larger businesses that have already made the LLW Mayor of London pledge.

As part of the Council's communications with business sectors the benefits of LLW will be promoted through the e-newsletter and appropriate events such as the Lewisham Means Business event in February.

QUESTION No. 8

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Maines
of the Cabinet Member for Resources**

Question

How does Lewisham use the New Homes Bonus?

Reply

The New Homes Bonus (NHB) sits alongside our planning system and is designed to create a fiscal incentive to encourage housing growth. The Department for Communities and Local Government is paying the NHB as an un-ringfenced grant to enable local authorities to decide how to spend the funding. The scheme design sets some guidance about the priorities that spend should be focussed on, in that it is being provided to 'help deliver the vision and objectives of the community and the spatial strategy for the area and in line with local community wishes.'

Officers are currently considering various options as to how the NHB might be distributed, which other than the increase in the supply of affordable housing, includes options around planning, community involvement, the capital programme and the general fund revenue budget.

QUESTION No. 9

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Fletcher
of the Cabinet Member for Resources**

Question

How is the Council performing in terms of it's own recycling practices within the Council itself? How does the Council encourage staff to recycle paper?

Reply

Recycling facilities in Council offices offer the same recycling service delivered to the rest of the borough, including recycling of:

- Plastic food containers and bottles
- Food and drink cartons
- Glass bottles and jars
- Papers and card
- Metal tins and cans
- Aerosol cans

These recycling facilities extend across corporate office-based buildings as well as in libraries.

Approximately 80% of the Council's office-based staff are now located in Laurence House. As part of the closure of the Town Hall building and extended use of Laurence House the recycling facilities in this building have been improved, with an expansion of the number of desk-side recycling containers and recycling bins, a reduction in the number of waste bins and targeted communications to encourage use of facilities by staff.

The Council records and publishes annual data on the use of natural resources

<http://www.lewisham.gov.uk/getinvolved/environment/energyefficiency/Documents/Annual%20Use%20of%20Resources%202012-13.pdf>

The following table on paper is taken from the most recently published data:

PAPER AND RECYCLING				
	2010/11	2011/12	2012/13	annual change
Paper purchased (tonnes)	144	138	102	-26%
Paper recycled (tonnes)	316	257	367	+30%

Figures for recycling paper are variable. This is likely to be the result of a number of factors particularly office moves and reduced storage space which result in disposal of large amounts of paper.

Reducing consumption is the most effective way of minimising the environmental impact and cost of paper. Measures in place to reduce paper consumption include:

- Implementing default settings for Lewisham Council printers and multi-functional devices to print double-sided and black and white.
- Providing practical advice on use of paper through the intranet <http://ls/C12/Save%20Paper/default.aspx> and posters near printing stations
- Using technology to support paperless working alongside reduced storage space and flexible working, with shared desks the standard in Laurence House

Paper purchased through the corporate contract is 100% recycled and unbleached.

QUESTION No. 10

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Feakes
of the Deputy Mayor**

Question

Why was the Windmill Pub in Sydenham refused Asset of Community Value status when other public houses in the borough, such as the Honor Oak Pub, have been granted this status?

Reply

Applications to list assets of community value are judged, using the information and evidence provided by the applicant and otherwise available to officers, against 2 tests. In the case of The Windmill pub the relevant tests were:

The legislation provides that an asset satisfies the definition of an asset of community value if:

- the local authority decides that the actual main, current use of the building or land is to further the social wellbeing or social interests of the local community **and** it is realistic to think that there can continue to be a main use of the building or land which will further the social wellbeing or social interests of the local community.

Although an earlier application did not persuade the Council that The Windmill should be listed as an asset of community value, a subsequent application to list The Windmill pub was received by CAMRA on 23 November 2013, and after careful consideration of this new application it was felt that it did show that the pub met the relevant tests, and so on 20 December 2013 The Windmill pub was added to the Council's Register of Assets of Community Value.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Deputy Mayor**

Question

There are currently only 90 construction companies listed on Lewisham's business directory, and there are approximately 650 in the borough. How is the Council building this list? What steps are being taken to ensure it is up to date ?

Reply

Businesses can register or update their details at any time by going to <http://www.lewisham.gov.uk/myservices/business/Pages/Business-directory.aspx>. The directory is promoted through the business e-newsletter at networking events and through the Council's business advisory service and the directory is updated on an annual basis.

Over the past six months the Council's Economic Development Service has been developing a local procurement directory for construction businesses. The directory helps construction businesses compete for local business opportunities, by providing information on procurement opportunities. Business which register on the directory can access advice and support from the Business Advisory Service on how to compete for these opportunities. The directory has been developed over the past six months. 454 Construction Businesses have been contacted over this time and 140 have registered on the directory to date.

QUESTION No. 12

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Maines
of the Deputy Mayor**

Question

Could I please be provided with an update on the future of the former Ladywell Leisure Centre site? Has there been any loss of service to users or previous tenants of the centre ?

Reply

In June 2013, the new Glass Mill Leisure Centre in Lewisham town centre opened and the former Ladywell Leisure Centre closed. A decision was taken to demolish the existing building in order to optimise the development potential of the Lewisham Central site, and Officers were instructed to undertake feasibility studies to investigate potential future development options.

Options are currently being reviewed corporately in order that a plan for the area be developed over the next few months, and the relevant feasibility studies commissioned. This plan will be developed in line with the site's designation as a mixed use development (retail and housing) as set out in the Lewisham town centre local plan (2012), and within the context of the Authority's broader 'place-shaping' aspirations for the area.

The services and timetabling at Ladywell Leisure Centre were replicated as far as was possible at the new Glass Mill Leisure Centre. The pool and class timetable was developed at Glass Mill Leisure Centre to mirror or exceed what was on offer previously at Ladywell Leisure Centre. For example, 17

schools now use Glass Mill compared to 14 at Ladywell; and there are 63 classes on offer at Glass Mill compared to 27 at Ladywell.

A number of community and sports groups used Ladywell Leisure Centre and where possible these were re-accommodated at the new centre. The borough's swimming club, Saxon Crown, now use Glass Mill as its base with a new club office, club night on a Monday and extensive use of the pool for training. The South East London Ju Jitsu Club (SELJJC) were unable to use the same time slot at Glass Mill that they had had at Ladywell Leisure Centre and felt that the alternatives offered were not suitable. The club were offered alternative premises at the Bridge Leisure Centre along with marketing support which they used for a short period.

QUESTION No. 13

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Fletcher
of the Deputy Mayor**

Question

The borough has a very small amount of commercial space available compared with neighbouring boroughs – does the Council intend to take targeted action to increase this in the medium term?

Reply

Lewisham has a small amount of industrial space and land is not available to increase this¹. The Council adopted the Core Strategy in June 2011 as the principal statutory planning document for the borough. The Core Strategy sets out a number of objectives and policies to promote economic development in Lewisham over the next 15 years. The approach set out in the strategy recognises that, firstly, the majority of physical growth will be concentrated in the regeneration and growth areas of Lewisham and Catford town centres, Deptford and the New Cross/New Cross Gate area. This area is defined as Lewisham's 'growth corridor'. And, secondly that development is driven by the ability of investors and developers to realise the residential value of land in the borough.

The planning policy to protect employment land is set out in the Core Strategy. This involves designating strategic industrial locations, local employment locations and other employment locations. Planning permission

¹ The borough has 958,000 sqm of commercial space representing 1.48 per cent of the capital's commercial space. This is a smaller share than neighbouring boroughs. Greenwich has 1.83 per cent, Southwark 3.8 per cent and Bromley 2.14 per cent. (London Borough of Lewisham Employment Land Survey, Roger Tyms and Partners, 2008).

will not generally be granted for uses other than employment uses in the first two categories and there is criteria set out for the release of land in the third category. In addition mixed use employment areas have been designated.

Much of the industrial floorspace in the borough has suffered from years of underinvestment and employment land studies have shown that there are low levels of employment on much of the employment land in the growth corridor outside of the town centres. Our approach has therefore been to select the better performing areas and retain them as protected employment land and redesignate poorly performing sites for mixed use, whereby residential development can support investment in commercial floorspace. The borough will then be able to support more intensive commercial uses and provide floorspace which is much more in line with demand from SMEs in the borough.

Development in Lewisham and Catford Town Centres will also provide employment opportunities in retail and other forms of commercial accommodation. Over the next seven years it is forecast that the development of major strategic sites will create 134,000 sq m of new space for businesses creating up to 3,000 new jobs.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Feakes
of the Cabinet Member for Resources**

Question

Would the cabinet member be tempted to make disinvestment in tobacco companies a political priority, in the same way as the Leader of Southwark council has?

Reply

The pension fund's investment in equities, is done as part of pooled funds. These funds are not managed on an active basis, which would be when stocks are selected because they are expected to make a good return. Instead, their selection is made on a passive basis, whereby the aim is to achieve returns in line with the index.

The purpose of the funds in which the pension fund invests, is that they replicate and track their respective indices. By their nature, these funds will need to hold a stock if it is included in the index. Therefore, if tobacco companies are in the FTSE All Share index, then in order for the fund to achieve its goal of closely tracking the index and matching the index return, they must also invest in the tobacco stocks, in the same weights as the index.

In line with the current strategy, it is not possible to exclude any particular industry, such as tobacco, from the pension fund, or have any direct influence to change the portfolio of stocks through exercising our voting rights. Such exclusions can only be made with a segregated portfolio, which would need to be managed on an active basis. This would incur significantly higher administration fees and would go against the current investment strategy, as the pension fund has a duty to its members to maximise financial returns over the long term within acceptable risk parameters.

Officers will ensure that there is a discussion of these issues at the next Pensions Investment Committee on 20 February 2014. This discussion will

signify the start of the wider review of the pension fund investment strategy, which will include our Statement of Investment Principles and makes reference to our policy on ethical investments. Officers are expected to report back to Members on the progress and outcome of this review later this year.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Deputy Mayor**

Question

When will the Council produce it's Public Register of Assets?

Reply

A process is underway to create a single property register and map of the Council's assets to assist in strategic decision making and in ensuring effective and efficient use of assets to support day-to-day service delivery.

Given the ongoing work and the linkages described above, officers expect to have a complete asset register during the first quarter of 2014/15 financial year.

ED Res & Regen

QUESTION No. 16

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Maines
of The Mayor**

Question

What plans exist in Lewisham to mark the centenary of the outbreak of the 1st World War. How many public war memorials are there in the borough and are any in need of restoring ? How many Lewisham recipients of the Victoria Cross will be commemorated with paving stones as part of the national initiative.?

Reply

The Council has set up a working group of officers to take forward this Council's commemorations over the next four years. It is intended to stage various events through to 2018 culminating in a special Remembrance Sunday service on Sunday 11th November 2018.

For this year, at Armed Forces Day on 28 June the event will reflect on the relevance of this date in 1914 and the subsequent WW1. Also the Council's Annual Memorial Service that takes place every year on the first Sunday of July at Hither Green crematorium will reflect the sacrifices of Lewisham people in WW1.

A week later, at People's Day, there will be an information stall about WW1 and invite people to trace their family tree, plus share any WWI documents or stories/mementoes which will be collated into an on-line history.

On Sunday 3 August on the eve of the outbreak of war 100 years ago, there are plans to hold a multi faith service at St .Mary's church, Lewisham High Street.

At Remembrance Sunday this year it was envisaged that some civic representatives from the church in Ghent, Belgium, (the sister church of St. Mary's), would participate in the service.

At Christmas there is the possibility of re-enacting the impromptu football match that took place between the British and German soldiers in 1914 by playing a match between a Lewisham team and a team from our twin partner Charlottenburg from Berlin.

Lewisham has five V.C. recipients and the possibility of a sixth person who was born in Sydenham, although due to changes in the borough boundary, the address may have been in a neighbouring borough in 1914. They will all be honoured locally with paving stones supplied through the Government initiative.

There was an original total of 187 war memorials throughout the borough some in our cemeteries and others in schools, churches, and commercial and private sites. This figure is now 148 as some were destroyed by WW2 bombing and others removed through new developments on the original sites. An examination of each memorial would need to take place to ascertain if any require restoration work.

There will also be an expansion of war memorial information on the Wiki information site.

Over the four year period the Council will also take advantage of the Government's initiative and arrange for two students and a teacher from every Lewisham secondary school to visit Flanders.

QUESTION No. 17

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Fletcher
of the Cabinet Member for Resources**

Question

How much has sickness absence cost the council over the last three years?

Reply

The total estimated cost of sickness absence, excluding schools, to the Council over the last three years was:

2010-11	£2.4M
2011-12	£2.8M
2012-13	£2.5M

This represents approximately 2.8 % of the current payroll costs and is at the median level compared to all London councils.

QUESTION No. 18

Priority 5

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Feakes
of the Cabinet Member for Children and Young People**

Question

How many young people in Lewisham benefitted from the 16 – 19 Bursary in the year 2012-13?

Reply

Lewisham post -16 providers directly received the 16-19 bursary fund allocations for 2012-13. Providers are free to determine the assessment criteria for discretionary bursaries but £298,537 was allocated for up to 1,578 learners in Lewisham post -16 providers.

QUESTION No. 19

Priority 5

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of Cabinet Member for Customer Services**

Question

Now the works on Deptford High Street are completed, there seems to be a mismatch with parking enforcement signs and markings on the road. What is the proposed date to start parking restrictions enforcement ? Will the mismatch of signs and road markings be rectified first ?

Reply

Traffic orders for both the one-way status between Giffin Street and Deptford Broadway and the new parking arrangements have been made. Although most signage is in place, we have delayed enforcing the new regime until the final signs have been installed and illuminated. This is being done by Skanska, the Council's Lighting PFI contractor, who manage illuminated signs and the installation of signs on lamp columns.

Once we believe the signs are all in place, we will carry out a further inspection just to ensure everything is correctly placed to enable enforcement to commence. For the first two or so weeks, the enforcement team will just be issuing warnings, to give users of the street time to fully understand the new arrangements.

A factsheet about the changes has been produced, and copies will be left with each shopkeeper on the High Street and side streets – both for themselves and for them to hand them out to their customers, delivery drivers etc. Copies of the factsheet will also be left in the Albany Theatre and Deptford Lounge.

Information has been prepared for the Council website and will be uploaded once the exact date for the start of enforcement is known.

QUESTION No. 20

Priority 5

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Maines
of the Cabinet Member for Customer Services**

Question

Has the Council been approached to register premises in respect of marriages of same sex couples. What work has the Council's Register Office undertaken to prepare same sex marriages from 29th March 2014?

