



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 11 SEPTEMBER 2013 at 6.00 pm, or upon the rising of Mayor & Cabinet Contracts, whichever is the later

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

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MEMBERS

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

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Wednesday, 11 September 2013**



INVESTOR IN PEOPLE

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

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MAYOR & CABINET		
Report Title	Declarations of Interests	
Key Decision	No	Item No. 1
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: September 11 2013

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

MAYOR AND CABINET		
Report Title	Minutes	
Key Decision		Item No.
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: September 11 2013

Recommendation

It is recommended that the minutes of that part of the meeting of the Mayor and Cabinet which were open to the press and public, held on July 10 2013 be confirmed and signed as a correct record. (copy attached).

MINUTES OF THE MAYOR AND CABINET

Wednesday, 10 July 2013 at 6.04 pm

PRESENT: Sir Steve Bullock (Mayor), Councillors Chris Best, Janet Daby, Damien Egan, Helen Klier, Paul Maslin, Joan Millbank, Crada Onuegbu, Alan Smith and Susan Wise

ALSO PRESENT: Councillor John Muldoon

1. Declaration of interests

None were made.

2. Minutes

RESOLVED that the minutes of the meeting held on June 19 2013 be confirmed and signed as a correct record.

3. Matters Raised by Scrutiny

The Mayor was addressed by Councillor John Muldoon who explained a late paper had been circulated on Outcomes Based Commissioning and Outcomes Based Practice for Adult Social Care following consideration of the subject at Healthier Communities Select Committee the previous evening and after a successful consultation event with service users and carers the previous afternoon.

Having considered an officer report, and the presentation by the Chair of the Select Committee, the Mayor agreed that the Executive Director for Community Services be asked to prepare a response on the Healthier Communities Select Committee's recommendations on Outcomes Based Commissioning and Outcomes Based Practice for Adult Social Care

The Mayor also received a confidential report from the Overview & Scrutiny Business Panel on the future of Ladywell Leisure Centre. The Business Panel made the following requests;

- i. any proposal for the site should include a communications strategy before and after demolition.
- ii. the extent of asbestos contamination needs to be explored and clarified as there were various views as to what work has been carried out in the past.
- iii. a clearer timetable for the completion of the feasibility study, and the final decision for use of the site.
- iv. the Council to corporately review previous plans for the site.
- v. officers to share planning advice for the site with Business Panel Members.
- vi. Business Panel believes that Sustainable Development Select Committee should incorporate this item into their work

programme.

The Mayor clarified that the feasibility study related to the demolition of the building rather than work on the wider site. The Deputy Mayor informed him that most of the points raised by the Business Panel had already been considered at Mayor & Cabinet. He received advice from the Head of Law that policy and development advice on commercially sensitive aspects of the proposals should not be shared.

Having considered the confidential report, and advice from the Deputy Mayor, the Mayor agreed that the Executive Director for Resources & Regeneration be asked to prepare a response on the Overview & Scrutiny Business Panel's recommendations regarding the future of Ladywell Leisure Centre.

RESOLVED

that:

(i) the Executive Director for Community Services be asked to prepare a response on the Healthier Communities Select Committee's recommendations on Outcomes Based Commissioning and Outcomes Based Practice for Adult Social Care; and

(ii) the Executive Director for Resources & Regeneration be asked to prepare a response on the Overview & Scrutiny Business Panel's recommendations regarding the future of Ladywell Leisure Centre.

4. Outstanding Scrutiny Matters

RESOLVED that the report be noted.

5. Financial Forecasts

Having considered an officer report, and a presentation by the Cabinet Member for Resources, the Mayor agreed that the financial forecasts for the year ending 31 March 2014 be noted.

6. Strategic Financial Review

The Mayor was advised by the Executive Director for Resources representative that the technical changes to the Capital Programme were reported in both paragraph 6.29 and 6.30.

Having considered an officer report, and a presentation by the Cabinet Member for Resources, the Mayor agreed that:

(i) the strategic financial position be noted;

(ii) the capital programme be updated;

(iii) the items listed at paragraphs 6.29 & 6.30 be funded from revenue from 2014/15 onwards and to instruct the Executive Director for Resources and Regeneration to build this into the budget strategy;

(iv) officers should prepare budget proposals to reflect the strategy set out; and

(v) the budget process for 2014/15 and future years should reflect the financial context as set out.

7. Outcome of Ofsted Inspection of Lewisham Fostering Service

The Mayor paid tribute to the officer team and to the foster carers who had contributed to a good report and inspection outcome.

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, the Mayor agreed that the results of the inspection of the fostering service by Ofsted, as detailed in the inspection report, be noted.

8. Deptford Park resource base modification

The Mayor was advised by the Executive Director for Children and Young People's representative that a revised solution would be discussed with the governing body of the school.

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, the Mayor, agreed that the rationale for the modification to the start date of this project be accepted and a modified start date of September 2014 rather than September 2013 be approved for Deptford Park Primary School ASD resource base.

9. Appeal Panel Member Appointment

Having considered an officer report and a presentation by the Cabinet Member for Children & Young People, the Mayor agreed that the appointment to the independent education appeals panel of Patrick Roycroft, a Governor of St Augustine Primary School, be confirmed.

10. Response to Housing Select Committee Low Cost Homes

Having considered an officer report, and a presentation by the Cabinet Member for Customer Services, Councillor Susan Wise, the Mayor agreed that the information contained in the report be approved and reported as a response to the Housing Select Committee.

11. Instrument of Government Beecroft Garden

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

- (i) the Instrument of Government for Beecroft Garden Primary School be made by Local Authority order dated 1 September 2013; and
- (ii) the nomination of Sharon Long be approved for appointment by the governing body.

12. Appointment of LA Governors

Having considered information supplied in respect of the nominees proposed for appointment, and advice from the Cabinet Member for Children & Young People, Councillor Helen Klier, the Mayor agreed that the following persons be appointed as a Local Authority governor;

Penelope Sarah Jarrett	Forest Hill
Alan Quarterman	Forest Hill
Paul Canty	Sydenham
Antje Ayala Torales	Torridon Junior
Caroline Cooke	Rushey Green
Margaret Riddel	Edmund Waller
Victoria Whittle	Conisborough College

13. Work and Skills Strategy

Having considered an officer report, and a presentation by the Deputy Mayor, the Mayor agreed that

- (i) the Work and Skills Strategy be approved;
- (ii) the service level agreement between the Council and Jobcentre Plus that sets out how we will work together to improve the employability of our residents be approved;
- (iii) the allocation of up to £150,000 for the creation of an Over 50s Employment Support Fund be approved; and

(iv) the pilot to create employment opportunities for benefit cap claimants in Adult Social Care, with the aim of extending to over 50s once tested be noted.

14. Matters raised by Housing Select Committee Housing: welfare reform

The Mayor was advised by the Cabinet Member for Customer Services, Councillor Susan Wise that the comments of the housing Select Committee were very gratifying and should be received with thanks.

Having considered an officer report, the Mayor agreed that the the Housing Select Committee be thanked for its contribution.

15. Matters raised by Housing Select Committee: fire safety

Having considered an officer report, the Mayor agreed that the Executive Director for Customer Services be asked to prepare a response on the Housing Select Committee's recommendations.

16. Matters raised by Sustainable Development Select Committee: business development review

Having considered an officer report, the Mayor agreed that the Executive Director for Resources & Regeneration be asked to prepare a response on the Sustainable Development Select Committee's recommendations.

17. Matters raised by Public Accounts Select Committee - Cross-borough working

Having considered an officer report, the Mayor agreed that the Executive Director for Resources & Regeneration be asked to prepare a response on the Public Accounts Select Committee's recommendations.

The meeting closed at 6.53pm

Agenda Item 3

MAYOR & CABINET		
Report Title	Outstanding Scrutiny Matters	
Key Decision	No	Item No.
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 11 September 2013

1. Purpose of Report

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

2. Recommendation

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

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Response to Public Accounts Select Committee: Managing Contracts Review	ED Resources & Regeneration	22 May 2013	11 September 2013	No
Response to Sustainable Development Select Committee on Air Quality	ED Customer Services	19 June 2013	2 October 2013	No
Response to Healthier Communities Select Committee on Outcomes Based Commissioning and Outcomes	ED Community Services	10 July 2013	23 October 2013	No

Based Practice for Adult Social Care				
Response to Overview & Scrutiny Business Panel – Future of the Ladywell Leisure Centre	ED Resources & Regeneration	10 July 2013	23 October 2013	No
Response to Housing Select Committee on the emergency services Review	ED Customer Services	10 July 2013	23 October 2013	No
Response to Sustainable Development Select Committee: business development review	ED Resources & Regeneration	10 July 2013	23 October 2013	No
Response to Public Accounts Select Committee on Cross borough working	ED Resources & Regeneration	10 July 2013	23 October 2013	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet 22 May 2013, 19 June 2013 and 10 July 2013 available from Kevin Flaherty 0208 314 9327.

MAYOR AND CABINET		
Report Title	Report Back on Matters Raised by the Overview and Scrutiny Business Panel	
Key Decision	No	Item No. 3
Ward		
Contributors	Senior Committee Manager	
Class	Part 1	Date: 11 September 2013

1. Purpose of Report

To report back on any matters raised by the Overview & Scrutiny Business Panel following their consideration of decisions made by Mayor and Cabinet on 10 July 2013.

2. Decisions Made by Mayor and Cabinet on 10 July 2013 – Works and Skills Strategy

2.1 Following discussion at the Overview and Scrutiny Business Panel meeting, Business Panel members noted the decision of the Mayor and agreed to request that:

- i. if possible additional help for the over 50s Employment Fund should be provided.
- ii. the Mayor ask officers to request participating Managers to offer at least the London Living Wage to participants.
- iii. the Mayor ask officers to provide participants with a confidential feedback mechanism to the Council, and that the feedback be reported to the Mayor, and Sustainable Development Select Committee.

Agenda Item 5

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

Date of Meeting	11 th September 2013
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Title of Report	Measures to increase the provision of permanent places in primary schools
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Originator of Report	Chris Threlfall	Ext. 49771
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: _____ Executive Member

Helen Khin

Date: 2nd September 2013

Signed: _____ Executive Director

File Ole

Date : 2nd September 2013

Control Record by Committee Support

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

MAYOR AND CABINET CONTRACTS			
Report Title	Measures to increase the provision of permanent places in primary schools		
Key Decision	Yes	Item No.	
Ward	Blackheath Rushey Green		
Contributors	Executive Director Children & Young People Executive Director Resources & Regeneration, Head of Law		
Class	Part 1	Date:	September 11 2013

1. Executive Summary

- 1.1 This report sets out the results of the authority's bids to the Targeted Basic Need Programme.
- 1.2 As a result of these bids, the report seeks the Mayor's agreement to commence consultation in September on a proposal to enlarge John Ball Primary School from 2 to 3 forms of entry and on a proposal to enlarge Holbeach Primary School from 2 to 3 forms of entry.

2. Recommendation/s

- 2.1 The Mayor is recommended to
 - note the outcome of the bids
 - agree there should be consultation on a proposal to enlarge John Ball Primary School from 2 to 3 forms of entry with effect from September 2015
 - agree there should be consultation on a proposal to enlarge Holbeach Primary School from 2 to 3 forms of entry with effect from September 2015.

3 Policy Context

- 3.1 The proposals within this report are consistent with '*Shaping Our Future: Lewisham's Sustainable Community Strategy*' and the Council's corporate priorities. In particular, they relate to the Council's priorities regarding *young people's achievement and involvement*, including *inspiring and supporting young people to achieve their potential*, the *protection of children and young people* and *ensuring*

efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community.

- 3.2 The Local Authority has a duty to ensure the provision of sufficient places for pupils of statutory age and, within financial constraints, accommodation that is both suitable and in good condition.
- 3.3 In aiming to improve on the provision of facilities for primary education in Lewisham which are appropriate for the 21st century, the implementation of a successful primary places strategy will contribute to the delivery of the corporate priority *Young people's achievement and involvement: raising educational attainment and improving facilities for young people through partnership working.*
- 3.4 It supports the delivery of Lewisham's *Children & Young People's Plan* (CYPP), which sets out the Council's vision for improving outcomes for all children and young people, and in so doing reducing the achievement gap between our most disadvantaged pupils and their peers. It also articulates the objective of improving outcomes for children with identified SEN and disabilities by ensuring that their needs are met.
- 3.5 Working within the constraints of available capital funding it is proposed that the borough's Primary Places programme 2013 – 2015 will continue to be governed by the criteria as set out in the 2008 Primary Capital Programme Strategy for Change:
 - Provide sufficient places at the right time to meet future needs within and between planning localities in the Borough
 - Improve conditions and suitability of schools in order to raise standards
 - Increase the influence of successful and popular schools
 - Maximise the efficient delivery of education in relation to the size of the school, removing half-form entries and promoting continuity of education
 - Enable school extended services for pupils, parents and communities
 - Optimise the Council's capital resources available for investment.

School Organisation Requirements

- 3.6 Proposals to establish additional provision on a permanent basis must comply with the provisions set out in *The Education and Inspections Act 2006 (EIA 2006)* and *The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007*. These set out the statutory process for making changes to a school, and statutory guidance on making changes to a maintained school indicates 5 stages to making a prescribed alteration to a maintained school.

These are:

- 1) Consultation
- 2) Publication of a Statutory Notice
- 3) Representation period
- 4) Decision making
- 5) Implementation

3.7 There are statutory timescales for stages 2, 3 and 4. Stages 1 and 5 are for local determination. In order to establish additional permanent provision by 2015 on the sites listed in Paragraph 2.1 to 2.3, the Local Authority will need to reach a decision by July 2014.

4. Background

4.1 The Demand for School Places

4.1.1 Projections are reviewed at least annually as the information on live births, applications to schools and the uptake of places across each year becomes available.

4.1.2 The most recent update (August 2013) continues to show that the demand for places will remain high and measures continue to be required to increase the supply of places through a mixture of permanent and temporary enlargements tailored to meet the needs of each area. Figures are set out in the following table.

	Reception Places	Reception Demand	Y1	Y2	Y3	Y4	Y5	Y6
2014/15	3634	3930	3827	3635	3523	3267	3031	2477
2015/16	3634	3915	3954	3752	3851	3659	3547	3291
2016/17	3634	3863	3951	3989	3787	3886	3694	3582

*shading denotes demand in excess of supply of permanent places in the year group

4.2 Further Additional Requirement for Reception places– Borough Wide

4.2.1

	Additional Requirement
2014/15	296 (10 forms of entry)
2015/16	281 (10 forms of entry)
2016/17	229 (8 forms of entry)

These figures have been reported to the Department for Education (DfE) which requires projections for primary demand up to 2016/17. Work commissioned by the Local Authority (LA) beyond this date suggests that there will be a further increase in demand by the end of the decade.

4.3 School expansion

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

Year	Permanent Places opened	Temporary Places opened
2008/09		60 (2FE)
2009/10		255 (8.5FE)
2010/11		555 (18.5 FE)
2011/12		564 (19 FE)
2012/13	180 (6FE)	564 (19FE)
2013/14	90 (3FE)	375 (12.5FE)

4.2.2 The following table sets out the schools which have opened additional temporary classes for Reception pupils since 2008/09

School	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Primary Place Planning Locality 1 Forest Hill & Sydenham						
Adamsrill		√	√	√	√	Expanded
Christ Church			√			
Dalmain		√	√	√	Expanded	
Eliot Bank					√	
Fairlawn			√			√
Haseltine					√	YR & Y1
Horniman				√		
Kelvin Grove			√	√	Expanded	
Kilmorie		√	√	√	Expanded	√
Perrymount			√			√
Rathfern				√	√	
St Bartholomew's					√	Expanded
St Michael's						√
St Will. of York				√		
Primary Place Planning Locality 2 Lee Green						
Brindishe Lee			√			√
John Ball		√		√		
Lee Manor			√			
Trinity CE						New provision
St Winifred's						√
Primary Place Planning Locality 3 Brockley, Lewisham & Telegraph Hill						
Ashmead			√		√	
Brockley	√				Expanded	
Edmund Waller			√			
Gordonbrock				√	Expanded	
Holbeach	√	√				
John Stainer		√			√	√
Prendergast Vale						√
Lucas Vale				√		
Myatt Garden				√		
St Stephens CE					√	
Turnham				√	√	

School	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Primary Place Planning Locality 4 Catford, Bellingham & Grove Park						
Athelney			√	√		
Baring			√			
Coopers Lane				√	√	√
Elfrida					√	
Forster Park		√	√		√	√
Rushey Green			√	√	√	
Sandhurst		√	√	√	Expanded	
Torridon			√			
Primary Place Planning Locality 5 Deptford and New Cross						
Deptford Prk		√	√			
Grinling Gibbons				√	√	
Kender			√	√	Expanded	
St Josephs				√	√	√
Primary Place Planning Locality 6 Downham						
Downderry					√	
Good Shepherd				√		
Launcelot			√			
Marvels Lane						√
Haberdashers Aske's Knights Temple Grove					√	Expanded
Rangefield				√		

- 4.2.3 The majority of places to date have been added as temporary increases (“bulge” classes). Projections of demand for school places confirm that the authority must develop a programme to increase the supply of places on a permanent basis. The programme to date has used existing council-owned buildings, developed existing school sites and has taken the opportunity to get rid of half forms of entry.
- 4.2.4 Some permanent expansions were funded through the borough’s Primary Capital Programme allocation, and since 2011 the local authority has received Basic Need funding from the government to fund a programme of permanent and temporary additional provision.
- 4.2.5 The LA has approximately £28m committed resource from current allocations. The estimated cost of completing an adequate programme of primary expansions is £55 million to 2014. In March the local authority received an allocation of £19.5 million to cover 2013-2015. There is therefore a shortfall of approximately £7.5 million to meet need for additional primary places until 2014 and an additional £4.5m to meet need until 2015. After the award of Targeted Basic Need and some cost revision the original shortfall for 2014 is reduced to £3.6m.
- 4.2.6 More expansions will be required. Schemes already proposed to be delivered by 2014 using Basic Need funding include
- a 2FE Primary phase at Prendergast Ladywell Fields College
 - 1FE enlargement of Adamsrill
 - 1FE enlargement of Rushey Green
 - 1FE enlargement of John Stainer

4.2.7 A further report will be brought to the Mayor in October 2013 setting out options which can be delivered within known funding and the shortfall in resources required to deliver an appropriate programme of school places.

4.3 Targeted Basic Need Programme

4.3.1 Authorities who considered that they had a shortfall in funds to meet need through to the end of the Comprehensive Spending Review period were invited to submit bids to the Targeted Basic Need Programme.

4.3.2 The Targeted Basic Need programme 2013-2015 is intended to fund *“the provision of new, high quality school places in locations experiencing basic need pressures in order to prepare for further rises in pupil numbers”*. Provision can be made either through new schools (which could be an Academy, Free school or Voluntary Aided) or through the permanent expansion of “Good and Outstanding” schools with high levels of demand. The guidance states that *“All LAs can apply for funding but LAs with significant proportionate levels of basic need pressures are encouraged to apply for this programme”*.