Reply

The Council received an enquiry in October 2013 from the Lewisham Unitarian Meeting House about registering for civil partnerships and same sex marriages. However, they have not applied yet because of delays to building works on their premises. All existing approved premises are automatically approved for the marriage of same sex couples.

In order to prepare for same sex marriages from 29th March 2014, the Register Office has made a resource available to take notices of intent to form a same sex marriage from 13th March (the earliest date such a notice may be given). Staff have been briefed and also provided with written guidance to assist with queries. Further training material will be provided later by the General Register Office. The Council's website is being updated to reflect the new service and the call centre script is being amended to include same sex marriages.

QUESTION No. 21

Priority 6

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Feakes
of the Cabinet Member for Children and Young People**

Question

Taking into account that Lewisham has been a pilot authority for two-year-old free childcare since 2009, how does the Council account for the fact that it is now unprepared and cannot meet parent demand?

Reply

We are prepared for the two year old offer and are meeting the demand despite the challenging numbers involved. The initial DfE target for Lewisham from September 2013 for two-year-old children that may be eligible for the Early Learning Entitlement was 1,132. The data received from the DfE in November 2013 extracted from the DWP database then identified a possible 1,208 families that may have eligible children.

All 1,208 families have been contacted by Lewisham informing them that they may be eligible. Of these 622, which represents 52%, have responded and have received a Letter of Eligibility which confirms that they meet the criteria. There are sufficient places for these parents and more are being created to meet future demand.

There is no evidence that parental demand is not being met. Childcare providers are responsive to the market. However, they cannot sustain vacancies in childcare provision, and are therefore keen to fill their current vacancies before additional provision is developed.

QUESTION No. 22

Priority 7

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Feakes
of the Cabinet Member for Customer Services**

Question

What is the current status of the Universal Credit pilot?

Reply

In September 2012, Lewisham was selected as one of 12 national pilots to test the role that local authorities could play in supporting the transition to Universal Credit, particularly in regards to supporting non-standard claimants.

The pilot team designed a model that assesses the ability of individual residents to manage the transition to UC via a triage process, then provides those who were likely to be more vulnerable with face-to-face advice and support planning, focusing on housing, employment, financial and digital issues (including referrals to other organisations, such as the Credit Union or Family Budgets project). The model was later extended to provide those residents, within the remit of the pilot, with more complex needs on-going and intensive support. The model has been tested with a group of families that were due/have been affected by the benefit cap.

Face to face appointment came to a close at the end of December and an evaluation of the pilot is currently being prepared. The report is due to be submitted to the DWP at the end of January 2014.

QUESTION No. 23

Priority 8

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Feakes
of the Deputy Mayor**

Question

Given the recent deaths of cyclists across London, can the Council comment on its strategy to ensure cycle safety in the borough? How many serious cycling accidents/deaths have been recorded in Lewisham since 2008?

Reply

Since 2008 there has been two cycle fatalities in Lewisham at the following locations – 2012, Deptford Church Street, SE8, and 2013, Loampit Vale, Lewisham.

In the same time period an increase in serious cycle traffic collisions was recorded, there has also been a significant increase in cycle journeys. This year up to September 2013, there has been 8 collisions resulting in serious injuries to the cyclist. (Please see chart below.)

LRSU ACCSTATS System

Title: **Lewisham Cyclist KSI by road type 2008 - September 2013** (provisional)

Conditions: KSI CASUALTIES, ADATES YEAR BETWEEN '2008' AND '2013',

Parameters:

	0	No. of Casualties						
	Casualty Severity	1 Fatal			2 Serious			Sum
	Highway	1 TLRN	3 Bor	Sum	1 TLRN	3 Bor	Sum	
Year								
2008		0	0	0	4	5	9	9
2009		0	0	0	5	6	11	11
2010		0	0	0	9	3	12	12
2011		0	0	0	13	6	19	19
2012		0	1	1	15	10	25	26
2013		1	0	1	4	4	8	9

Lewisham strategy is multi faceted, exploring all opportunities to improve cycling safety with a comprehensive approach from its procurement policies, working with partners and through engineering, education and training programme aimed at new and returning cyclists.

The Exchanging Places programme is carried out with the Police throughout the year to highlight the dangers of riding near to HGV's, this offers an opportunity to interact with more experienced cyclists who may not feel the need to take up the offer of a lesson.

We are also waiting for the funding outcomes for the Transport for London cycling programme. This will involve looking at suitable routes for the Quietways in the borough and additional support for cycle improvements.

Our procurement policies require that those tendering contracts with us have the latest industry training for drivers and that their vehicles are designed taking into account the safety needs of cyclists.

QUESTION No. 24

Written Reply

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Cabinet Member for Children and Young People**

Question

How many Looked After Children are placed out of Borough as of January 2014? What type of placement is the child in?

Of these, how many have an assigned social worker? What are the average placement costs?

If an average cost is not possible then please supply the range ie £50 - £100 a week

Reply

293 out of our 502 Looked After Children are placed out of borough but the large majority of these are placed within a 20 mile radius.

194 of these Looked After Children are placed in foster care, 32 are in residential care and 67 are in other provision such as placed with a relative or friend, placed for adoption or in a young offenders institute.

All of our children placed out of borough have an allocated social worker.

Average placement costs:-

Foster care (In-house)	£ 438
Agency Fostering (IFA)	£ 969
Residential care	£2,654

QUESTION No. 25

Written Reply

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Cabinet Member for Children and Young People**

Question

How many visits have been made to each child by their corporate parents (a Lewisham Council worker) since April 2013?

Reply

The statutory guidelines are that every Looked After Child must be visited within the first weekend then at a minimum of every 6 weeks for the first year, and then every 3 months after that time.

In Lewisham we have a higher standard in that we expect children to be visited once every 6 weeks, even after the first year.

Since April 2013 the average number of visits to each Looked After Child is 10.66 visits.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Cabinet Member for Children and Young People**

Question

On average how many visits per months will a child receive from their corporate parent over their entire placement ?

Reply

The statutory guidelines are that every Looked After Child must be visited within the first weekend then at a minimum of every 6 weeks for the first year, and then every 3 months after that time.

In Lewisham we have a higher standard in that we expect children to be visited once every 6 weeks, even after the first year.

Performance in this area is closely monitored. Lewisham Children's Safeguarding Board received a report in this area at its meeting in December 2013.

It is difficult to give an average figure over the length of placement as placement lengths vary and some children will require more visits than others. Placement lengths vary significantly from days to many years. However, we are confident that all children receive their minimum statutory visits and most receive more than this.

QUESTION No. 27

Written Reply

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Cabinet Member for Children and Young People**

Question

How many care proceedings have been issued over the past 5 years. Please give year on year figures.

Reply

The number of care proceedings issued over the past 5 years were:-

2008-09	2009-10	2010-11	2011-12	2012-13
79	83	71	82	70

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Cabinet Member for Children and Young People**

Question

How many care proceedings have been issued after parents have:

1. made a complaint regarding education, CAMHS or social care?
2. Parents have requested s20 placement?

Please give year on year figures

Reply

The Local Authority does not collect the information requested. However, most care proceedings are in respect of younger children where there are concerns that they are suffering significant harm. Section 20 cases tend to be teenagers where agreement is reached between parents and Children's Social Care about looking after the child, meaning the need for a court order is not required.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2014

**Question by Councillor Brooks
of the Cabinet Member for Children and Young People**

Question

How many Looked after Children have a statement of SEN? Do each of these children have a nominated worker who coordinates multi-agency support? If not, how is this done ?

Reply

There are currently 115 Looked After Children with Statements of Special Educational Needs.

All of these children and young people have an allocated a social worker who co-ordinates the multi-agency support they require. This is then reviewed by an Independent Reviewing Officer in line with the Care Planning, Placement and Case Review Regulations 2010.

Each Looked After Child with a Statement of Special Educational Needs is also allocated a case officer from within the Special Educational Needs Team who has responsibility for monitoring and reviewing the Statement in line with the Special Educational Needs Code of Practice.

In addition, officers from the Looked After Education Team also offer support to Looked After Children as well as the professionals and schools working with them.

Agenda Item 7

COUNCIL			
REPORT TITLE	Setting the Council Tax Base, the NNDR Base & Discounts for Second Homes and Empty Homes		
KEY DECISION	Yes	ITEM No.	7
WARD	All		
CONTRIBUTORS	Executive Director for Resources & Regeneration and Executive Director for Customer Services		
CLASS	Part 1	Date	22 January 2014

1 EXECUTIVE SUMMARY

- 1.1. This report sets out the statutory calculations required in order to set the Council Tax Base and the National Non-Domestic Rates (NNDR) base for 2014/15. The Council Tax Base and NNDR Base are statutory obligations and are key elements in setting the General Fund revenue budget.
- 1.2. The report provides information on the Council Tax Base. There are also a series of discretionary powers which allows the Council to grant and vary discounts for various types of properties. These are set out in section six of this report.
- 1.3. The report recommends that the Council Tax Base for 2014/15 be agreed at 73,941.2 Band D equivalent properties, based on an assumed collection rate of 95.5%. Details of the Council Tax Base, its calculation and the estimated collection rate are set out in sections seven, eight and nine of this report.
- 1.4. The NNDR1 form has not yet been received from the Department of Communities & Local Government (DCLG). Therefore, the 2013/14 mid-year forecast, which was submitted to government in November 2013 has been attached at Appendix B. It is on this basis that the provisional NNDR Net Yield figure of £45.964m is provided.
- 1.5. The requirements pertaining to the NNDR Base for 2014/15 are set out in section ten of this report.

2 PURPOSE OF THE REPORT

- 2.1 The purpose of this report is to set the Council Tax Base, the NNDR base and the policy relating to discounts for second homes and empty homes in the Borough for 2014/15.

3 RECOMMENDATIONS

That Council agrees the following:

- 3.1 A Council Tax Base of 73,941.2 Band D equivalent properties for 2014/15;
- 3.2 To note the Council Tax Base calculation for 2014/15, as set out in the annual Council Tax Base government return, attached at Appendix A;
- 3.3 The budgeted Council Tax collection rate of 95.5%;
- 3.4 A 0% discount for second homes for 2014/15 be continued, as set out in section six of this report;
- 3.5 A 0% discount for empty homes – Class A (an empty property undergoing structural alteration or major repair to make it habitable) be continued, as set out in section six of this report;
- 3.6 A 100% discount awarded for a period of four weeks and then a 0% discount thereafter, for empty homes – Class C (a substantially empty and unfurnished property) be continued, as set out in section six of this report;
- 3.7 To apply an empty homes premium of 50% in respect of long term empty properties be continued, as set out in section six of this report; and
- 3.8 To note the proposed National Non Domestic Rate (NNDR) estimated net yield of £45.964m, based on the NNDR mid-year forecast for 2013/14, attached at Appendix B.

4 POLICY CONTEXT

- 4.1 The overarching policy and decision making framework for the discharge of the Council's many functions and duties is contained in Lewisham's Sustainable Community Strategy (SCS). The Strategy contains two overarching principles which are:
 - Reducing inequality – narrowing the gap in outcomes.
 - Delivering together efficiently, effectively and equitably – ensuring that all citizens have appropriate access to and choice of high quality services.
- 4.2 Also contained within the overarching policy framework are the Council's ten corporate priorities. These priorities describe the specific contribution that the Local Authority will make to the delivery of the SCS. The Council's priorities are as follows:
 - Community Leadership and Empowerment.
 - Young people achievement and involvement.
 - Clean, green and liveable.
 - Safety, security and visible presence.

- Strengthening the local economy.
- Decent Homes for all.
- Protection of children.
- Caring for adults and older people.
- Active healthy citizens.
- Inspiring efficiency, effectiveness and equity.

5 INTRODUCTION

- 5.1 The calculation of the Council Tax Base has been prepared in accordance with the Regulations 'Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI: 2012: 2914)' which came into force on 30 November 2012, to ensure the calculation of the Council Tax Base takes account of local council tax reduction schemes. These regulations specify the formulae for calculating the tax base, which is detailed in sections seven and eight of this report.
- 5.2 The purpose of this calculation is to set the Council's Tax Base and not the Council Tax itself. The Council Tax will be set at the meeting of full Council on 26 February 2014.
- 5.3 The Council Tax Base is defined as the number of Band D equivalent properties in a local authority's area. An Authority's Tax Base is taken into account when it calculates its Council Tax. It is calculated by adding together the 'relevant amounts' (the number of dwellings) for each valuation band, then multiplying the result by the Council's estimate of its collection rate for the year. This calculation is set out in section eight of this report.
- 5.4 Members should note that the Welfare Reform Act 2012 abolished Council Tax Benefit in March 2013 and replaced it with the Council Tax Reduction Scheme (CTRS). A report setting out the CTRS for 2014/15 was presented to Mayor & Cabinet on 4 December 2013.

6 LOCAL DISCRETION

- 6.1 The Council has the power and local discretion to grant and vary discounts for different types of properties under Section 11a of the Local Government Finance Act 1992, as amended by the Local Government Finance Act 2003 and the Local Government Finance Act 2012. These discounts and exemptions form part of the Council Tax Base calculation and therefore need to be agreed at this time.
- 6.2 The local discretion to grant and vary discounts enables local authorities to create greater financial incentives for owners of empty properties to bring them back into use, either for owner occupation or letting.

- 6.3 Second Homes – Currently, local authorities have discretion to offer a discount of between 0% and 50% to owners of second homes. The Council currently offers a 0% discount. It is proposed to retain the 0% discount for 2014/15.
- 6.4 Empty Property Class A exemptions – Currently, a discount can be awarded between 0% to 100% at the Council’s discretion where the property is undergoing structural alteration or major repairs. The Council is being recommended to retain the 0% discount on these properties.
- 6.5 Empty Properties Class C exemptions – Currently, 100% discount is awarded for four weeks to substantially empty and unfurnished properties. After four weeks, the discount ceases and the full charge is applicable. The Council wants to encourage properties to be occupied as soon as possible. However, in many cases properties can be empty for a short period during a change over, especially where the property is let. Amounts due for these short periods would be more difficult to collect. For these reasons, it is recommended that the Council continues to offer a 100% discount for four weeks followed by a 0% discount.
- 6.6 Long Term Empty Properties – Empty homes premium
Section 11 of the Local Government Finance Act 2012 removed the discount for long term empty properties and introduced discretion to charge up to 50% premium on this category of properties, to encourage the owners of empty properties to bring them back into use. Currently, the Council charges an ‘empty homes premium’ of 50% where a property has been empty for two years or more. Therefore, the council tax bills are 50% more than where the property is occupied and no single person discount is applicable.
- 6.7 It should be noted that approximately 23% of any additional Council Tax income generated as a result of the variation in discounts would be attributable to the Greater London Authority.