4.3.3 The funding is intended for schemes which are developed and ready to be implemented. The intention is that the pupils should be admitted to expansions funded through the Targeted Basic Need programme by (at the latest) September 2015.

4.3.4 Lewisham submitted 9 bids to the value of £23m covering expansions of primary and secondary provision. On July 18th 2013 the Education Funding Agency confirmed that only 2 bids for the expansion of John Ball and Holbeach Primary schools had been successful with a grant allocation of only £4.25m with a bid of £6.2m, a shortfall of £1.9m.

4.3.5 This very disappointing result from the Targeted Basic Need process leaves us with a shortfall of £18.75m to 2017. The DfE and the Education Funding Agency have not yet made transparent their methodology for agreeing bids. A number of our programmes for under the scheme were to meet need beyond 2015. It appears that no bid beyond 2015 was agreed even though to achieve places in 2016 and beyond requires us to begin planning now.

4.3.6 As a consequence of the successful bid for John Ball and Holbeach it is necessary to commence the statutory process for enlargement.

5 Proposal to enlarge John Ball Primary from 2 to 3 forms of entry

5.1.1 Additional Requirement – Lee Green

John Ball is located in Primary Place Planning Locality 2, Lee Green. In common with most parts of the borough, the number of births to

families resident in the Lee Green area has increased over the last decade. Although slightly lower in 2010/11 than 2009/10 it is still substantially higher than at the beginning of the decade. It has not been possible to offer a local place to all the in-year applications from families resident in the area. This suggests a high level of inward migration. The schools in the area attract applications from Greenwich and from across the borough. Some pockets of intensive development are planned in the area.

Births

Births September 1 st 2000 to August 31 st 2001	439
Births September 1 st 2009 to August 31 st 2010	568
Births September 1 st 2010 to August 31 st 2011	544
Increase 2000/01 to 2010/11	24%
Increase 2009/10 to 2010/11	-4%

- 5.1.2 Schools in this area continue to attract high levels of applications. The opening of Trinity primary phase means that 60 additional places are available from 2013. Even with this provision places in the area were oversubscribed by 4.5%. 392 on-time first preference applications were received for places for local schools for entry in September 2013. Analysis of the resident population suggests the following levels of future demand but may be understated because of cross border demand and inward migration.

Projected Demand for Reception Places

Year	PAN	Projection	Additional Requirement
2014/15	375	406	31 (1FE)
2015/16	375	391	16 (1FE)
2016/17	375	387	12

5.2 John Ball Primary

- 5.2.1 This school is proposed for expansion because it is a popular school in an area of high demand. The school is consistently over-subscribed. 89 on-time first preference applications were received for 60 places for entry in September 2013. Most schools in the area are on constrained sites with little scope for expansion. All are full and their viability would not be threatened by the expansion of John Ball.

- 5.2.2 In 2008 the school was designated as Outstanding by Ofsted and has since had an interim assessment (April 2011) which indicated that performance had been sustained.

- 5.2.3 As a result of the exceptional demand for places in the area, the governing body agreed that the school should open an additional class in each of 2009 and 2011. Subsequently the governing body invited the

LA to investigate whether the school site could be developed so that the school could expand to 3 forms of entry.

5.2.4 A building proposal has been developed taking into account the fact that the school is in a conservation area. Should the Mayor agree to a consultation to enlarge John Ball Primary school to 3 FE, informal stakeholder consultation will continue so that a Planning Application can be submitted later this year. Although the funding offered through the Targeted Basic Need programme will not meet the full cost of delivering this scheme, the enlargement still offers good value for money.

5.2.5 Parents & carers and the school community have been told that the school is being considered for enlargement. The Mayor's permission is sought to continue consultation with stakeholders on a proposal to increase John Ball Primary School from 2 to 3 FE in September 2015, with a report on the consultation being brought in November 2013.

6 **Proposal to enlarge Holbeach Primary school from 2 to 3 forms of entry**

6.1.1 **Additional Requirement – Brockley Lewisham & Telegraph Hill**

Holbeach is located in Primary Place Planning Locality 3, Brockley, Lewisham & Telegraph Hill. This is an area where considerable development is taking place, both in the form of the conversion of large, old properties and through the regeneration of brown-field sites. Developers' contributions will be available from some sites, but are insufficient by a significant margin to fund the required level of school place provision.

6.1.2 In common with most parts of the borough, the number of births to families resident in Brockley, Lewisham & Telegraph Hill has increased over the last decade. Although slightly lower in 2010/11 than 2009/10 it is still substantially higher than at the beginning of the decade. Some pockets of intensive development are planned in the area.

Births

Births September 1 st 2000 to August 31 st 2001	951
Births September 1 st 2009 to August 31 st 2010	1280
Births September 1 st 2010 to August 31 st 2011	1267
Increase 2000/01 to 2010/11	35%
Increase 2009/10 to 2010/11	0%

6.1.3 Schools in this area have been expanded through the Primary Capital Programme. The expansions of Gordonbrock and Beecroft Gardens provided 45 additional places per year from 2012. They continue to attract high levels of applications and demand outstrips supply. Places in the area were oversubscribed by 12.6%. 851 on-time first

preference applications were received for the 756 permanent places for schools in the area for entry in September 2013.

- 6.1.4 Demand is projected to increase throughout the decade. 90 additional permanent places are proposed for 2014 through the enlargement of John Stainer and lowering the age limit of Prendergast Ladywell Fields College. However this will not meet additional local demand.

Projected Demand for Reception Places

Year	PAN	Projection	Additional Requirement
2014/15	846	915	69 (2.5 FE)
2015/16	846	907	61 (2FE)
2016/17	846	869	23 (1FE)

- 6.1.5 Despite a small projected dip in 2016/17, projections to the end of the decade indicate that demand will rise again with a predicted shortfall of up to 4FE.

6.2 Holbeach Primary School

- 6.2.1 This school is proposed for expansion because it is a popular school in an area of high demand. Most schools in the area are on constrained sites with little scope for expansion. All are full and their viability would not be threatened by the expansion of Holbeach.
- 6.2.2 The school was inspected by Ofsted in May 2012 who found it to be a Good school.
- 6.2.3 The school was one of the first to offer bulge classes in 2008/09 and 2009/10. Subsequently accommodation used by CEL became available and the school's potential for expansion has been evaluated as part of the borough-wide programme to identify additional provision.
- 6.2.4 The governing body appreciates the demand for places in the area and understands that Holbeach will need to play a role in providing places for a growing local population. It has challenged the LA to develop a proposal which provides classrooms of an adequate size, enables the school to retain nursery provision and which provides a safe and stimulating outdoor area.
- 6.2.5 Governors have worked with the LA to develop a proposal to remodel the school building to provide the additional classrooms and ancillary infrastructure. The building has a Grade 2 listing and therefore any alterations will be fully scrutinised by Planners and English Heritage and will require consent to any application for alteration.
- 6.2.6 The school is immediately adjacent to the Catford Dog Track site which is to be developed by Barretts. Planners and staff in Children & Young People are working together to identify opportunities for the school

arising from this development.

- 6.2.7 Should the Mayor agree to a consultation to enlarge Holbeach Primary school to 3 FE, informal stakeholder consultation will continue so that a Planning Application can be submitted later this year. Although the funding offered through the Targeted Basic Need programme will not meet the full cost of delivering this scheme, the enlargement still offers good value for money in the context of the scarcity of other local sites and the growing population.
- 6.2.8 Parents & carers and the school community have been told that the school is being considered for enlargement. The Mayor's permission is sought to continue consultation with stakeholders on a proposal to increase Holbeach Primary School from 2 to 3FE in September 2015, with a report on the consultation being brought in November 2013.

7. Financial implications

- 7.1 On March 1st 2013 the DfE announced the Basic Need allocations to cover the period April 2013 to March 2015 (2013/14 - 2015/16 academic years). Lewisham was allocated £19.5 million, more than £5m less than anticipated on the basis of allocations received in the two previous years.
- 7.2 On completion of the primary places projects for September 2012, at a cost of £19.5 million, there was a balance of £28 million for all future projects' delivery. Taking account of the new 2013-15 basic need allocation this provides a total capital resource for places provision of £47.5m. This includes an allocation of £2.5m DfE maintenance grant and Section 106 resources of £1.1m.
- 7.3 In July the DfE announced the outcome of the Targeted Basic Need Programme. In Lewisham the provisional grant allocation is £4.250m to extend Holbeach and John Ball Primary schools. There was no allocation to support any early work for secondary places need in 2017. The two named projects must be delivered on receipt of the grant by September 2015. The allocations made are £1.9m short of the estimated costs of delivery.
- 7.4 The total grant available for 2014 places after the completion of 2013 places projects is £34.1m. Schemes already committed to by Mayor and Cabinet total £22.5m. This leaves £11.6m to deliver additional projects for September 2014.
- 7.5 After a decision to commit to John Ball and Holbeach, £5.4m would remain for the balance of need in September 2014. Potential projects for that balance of need are estimated currently at £9m, a shortfall of £3.6m.

- 7.6 There is therefore grant cover for John Ball and Holbeach but not for the full projected programme for September 2014 places.
- 7.7 A more detailed report on future places and funding will be brought to Mayor and Cabinet in the Autumn setting out how the September 2014 programme can be funded and considering what the approach to funding the September 2015 programme might be.

Revenue Financial Implications

- 7.8 The revenue costs of supporting the pupils in the accommodation proposed for the bids will be identified from the DSG resources and will not be a call on General Fund resources.

8. Legal Implications

- 8.1 The Human Rights Act 1998 safeguards the rights of children in the Borough to educational provision, which the Council is empowered to provide in accordance with its duties under domestic legislation.
- 8.2 Section 14 of the Education Act 1996 obliges each local authority to ensure that there are sufficient primary and secondary schools available for its area i.e. the London Borough of Lewisham, although there is no requirement that those places should be exclusively in the area. The Authority is not itself obliged to provide all the schools required, but to secure that they are available.
- 8.3 In exercising its responsibilities under section 14 of the Education Act 1996 a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.
- 8.4 The Education and Inspections Act requires local authorities to consider and respond to parental representations when carrying out their planning duty to make sure that there is sufficient primary and secondary and suitable SEN provision in their area.
- 8.5 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.
- 8.6 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.

- foster good relations between people who share a protected characteristic and those who do not.

- 8.7 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.
- 8.8 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/>
- 8.9 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
- 8.10 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/>

9 Crime and Disorder Implications

- 9.1 There are no crime and disorder implications.

10 Equalities Implications

- 10.1 The consultations proposed in this report are a result of the growth in Lewisham's population.
- 10.2 This report supports the delivery of the Council's Equalities programme by ensuring that all children whose parents/carers require a place in a Lewisham school will be able to access one.
- 10.3 The results of the consultations will include an Equalities Analysis to demonstrate the extent to which the proposal will benefit the population of the area.

11 Environmental Implications

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

12 Risk assessment

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

13. Conclusion

- 13.1 The recommendations for additional provision included in this report should provide an additional 60 permanent primary places per year from 2015. In the context of limited funding, it is important that the borough establishes permanent places in order to minimise future expenditure on temporary classes which will not deliver a long-term benefit to the community.
- 13.2 These proposals present the opportunity to increase provision at popular and successful schools in areas where demand is projected to continue to rise.

Background Documents

Report to the Mayor.- April 17 2013

Request for Permission to bid to the Targeted Basic Need programme

<http://councilmeetings.lewisham.gov.uk/documents/s22160/Targeted%20Basic%20Need%20Programme.pdf>

If there are any queries on this report please contact **Margaret Brightman, Place Manager**, 020 8314 8034.

Agenda Item 6

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

Date of Meeting	11 th September 2013
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Title of Report	Council Tax Reduction Scheme update and 2014/15
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Originator of Report	Ralph Wilkinson	Ext. 46040
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: Susan Wise Executive Member

Date: 28th August 2013

Signed: [Signature] Director/Head of Service

Date: 29/8/2013

Control Record by Committee Support

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

Mayor and Cabinet			
Report Title	Council Tax Reduction Scheme update and 2014/15		
Ward	All	Item No.	
Contributors	Executive Director for Customer Services		
Class	Open	Date	11 September 2013

1. Purpose & Executive Summary

- 1.1 The purpose of this report is to provide an update on the impact of the local Council Tax Reduction Scheme in 2013/14 and set out plans for 2014/15.
- 1.2 The Government replaced Council Tax Benefit with the local Council Tax Reduction Scheme on 1 April 2013. The Council agreed to pass on the government cut in grant of £3.28m to 24,648 working age claimants. Pensioners are protected. The Council also agreed a £100K fund for those facing exceptional hardship.
- 1.3 It is too early to determine the impact of the change on working age claimants. A review is planned later this year with a comprehensive review being carried out after one full year of the local scheme being in place.
- 1.4 Early indications are that more Council Tax Reduction Scheme recipients are paying the increased liability arising from the reduction in government funding than was expected. However, some are not paying so enforcement activity has started with additional steps added to the process and concessions being made to help those wanting to pay.
- 1.5 The report proposes that the Council keeps the local Council Tax Reduction Scheme the same for 2014/15 because it is too early to determine how the current scheme is working and changes to it would help certain groups but at a cost to others.

2. Recommendations

It is recommended that the Mayor:

- 2.1 Notes the impact of the scheme to date;
- 2.2 Agrees to consult Council Tax payers on a Council Tax Reduction Scheme which remains the same for 2014/15 as it is in 2013/14.

3. Policy Context

- 3.1 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; to regulate access to public services and to provide social protection for those that might otherwise be put at risk.
- 3.2 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.
- 3.3 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
 - delivering together efficiently, effectively and equitably – ensuring that all citizens have appropriate access to and choice of high quality local services
- 3.4 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. Background

- 4.1 On the 1 April 2013 the government replaced the national Council Tax Benefit (CTB) scheme with a local Council Tax Reduction Scheme (CTRS). At the same time the government cut the amount of grant the Council received for the new scheme by 10% which for Lewisham was £3.28m.
- 4.2 On the 23 January 2013, following a detailed consultation exercise in 2012, the Council agreed its local CTRS for 2013/14. The local scheme passes on the government cut in grant to all working age claimants and ends the entitlement to second adult rebate. However, in all other respects the scheme remains the same

as the old CTB scheme. Pensioners were protected from any changes and a hardship fund of £100K was agreed for some vulnerable persons in exceptional circumstances.

- 4.3 The CTRS was introduced on the 1 April 2013 and 24,648 working age claimants were 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 Council Tax to pay. This report reviews the impact of the new scheme so far and proposes the local scheme for 2014/15.

5. Council Tax Reduction Scheme - impact

- 5.1 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 Council Tax reduction scheme 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.

6. Council Tax Collection

- 6.1 To help those working age claimants that are having to pay more because of the government cut in grant the Council did the following:

- Automatically introduced 12 monthly instalments instead of the normal 10.
- Offered weekly Direct Debit instalments.
- Introduced an additional reminder notice into the collection process before taking court action.

- 6.2 So far the Council has sent 23,140 reminders and final notices to those who have missed one or more instalments since April 2013. Some of those claimants have since either, made a payment arrangement or paid the missing instalments.

- 6.3 On the 23 July 2013 the Council sent 3,641 summonses to CTRS recipients who had not paid their instalments or made an arrangement to pay. At court on 9 August 2013 the magistrate granted liability orders and awarded costs for all the cases.

- 6.4 The Liability Order gives the Council the power to collect the outstanding Council Tax using bailiffs or attachment of earnings or benefits. Normally the Council would pass cases to the bailiff for collection. However, as most these cases are on a benefit the Council will apply to set up attachments to their benefit instead. The outstanding Council Tax will then be deducted direct from their benefit in weekly amounts by the Department for Work and Pensions. There may be some cases where this is not possible so the bailiff will be the only option. Where CTRS recipients have paid or agreed to pay by Direct Debit the court costs have been withdrawn.
- 6.5 At the end of July the Council had collected 32.54% of the 33.33% due year to date.
- 6.6 The Council will be carrying out a review of the impact of the introduction of CTRS in the autumn jointly with the London Boroughs of Lambeth and Southwark. A detailed review of the CTRS will take place after the scheme has been in place for one year.

7. Council Tax Reduction Scheme for 2014/15

- 7.1 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.
- 7.2 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.
- 7.3 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 be done at the cost of others.

7.4 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).

7.5 Although no change is proposed for 2014/15 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.

8. Financial Implications

8.1 The government cut the amount of grant the council received for the new scheme by 10%, which for Lewisham was £3.28m. As set out in paragraph 7.5, as at the end of July, the council had collected 32.54% of this. As only one-third of the debt was expected to be collected by the end of July, this means that 97.6% of the amount expected to be collected had been collected.

8.2 This collection performance is encouraging, and significantly above the 50% assumed for non-collection when the budget was set. Four months' collection performance is not yet enough data on which to base a change to this assumption, but it will be reviewed in setting the 2014/15 budget.

8.3 DCLG has not yet released enough information for officers to be able to advise in detail about how the CTRS will be funded in 2014/15. Assuming that the funding level remains similar to last year, then the option of the council paying the costs of the amounts due from residents currently liable to make payments would remain at around £3m. Given that the council needs to make additional savings of £15m for 2014/15, which it has not yet identified, it would not be prudent to fund these costs directly, as this would add to the savings requirement. This report therefore proposes consulting on a scheme similar to that which operated in 2014/15.

9. Legal Implications

9.1 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").

- 9.2 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.”
- 9.3 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 by 31 January 2014 for the financial year 2014 – 2015.
- 9.4 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”.
- 9.5 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.
- 9.6 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.
- 9.7 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.
- 9.8 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.
- 9.9 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.
- 9.10 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/>
- 9.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
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- 9.12 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/>

10. Crime and Disorder Implications

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

11. Equalities Implications

- 11.1 A detailed Equalities Analysis Assessment was performed in 2012/13 for this 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.

12. Environmental Implications

12.1 There are no environmental implications arising from this report.

13. Background Papers and Report Author

13.1 There are no background documents to this report.

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

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

Date of Meeting	11 th September 2013
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Title of Report	Generation Playclub Proposals
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Originator of Report	Warwick Tomsett	Ext. 48362
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: _____ Executive Member

Helena Khin

Date: 2nd September 2013

Signed: _____ Executive Director

Ante Sile

Date : 2nd September 2013

Control Record by Committee Support

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

MAYOR AND CABINET		
Report Title	Generation Playclub Proposals	
Key Decision	Yes	Item No.
Ward	Evelyn, Brockley, Telegraph Hill, Whitefoot, Grove Park, Bellingham.	
Contributors	Executive Director for Children and Young People Director of Regeneration and Asset Management	
Class	Part 1	Date: 11 September 2013

1. Purpose

- 1.1 As part of the 2012/13 budget strategy, the Mayor agreed on 13 February 2013 to cease provision in Generation Playclubs (GPCs) during 2013/14 and for officers to continue to explore alternative uses for sites. This report sets out the proposed alternative uses for the sites.