7 COUNCIL TAX BASE

- 7.1 The calculation of the Council Tax Base has been prepared in accordance with the Regulations 'Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI: 2012: 2914)'.
7.2 The regulations specify a formula for this calculation, which for 2014/15 is:

$$((H - Q + E + J) - Z) \times (F / G)$$

Where:

H is the number of chargeable dwellings in that band, calculated in accordance with the regulations.

Q is a factor to take account of the discounts to which the amount of Council Tax payable was subject in that band, estimated in accordance with the regulations.

E is a factor to take account of the premiums, if any, to which the amount of Council Tax payable was subject in that band, estimated in accordance with the regulations.

J is the estimated variations in the Tax Base from changes after 30 November 2012 from factors such as:

- a) New properties and properties being banded.
- b) Variations in numbers of exempt properties.
- c) Successful Appeals against bandings.
- d) Variations in the number of discounts.

Z is the total amount that the authority estimates will be applied in relation to the authority's council tax reduction scheme in relation to the band, expressed as an equivalent number of chargeable dwellings in that band.

F is the proportion of Council Tax to be paid for dwellings in that band.

G As compared with a Band D property, using the proportions in the 1992 Act.

7.3 The proportions applicable to the various Council Tax bands (the 'basic' band being D) are as follows:-

Band	Proportion (ninths)
A	6
B	7
C	8
D	9
E	11
F	13
G	15
H	18

7.4 The Council's basic tax is calculated in respect of Band D. Therefore, Band A properties pay 6/9 of the basic tax, Band B properties 7/9 of the basic tax and so on, up to Band H where the tax is 18/9 or twice the tax at Band D.

Band	Relevant Amount (i.e. number of dwellings)
A	2,420.9
B	15,481.6
C	26,225.8
D	20,058.5
E	7,354.0
F	3,581.0
G	1,993.5
H	310.0
Aggregate of Relevant Amounts	77,425.3

8 CALCULATION OF THE COUNCIL TAX BASE

- 8.1 Regulation 3 of the 'Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI: 2012: 2914), requires that the Council's Tax Base for a financial year shall be calculated by applying the formula:

$$A \times B = T$$

Where:

A is the total of the relevant amounts for that year for each of the valuation bands, which is shown or is likely to be shown for any day in that year in the authority's valuation list as applicable to one or more dwellings situated in its area.

B is the Authority's estimate of its collection rate for that year.

T is the calculated Council Tax Base for that year.

- 8.2 In accordance with the requirements of the regulations and following from the calculations in this report, the calculation of the Council Tax Base for the London Borough of Lewisham in 2014/15 is as follows:

	2013/14	2014/15
Total of relevant amounts = A =	75,998.4	77,425.3
X		
Collection rate = B =	95.0%	95.5%
Council Tax Base	72,198.5	73,941.2

- 8.3 The detailed calculations proposed for the London Borough of Lewisham for 2014/15 are set in the annual Council Tax Base return to government has been attached at Appendix A. The reason for increasing the collection rate to 95.5% is set out in section nine below.

9 ESTIMATE OF THE COLLECTION RATE

- 9.1 The Regulations require that the Council estimates its collection rate for the financial year. This is the Council's estimate of the total amount in respect of its Council Tax for the year payable into its Collection Fund and transferable between its General Fund and Collection Fund, and which it estimates will ultimately be transferred.
- 9.2 Council Tax collection in Lewisham has been increasing steadily over recent years, reflecting an efficient service able to enforce debts effectively against those able to pay and to make reasonable arrangements for debtors in genuine financial hardship. The baseline was moved down in 2013/14 to 95% from 96.25% to allow for the impact of the introduction of the Council Tax Reduction Scheme (CTRS). However, the underlying direction of travel for the collection of Council Tax has not changed as the

Council continues to rigorously, but sensitively collect monies it is owed. It is therefore proposed to marginally increase the estimated collection rate to 95.5% for 2014/15.

- 9.3 The Council's CTRS was introduced from 1 April 2013, where approximately 20,000 residents started paying some Council Tax directly, as a result of the abolition of Council Tax Benefit. On 4 December 2013, Mayor & Cabinet received a report on the Council's CTRS scheme and it was agreed to recommend to Council that the current scheme would remain the same for 2014/15. An update on the collection performance for 2013/14 has been attached at Appendix C.
- 9.4 There is a separate report on the CTRS at Council on 22 January 2014. Officers felt that since its introduction on 1 April 2013, it was too early to determine how the current scheme is working and any changes to the scheme would be premature, and may help certain groups, but at a cost to others. It is worth noting that collection rates during the year have been slightly better than expected, particularly from the groups who are new to paying Council Tax under the CTRS. There will be a comprehensive review of the CTRS in 2014, once the scheme has been in operation for a full year.
- 9.5 For the reasons set out above, it is proposed to marginally increase the anticipated lifetime collection rate to 95.5% for 2014/15, which given past performance is seen as being both prudent and realistic.

10 NNDR TAX BASE

- 10.1 Under the Local Government Finance Act 2012, the system of national pooling of business rates was repealed and replaced with the Business Rates Retention scheme. The new scheme commenced on 1 April 2013 and requires the meeting of full Council to formally approve the NNDR1 return to government by 31 January, immediately preceding the financial year to which it relates. The NNDR1 contains details of the rateable values shown for the Authority's local rating list as at 30 September. It enables the Council to calculate the expected income in respect of business rates for the year, a proportion of which the Council retains.
- 10.2 The London Borough of Lewisham retains 30% of all business rates collected within the borough, 20% is attributed to the Greater London Authority and the remaining 50%, known as the Central Share, is passed to the Government.
- 10.3 In summary, after reliefs, adjustments and cost of collection, the Council anticipates the estimated net yield to be £45,964,000, before transition costs. This assumes a collection rate which is in line with the performance from previous years.
- 10.4 The summary below shows the respective shares of the £45,964,000

	% Share	£
Central Share	50	22,982,000
Lewisham	30	13,789,200
GLA	20	9,192,800
Total	100	45,964,000

- 10.5 The Council will keep its entire share, but will also be in receipt of a top-up, the calculation of which is based on the Business Rates Baseline, plus DCLG calculation of the Council's baseline funding level. This funding level was confirmed in the Local Government Finance Settlement announcement on 18 December 2013.
- 10.6 The Council is still awaiting that NNDR1 form, therefore the detailed information used to calculate the estimated net yield above is taken from the mid-year return set out in Appendix B to this report. The Mayor is being asked to recommend Council to endorse this.

11 FINANCIAL IMPLICATIONS

- 11.1 This report proposes that a Council Tax Base of 73,941.2 be set for 2014/15. This represents an increase of just over 1,700 in the number of chargeable dwellings from the Council Tax Base of 2013/14.
- 11.2 Officers believe that increasing the collection rate level to 95.5% for 2014/15 is both prudent and realistic, based on the actual debt that has been collected during the course of the current financial year. In line with current policy, the collection rate target is subject to review annually.
- 11.3 Consideration has also been given to the current economic climate. Whilst it is difficult to predict the scale of the ongoing impact, it is inevitable that Councils and residents across the country will continue to be affected in some way by the current economic position. People will continue to be concerned about their household finances and many people will still be experiencing financial difficulties. The Council Tax section will continue to apply a firm but fair approach when dealing with customers in arrears.

12 LEGAL IMPLICATIONS

- 12.1 Members are referred to the legal requirements set out in the body of the report and particularly the changes brought in by the Local Authorities (Calculation of Council Tax Base) Regulations 2012 (section five) and the changes introduced by the Local Government Finance Act 2012, which set out a number of changes for Council tax payers discounts and removal of some the exemptions relating to empty homes (section six) and the current NNDR system (section ten).
- 12.2 In accordance with the Local Government Finance Act 1992 and related Statutory Instruments, the Authority is required to decide its Council Tax Base for 2014/15 by no later than 31 January 2014.

13 CRIME AND DISORDER IMPLICATIONS

- 13.1 There are no specific crime and disorder implications directly arising from this report.

14 EQUALITIES IMPLICATIONS

- 14.1 Every effort will be made to ensure that Council tax payers, particularly those who are from disadvantaged groups, receive prompt and accurate Council Tax bills, and that those who are eligible for exemptions and discounts - such as the disabled people, single people and those on low incomes, are encouraged to claim them.

15 ENVIRONMENTAL IMPLICATIONS

- 15.1 There are no specific environmental implications directly arising from this report.

16 CONCLUSION

- 16.1 The recommended Council Tax Base takes account of the 'relevant amounts' for each Council Tax band and a considered view of the likely collection rate.

For further information on this report, please contact:

Selwyn Thompson, Group Finance Manager, Budget Strategy on 0208 314 6932 or;
Lorraine Richards, Revenues Manager on 0208 314 6047

Appendix A: Council Tax Base (CTB) Return for 2014/15

CTB(October 2013)

Calculation of Council Tax Base for Revenue Support Grant Purposes

Please e-mail to : ctb.statistics@communities.gsi.gov.uk

Please enter your details after checking that you have selected the correct local authority name

Ver 1.04

CTB(October 2013) form for : **Lewisham**

Completed forms should be received by DCLG by Friday 18 October 2013

Dwellings shown on the Valuation List for the authority on Monday 9 September 2013	Band A entitled to disabled relief reduction COLUMN 1	Band A COLUMN 2	Band B COLUMN 3	Band C COLUMN 4	Band D COLUMN 5	Band E COLUMN 6	Band F COLUMN 7	Band G COLUMN 8	Band H COLUMN 9	TOTAL COLUMN 10
1. Total number of dwellings on the Valuation List		7,421	33,490	42,715	25,550	7,258	2,767	1,305	178	120,684
2. Number of dwellings on valuation list exempt on 7 October 2013 (Class B & D to W exemptions)		213	811	718	340	96	21	13	2	2,214
3. Number of demolished dwellings and dwellings outside area of authority on 7 October 2013 (please see notes)		0	1	2	0	0	0	0	0	3
4. Number of chargeable dwellings on 7 October 2013 (treating demolished dwellings etc as exempt) (lines 1-2-3)		7,208	32,678	41,995	25,210	7,162	2,746	1,292	176	118,467
5. Number of chargeable dwellings in line 4 subject to disabled reduction on 7 October 2013		5	35	94	107	43	26	14	8	332
6. Number of dwellings effectively subject to council tax for this band by virtue of disabled relief (line 5 after reduction)	5	35	94	107	43	26	14	8		332
7. Number of chargeable dwellings adjusted in accordance with lines 5 and 6 (lines 4-5+6 or in the case of column 1, line 6)	5	7,238	32,737	42,008	25,146	7,145	2,734	1,286	168	118,467
8. Number of dwellings in line 7 entitled to a single adult household 25% discount on 7 October 2013	2	4,917	18,126	16,863	6,704	1,400	367	152	9	48,540
9. Number of dwellings in line 7 entitled to a 25% discount on 7 October 2013 due to all but one resident being disregarded for council tax purposes	0	43	400	598	334	82	22	7	1	1,487
10. Number of dwellings in line 7 entitled to a 50% discount on 7 October 2013 due to all residents being disregarded for council tax purposes	0	1	3	12	26	26	46	41	17	172
11. Number of dwellings in line 7 classed as second homes and so treated for Formula Grant purposes as being entitled to a 50% discount on 7 October 2013 (even if a lower discount has been granted in practice).		36	118	144	62	17	3	4	0	384
12. Number of dwellings in line 7 classed as empty and receiving a zero% discount on 7 October 2013		148	377	351	159	81	20	8	1	1,145
13. Number of dwellings in line 7 classed as empty and receiving 50% discount on 7 October 2013		0	0	0	0	0	0	0	0	0
14. Number of dwellings in line 7 classed as empty and receiving a discount between zero% and 100% (excluding 50%) on 7 October 2013.		21	53	49	18	5	2	0	0	148
15. Number of dwellings in line 7 classed as empty and being charged the Empty Homes Premium on 7 October 2013.		43	62	40	17	8	4	1	1	176
16. Total number of dwellings in line 7 classed as empty on 7 October 2013 (lines 12, 13, 14 & 15) and assumed to be receiving 100% discount for Revenue Support Grant purposes		212	492	440	194	94	26	9	2	1,469
16a Number of dwellings that are classed as empty on 7 October 2013 and have been for more than 6 months. NB These properties should have already been included in line 16 above.		146	267	192	87	35	17	4	2	750
16b Number of dwellings that are classed as empty on 7 October 2013 and have been for more than 6 months and were previously eligible for Class A exemptions. NB These properties should have already been included in line 16 above.		1	1	5	2	2	2	0	0	13
16c Line 16a - line 16b. This is the equivalent of lines 12+14+15 on the CTB(October 2012) and will be used to calculate the New Homes Bonus.		145	266	187	85	33	15	4	2	737

17. Number of dwellings in line 7 where there is liability to pay 100% council tax (lines 7-8-9-10-11-16)	3	2,029	13,598	23,951	17,826	5,526	2,270	1,073	139	66,415
18. Number of dwellings in line 7 that are assumed to be subject to a discount for Revenue Support Grant purposes (lines 8+9+10+11+16)	2	5,209	19,139	18,057	7,320	1,619	464	213	29	52,052
19. Total equivalent number of dwellings after discounts, exemptions and disabled relief (to 2 decimal places)	4.50	5,767.50	27,553.00	37,124.75	23,148.50	6,659.00	2,586.25	1,214.75	155.00	104,213.25
20. Ratio to band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
21. Total number of band D equivalents (to 1 decimal place) (line 19 x line 20)	2.5	3,845.0	21,430.1	32,999.8	23,148.5	8,138.8	3,735.7	2,024.6	310.0	95,635.0
22. Number of band D equivalents of contributions in lieu (in respect of Class O exempt dwellings) in 2012-13 (to 1 decimal place)										0.0
23. Tax base for Revenue Support Grant purposes (to 1 decimal place) (line 21 col 10 + line 22)										95,635.0

Certificate of Chief Financial Officer

I certify that the information provided on this form is based on the dwellings shown in the Valuation List for my authority on 9 September 2013 and that it accurately reflects information available to me about exemptions, demolished dwellings etc, disabled relief, discounts and premiums applicable on 7 October 2013 and, where appropriate, has been completed in a manner consistent with the form for 2012.