2. Executive Summary

- 2.1 On 13 February 2013, a proposal was agreed at Mayor and Cabinet to cease Council-run provision in Generation Playclubs by 2014/15 to enable a saving of £554,000. As part of the consultation on the proposed closure of Generation Playclubs, which was reported back to Mayor and Cabinet, the Council had sought expressions of interest from parties who may wish to deliver services to the community from the Generation Playclub sites.
- 2.2 As part of this consultation, interested parties were informed that the Council would not be able to provide service funding beyond 2013/14 to support the proposals. In response to the consultation, several expressions of interest were identified and documented within the Mayor and Cabinet report.
- 2.3 Following this consultation, the Mayor agreed to the closure of the Centres during 2013/14 to allow time for officers to continue to explore alternative community uses for sites. Since this agreement, officers have facilitated meetings with interested parties to support the development of those proposals set out in section 5. The Council has also sourced independent support from Social Enterprise UK to help the groups develop sustainable proposals for provision at the sites.

3. Recommendations

- 3.1 The Mayor is recommended:
- 3.2 to note the outcome of the process to seek to grant leases of the Deptford Park, Forster Park, Friendly Gardens, Telegraph Hill, Bellingham and Grove Park Generation Playclub sites.
- 3.3 to agree in principle to the terms of the grant of the leases set out below, subject in each case to the proposals being advertised in accordance with the requirements of Section 123(2A) of the Local Government Act 1972 and any objections to the proposals being considered:

- 3.3.1 a lease for Forster Park site to Downderry Primary School by way of the grant of up to a 2 year term full repairing and insuring (FRI) lease for the building at peppercorn rent on the terms set out in section 11;
- 3.3.2 a lease for Telegraph Hill site to St Catherine's Church Parochial Church Council by way of the grant of up to a 3 year term full repairing and insuring lease for the building at peppercorn rent on the terms set out in section 11;
- 3.3.3 a lease for Deptford Park site to Clyde Early Childhood Centre by way of the grant of up to a 2 year term full repairing and insuring lease for the building at peppercorn rent on the terms set out in section 11;
- 3.3.4 a lease for Bellingham Green site to Eco Computers subject to any objections through advertising the disposal of land by way of the grant of up to a 3 year term full repairing and insuring lease for the building at peppercorn rent on the terms set out in section 11;
- 3.3.5 a lease for Grove Park site to Grove Park Community Group by way of the grant of up to a 3 year term full repairing and insuring lease for the building at peppercorn rent on the terms set out in section 11;
- 3.3.6 a lease for Friendly Gardens Generation Playclub site to a Community Interest Company Limited by Guarantee (CLBG) established by two current Generation Playclub staff members by way of the grant of up to a 3 year term full repairing and insuring lease for the building at peppercorn rent on the terms set out in section 11;
- 3.4 to note the maintenance costs to be allocated out of the current maintenance budget by the Council this financial year as set out in section 7.5 prior to the grant of the leases;
- 3.5 to delegate authority to the Executive Director for Children and Young People and Director of Regeneration and Asset Management to consider any objections to the proposals received in response to the notices published in accordance with Section 123(2A) of the Local Government Act 1972 and to decide whether or not to proceed with the grant of the relevant lease(s);
- 3.6 to delegate authority to negotiate and finalise the terms of the leases and all associated documentation to the Executive Director for Children and Young People and Director of Regeneration and Asset Management, on the advice of the Head of Corporate Asset Services and the Head of Law, to ensure the delivery of the alternative proposals for Generation Playclubs and to ensure that the Council's interests are sufficiently protected;
- 3.7 to delegate authority to the Executive Director for Children and Young People and the Director of Regeneration and Asset Management, on the advice of the Head of Corporate Asset Services and the Head of Law, to agree the start dates for each site with Downderry Primary School, Clyde Early Childhood Centre, St Catherine's Church Parochial Church Council, Eco Computers, Grove Park Community Group and the new CLBG established by two current GPC staff pending the leases referred to in recommendation 3.3.1 – 3.3.7 being entered into so as to enable community provision from these buildings. The start dates for each site will vary but will be between the end of September 2013 and 31st January 2014; and

- 3.8 to agree that, should any proposal be withdrawn by an organisation or a decision be made subsequently not to proceed with the grant of a lease for any site, the site be declared surplus and made available for lease on the open market.

4. Background

- 4.1 Lewisham Council has already reduced its revenue budget by £81m since 2010. The Government's continued squeeze on public spending means that the Council needs to make further savings of around £75m between 2014 and 2018.
- 4.2 On 13 February 2013 a proposal was agreed at Mayor and Cabinet to cease Council-run provision in Generation Playclubs by 2014/15 to enable a saving of £554,000. As part of the consultation on the proposed closure of Generation Playclubs, which was reported back to Mayor and Cabinet, the Council had sought expressions of interest for parties who may wish to deliver services from the Generation Playclub sites.
- 4.3 Consultation took place between the 19th November and 7th December 2012 (public) using the following approaches:
- drop in sessions at each of the Generation Play Club sites;
 - online consultation using UEngage;
 - paper consultations distributed to each Generation Play Club; and
 - a series of additional meetings with organisations or parents/community groups interested in developing alternative uses for the sites.
- 4.4 There were 171 people who attended the drop in sessions across the seven Generation Play Clubs (30 at Bellingham Green, 22 at Friendly Gardens, 40 at Telegraph Hill, 11 at Forster Park, 22 at Grove Park, 16 at Deptford Park, and 30 at Silwood). Officers received 53 responses from UEngage and 139 hard copies of the consultation. In addition, officers received 38 responses that were not on the official consultation form, but were posted or emailed directly to council officers, Councillors, and/or the Mayor. Council officers attended further meetings with groups or individuals as requested, including Bellingham Interagency Forum.
- 4.5 17 Public Questions were received at the Council meeting on 28th November 2012 relating to the Generation Play Clubs. The majority of these were specifically about Telegraph Hill.
- 4.6 As part of this consultation interested parties were informed that the Council would not be able to provide service funding beyond 2013/14 to support the proposals. In response to the consultation several expressions of interest were identified and documented within the Mayor and Cabinet report.
- 4.7 Following the consultation, the Mayor agreed to the closure of the Centres by the end of March 2014 to allow time for officers to continue to explore alternative community uses for sites. Since this agreement, officers have facilitated meetings with interested parties to support the development of those proposals set out in section 5. The Council has also sourced

independent support from Social Enterprise UK to help the groups develop sustainable proposals for provision at the sites.

- 4.8 No interested parties came forward to develop proposals for Silwood Generation Playclub. This Playclub is based in a Community Centre owned by London and Quadrant; the lease will therefore come to an end on 30th September 2013 when the Playclub will cease operating.

5. Policy Context

- 5.1 The Council's Sustainable Strategy "Shaping our Future" sets out a vision for Lewisham and the priority outcomes that we can work towards in order to make this vision a reality. In considering how to achieve the budget savings we have worked to the nine principles agreed in the 14th July 2010 report to Mayor and Cabinet. The Children and Young People's Plan 2012-2015 sets out our priorities for development. The work undertaken by officers and the recommendations set out in this report are in line with the aims and objectives of these policy frameworks..

6. Basis for the recommendation

- 6.1 **Best Consideration** – There is no requirement under Section 123 to get best consideration for the grant of a lease of less than seven years. However, under its general fiduciary duty, the Council needs to be satisfied, in each case, that the benefits of the proposal outweighs the benefit to the Council of receiving a market rent and that it is reasonable to enter into the lease at less than a market rent. Officers have considered the cost of the current service for each site against estimated repairs required and market rent value of each site, both annually and for the term of each lease. In all cases, the value of the service substantially exceeds the market rent value. These calculations are attached in Appendix B.
- 6.2 **Social Value** - Officers have also considered the social value benefits of the proposals and consider that granting the leases of the Generation Playclub sites on the terms set out in this report is the best way of preserving their use for community benefit. These benefits are:
- 6.3 **Community empowerment** - The organisations taking on responsibility for alternative provision at each site have all developed proposals that aim to empower the local community through delivering in partnership with local groups and parents. The proposed future management of the sites will provide an opportunity for the community to be involved in the running of a key local asset and thereby helping to strengthen local identity and empowerment.
- 6.4 **Promoting area-wide benefits** – The granting of leases will maintain the sites as community hubs and complement the Council objective of strengthening the third sector. It will also facilitate the provision of local services including additional resources for local schools and organisations supporting families within the area.
- 6.5 **Supporting a sustainable third sector** - It will help improve the capacity of third-sector organisations to deliver services in the area and develop important partnerships. It will add value by helping to maintain the sites as community hubs which provide access for local third sector organisations.

- 6.6 **Economic development and social enterprise** – Many of the proposals support the development of specific opportunities for the local community such as volunteering. In addition many proposals will be supporting local families into employment and to deliver services themselves. These will help to support up-skilling of local communities and support in improving the local economy.

7. Proposals

- 7.1 The Council has received a proposed business case for each Generation Playclub Site from parties interested in delivering alternative provision from the sites. These have been summarised and attached in Appendix A. Where there was more than one party interested in the same site, officers supported the formation of partnerships between all parties to develop a joint proposal. In considering the proposals officers have taken into account the following key areas:

Key Issues Raised

- 7.2 On Wednesday 30 January 2013, a report on Generation Playclubs went to the Children and Young People Select Committee. As a result the committee advised that:

- Officers provide support and advice for groups offering alternative uses of a site to ensure that they are able to develop sustainable proposals.
- Groups offering to develop alternative uses of sites are provided with comprehensive and accurate information regarding the state of repair of the site and buildings.
- Any group offering to take over a Generation Playclub site should demonstrate that it has consulted widely with the local community and has their support.
- The local authority ensures that proposals by groups to provide alternative uses of sites have adequately addressed safeguarding issues in their proposals.
- Any costs of maintaining the empty premises are taken into account as part of the decision-making process.

- 7.3 In supporting the development of proposals for the sites, officers have taken these recommendations into consideration and undertaken the following:

- Provided support from the Directorate for Children and Young People's Early Intervention and Access Service and independent support from Social Enterprise UK to develop sustainable proposals;
- supplied comprehensive and accurate information regarding the state of repair of the sites and buildings, including, where applicable, costings on electricity, gas, rates, water, repairs and refuse. In addition, 5 year mechanical and electrical and 5 year fabric and condition surveys were carried out .
- considered consultation undertaken with the local community as summarised in the proposals below;
- considered safeguarding arrangements as summarised in the proposals below;
- considered the cost of maintaining empty premises.

Planning Permission

- 7.4 All proposals put forward by interested parties appear to be within the current D1 planning use class. However, each lessee will be responsible for confirming that planning permission is not required for their proposed use of the site before any lease is entered into.

Maintenance

- 7.5 The Council has commissioned mechanical, electrical and fabric surveys of all Generation Playclub sites. Council officers provided this information to interested parties and entered into discussions on that work to be carried out in the current financial year under LBL management and that which would become the responsibility of the leaseholder. The level of maintenance identified under the surveys for each building varies according to current condition. Through this dialogue the Council has agreed to allocate an additional £15k of the current financial year's budget to the maintenance of the Generation Playclub sites with all other future maintenance costs falling to the new leaseholder.

8. Overall Summary

- 8.1 In taking into consideration the areas in sections 5 and 6 of the report it is recommended that the proposals for the Forster Park, Friendly Gardens, Deptford Park, Telegraph Hill, Bellingham and Grove Park sites are all agreed and the buildings be leased to the relevant organisations recommended in section 2.

9. Next Steps

- 9.1 Subject to agreement of the Mayor, officers will work to agree detailed Heads Of Terms for the agreed providers. Officers will also negotiate interim arrangements (after taking appropriate legal advice from the Head of Legal Services) with proposed new leaseholders to allow them to begin to implement their plans for alternative provision where ready at the Playclub sites from 1 August 2013 pending the leases being entered into.
- 9.2 Open Space notices will be published in accordance with the statutory requirements and any objections to the proposals will need to be considered by the Executive Director of Children and Young People and Director of Regeneration and Asset Management, prior to a final decision being made as to whether or not to proceed with the grant of the relevant lease(s);

10. Equalities Implications

- 10.1 A full equalities analysis was undertaken between November 2012 and January 2013 on the proposal for withdrawing funding for Generation Playclubs. This has been attached in Appendix C.

11. Comments of the Head of Corporate Asset Services

- 11.1 The estimated net value over the term of the leases is approximately £896,000. Please refer to Appendix B for detail.
- 11.2 The property leases should be contracted out and contain break clauses operable at any time by the Council upon 12 months' prior notice in the event that the property is needed for redevelopment.
- 11.3 The premises were used previously as Children's Play Centres and lessees should confirm that their proposed use is compliant in planning use terms.

12. Financial Implications

- 12.1 The proposals made in this report will deliver fully the revenue saving of £554k in 2014/15 as originally planned.
- 12.2 While the exact timing of the implementation will impact on the overall level of redundancy costs, it is estimated these will be £160k.
- 12.3 The cost of making good the premises before each lease is entered into has been valued at £15k and can be met from the 2013/14 revenue budget.
- 12.4 The provision of full repairing and insuring leases for these premises means that potential maintenance costs for these premises will be avoided for the period of the leases. There are no other capital implications stemming from this report.

Key Risks

- 13.1 There are a number of risks associated with these proposals. The key risk is the financial failure of one of the new leaseholders as a result of them becoming over-stretched due to the cost and demands of running provision from the site. In order to mitigate this, the proposals have been assessed on their financial sustainability and agreed to proceed on this basis.
- 13.2 A further risk is a serious deterioration in the condition of one or more of the buildings leading to closure to the public or the leaseholder being unable to fulfil their commitment to service delivery. Should either the service or building-related risks arise this could lead to a reputational risk to the Council. Officers are looking at building in a contingency to ensure the council's assets are preserved.
- 13.3 Officers acknowledge that these risks are real and that possible mitigation measures are probably limited. To the extent that it is possible, officers have worked with proposed lessees to ensure that the business cases are robust and sustainable to mitigate these risks.

14 Legal implications

- 14.1 The Council has a general power of competence under Section 1 of the Localism Act 2011 to do anything which an individual may do. The power does not permit the Council to do anything which it is specifically prohibited or restricted from doing under other legislation. The Council must use its general

power of competence rationally and lawfully. It is considered, for the reasons set out in this report, that the grant of the leases will contribute to the social, economic and environmental well being of the borough and is consistent with the relevant policy objectives referred to in the body of this report. The general power of competence therefore provides the legal context for these proposals.

- 14.2 Under Section 123 of the Local Government Act 1972, the Council may not dispose of non-housing land otherwise than for the best consideration reasonably obtainable except with the consent of the Secretary of State. However, this requirement does not apply to the grant of a lease for less than seven years. A specific disposal consent from the Secretary of State is therefore not required. However, the Council has a general fiduciary duty to its Council tax payers. The Mayor must therefore be satisfied that the benefits of each proposal outweigh the market rent potentially being foregone in each case.
- 14.3 Due to their locations within the parks, the premises consist of open space. The grant of each lease therefore constitutes a disposal of an interest in land which is open space and consequently the Council is required to advertise notice of its intention to so dispose pursuant to Section 123(2A) of the Local Government Act 1972. The Council is required to consider all responses received and take them into account before determining whether to make the disposal. For this reason, in each case any responses to the notice will need to be considered by the Executive Director for Customer Services and the Director of Regeneration and Asset Management under the authority delegated by this report before the lease is granted on the basis proposed and each of the recommendations in paragraphs 3.3.1-3.3.6 of this report is therefore subject to this.
- 14.4 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. 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.
- 14.5 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.
- 14.6 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/>

- 14.7 Due to the proposed changes in the nature of activities after the ending of the Generation Play Club service there will be no TUPE implications. The ending of the service gives rise to redundancy. The redundancy process is being managed in accordance with the Council's Management of Change Guidance to ensure compliance with relevant legislation.

15 Crime and Disorder Implications

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

Appendix A – Proposals for the Playclub Sites

1. Proposal for alternative provision at Deptford Park site

Governance and Safeguarding

- 1.1 Clyde Early Childhood Centre is an integrated nursery school, Children's Centre and day care unit. As part of the business case submitted, Clyde propose to utilise the site to expand upon their Children's Centre activity. This activity is managed by the Governing Body of Clyde Early Childhood Centre who maintain an oversight on key aspects of delivery.
- 1.2 The funding used to support this activity will come from Clyde's existing resources.
- 1.3 Clyde Early Childhood Centre have well-established safeguarding policies and arrangements in place through the Early Childhood Centre that will be applied to provision delivered at the Deptford Park site.

Proposed Provision

- 1.4 The proposed future activity at the Deptford Park site will reflect the current Children's Centre activity at Clyde. In addition, Clyde will work in partnership with current service users and Evelyn Parents' Forum who will be able and supported to run sessions themselves. The list of current services proposed include:
 - Training: NVQ Level 3, which will be run by a tutor.
 - A Special Educational Needs group – this will be the continuation of an existing group within the Centre that is run by The Children's Society.
 - A dads' group.
 - Clyde Five a Side football tournaments.
 - A photography course.
 - Play sessions that are prioritised to support those who want additional support or help. This will be accessed through referrals rather than drop-in.
- 1.5 The future proposal for the Deptford Park site will include a greater range of activities delivered from site. These activities will be staffed by Family Support Workers based at Clyde and the recruitment of volunteers. There will also be sessions delivered by The Children's Society.

Summary

- 1.6 The proposal Clyde has presented represents a viable alternative for provision to continue from the Deptford Park site. The proposed activities represent a new diverse offer, managed under well-established governance structures. The key risk to sustainability relates to the funding for Children's Centre services but work will continue to mitigate against this. It is recommended that this proposal should be progressed.

2. Proposal for alternative provision at Forster Park site

Governance and Safeguarding

- 2.1 Downderry is a community Primary School and Children's Centre located 0.2 miles from Forster Park Generation Playclub. As with Clyde the School have put forward a business case to deliver an expanded set of Children's Centre activities from the site. While day to day management will be with the current Children's Centre staff, this will be overseen by the School Governing Body as part of the wider Centre activities.
- 2.2 The funding used to support this activity will come from Downderry's existing resources.
- 2.3 Downderry Primary School and Children's Centre have well-established safeguarding policies and arrangements; this will be applied to provision delivered within the Generation Playclub.

Proposed Provision

- 2.4 Downderry Primary school are proposing to use the site to expand their range of Children's Centre activity in order to support more families locally. This will include sessions run by Children's Centre staff, partners and partner agencies. Proposed provision includes:
 - A Forest School utilising the area of outside space ensuring a safe outside environment for exploring, digging and learning about nature therefore improving school readiness.
 - An increase in the variety of stay and play sessions with a structured rotation of activities to include more messy play and baby gym sessions.
 - Provision of one-off sessions such as Song and Dance and Story-Telling in partnership with Downham library, with the option of borrowing books.
 - Drop-in advice sessions delivered with a health visitor.
 - Local community/voluntary group-led sessions such as Childminder-led sessions.
 - The provision of a school holiday club for primary aged children.
 - An outreach worker based at Forster Park to provide a help desk for families seeking support and/or advice on a range of issues from housing to employment.
 - Evidence-based parenting programmes delivered from site.
 - Events focused on support for local dads.
- 2.5 The future proposal for the Forster Park site will include a greater range of activities. Those activities delivered by Downderry will be through one family support worker and two outreach workers. Additional sessions will be delivered with partner agencies such as NHS staff or volunteers.