Chief Financial Officer : -----

Date : -----

Ver 1.0g

Local authority contact name : Lorraine Richards
Local authority telephone number : 020 8314 6047
Local authority fax number : 020 8690 7944
Local authority e-mail address : lorraine.richards@lewisham.gov.uk

Now open the sheet called Validation to see if there are any inconsistencies in your form

24. Total equivalent number of dwellings after discounts, exemptions and disabled relief (to 2 decimal places)	4.50	5,767.50	27,553.00	37,124.75	23,148.50	6,659.00	2,586.25	1,214.75	155.00	104,213.25
25. Reduction in tax base due to Council Tax Support (to 2 decimal places)	0.58	2,139.50	7,648.03	7,620.71	3,089.98	642.09	107.12	18.67	0.00	21,266.68
26. Total equivalent number of dwellings after discounts, exemptions, disabled relief and council tax support (to 2 decimal places)	3.92	3,628.00	19,904.97	29,504.04	20,058.52	6,016.91	2,479.13	1,196.08	155.00	82,946.57
27. Ratio to band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
28. Total number of band D equivalents (to 1 decimal place) (line 26 x line 27)	2.2	2,418.7	15,481.6	26,225.8	20,058.5	7,354.0	3,581.0	1,993.5	310.0	77,425.3
29. Number of band D equivalents of contributions in lieu (in respect of Class O exempt dwellings) in 2012-13 (to 1 decimal place)										0.0
30. Tax base after council tax support (to 1 decimal place) (line 28 col 10 + line 29)										77,425.3

Appendix B: National Non Domestic Rates (NDR) – Mid Year Forecast 2013/14

NATIONAL NON-DOMESTIC RATES RETURN - MID-YEAR FORECAST

2013-14

Please e-mail to: nldr.statistics@communities.gsi.gov.uk by no later than **Wednesday 13 November 2013**

Any enquiries should be directed to Dennis Herbert, Department for Communities and Local Government,
Zone 5/J6, Eland House, Bressenden Place, London SW1E 5DU

All figures should be rounded to the nearest pound.

Ver 1.2

FORECAST NON-DOMESTIC RATING INCOME 2013-14

	£	
NET RATES PAYABLE		
1. Gross sum payable by rate payers after taking account of transitional adjustments, empty property rate, mandatory and discretionary reliefs	52,113,184	
(LESS) ACCOUNTING ADJUSTMENTS:		
LOSSES IN COLLECTION		
2. Provision for bad debt	1,200,000	
LOSSES ON APPEAL		
3. Provision for appeals	2,536,323	
4. Full provision for backdated appeal costs	2,413,202	
5. Has the authority taken advantage of the ability to spread the cost of the provision for backdated appeal costs over 5 years	No	
6. If "Yes" what is the notional year 1 provision for backdated appeal costs?		
COLLECTIBLE RATES		
7. Equals: net rates payable (line1) less accounting adjustments	45,963,659	
TRANSITIONAL PROTECTION PAYMENTS		
8a. Addition revenue received because reductions in rates have been deferred	188,179	0
8b. Revenue foregone because increases in	201,895	0
COST OF COLLECTION		
10. Allowance for cost of collection (Line 22 NDR1 2013-14)	306,296	
SPECIAL AUTHORITY DEDUCTIONS		
11. City of London Offset	0	
DISREGARDED AMOUNTS		
12. Amounts retained in respect of NDD areas	0	
13. Amounts retained in respect of Enterprise Zones	0	
14. Amounts retained in respect of Renewable Energy Schemes	0	
15. Sums retained by billing authority	0	of which:
16. Sums retained by major precepting authority	0	
NON-DOMESTIC RATING INCOME		
17. Equals: collectible rates (line 7) plus line 9 less lines 10 - 14	45,671,080	
18. Non-Domestic Rating Income (Line 36 NDR1 2013-14)	48,190,133	
19. Difference between NDR1 and mid-year forecast (line 17 minus line 18)	-2,519,053	

Appendix C: Update on CTRS collection performance for 2013/14

Evidence of collecting these debts so far during 2013/14 is as follows;

1. Since April the Council has sent 24,648 reminders to CTRS cases, with a value of £1.3m. Some customers paid their missing instalment(s) or contacted the Council and made an arrangement to pay.
2. There have been 6,533 summonses issued where the customer ignored the reminder notices and did not pay or make an arrangement to pay. Where customers paid in full, or agreed to pay by Direct Debit, the summons and associated costs were withdrawn from their account.
3. So far, the Council has held seven hearings at Bromley Magistrates Court for CTRS cases and has successfully obtained all of the Liability Orders requested. A Liability Order gives the Council greater powers to collect the outstanding debt.
4. Ordinarily, after a hearing the next step would involve the case being referred to the bailiffs because this is a fully automated process. The bailiffs are then responsible for collecting the arrears on behalf of the Council. However, as these cases are in receipt of benefits, an instruction is issued to the Department for Work and Pensions (DWP) to make deductions at source via an Attachment to Benefit Order from their on-going benefit entitlement.
5. It should be noted that there are some circumstances where an attachment cannot be made. This occurs when:-
 - The type of benefit in payment is excluded from an Attachment to Benefit i.e. Disability Living Allowance
 - Deductions are already being made for a previous Council Tax debt or other utility debt
 - The customer's benefit ceased before the Attachment to Benefit could be secured
 - The National Insurance Number does not match debtors details
6. At present, 1,656 liability orders have been referred to the DWP. Whilst an Attachment to Benefit secures payment of the debt, there is a prescribed maximum weekly amount of £3.60 that can be deducted. This means it will take over a year and a half to clear a debt summonsed in July 2013, by which time the 2014/15 charge will be due. Consequently, those in receipt of CTRS will be required to pay their new in-year instalments from a reduced income, owing to the Attachment to Benefit in place to clear their previous years arrears. This is likely to become a reoccurring issue as time goes by and will impact on the Council's revenue collection.

FULL COUNCIL			
REPORT TITLE	ADDENDUM: To set the Council Tax Reduction Scheme as part of the - Setting the Council Tax Base, the NNDR Base & Discounts for Second Homes and Empty Homes report.		
KEY DECISION	Yes	ITEM No.	7a
WARD	All		
CONTRIBUTORS	Executive Director for Resources & Regeneration and Executive Director for Customer Services		
CLASS	Part 1	Date	22 January 2014

1 ADDENDUM

Purpose

- 1.1. This addendum asks Council to set the Council Tax Reduction Scheme (CTRS) for 2014/15 by endorsing the recommendation agreed by Mayor & Cabinet on the 4 December 2013.

Background

- 1.2. The CTRS was introduced in 2013/14 as the replacement for the Council Tax Benefit Scheme. The Council is required to agree its CTRS for the coming financial year (2014/15) before the 31 January each year.
- 1.3. No change is proposed to the CTRS for 2014/15, in line with recommendation 3.2 and supporting explanation in section 9 of the Mayor & Cabinet report (see Appendix 1 to this Addendum). The Council will continue to pass on the government cut in grant in full to working age claimants.

Recommendation

- 1.4. Council agrees to retain a local CTRS for 2014/15 that passes on the government cut in grant in full as set out in the Mayor & Cabinet report item 13 of the 4 December 2013.

APPENDIX 1 – Council Tax Reduction Scheme report

	Mayor and Cabinet		
Report Title	Council Tax Reduction Scheme 2014/15 (incorporating the response to the Overview and Scrutiny Business Panel)		
Ward	All	Item No.	
Contributors	Executive Director for Customer Services and Head of Public Services		
Class	Open	Date	4 December 2013

1. Purpose

- 1.1 To agree Lewisham's Council Tax Reduction Scheme (CTRS) for 2014/15 and respond to the Overview and Scrutiny Business Panel with detailed collection information.

2. Executive summary

- 2.1 The Government replaced Council Tax Benefit (CTB) with the local Council Tax Reduction Scheme on 1 April 2013, at which point local authorities were required to define their own local CTRS for working age households.
- 2.2 The Council agreed to pass on the Government cut in grant of £3.28m to 24,648 working age claimants for 2013/14. The Council also agreed a £100K fund for those vulnerable groups facing exceptional hardship. Pensioners were protected by a national scheme and so continued to receive the same amount of help as before.
- 2.3 This report proposes that the Council keeps the same local CTRS for 2014/15 because it is too early to determine how the current scheme is working. Any changes to the existing scheme would be premature, and may help certain groups but at a cost to others. Instead, a comprehensive review of the CTRS will be undertaken in 2014, once the scheme has been in operation for a full year.
- 2.4 By retaining the existing CTRS no new financial implications are expected to arise. For 2014/15, there is no reduction in the overall funding for Council Tax support. However, the government has indicated that the allocation will not be separately identified, but will form part of the overall amount available to the Council as part of its formula funding. It will be entirely for the council to decide how much it is prepared to spend on Council Tax support.
- 2.5 Although the Council is not proposing to change the CTRS for 2014/15, a proportionate consultation with local residents and other stakeholders was undertaken. This consisted primarily of an online survey on the Council's website, and a written invitation to complete the survey, which was sent out to 1,000 residents (a sample of both Council Tax payers and existing CTR claimants).
- 2.6 The majority (62%) of those responding to the survey agreed that the Council should maintain the current CTRS for 2014/15.

3. Recommendations

It is recommended that the Mayor agrees to:

- 3.1 Note the outcomes of the consultation set out in appendix 1.
- 3.2 Retain a local CTRS from 1 April 2014 that passes on the government cut in grant in full, as set out in section 9 of this report.
- 3.3 Delegate to the Executive Director for Customer Services and Head of Public Services, the power to set up and implement a hardship scheme with a maximum available spend in any one year of £100K. Further delegation should be sought by the Executive Director for Customer Services and Head of Public Services if they consider it necessary for this threshold to be exceeded.
- 3.4 Refer the report back to Overview and Scrutiny Business Panel and note the information provided on collection enforcement action and associated costs set out in Section 7.

4. Policy context

- 4.1 One of the primary functions of the Council is to promote the social, economic and environmental wellbeing of the borough and its people. In discharging this important public role the Council has a specific duty to safeguard the most vulnerable from harm and to regulate access to public services and to provide social protection for those that might otherwise be put at risk.
- 4.2 As Council funding is provided through public resources (grants from central Government; Business Rates and Council Tax) the local authority must also demonstrate both responsibility and accountability in the stewardship of public resources.
- 4.3 The overarching policy and decision making framework for the discharge of the Council's many functions and duties is Lewisham's Sustainable Community Strategy. The Strategy contains two overarching principles which are:
 - Reducing inequality – narrowing the gap in outcomes; and
 - delivering together efficiently, effectively and equitably – ensuring that all citizens have appropriate access to and choice of high quality local services.
- 4.4 Also contained within this overarching policy framework are the Council's ten priorities. These priorities describe the specific contribution that the local authority will make to the delivery of the Sustainable Community Strategy. The Council priorities are as follows:
 - Community leadership and empowerment
 - Young people achievement and involvement
 - Clean, green and liveable
 - Safety, security and visible presence
 - Strengthening the local economy
 - Decent homes for all
 - Protection of children
 - Caring for adults and older people

- Active health citizens
- Inspiring efficiency, effectiveness and equity

- 4.5 In addition to the above, the Government has expressed a clear intention that in developing CTRS proposals, local authorities should ensure that:
- Pensioners see no change in their current level of awards whether they are existing or new claimants;
 - they consider extending support or protection to other vulnerable groups; and
 - local schemes should support work incentives and in particular avoid disincentives to move into work.

5. Background

- 5.1 On the 23 January 2013, following a detailed consultation exercise in 2012, the Council agreed its CTRS for 2013/14 on the basis that the £3.28m reduction in funding could not be covered by the Council and would be passed on to all working age claimants.
- 5.2 The scheme ended the entitlement to second adult rebate but in all other respects remains the same as the previous CTB scheme. Pensioners are protected from any changes or reductions and a hardship fund of £100K was agreed for some vulnerable persons in exceptional circumstances.
- 5.3 The Council's CTRS was introduced from 1 April 2013 and has resulted in 24,648 working age claimants being asked to pay, on average, £2.92 per week extra Council Tax. Of the 24,648 there were 18,000 who previously did not have any to pay.
- 5.4 This report describes how the CTRS for 2013/14 is working and proposes the CTRS for 2014/15 following a consultation exercise. Section 7 of the report also provides the additional information requested by Overview and Scrutiny Business Panel on 2 October 2013.

6. Council Tax Reduction Scheme 2013/14

- 6.1 As the scheme has only been in place since 1 April 2013 it is too early to determine what the full impact has been on working age claimants. However, the following is known:
- The caseload has reduced by 1,198. This is mainly due to working age claimants whose entitlement under the CTB scheme was sufficiently low to be reduced to zero with the cut in government grant being passed on.
 - There have been no appeals against CTRS entitlement.
 - There have been few requests for support from the hardship fund yet. This is expected to increase following the commencement of recovery action as we will be targeting those affected to ensure they are aware of the availability of this additional support.

7. Council Tax collection (incorporating the response to the Overview and Scrutiny Business Panel)

7.1 This section sets out how the Council collects Council Tax from CTRS cases and the costs associated with it and is in response to the information requested at the Overview and Scrutiny Business Panel on 2 October 2013 namely:

The Business Panel noted the Mayor's decision, and the Joint Review with Lambeth and Southwark, and requests that the Mayor;

- i. asks officers to provide Business Panel members with full details of enforcement actions that have been taken to recoup outstanding monies;*
- ii. asks officers to include the cost of the enforcement action, and the total amount of the money recouped.*

Response

7.2 Since April the Council has sent 24,648 reminders to CTRS cases, with a value of £1.3m. Some customers paid their missing instalment(s) or contacted the Council and made an arrangement to pay.

7.3 There have been 6,533 summonses issued where the customer ignored the reminder notices and did not pay or make an arrangement to pay. Where customers paid in full, or agreed to pay by Direct Debit, the summons and associated costs were withdrawn from their account.

7.4 So far the Council has held seven hearings at Bromley Magistrates Court for CTRS cases and has successfully obtained all of the Liability Orders requested. A Liability Order gives the Council greater powers to collect the outstanding debt.

7.5 Ordinarily, after a hearing the next step would involve the case being referred to the bailiffs because this is a fully automated process. The bailiffs are then responsible for collecting the arrears on behalf of the Council. However, as these cases are in receipt of benefits, an instruction is issued to the Department for Work and Pensions (DWP) to make deductions at source via an Attachment to Benefit Order from their on-going benefit entitlement.