Summary

- 2.6 Downderry have presented a strong proposal that builds on the current work being undertaken within the Children's Centre. It represents viable alternative provision to be delivered from site and will be delivered under a well-managed governance structure. The key risk to sustainability relates to the funding for Children's Centre services but work will continue to mitigate against this. It is recommended that this proposal should be progressed.

3. Proposal for alternative provision at Friendly Gardens site

Governance

- 3.1 A proposal has been put forward by two Generation Playclub staff to deliver new services from the Friendly Gardens site after redundancy. Currently the staff do not have any constituted arrangements supporting their proposal but are establishing a Community Interest Company Limited by Guarantee to assume management of the lease and services.
- 3.2 Staff have presented a 5-year income and expenditure projection. There are some key risks in relation to expected income with projections based on assumptions of high uptake on services including a breakfast club and the hiring of the hall.
- 3.3 Staff are trained in well-established Lewisham safeguarding policies and procedures and these will be adapted and applied to the new provision.

Proposed Provision

- 3.4 The members of staff are proposing to expand provision to develop a community facility. Provision that is planned includes:
- A Breakfast club.
 - Workshop series on areas including cookery, sewing, drama, etc.
 - Theatre group rehearsals / singing sessions.
 - Hiring out the space for health support groups such as weight loss and healthy living programs, smoking cessation groups and parenting and family support workshops.
 - Coffee morning and soft play sessions.
 - Maximising kitchen for soft play café and lunches.
 - Social days for the elderly (via Age Concern).
 - Children's parties.
 - Training courses for local businesses and schools – INSETs for particular teaching groups.
 - Local Scouts and Brownie groups.
 - Film clubs.
 - School holiday clubs.
- 3.5 Staffing will be delivered through two current members of Generation Playclub staff after their redundancy. The future proposal for the Friendly Gardens site will include a greater range of activities delivered from site.

Summary

- 3.6 The proposal presented for the Friendly Gardens site has been submitted by two enthusiastic and dedicated members of the community. They have presented a business case with support from Social Enterprise UK. There is a key risk that the projected income may fall short of the required expenditure but it is recommended to progress with the proposal.

4. *Proposal for alternative provision at Telegraph Hill site*

Governance and Safeguarding

- 4.1 This is a proposal for the Telegraph Hill Generation Playclub site to be run by the community through a volunteer-led sub-group of St Catherine's Parochial Church Council (PCC) with representation from The Telegraph Hill Centre Group (THCG). Both the PCC and THCG would nominate members to the sub-committee which would be a non-incorporated body.
- 4.2 This governance structure would provide a legal and supportive structure which would enable the Playclub to concentrate on delivering services. This arrangement would be subject to review by the PCC, THCG and sub-committee on an annual basis. The Playclub Operational Committee (POC), which reports to the sub-committee, would be responsible for service delivery, training staff and volunteers and all costs related to the building, maintenance, service provision, security, annual contracts e.g. health and safety, rubbish collection and insurances.
- 4.3 Funding used to support this proposal will come from a mixture of sources including: annual membership, private and party hire, refreshment/cake sales, fundraising and advertisement. A 5-year income and expenditure projection has been provided to the Council. Surveys have been undertaken to assess the likelihood of these funding streams being sustainable.
- 4.4 The plan is supported by volunteers who have experience in safeguarding, in addition to advice provided by Council Officers. The proposal includes arrangements to CRB check all volunteers and adhere to a robust safeguarding policy as agreed by the subcommittee.

Proposed Provision

- 4.5 This will be volunteer-led community provision which offers play facilities for children and families with 0-5 year olds. The facility would provide free entry running between 9.30-13.00 Monday to Wednesday and Saturdays between 10.00-13.00, with the aim of the building over time being open up to 5 days a week from 9.30 to 15.00 and weekends from 10.00 to 13.00.
- 4.6 The budget has been based on running 4 sessions a week for years 1-5 with the aim of using any excess income to increase to a 7 day a week service. The proposal is to be staffed by volunteers.

Summary

- 4.7 The proposal put forward by the sub-committee of the PCC represents viable alternative provision for Telegraph Hill Generation Playclub. A number of key risks have been identified alongside mitigating actions and a medium term financial plan has been calculated on conservative estimates on income. The governance of the proposal is also supported by the constituted PCC. It is recommended that this proposal should progress.

5. *Proposal for alternative provision at Bellingham site*

Governance and Safeguarding

- 5.1 The proposal for the Bellingham site has been presented by a community-based partnership of Eco Computers and Pre-School Learning Alliance. Current discussions are ongoing with Bellingham Interagency Forum and Phoenix Community Housing to expand this.
- 5.2 Within the business plan, safeguarding is identified as a key area and robust safeguarding policies and procedures will govern the work undertaken within the Centre. Pre-School Learning Alliance (PSLA) will take on responsibility for reinforcing appropriate checks and supervisory arrangements.
- 5.3 An expected income and expenditure breakdown has been provided; the primary source of income has been identified as party hire. It is unknown whether this anticipated income is realistic. This currently presents a high risk to the sustainability of the proposal. This could be mitigated through income streams being generated through partnership with Phoenix Community Housing.

Proposed Provision

- 5.4 It is proposed that the provision will be structured with sessions taking place Monday to Friday between 10am-12noon and 1pm-3pm, with some Saturday use. These sessions will include:
- Cook and eat sessions for parents and children together – cooking simple family food (bookable).
 - Healthy eating on a budget – to include a ‘shopping tour’ to the local Co-op (bookable).
 - Outdoor Learning sessions (combination of open access and bookable).
 - ‘Bouncy Beats’ sessions – music and movement for under 5s and their mothers, fathers and carers (bookable).
 - Mental well-being sessions (bookable).
 - Soft-play sessions (open-access).
 - Sessions for dads, childminders and other particular groups (open-access).
 - Toy library sessions (open-access).
 - 2 ‘stay and play’ sessions per week (open-access).

- 5.5 In addition it is proposed that Bellingham Community Nursery will access the site on a weekly basis to develop outdoor learning and support for children and that the site be used as an occasional crèche facility for courses taking place at Bellingham Children’s Centre.
- 5.6 Staffing for sessions will be through the use of volunteers and staff employed by the PSLA and relevant partners to deliver particular activities. The future proposal for the Bellingham Green site will include a greater range of activities delivered from site.

Summary

- 5.7 This current proposal for the Bellingham site presents a viable alternative for Bellingham GPC. Due to the unknown levels of income, there is a risk to the sustainability of the proposal but work is ongoing to mitigate this through partnerships with key organisations in the area such as Phoenix Community Housing. It is recommended that this proposal should progress.

6. Proposal for alternative provision at Grove Park site

Governance and Safeguarding

- 6.1 This proposal covers the granting of the Grove Park site to Grove Park Community Group (GPCG). The GPCG is a registered charity formed in 1972 and currently manages the Ringway Centre in Grove Park.
- 6.2 Income generation will primarily be provided by renting space to a local Pre-School. This will be supplemented by small charges to parents and fundraising activity. This income is expected to cover the core building costs.
- 6.3 Within the business plan, safeguarding is identified as a key area and robust safeguarding policies and procedures will govern the work undertaken within the Centre. The Pre-School was identified as having good arrangements in place for safeguarding children by Ofsted in 2012. Pre-School Learning Alliance (PSLA) will take on responsibility for reinforcing appropriate checks and supervisory arrangements.

Proposed Provision

- 6.4 It is proposed that the pre-school sessions will take place each morning 9am-12 noon, offering free sessions to all children in the term after their 3rd birthday, and some free sessions to vulnerable 2 year olds. This will continue term-time only and be replaced by play scheme or holiday activities for families in holiday periods. This will include Pre-School management and volunteering opportunities for local parents.
- 6.5 There will also be different sessions each afternoon 1pm-3pm, Monday-Friday, with some Saturday use. These sessions will include:
- Weekly Cook and eat sessions for parents and children together – cooking simple family food (bookable).
 - Weekly Outdoor Learning sessions (bookable).
 - At least one ‘stay and play’ session per week (open access).

- Saturday sessions for young children and their families, including dads groups.
- 6.6 Sessions will be provided in partnership with PSLA, Grove Park Library (Eco Communities), Marvels Lane Children’s Centre and other local partners.
- 6.7 The site is also proposed to be used as a crèche space to support weekly training or employment support for parents that will take place in Grove Park Library or in the Ringway Centre (main site).
- 6.8 Some sessions/training will be commissioned through Pre-school Learning Alliance (PSLA) through their Children’s Centre, Family Pathways and Volunteering Programmes, some through Marvels Lane Children’s Centre, some by the GPCG or Eco Communities - some run by staff supported by volunteers, some run by volunteers only.

Summary

- 6.9 The proposal put forward by GPCG and PSLA presents a viable alternative for provision at the Grove Park site. The plans have pulled together a range of well-established partners in the area but require more work to strengthen the collective governance arrangements. In addition more consultation work needs to be undertaken to support local demand in the area. It is recommended that this proposal should progress.

BACKGROUND PAPERS

Short Title of Document	Date	File Location	File Ref.	Contact Officer	Exempt Information
Generation Playclubs – report to Mayor and Cabinet	13 th February 2013	http://councilmeetings.lewisham.gov.uk/documents/s20208/Budget%20Appendices%20X1-Z5.pdf			

If there are any queries on this report, please contact Kate Platt on 020 8314 6408.