7.6 It should be noted that there are some circumstances where an attachment cannot be made. This occurs when:-

- The type of benefit in payment is excluded from an Attachment to Benefit ie. Disability Living Allowance
- Deductions are already being made for a previous Council Tax debt or other utility debt
- The customer's benefit ceased before the Attachment to Benefit could be secured
- The National Insurance Number does not match debtors details

7.7 At present 1,656 liability orders have been referred to the DWP. Whilst an Attachment to Benefit secures payment of the debt, there is a prescribed maximum weekly amount of £3.60 that can be deducted. This means it will take over a year and a half to clear a debt summonsed in July 2013, by which time the 2014/15 charge will be due. Consequently, those in receipt of CTRS will be required to pay their new in-year instalments from a reduced income, owing to the Attachment to

Benefit in place to clear their previous years arrears. This is likely to become a reoccurring issue as time goes by and will impact on the Council's revenue collection.

- 7.8 A test sample of 50 cases has been referred to the bailiff to determine their ability to collect from these customers, before a final decision is made on referring the bulk of the remaining cases where an Attachment to Benefit cannot be secured.
- 7.9 All 50 sample cases have received a first visit from the bailiff but results so far have been disappointing with a 18% success rate as detailed below:-
- one customer paid in full
 - eight agreed to set up an arrangement
 - one outright refused to pay
- 7.10 A further 50 sample cases were followed up by a Council Tax officer who visited and made phone calls to the debtors. This proved more successful with a 42% success rate as follows:-
- one customer paid in full
 - 20 agreed to set up an arrangement
 - one wanted to speak to a member of staff in the office
- 7.11 Whilst the Council's approach has yielded a better result the work is resource intensive and would require additional dedicated staff to be a sustainable long term solution.
- 7.12 As at 31 October the Council had collected £4.6m of the total £9m due from all CTRS cases. This equates to 51.89%. At this point the Council would have expected to collect £5.2m / 55.13%. (Note: the £9m is the £3.28m the Council passed on plus the £5.72m that would be due from claimants as they are not entitled to maximum CTRS because their income is too high)
- 7.13 The Council recovers the administrative cost associated with enforcement action via the court fees. Summons costs of £75 are added to the debtors account at the point the summons is issued and Liability Order costs of £50 when the order is granted by the Magistrate. However, as noted above these costs are withdrawn if the debtor pays in full or makes an arrangement to pay by Direct Debit.

8. Hardship Scheme

- 8.1 In April 2013, the Council agreed to fund a scheme where households subject to a reduction in council tax support would be able to seek financial help. The scheme was limited to £100k for 2013/14 and targeted at those vulnerable groups highlighted through a consultation exercise in 2012. These groups include those who are;
- A lone parent with a child under the age of 5;
 - Disabled or responsible for a disabled child; or
 - Over 50 and unemployed for 12 months or more.

- 8.2 Requests for hardship funding will also be considered from those not in one of the groups identified above where exceptional financial hardship can be demonstrated.
- 8.3 Initially, it was decided to focus support on those unable to pay however, it soon became apparent that many households were paying their council tax and suffering financial hardship as a result of doing so. It was not considered appropriate to target those who had not paid at the expense of those who had paid but suffered financially as a result of doing so. Subsequent targeting has been considered including directly contacting all households in Lewisham who received CTRS and met the criteria. However, the numbers were prohibitive and awards to even a modest proportion of these would have exceeded the available hardship funding.
- 8.4 Subsequent activity has included our attendance at external seminars and workshops to promote availability of the funding, alerting elected members and front-line staff so that they can encourage applications when coming across someone in financial difficulties. The advice agencies have also been made aware of the hardship scheme.
- 8.5 Of the respondents that answered the hardship question, over four-fifths (84%) agreed to some extent that the Council should continue hardship awards for people entitled to a disability premium or disabled child premium.
- 8.6 Respondents who identified themselves as being disabled were more likely to agree that the vulnerable groups identified in the survey should continue to receive hardship awards. The same applied for those who identified themselves as being either Black, Black African, Black Caribbean, or Black British or CTR claimants.
- 8.7 Conversely, older adults (aged 65+ years) and Council Tax payers were less likely to agree that all the vulnerable groups identified in the survey should continue to receive hardship awards.
- 8.8 The consultation for the 2014/15 scheme has indicated support for a hardship fund to be maintained for the vulnerable groups previously identified as being most in need of additional help. On this basis, the recommendation in 4.3 is that a hardship scheme of £100k is retained for 2014/15.

9. Council Tax Reduction Scheme for 2014/15

- 9.1 The Council is required to agree its CTRS for 2014/15 before the 31 January 2014. When the Council was considering the scheme for 2013/14 it was suggested that the scheme should be more 'refined' for future years. This was because the 2013/14 CTRS mirrors the old CTB scheme except for the cut that was passed on proportionately to all cases and the removal of the second adult rebate.
- 9.2 The CTRS could be refined by adjusting the many parameters, premiums and disregards that already exist. For example, the current CTRS says the maximum savings a person can have are £16K. This maximum savings threshold could be reduced to a lower amount which would mean those with excess savings would receive no CTRS but leaving the remaining CTRS recipients receiving more.

- 9.3 To consider refining the CTRS for 2014/15 would require an in depth analysis of how the current arrangements are working. However, this in depth analysis is not possible for the following reasons:
- It is too early to judge how the current CTRS is working. A full year of operation is needed to understand the impact on customers and collection.
 - At this stage we have not identified any real sense of hardship as a result of passing on the cut. However, the full impact of welfare reforms is yet to take place.
 - It is too early to judge how other local authorities' more refined CTR schemes are working.
 - Any refinement to the CTRS will give certain groups of recipients more help at the cost of others.
 - The current CTRS was based on CTB which had been continually refined since its introduction in 1993. It is unlikely that we could find a better balance unless there are specific groups in the borough that need extra help and it could be argued that this should not be done at the cost of others.
- 9.4 For these reasons no change is proposed to the CTRS for 2014/15 (i.e. the Council will continue to pass on the government cut in grant in full to working age claimants).
- 9.5 Despite this, the Council is still required to carry out a consultation exercise to comply with specific requirements in the legislation. This is because to pass on the cut in full technical changes are required and the legislation counts these as an actual change to the scheme which requires consultation. The technical changes are the % used in the calculation to pass the cut on in full and the annual up rating to applicable amounts, income disregards and non-dependant deductions.
- 9.6 On 11 September 2013 Mayor and Cabinet agreed to consult on a CTRS that will continue to pass on the government cut in grant in full to working age claimants.
- 10. Consultation on the CTRS for 2014/15**
- 10.1 Our approach to consultation was to engage with a sample of Council Tax payers, as well as those currently in receipt of CTR, and to provide all those with an interest in this matter with an opportunity to share their feedback.
- 10.2 The consultation was intentionally proportionate in approach. The proposals for the 2014/15 scheme remain unchanged from the previous year's scheme, for which a comprehensive consultation and Equalities Analysis Assessment have already been undertaken. Furthermore, an additional consultation will be undertaken in 2014, once the CTRS has been in operation for a full year.
- 10.3 The consultation on the proposed CTRS for 2014/15 consisted of the following:
- A self-completion survey – promoted across the Council's website, and available in hard copy format upon request.

- A letter sent out to 1,000 households - half to those in receipt of CTR and the other half to those not in receipt of CTR - inviting them to participate in the survey.
- Promotion at the 'Advice Lewisham Open Day' attended by the voluntary and community sector and representatives of key vulnerable groups.
- A general press release from Communications promoting the survey, which was emailed to local media, blogs and websites.

10.4 The principle focus of the survey sought to clarify whether or not:

- a) The Council should maintain the current CTRS for 2014/15, where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding.
- b) The Council should continue hardship awards for lone parents with children under 5 years; people entitled to a disability premium or a disabled child premium; and people over 50 years of age who have been unemployed for a year or more.
- c) The Council should consider other vulnerable groups for hardship awards to help them pay for their Council Tax.

10.5 The headlines from the consultation were as follows:

- There were 92 respondents to the survey in total, of which 7% are currently receiving CTR in Lewisham.
- The majority (62%) of all respondents agreed that the Council should maintain the current scheme where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding.
- There was little variation in support for the proposal between those currently in receipt of CTR and those that were not. In both groups approximately three-fifths agreed that the Council should maintain the current scheme for 2014/15.
- Of those respondents that answered the question, almost two-thirds (64%) agreed to some extent that the Council should continue hardship awards for lone parents with children under 5 years old.
- Of those respondents that answered the question, over four-fifths (84%) agreed that the Council should continue hardship awards for people entitled to a disability premium or a disabled child premium.
- Of those respondents that answered the question, almost three-fifths (59%) agreed that the Council should continue hardship awards for people over 50 years of age who have been unemployed for a year or more.
- According to respondents, full-time carers, those with learning disabilities, and the terminally ill, were amongst other vulnerable groups that the Council should consider for hardship awards.

10.6 In conclusion, the majority of consultation respondents agreed with the proposals that the Council should maintain the current CTRS scheme for 2014/15, and that hardship awards should be continued for the named vulnerable groups.

10.7 A more detailed analysis of the consultation results can be found within appendices 1 to 3.

11. Implementation timetable

Date	Action	Responsibility
4 December 2013	Mayor and Cabinet agree CTRS scheme for 2014/15	Customer Services
January 2014	Testing for annual billing	Customer Services/Capita
22 January 2014	CTRS scheme agreed as part of budget process and before 31 January 2014	Council
26 February 2014	Council sets its budget	Council
March 2014	Council Tax bills issued	Customer Services

12. Financial implications

- 12.1 In 2013/14, the Government allocated a total of £25.8m for CTRS in Lewisham (split between the Council - £19.9m – and the GLA - £5.9m). The allocation was £3.28m less than the 2012/13 funding and the Council agreed to pass this on to 24,648 working age claimants.
- 12.2 For 2014/15, the government has decided to roll CTRS resources into formula grant. This means that it is difficult to establish individual authority allocations for CTRS in 2014/15. However, the Council's assessment of the budget gap for 2014/15 is based on announcements that the Government has made of proposed formula grant allocations for 2014/15, so any decision to fully fund affected residents for the cut in grant would require a further budget reduction on top of the £16m budget reductions still to be agreed for 2014/15. This is estimated at £2.54m, based on the Council's share of the £3.28m cut in funding in 2013/14, although actual additional budget reductions required would depend on a review of CTRS caseloads and amounts.

13. Legal implications

- 13.1 Section 33 of the Welfare Reform Act 2012 abolished Council Tax Benefit. The Local Government Finance Act 2012 amends the Local Government Finance Act 1992 to make provision for council tax support through locally adopted Council Tax Reduction Schemes, ("CTRS").
- 13.2 Paragraph 5 of Schedule 1A sets out the obligations imposed on the Council in respect of revising and replacing a CTRS. Paragraph 5 provides "(1) For each financial year, each billing authority must consider whether to revise its scheme or to replace it with another scheme. (2) The authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect. (3) The Secretary of State may by order amend sub-paragraph (2) by substituting a different date. (4) If any revision to a scheme, or any replacement scheme, has the effect of reducing or removing a reduction to which any class of

persons is entitled, the revision or replacement must include such transitional provision relating to that reduction or removal as the authority thinks fit. (5) Paragraph 3 applies to an authority when revising a scheme as it applies to an authority when making a scheme. (6) References in this Part to a scheme include a replacement scheme.”

- 13.3 If there is to be a revision to the scheme, or a replacement scheme, this must be made by 31 January in the financial year preceding that to which it is to have effect – therefore for this Council, it means by 31 January 2014 for the financial year 2014 – 2015.
- 13.4 Paragraph 3 of Schedule 1 contains obligations in respect of consultation, and requires the authority, before making or revising a Scheme to, in the following order: “consult any major precepting authority which has power to issue a precept to it, publish a draft scheme in such manner as it thinks fit, and consult such other persons as it considers are likely to have an interest in the operation of the scheme”.
- 13.5 The consultation exercise undertaken last year (for 2013 /14) was relatively extensive in scope given the need to consult on the principles underlying the new CTRS. The extent of the consultation exercise that will be required this forthcoming year for 2014 /15, shall appropriately reflect the relevant extent of the revision that is proposed; namely, for 2014 /15 it concerns the anticipated revision to the percentage reduction in liability for that period.
- 13.6 The decision to maintain a CTRS subject to revisions to the percentage reduction would constitute the exercise of a “function” for the purposes of section 149 of the Equality Act 2010.
- 13.7 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 13.8 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 13.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 13.10 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty.

This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

13.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

13.12 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

Further information and resources are available at:

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

14. Crime and disorder implications

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

15. Equalities implications

15.1 In the discharge of their functions, the Equality Act 2010 places a Duty on public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- foster good relations between those who share a protected characteristic and those who do not share that characteristic; and
- advance equality of opportunity between those who share a protected characteristic and those who do not share that characteristic.

15.2 The Council's obligations under the Equality Duty have been considered as part of the overall consultation analysis on the CTRS for 2014/15. More specifically, appendices 2 and 3 include analysis of respondent characteristics.

15.3 A detailed Equalities Analysis Assessment was performed in 2012/13 for the current year's CTRS. As there is no evidence to date of particular groups being impacted by the scheme and no changes are proposed to the scheme for 2014/15, no further assessment is required at present. A further Equalities Analysis Assessment will be undertaken as part of the comprehensive review of the CTRS. This will take place once the local scheme has been in effect for a full year (i.e. in 2014).

16. Environmental implications

16.1 There are no environmental implications arising from this report.

17. Background papers and report author

17.1 There are no background papers to this report.

17.2 If you require further information about this report, please contact Ralph Wilkinson, Head of Public Services, on 020 8314 6040.

Appendix 1 - Consultation report on CTRS 2014/15

Introduction

1. The Council Tax Reduction Scheme (CTRS) consultation ran from 3 October 2013 to 3 November 2013. This report outlines the responses to the consultation survey from individuals and also the Greater London Authority.

Summary of results

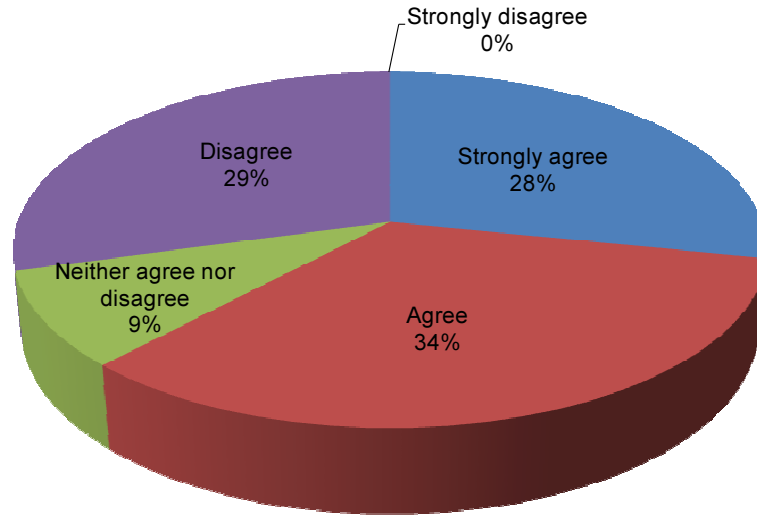
2. In total there were 92 responses to the local CTRS questionnaire. Of these, 57 (62%) of all respondents supported the proposal that the Council should maintain the current CTR scheme for 2014/15, where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding.
3. The majority (60%) of Council Tax payers were in support of the proposal, which was broadly the same level as for current Council Tax Reduction claimants (57%).
4. Within the various sub-groups there was majority support for the proposal, with the exception of those respondents that identified themselves as either disabled, providers of unpaid care, or those aged between 50-64 years. It should be noted however, that these sub-groups are too small to be statistically representative of the wider population.
5. As to whether the Council should continue hardship awards for key vulnerable groups, over three-fifths of all respondents supported this proposal (rising to four-fifths in support of hardship awards for people entitled to a disability premium or a disabled child premium).
6. Further details regarding the survey responses as well as to the broader consultation are presented below.

Overall survey responses

7. A breakdown of responses to the questions contained within the survey on the proposed CTRS for 2014/15 can be found below:

Q1) Please say how much you agree or disagree with the following statement? The Council should maintain the current scheme where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding.

Q1) Please say how much you agree or disagree that the Council should maintain the current scheme where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding?

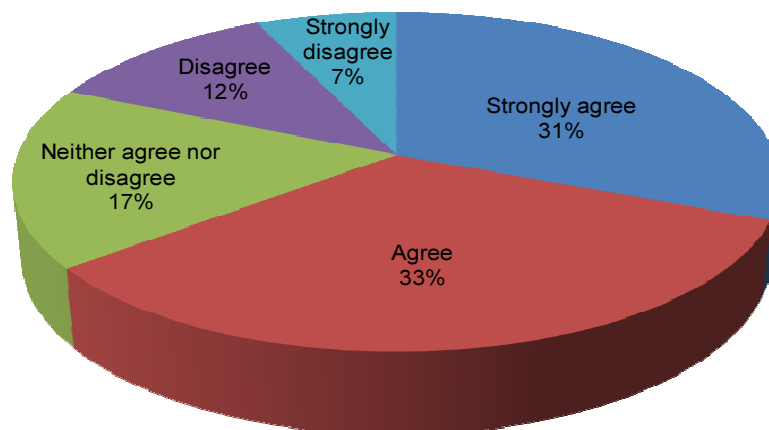


	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No response	Total
% total	28.26	33.70	8.70	29.35	-	-	100
% answer	28.26	33.70	8.70	29.35	-	-	100
Count	26	31	8	27	0	0	92

8. A total of 57 respondents (62%) agreed to some extent that the Council should maintain the current scheme. A total of 27 respondents (29%) disagreed to some extent.

Q2a) To what extent do you agree or disagree that the Council should continue hardship awards for lone parents with children under 5 years old?

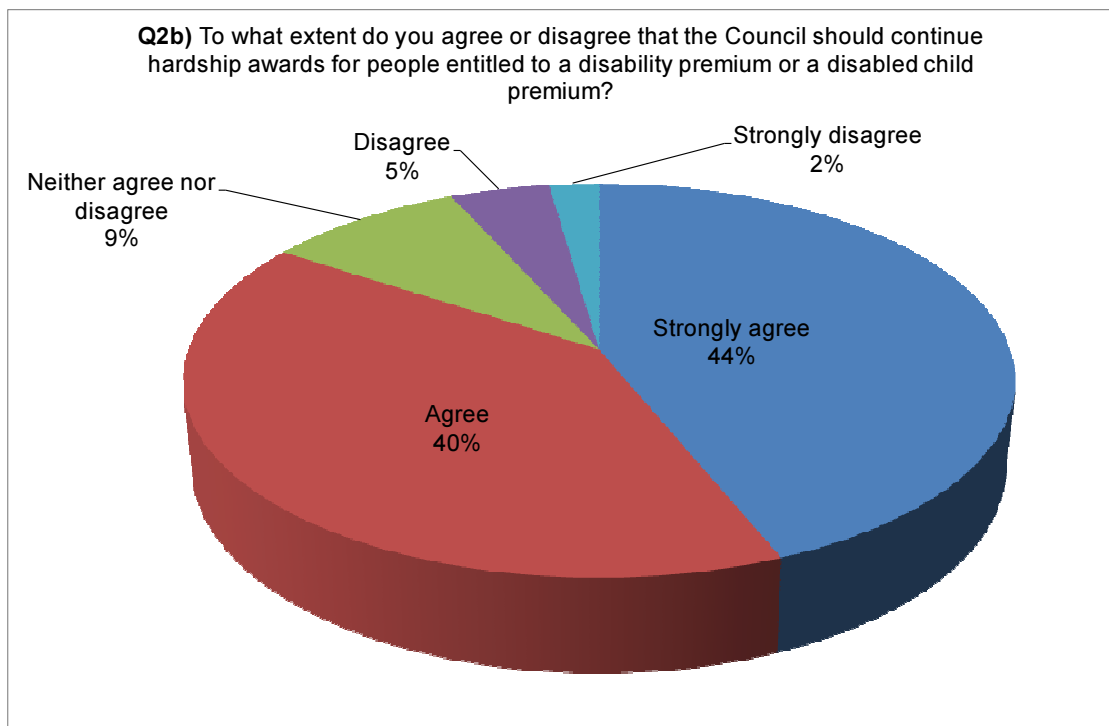
Q2a) To what extent do you agree or disagree that the Council should continue hardships awards for lone parents with children aged under 5 years old?



	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No response	Total
% total	29.35	31.52	16.30	10.87	6.52	5.43	100
% answer	31.03	33.33	17.24	11.49	6.90	-	100
Count	27	29	15	10	6	5	92

9. Of those respondents that answered the question, more than three-fifths (64%) agreed to some extent that the Council should continue hardship awards for lone parents with children under 5 years old.

Q2b) To what extent do you agree or disagree that the Council should continue hardship awards for people entitled to a disability premium or disabled child premium?

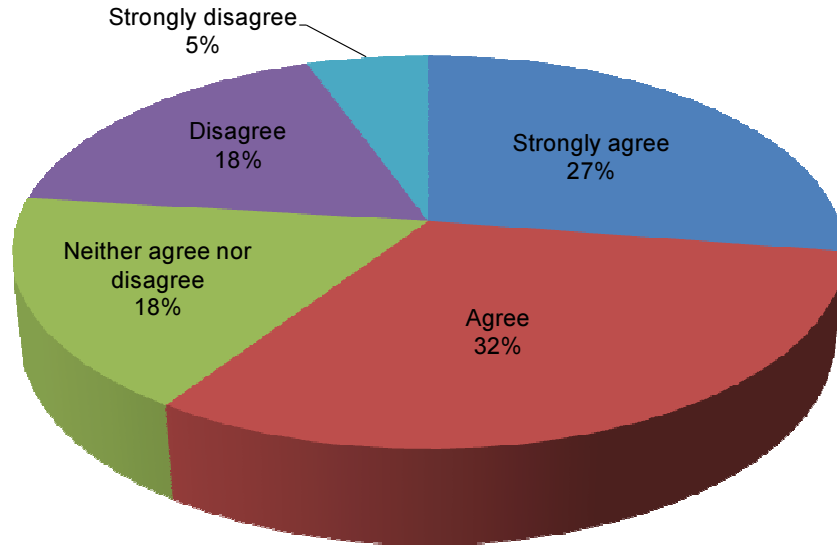


	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No response	Total
% total	42.39	39.13	8.70	4.35	2.17	3.26	100
% answer	43.82	40.45	8.99	4.49	2.25	-	100
Count	39	36	8	4	2	3	92

10. Of those respondents that answered the question, over four-fifths (84%) agreed to some extent that the Council should continue hardship awards for people entitled to a disability premium or disabled child premium.

Q2c) To what extent do you agree or disagree that the Council should continue hardship awards for people over 50 years of age who have been unemployed for a year or more?

Q2c) To what extent do you agree or disagree that the Council should continue hardship awards for people over 50 years of age who have been unemployed for a year or more?



	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No response	Total
% total	27.17	31.52	17.39	17.39	5.43	1.09	100
% answer	27.47	31.87	17.58	17.58	5.49	-	100
Count	25	29	16	16	5	1	92

11. Of those respondents that answered the question, almost three-fifths (59%) agreed to some extent that the Council should continue hardship awards for people over 50 years of age who have been unemployed for a year or more.

Q3) Are there any other vulnerable groups not listed in Question 2 (above) that the Council should consider for hardship awards to help pay their Council Tax?

12. Respondents that answered this question felt that the Council should also consider hardship awards to help the following people pay their Council Tax:

- Full time carers;
- people with learning disabilities;
- people who are blind or visually impaired;
- registered disabled;
- people with serious mental health conditions;
- people who are terminally ill;
- unemployed / jobseekers;
- low waged;
- people in receipt of benefits who have been unemployed for a year or more;
- lone parents with children still in education;
- lone parents with children aged under 18 years old; and
- people over 70 years of age.

Q4) Do you have any other comments about Lewisham’s Council Tax Reduction Scheme for 2014/15?

13. Of the 92 respondents to the survey, 35 provided additional comments on the proposed CTRS for 2014/15. These responses have been grouped into the following themes:

Comment theme	Number of comments
Eligibility criteria for hardship award	10
Already struggling financially (welfare dependant)	9
No special exemptions for pensioners	3
Under-occupation tax	2
Current system is unfair / open to exploitation	2
Consultation method	2
Council Tax bill increase	2
Council inefficiency	1
Caring responsibility / disability	1
Refused Council Tax Reduction	1
Other	2

14. Although the Government has expressed a clear intention that in developing CTRS proposals, local authorities should ensure that they consider support to vulnerable groups, the most numerous comments from survey respondents were in relation to eligibility for the Council’s hardship award, and which groups should receive it. Examples include:

“I appreciate that means testing is unpopular, but ultimately the groups identified in Question 2 could all have the means to pay council tax. I would be supportive of a reduction (I do not need one) for those people who are most in need only if they can be accurately identified.”

“The council should change the criteria for the reduction scheme instead of passing on the extra cost to workers who are stretched already. Lone parents with children <5yr old should not get preferential treatment as they can join the work force.”

“It is right that everybody should make a contribution to council tax and the contribution being asked is minimal. Blanket hardship awards should not be made across whole groups.....but should be reserved for people in real need.”

“Personally I have some reservations about the term ‘vulnerable group’ and whether each and everyone who falls within these definitions does, in reality, deserve state ‘subsidy’.....working people are suffering too, making their contributions in other ways to reducing the national debt. So I am afraid it’s tough for us all right now.”

Responses from voluntary and community organisations

15. Council officers attended the 'Advice Lewisham Open Day' on Friday 25 October 2013 in the Civic Suite. This was a free event attended by over 100 people, including those representing local voluntary and community groups. It provided attendees with an opportunity to hear speakers talk more generally about Welfare Reform, and the CTRS consultation was heavily promoted, and people signposted to the survey (both paper based and online).
16. The press release from the Communications team also promoted the survey to a number of local civic, community and voluntary organisations.
17. Survey responses indicate that two respondents were representatives of charities based in Lewisham, and three respondents were representatives of community groups based in Lewisham.

Response from the Greater London Authority

18. The Greater London Authority (GLA) – as the local preceptor - was invited to comment on the proposed CTRS for 2014/15 as part of the consultation process, and provided a formal written response dated 30 October 2013.
19. Whilst they acknowledged that the determination of CTR schemes is a local matter for each London borough (under the provisions of the Local Government Finance Act), they also recognised that the GLA shares in the risks and potential shortfalls arising from CTR schemes, in proportion to its share of the Council Tax.
20. The GLA considered that before finalising their schemes, local authorities should have regard to the challenges which they will face in collecting relatively small sums of money from claimants on low incomes who may not be in a position to pay by direct debit or other automatic payment mechanisms.
21. The GLA had no specific comments on Lewisham's proposed CTRS for 2014/15, as it regarded it as a legitimate matter for local determination, save to say that the Council's hardship awards are in line with the principle that billing authorities should consider extending support or protection to other vulnerable groups. The GLA also noted the need for the Council to consider the equalities impact of its final decision.
22. By 25 January 2014 the Council is required to notify the GLA of its forecast collection fund surplus or deficit for 2013/14, which will reflect the impact of the first year of the localisation of Council Tax support. The GLA is encouraging the Council to provide it with this information as soon as possible in order that it can assess the potential implications for the Mayor of London's budget for 2014/15.
23. The GLA has also requested that Lewisham provide an estimate of the projected scheme cost for 2014/15 taking into account changes in the claimant numbers, annual upratings and revised collection rate assumptions. They recognise that these estimates will be purely illustrative figures as the actual cost of the scheme will be dependent on the level of claims for CTR during 2014/15 and in future years.

Appendix 2 - Demographic breakdown of survey respondents

The demographic breakdown of the 92 survey respondents is presented below:

Age	% Total	% Answer	Count
Under 18	0	0	0
18-24	2.17	2.38	2
24-29	6.52	7.14	6
30-34	11.96	13.10	11
35-39	11.96	13.10	11
40-44	11.96	13.10	11
45-49	9.78	10.71	9
50-54	5.43	5.95	5
55-59	11.96	13.10	11
60-64	5.43	5.95	5
65+	11.96	13.10	11
Prefer not to say	2.17	2.38	2
No response	8.70	-	8

Gender	% Total	% Answer	Count
Male	38.04	42.17	35
Female	48.91	54.22	45
Prefer not to say	3.26	3.61	3
No response	9.78	-	9

Ethnic group	% Total	% Answer	Count
White	67.39	74.70	62
Mixed / multiple ethnic groups	4.35	4.82	4
Asian / Asian British	5.43	6.02	5
Black / African / Caribbean / Black British	6.52	7.23	6
Any other ethnic group	0	0	0
Prefer not to say	6.52	7.23	6
No response	9.78	-	9

Disability	% Total	% Answer	Count
Yes	13.04	14.63	12
No	73.91	82.93	68
Prefer not to say	2.17	2.44	2
No response	10.87	-	10

Relationship status	% Total	% Answer	Count
Married / Civil Partnership	25.00	27.71	23
Living as a couple	16.30	18.07	15
Single	41.30	45.78	38
Other	4.35	4.82	4
Prefer not to say	3.26	3.61	3
No response	9.78	-	9

Respondent type	% Frequency	Count
A resident in the borough of Lewisham	85.87	79
A Council Tax payer in the borough of Lewisham	76.09	70
A resident that currently receives Council Tax Reduction	22.83	21
A resident who has received CTR or CTB in the past	10.87	10
Full-time employed	32.61	30
Part-time employed	8.70	8
Self-employed	8.70	8
A person receiving state pension	13.04	12
A person receiving state pension credit	3.26	3
Full-time student	1.09	1
Unemployed	13.04	12
A paid carer for children or adults	0	0
An unpaid carer for children or adults	5.43	5
A lone parent	9.78	9
A representative of a charity based in Lewisham	2.17	2
A representative of a community group based in Lewisham	3.26	3
A landlord for properties based in Lewisham	1.09	1
Other	7.61	7
No response	1.09	1

(Note: respondents may have selected multiple options from the above list)

Appendix 3 – Survey analysis by respondent type

NOTE: The following analysis provides a lower level of detail regarding particular respondent characteristics. However, the small sample sizes in most instances should be clearly noted, and the following results are not statistically representative of this respondent characteristic in the wider population.

Responses by lone parents

24. Of the total number of respondents to the survey, nine identified themselves as being lone parents. Within this group, two-thirds (67%) agreed that the Council should maintain the current scheme where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding. This compares to 62% of total survey respondents.
25. Lone parents were more likely to disagree with this statement at 33%, compared to 29% of overall respondents.
26. The extent to which lone parents agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Strongly agree / agree that the Council should continue hardship awards for the following:	% lone parents	% total
Lone parents with children under 5 years old	78	64
People entitled to a disability premium or a disabled child premium	89	84
People over 50 years of age who have been unemployed for a year or more	78	59

27. Lone parents were more likely to agree that the vulnerable groups identified in the survey should continue to receive hardship awards, compared to total survey respondents. This difference was most significant in their support for people over 50 years of age who have been unemployed for a year or more.

Responses by disability

28. Of the total number of respondents to the survey, 12 identified themselves as being disabled. Within this group, one-third (33%) agreed that the Council should maintain the current CTRS for 2014/15. This compares to 62% of total survey respondents.
29. Over two-fifths (42%) of these respondents disagreed to some extent with this statement.

30. The extent to which respondents who were disabled agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Strongly agree / agree that the Council should continue hardship awards for the following:	% disabled people	% total
Lone parents with children under 5 years old	78	64
People entitled to a disability premium or a disabled child premium	90	84
People over 50 years of age who have been unemployed for a year or more	91	59

31. Respondents who identified themselves as being disabled were more likely to agree that the vulnerable groups identified in the survey should continue to receive hardship awards, compared to total survey respondents. This difference was most significant in their support for people over 50 years of age who have been unemployed for a year or more.

Responses by age

32. Of the total number of respondents to the survey, 11 identified themselves as aged 65+ years. People aged 65+ years were the most likely to agree to some extent (at 82%) that the Council should maintain the current CTRS for 2014/15.

33. Of the total number of respondents to the survey, 21 identified themselves as aged between 50-64 years. Those aged 50-64 years were the most likely to disagree (at 48%) with this statement.

34. Of the total number of respondents to the survey, 19 identified themselves as between the ages of 18-34 years. Just over half (58%) of these younger adults (18-34 years) agreed to some extent that the Council should maintain the current scheme, with almost a third (32%%) disagreeing.

35. The extent to which respondents (by age band) agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Strongly agree / agree that the Council should continue hardship awards for the following:	% 18-34 yrs	% 35-49 yrs	% 50-64 yrs	% 65+ yrs	% total
Lone parents with children under 5 years old	58	70	67	70	64
People entitled to a disability premium or a disabled child	84	81	84	100	84

premium					
People over 50 years of age who have been unemployed for a year or more	37	74	65	55	59

36. Younger adults (aged 18-34 years) were less likely to agree that lone parents with children under 5 years, and people over 50 years of age who have been unemployed for a year or more should continue to receive hardship awards.

37. Older adults (aged 65+ years) were less likely to agree that people over 50 years of age who have been unemployed for a year or more should continue to receive hardship awards when compared to total survey respondents. However, all older adults (aged 65+ years) agreed to some extent that people entitled to a disability premium should continue to receive the hardship award.

Responses by gender

38. Of the total number of respondents to the survey, 35 identified themselves as being male. Of all male respondents, 24 (69%) agreed to some extent that the Council should maintain the current CTRS, whilst 9 (26%) disagreed to some extent.

39. Of the total number of respondents to the survey, 45 identified themselves as being female. Of all female respondents, 25 (56%) agreed to some extent that the Council should maintain the current CTRS, whilst 15 (33%) disagreed to some extent.

40. The extent to which male and female respondents agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Strongly agree / agree that the Council should continue hardship awards for the following:	% male	% female	% total
Lone parents with children under 5 years old	68	64	64
People entitled to a disability premium or a disabled child premium	80	86	84
People over 50 years of age who have been unemployed for a year or more	41	73	59

41. Female respondents were more likely to agree to some extent (at 73%) that hardship awards should be continued for people over 50 who have been unemployed for a year or more, than male respondents (at 41%).

Responses by ethnicity

42. Of the total number of respondents to the survey, 62 identified their ethnicity as White. Two-thirds (66%) of White respondents agreed to some extent that the Council should maintain the current CTRS. Less than one-third (29%) of White respondents disagreed to some extent.
43. Of the total number of respondents to the survey, 15 identified themselves as from other ethnic groups. Over half (53%) of these respondents agreed to some extent that the Council should maintain the current CTRS. Just over one quarter (27%) of these respondents disagreed with this statement to some extent.
44. The extent to which respondents (by ethnic groups) agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Strongly agree / agree that the Council should continue hardship awards for the following:	% White	% Mixed	% Asian	% Black	% total
Lone parents with children under 5 years old	66	75	67	67	64
People entitled to a disability premium or a disabled child premium	85	75	67	100	84
People over 50 years of age who have been unemployed for a year or more	58	50	80	100	59

45. Respondents that identified themselves as being either Black, Black African, Black Caribbean, or Black British were more likely to agree that the Council should continue hardship awards for people entitled to a disability premium, or people over 50 years of age who have been unemployed for a year or more.

Responses by employment status

46. After full-time students (where there was just one respondent), respondents receiving state pension were the group most likely to agree that the Council should maintain the current CTRS, with 83% of these respondents agreeing to some extent.
47. Unpaid carers were the only respondent type (by employment status below), where a larger majority disagreed than agreed, that the Council should maintain the current CTRS for 2014/15.

Employment status (base)	% agree to some extent that the Council should maintain the current CTRS	% neither agree nor disagree that the Council should maintain the current CTRS	% disagree that the Council should maintain the current CTRS
Full-time employed (30)	67	7	27
Part-time employed (8)	50	0	50
Self-employed (8)	50	13	38
A person receiving state pension (12)	83	8	8
A person receiving state pension credit (3)	33	33	33
Full-time student (1)	100	0	0
Unemployed (12)	50	8	42
A paid carer for children or adults (0)	0	0	0
An unpaid carer for children or adults (5)	20	40	40

48. The extent to which respondents (by employment status) agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Employment status (base)	% strongly agree / agree to continue hardship award for lone parents with children under 5 years	% strongly agree / agree to continue hardship award for people entitled to disability premium / disabled child premium	% strongly agree / agree to continue hardship award for people over 50 yrs of age who have been unemployed for a year or more
Full-time employed (30)	50	77	47
Part-time employed (8)	88	100	100
Self-employed (8)	75	75	50
A person receiving state pension (12)	73	100	58

A person receiving state pension credit (3)	33	67	67
Full-time student (1)	100	100	100
Unemployed (12)	75	100	92
A paid carer for children or adults (0)	0	0	0
An unpaid carer for children or adults (5)	50	75	80

49. Excluding the one full-time student respondent, those who were either unemployed or working part-time, were the most likely to agree that hardship awards should be continued by the Council across all three vulnerable groups. Those in full-time employment were the most likely to disagree.

Responses by relationship status

50. Of the total number of respondents to the survey, 38 identified their relationship status as single. Respondents whose relationship status was single were the most likely to agree to some extent (at 68%) that the current CTRS should be continued for 2014/15.

51. Of the total number of respondents to the survey, 23 identified their relationship status as either married or in a civil partnership. These respondents were the most likely to disagree with the statement (at 39%) that the current CTRS should be continued for 2014/15.

52. The extent to which respondents (by relationship status) agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Strongly agree / agree that the Council should continue hardship awards for the following:	% single	% married / civil partnership	% living as a couple	% total
Lone parents with children under 5 years old	68	70	46	64
People entitled to a disability premium or a disabled child premium	79	91	79	84
People over 50 years of age who have been unemployed for a year or more	65	48	47	59

53. Respondents who identified themselves as either married or in a civil partnership were more likely to agree that the Council should continue to provide additional support to lone parents with children under 5yrs, and those receiving disability premiums.

54. Respondents who identified themselves as single were more likely to agree that the Council should continue to provide additional support to people over 50 years of age who have been unemployed for a year or more.

Responses by whether respondent was paying Council Tax

55. Of the total number of respondents to the survey, 70 identified themselves as Council Tax payers in Lewisham (i.e. over three-quarters of all respondents).

56. Three-fifths (60%) of those respondents who pay Council Tax agreed to some extent that the Council should maintain the current CTRS. Almost one-third of Council Tax payers (31%) disagreed to some extent with this statement.

57. The extent to which respondents (by their status as Council Tax payers) agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Strongly agree / agree that the Council should continue hardship awards for the following:	% Council Tax payer	% total
Lone parents with children under 5 years old	61	64
People entitled to a disability premium or a disabled child premium	81	84
People over 50 years of age who have been unemployed for a year or more	56	59

58. Respondents who identified themselves as Council Tax payers in Lewisham were less likely to agree that all the vulnerable groups identified in the survey

should continue to receive hardship awards, compared to total survey respondents.

Responses by current receipt of Council Tax Reduction

59. Of the total number of respondents to the survey, 21 identified themselves as currently in receipt of Council Tax Reduction (i.e. just over one-fifth of all respondents).

60. Of those respondents currently receiving CTR, over half (57%) agreed to some extent that the Council should maintain the current CTRS. Over one-third (38%) of current CTR claimants disagreed to some extent with the statement.

61. The extent to which respondents (by their status as CTR claimants) agreed that certain vulnerable groups should continue to receive hardship awards to help them pay for their Council Tax is detailed below.

Strongly agree / agree that the Council should continue hardship awards for the following:	% CTR claimants	% total
Lone parents with children under 5 years old	79	64
People entitled to a disability premium or a disabled child premium	95	84
People over 50 years of age who have been unemployed for a year or more	90	59

62. CTR claimants were more likely to agree that the vulnerable groups identified in the survey should continue to receive hardship awards, compared to total survey respondents. This difference was most significant in their support for people over 50 years of age who have been unemployed for a year or more.

COUNCIL		
Report Title	Independent Person Appointments	
Key Decision		Item No. 8
Ward		
Contributors	Head of Law	
Class	Part 1	Date: 22 January 2014

Appointment of independent person

1 Summary

This report asks the Council to appoint Erica Pienaar and Wendy Innes to act as independent person to assist the Council in the investigation of complaints under the Council's Member Code of Conduct

2 Purpose

The purpose of this report is to ensure that the Council is in a position to investigate any allegations of breach of the Member Code and to comply with the Localism Act 2011.

3 Background

- 3.1 The Localism Act 2011 made significant changes to the standards regime in local government. It amended the national elements of the Member Code of Conduct and abolished the national body, Standards for England. The Act removed voting rights from independent co-optees on the Standards Committee, thereby ensuring that the Committee could no longer be chaired by an independent member. The Act also provides for complaints of breach of the Member Code of Conduct to be handled locally and changes the procedure by which such complaints are investigated.
- 3.2 One of the changes to this procedure is the requirement for local authorities to appoint at least one independent person whose views are to be sought and then taken into account by the authority before it makes a decision on an allegation that has been investigated.
- 3.3 The Act provides that the independent person may not be a Lewisham member, co-opted member or officer (or close friend or relative of such) and must not have been so within the last 5 years. However, transitional arrangements were introduced by regulation for a period of one year, the impact of which was to enable those who had previously been co-opted members on the Standards Committee to fulfil this role for up to one year.

- 3.4 In Lewisham, the previous independent Chair of the Standards Committee, Sally Hawkins, was appointed to this role and she has ably assisted the Council in one investigation during her tenure as independent person. However, her transitional year has now expired and it is therefore necessary to appoint a replacement.
- 3.5 The Act requires that vacancies for the position of independent person must be advertised in such manner as the authority considers likely to come to the attention of the public. Those seeking appointment must submit an application form. An advert was placed on the Council's website and over 20 expressions of interest were received. 8 applications were received and in early January 2014, 3 candidates were interviewed by the Chair of the Standards Committee, assisted by the Monitoring Officer.
- 3.6 The Chair of the Standards Committee recommends that Erica Pienaar and Wendy Innes be appointed as independent person. References have been taken up for both. Brief details of those suggested for appointment appear at Appendix 1.
- 3.7 Lewisham's procedures for dealing with complaints of breach of the Member Code of Conduct provide for any investigation report prepared by the Monitoring Officer to be sent to the independent person for them to consider prior to its submission to the Standards Committee. The independent person also prepares a report for the Committee. Though the procedure provides for the independent person usually to conduct a review of the investigation on the papers, they have a good deal of flexibility in how they come to their view. It may be that they will ask questions of the Monitoring officer, seek further information themselves, interview key people involved if they consider it appropriate to do so and they may be asked to attend Committee to present their findings. They may also have a view on what action should be taken if there is a finding of breach, which may inform the Committee.
- 3.8 It is suggested that were the Council to appoint both Erica Pienaar and Wendy Innes to fulfil the role of independent person, then either could perform any and all of the functions of the independent person at any time if so asked. Both candidates are of very high quality. It is likely however that first call would be made on Erica Pienaar, simply because of her physical proximity to the borough and her knowledge of it.
- 3.9 However in the event that Erica Pienaar is unavailable for any reason, for example if she were on holiday or unwell, then the second independent person could step in. It may be also that on occasion, circumstances might arise where it would not be appropriate for Erica Pienaar to conduct the role of independent person – if for example an allegation were made against a member serving with her on a school governing body. Though when explored at interview there appeared to be very few occasions when this might arise, the appointment of a second independent person would provide the opportunity to avoid any possible perception of conflict of interest by engaging the services of the second independent person instead.

4 Legal implications

- 4.1 These are broadly dealt with in the body of the report. However the Localism Act requires that the appointment of independent persons must be approved by a majority of the members on the Council (i.e. at least 28 people).

- 4.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It 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.
- 4.3 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.
- 4.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for members, 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.
- 4.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 4.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
 - Meeting the equality duty in policy and decision-making
 - Engagement and the equality duty
 - Equality objectives and the equality duty
 - Equality information and the equality duty
- 4.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

5 Financial implications

The independent person has to date been paid a retainer of £1000 per year and in the event of an investigation £300 per day for work carried out in the course of it. It is proposed that the retainer be paid to Erica Pienaar only and that the day rate be paid to each person appointed on the basis of actual work carried out. This will be contained in existing budgets.

6. Crime and Disorder implications

There are no specific crime and disorder implications arising from this report though members are reminded that breach of the statutory provisions of the Member Code of Conduct is a criminal offence

7. Environmental implications

There are none.

8. Recommendation

It is recommended that Erica Pienaar and Wendy Innes be appointed to act as the independent person for the London Borough of Lewisham until further notice as set out in this report.

Erica Pienaar

Erica lives in Bromley and has a B.A. Certificate in Education from Goldsmiths as well as an MBA in Education from London South Bank University. She held various teaching posts in Bromley for 25 years before being appointed to the position of head teacher at Prendergast School in 1998, a position she held until 2008 when she was appointed as Executive Headteacher. Though working in Lewisham for the last 15 years, she never been a Lewisham Council employee. Throughout her professional life she has conducted a number of sensitive investigative and disciplinary procedures and hearings. She also served on the Council of Queen Mary College of London University. Having retired recently, she serves as a Chair of Governors at a Lewisham primary School. Erica has been granted the Freedom of Lewisham.

Wendy Innes

Wendy is based in Newcastle upon Tyne. She has an M.A. in Swedish Studies and is a solicitor with extensive experience of advising North Tyneside Council where she was employed for 17 years until 2013, most recently as head of the legal service and deputy monitoring officer there. Before that she worked for 5 years in a commercial legal firm. North Tyneside operates a directly elected mayoral system like Lewisham and Wendy is very familiar with the new ethical framework under the Localism Act, has conducted two independent investigations into allegations of breach of the Member Code of conduct in North Tyneside and presented reports about the investigations to their Standards Committee.

Agenda Item 9

COUNCIL			
Report Title	Health and Wellbeing Board Membership Proposal		
Contributors	Health and Wellbeing Board	Item No.	
Class	Part 1	Date: 22 January 2014	

1. Purpose

- 1.1 This report provides an update on the process to identify an additional voluntary sector representative to join the Health and Wellbeing Board and a recommendation to appoint the nominated representative.

2. Recommendation

- 2.1 It is recommended that the Council agrees to appoint Peter Ramrayka to the Health and Wellbeing Board as a voluntary sector representative.

3. Policy context

- 3.1 The Health and Social Care Act 2012 establishes a duty on local authorities to convene Health and Wellbeing Boards for their areas.
- 3.1 The activity of the Health and Wellbeing Board is focused on delivering the strategic vision for Lewisham as established in *Shaping our future – Lewisham’s Sustainable Community Strategy* and in Lewisham’s Health and Wellbeing Strategy.
- 3.2 The work of the Board directly contributes to *Shaping our future’s* priority outcome that communities in Lewisham should be *Healthy, active and enjoyable - where people can actively participate in maintaining and improving their health and wellbeing*.

4. Background

- 4.1 The Health and Social Care Act specifies that the Board’s membership must, as a minimum, include:
- a) at least one Councillor of the local authority who is nominated by the Mayor and may include the Mayor
 - b) the Council’s Director of Adult Services
 - c) the Council’s Director of Children’s Services
 - d) the Council’s Director of Public Health
 - e) a representative of the Local Healthwatch organisation for the area
 - f) a representative of each relevant clinical commissioning group; and
 - g) such other persons or representatives of such other persons as the Council thinks appropriate.

- 4.2 In addition, the Health and Wellbeing Board can appoint such other persons as it considers appropriate.
- 4.3 At the Council AGM, held on 20th March 2013, the Mayor reported that he was appointing himself and Cllr Chris Best as members of the Health and Wellbeing Board.
- 4.4 The Council, in the Constitution, has also made provision that two representatives of the voluntary sector will be appointed to the Board. It was agreed that these representatives would be appointed by the Council.

5. Voluntary Sector Representatives

- 5.1 Tony Nickson, Chief Executive of Voluntary Action Lewisham (VAL) was appointed by the Council to the Health and Wellbeing Board on 26th June 2013.
- 5.2 The Health and Wellbeing Board requested that VAL develop a process through which an additional representative for the voluntary and community sector could be identified. VAL held an election for the representative at the Health and Social Care Forum on 24th October 2013.
- 5.3 The Health and Social Care Forum comprises voluntary sector organisations working in the field of health and care. Officers working in the public sector also attend but do not have voting rights.
- 5.4 Four people were nominated for election. As agreed by the Health and Wellbeing Board, in July 2013, nominations were not restricted to VAL members, although any nominated person would require the endorsement of their organisation. Organisations represented at the Forum by more than one member of that organisation were restricted to one vote per organisation.
- 5.6 Peter Ramrayka of the Indo Caribbean Organisation secured a majority of the votes and is recommended to Council for appointment to the Health and Wellbeing Board as a voting member.
- 5.7 VAL reported back to the Health and Wellbeing Board on the 19th November 2013. The Health and Wellbeing Board agreed that this nomination be presented to Council.

6. Voting Members

- 6.1 At its first meeting, the Health and Wellbeing Board considered the Council's proposals for membership and voting rights.
- 6.2 The Health and Wellbeing Board agreed with the Council's proposals regarding membership and voting rights and with the particular

provisions that apply to the Health and Wellbeing Board as set out in the Council's Constitution.

- 6.3 Regulation 6 of the Health and Social Care Act regulations modifies the Local Government and Housing Act 1989 (section 13.1) to enable all members of Health and Wellbeing Boards or their sub-committees to vote unless the Council decides otherwise. This means that the Council is free to decide, in consultation with the Health and Wellbeing Board, which members of the Board should be voting members.
- 6.4 The Council proposed that its officers not be entitled to vote. In addition the Council proposed that where an organisation (Clinical Commissioning Group, Local Healthwatch, or otherwise) appoints an employee to the Health and Wellbeing Board, that employee will not be allowed to vote. The Council also proposed that this rule will not apply to representatives of the voluntary sector appointed by the Council.

7. Financial implications

- 6.1 There are no direct financial implications arising from this report or its recommendations.

8. Legal implications

- 8.1 The legal implications are reflected in the body of the report.

9. Equalities implications

- 9.1 There are no specific equalities implications arising from this report or its recommendations.

10. Crime and disorder implications

- 10.1 There are no specific crime and disorder implications arising from this report or its recommendations.

11. Environmental implications

- 11.1 There are no specific environmental implications arising from this report or its recommendations.

Background documents

None

If there are any queries on this report please contact Carmel Langstaff, Service Manager – Strategy, Community Services, London Borough of Lewisham on 0208 314 9579 or by e-mail at carmel.langstaff@lewisham.gov.uk

Agenda Item 10

COUNCIL		
Report Title	Appointments	
Key Decision	No	Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: January 22 2014

1. Safer Neighbourhood Board

- 1.1 Safer Neighbourhood Boards are being introduced in every London Borough from April 2014. The Safer Lewisham Partnership agreed the proposed Terms of Reference and Code of Conduct for the new Lewisham Board at its meeting on 20 December 2013.
- 1.2 The proposed Lewisham Board will be made up of representatives from statutory bodies and voluntary organisations plus a number of elected community representatives. One of the statutory members will be a councillor. The Board is likely to meet before the Council AGM in June.
- 1.3 It is proposed to trial the new system by setting up a Shadow Board, which will meet on Tuesday 4 February 2014, and the Council is being asked to elect one representative to the Shadow Board and to any meetings of the permanent Board which take place prior to the Council AGM on June 11 2014.

RECOMMENDATION That the Council appoints a representative to serve on the Shadow Safer Neighbourhood Board and subsequent Safer Neighbourhood Board.

Agenda Item 11

COUNCIL		
Report Title	Motion 1 in the name of Councillor Fletcher to be seconded by Councillor Maines	
Key Decision		Item No. 11
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: 14 January 2014

“The Council notes with concern statistics released on 3rd September 2013 which placed Lewisham as the 12th worst borough affected by air pollution. Air pollution is exceeding the legal limit on 88% of Lewisham’s roads, and this exceeds the average for the city, which is 78%.

Recent findings have linked exposure to air pollution to a range of diseases and health problems such as lung cancer, heart disease, stroke, and chronic obstructive pulmonary disease (COPD). Lewisham appeared 14 times as one of the worst three boroughs in London for the top ten causes of death between 2010 and 2012 – and the diseases at the top of this list have been linked with exposure to air pollution. Particularly, in 2011, Lewisham was one of the worst three boroughs in London for deaths from lung cancer in males, and in both 2010 and 2012 it was one of the worst three for cerebrovascular diseases, such as stroke, in women.

The Council notes that nitrogen dioxide contributes to respiratory problems, particularly with regards to aggravating asthma and causing problems such as colds, flu and bronchitis. Children with asthma are particularly put at risk by these levels of pollution. Emergency hospital admissions in Lewisham for asthma for those aged under 19 are significantly higher than the UK average.

Council therefore agrees to examine carefully which roads are the worst affected and take action to remedy this. Once target roads have been identified the following actions need to be considered to bring down pollution:

- a) Encouraging cycling and providing facilities on these roads, such as cycle lanes, which make cycling both safer and easier. This Council feels that more attention needs to be paid to the cycling safety, and there is also a need for a targeted strategy to increase the uptake of cycling to increase public health, ease congestion and tackle air pollution. This Council pledges to launch a consultation to engage with local cyclists to examine their needs and concerns in order to improve cycling facilities and cycling safety.
- b) Encouraging children local to their school to walk rather than take a bus or be driven by parents
- c) Encouraging residents not to use their cars for short trips but instead to walk
- d) Planting greenery at the sides of these roads to combat the pollution levels”

Agenda Item 12

COUNCIL		
Report Title	Motion 2 in the name of Councillor Maines to be seconded by Councillor Feakes	
Key Decision		Item No. 12
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: 22 January 2014

“This Council recognizes the dangers of Fixed Odds Betting Machines and their proliferation throughout the borough, and fully supports action to give local communities powers to tackle the number of Fixed Odds Betting Machines in their areas”.

Agenda Item 13

COUNCIL		
Report Title	Motion 3 in the name of Councillor Morrison to be seconded by Councillor Wise	
Key Decision		Item No.13
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: 22 January 2014

“

The Council notes with concern statistics released on 3rd September 2013 which placed Lewisham as the 12th worst borough affected by air pollution.

The Council notes that the coalition Government consulted on changes with the Local Air Quality Management Review which was widely criticised as an attempt to hide the facts about air pollution. The council did respond and this is noted.

The Council further notes that the Government have published a response to this consultation announcing that a further review is due in 2014.

The Council notes that nitrogen dioxide contributes to respiratory problems, particularly with regards to aggravating asthma and causing problems such as colds, flu and bronchitis. Children with asthma are particularly put at risk by these levels of pollution. Emergency hospital admissions in Lewisham for asthma for those aged under 19 are significantly higher than the UK average.

Council notes that most of the air pollution within an urban area such as London arises from emissions from motor vehicles.

Council notes that Mayor of London also has responsibility for the quality of air in London and that he has failed to address the issue since he was elected to office.

Council further notes that regular air quality monitoring takes place in the borough and that areas which fail to meet the Air Quality Objectives are designated as Air Quality Management Areas and an Air Quality Action Plan put in place with measures aimed at reducing the concentrations. Measures contained in the Air Quality Action Plan include encouraging cycling and walking.

Council calls on the Mayor of London to take urgent action to tackle the levels of nitrogen dioxide in the air and focus on reducing the number of cars on our roads by reducing public transport fares.

Council urges the Mayor of London to take air quality into account when considering any further river crossings in East London.

Council commits to continuing to monitor the quality of air in the borough and will continue to implement the Air Quality Action Plans where appropriate and will respond to the forthcoming Government consultation likewise”.

Agenda Item 14

COUNCIL		
Report Title	Motion 4 in the name of Councillor Ingleby to be seconded by Councillor Britton	
Key Decision		Item No. 14
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: 22 January 2014

“The Council condemns the closure of ten fire stations across London including Downham by Boris Johnson, Mayor of London on Thursday 9th January 2014.

The Council remains gravely concerned that the fire station closures together with the loss of 552 firefighters and significant service reductions will increase response times and reduce the fire service capacity throughout London.

This Council is committed to protecting the lives of Lewisham residents and will continue to monitor the impact of the reductions in fire cover and raise local concerns. Therefore, the Council calls upon the Mayor of Lewisham to write to Boris Johnson, Mayor of London with our condemnation and concerns ”

Agenda Item 15

COUNCIL		
Report Title	Motion 5 in the name of Councillor Bonavia to be seconded by Councillor Handley	
Key Decision		Item No. 15
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: 22 January 2014

“Council condemns the above inflation fare increases being imposed by Boris Johnson, Mayor of London, at the same time that he is planning to cut 750 frontline station staff across the network.

The result will be that Londoners will be paying more money for a worse service with the price of a Zone 1 to 4 annual travelcard increasing by 3.2% to £1,800 and bus pay as you go services going up to £1.45, an annual increase of 4.8% but representing a 55p rise since 2008. Council notes that these are just 2 examples of the inflation busting increases coming in on 19th January.

Council notes that despite his promises bus fares have now risen by over 60% since Boris Johnson became Mayor in 2008 and this comes at a time when Londoners are being hit by rising prices for food, fuel and other basic living costs ”