Appendix B: Social value against market rent value

Generation Playclub	Estimated Social Value.) ¹	Estimated Repairs	Market Rent ²	Net value over term of lease ³
Friendly Gardens per annum	£65,534.00	£3,731.00	£11,000.00	£58,265.00
Cost over Lease period (x3)	£196,602.00	£11,193.00	£33,000.00	£174,795.00
Telegraph Hill per annum	£59,466.00	£563.00	£20,000.00	£40,029.00
Cost over Lease period (x3)	£178,398.00	£1,689.00	£60,000.00	£120,087.00
Deptford Park per annum	£59,304.00	£1,293.00	£11,000.00	£49,597.00
Cost over Lease period (x2)	£118,608.00	£2,586.00	£22,000.00	£99,194.00
Grove Park per annum	£68,246.00	£2,428.00	£7,000.00	£63,674.00
Cost over Lease period (x3)	£204,738.00	£7,284.00	£21,000.00	£191,022.00
Forster Park per annum	£57,442.00	£10,000.00	£9,000.00	£58,442.00
Cost over Lease period (x2)	£114,884.00	£10,000.00	£18,000.00	£106,884.00
Bellingham Green per annum	£80,627.00	£400.00	£13,000.00	£68,027.00
Cost over Lease period (x3)	£241,881.00	£1,200.00	£39,000.00	£204,081.00

1 This is based on LBL staffing costs

2 As assessed by LBL Head of Corporate Asset Services

3 Estimated social value plus estimated repairs less market rent

Net Value:	Per annum	Over term of lease
Friendly Gardens	£58,265.00	£174,795.00
Telegraph Hill	£40,029.00	£120,087.00
Deptford Park	£49,597.00	£99,194.00
Grove Park	£63,674.00	£191,022.00
Forster Park	£58,442.00	£106,884.00
Bellingham Green	£68,027.00	£204,081.00
TOTAL	£338,034.00	£896,063.00



Equalities Analysis Assessment

Name of proposal	Generation Play Clubs
Lead officer	John Russell
Other stakeholders	
Start date of Equality Analysis	November 2012
End date of Equality Analysis	January 2013

Title of Project	Budget Savings Proposal: Generation Play Clubs
Lead officer	Warwick Tomsett
Other stakeholders	Children and young people; Parents and families; Children's Centre providers; MPs; local councillors.
Start date of Equality Analysis	November 2012
End date of Equality Analysis	January 2013

1: Background to undertaking an Equality Analysis

- 1.1 This Equality Analysis Assessment (EAA) is being undertaken to identify whether budget proposals to end the Generation Play Clubs service will adversely affect Lewisham's children, young people and their families and whether it will negatively impact upon protected characteristics¹.
- 1.2 Lewisham Council has already reduced its revenue budget by £53m since May 2010. The Government's continued squeeze on public spending means that the Council needs to make further savings of around £40m over the next two years. The proposal to close the Generation Play Clubs is one of the savings proposals put forward in November 2012 by the Children and Young People's Directorate. Ceasing to deliver services from the seven Generation Play Clubs in the Borough would release a saving of £554,000.
- 1.3 This EAA sets out the outcomes of the public consultation on the proposal, including expressions of interest from organisations, or groups of parents or community members to develop alternative uses for the sites
- 1.5 This EAA will be a scoping exercise to try to identify the service users that may be affected by the proposal, and to identify and understand any potential negative impacts from taking the savings proposal, together with developing mitigating actions to minimise any negative impacts identified. This EAA will contribute towards the decision making process.
- 1.6 This EAA will:
- (1) consider whether the proposal is compliant with the new public sector duty;
 - (2) consider the impact of the proposal;
 - (3) analyse whether the proposal is likely to have a positive or negative impact on different protected characteristics within the local community; and
 - (4) identify mitigating actions to address any disproportionately negative impact.

¹ Protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership (only in respect of eliminating unlawful discrimination)

2: Changes to the service

2.1 Statutory duty - what needs to be provided:

Local authorities are required to make arrangements to secure that early childhood services in their area are provided in an integrated way that facilitates access to services and maximises the benefits to children, parents and prospective parents. The arrangements made under section 3(2) of the Childcare Act 2006 must include arrangements for sufficient provision of children's centres to meet local need.

2.2 Current service provision:

The Generation Play Club service is a universal service, providing free play opportunities to children under five (50 weeks a year) who are accompanied by their parents or carers, on seven sites situated throughout the borough. Six sites are owned by the Council, one is leased.

- Friendly Gardens: Lucas Street, Deptford, SE8 4QH
- Telegraph Hill: Erlanger Road, New Cross, SE14 5GJ
- Deptford Park: Scawen Road, Deptford, SE8 5RS
- Silwood Estate: Lewington Centre, 9 Eugenia Road, Rotherhithe, SE16 2RU
- Grove Park Under 5s Centre: Somertrees Avenue, Grove Park, SE12 OBX
- Forster Park Under 5s Centre: Whitefoot Lane, Downham, BR1 5SD
- Bellingham Green: Randlesdown Road, Bellingham, SE6 3HB

It is estimated that 3486 adults (25,520 contacts) and 3930 children (30,769 contacts) used the service between April 2011 and March 2012. This is based on usage data available to the Council through sign in sheets, usage data for each of the Generation Play Clubs is provided in section 3 below.

2.3 The proposal and changes to the service:

The proposal is to close each of the seven play clubs from April 2013 onwards. Options for maintaining the use of some sites without council funding by users groups or other organisations have been explored throughout the public consultation, and work to develop these will continue.

Universal services and opportunities for parents to access support will continue to be provided by the Council through maternity services, health visitors and Children's Centres. Children's Centres provide services 48 weeks of the year. We acknowledge that children's centres do not offer the same provision as Generation Play Clubs. However, they are an alternative, and offer support to all families and particularly targeted support to families who need it. This includes signposting to other services and advice on the universal 3 and 4 year old entitlement to the 15 hours free early education, as well as the universal health visiting service. Each Children's Centre also provides a range of activities and support to parents, including carer and toddler groups, stay and play services and these will continue to be actively promoted. The Family Information Service is able to offer information and guidance to parents and carers on local facilities and alternative provision.

The proposal will mean the deletion of 21 posts, there are currently vacancies within the service, with 16 people employed as play workers or senior play workers.

3: Assessment of data and research

3.1 General Context & Local Demographics:

Lewisham is the second largest inner London borough and in 2011 was home to approximately 274,900 people (GLA population estimates) which is set to grow by around 11,000 by 2015. Lewisham has a slightly younger age profile than the rest of the UK; children and young people aged 0-19 years make up 24.5% of residents, compared to 22.4% for inner London and 23.8% nationally. Births in Lewisham increased by 34% between 2000/01 and 2009/10 and will continue to increase at a similar rate for the next 5 years.

Lewisham's Joint Strategic Needs Assessment shows that from data in 2010, Lewisham is the 15th most ethnically diverse local authority in England, and two out of every five residents are from a black and minority ethnic background. The largest BME groups are Black African and Black Caribbean: Black ethnic groups are estimated to comprise 30% of the total population of Lewisham. This rises to 77% of our school population, where over 170 different languages are spoken by our pupils.

Deprivation is increasing in Lewisham. The 2010 Index of Multiple Deprivation ranked Lewisham 31st out of 354 local authorities (LAs) in England compared to a rank of 39 in 2007. On the specific indicator of income deprivation affecting children, 35 (out of 166) of Lewisham's super output areas are in the 10% most deprived in the country, and 85, (over half) are in the 20% most deprived in the country. It is estimated that 20,355 children (ages 0 – 18) live in poverty in Lewisham.

3.2 Generation Play Club and Ward profiles:

There are seven Generation Play Clubs in Lewisham. Four are in Area 1 (Friendly Gardens, Telegraph hill, Deptford Park and Silwood), two are in Area 3 (Grove Park and Forster Park) and one is in Area 4.

Generation Play Clubs have been providing a service in Lewisham since 1980. Prior to this, many of the sites had been one o'clock clubs. The service provides a universal service, all children aged 0-5 years accompanied by an adult carer are able to attend. The play clubs provide indoor and outdoor play, and a range of play and learning activities. The service is open Monday to Friday, including school holidays, from 9.30am – 3.30pm. All centres are staffed by senior play workers and play workers.

Age

The Generation Play Clubs provide a universal service for all children aged 0-5 years accompanied by an adult carer. The closure of the service will therefore have the greatest impact on provision to this group.

Disability

Data collected from users in 2011/12 shows the following number of contacts were with those identifying as having a disability:

	Children	Adults
Friendly Gardens	32	0
Telegraph Hill	16	0
Deptford Park	11	5
Silwood	1	4
Grove Park	2	0
Forster Park	74	0
Bellingham Green:	151	6

Pregnancy and Maternity

A number of new mothers use the Generation Play Clubs, with data collected between April 2011 and January 2012 showing that approximately 10% of users had children aged up to 12 months old.

Race

The Census data from 2001 indicates that the wards where Generation Play Clubs are based have some of the highest proportion of black and minority ethnic (BME) residents in the borough. The usage profile of the Generation Play Clubs was collected from users in 2011/12. Both data sets are provided in the table below:

GPC	Ward	Ethnic diversity of ward (size of BME population)	Ethnic diversity of GPC usage - children	Ethnic diversity of GPC usage - adults	Comparison
Friendly Gardens	Brockley	40%	41.66%	30.09%	Lewisham – 34% London – 28.9%
Telegraph Hill	Telegraph Hill	41.9%	29.32%	19.55%	
Deptford Park	Evelyn	54.8%	45.78%	46.49%	
Silwood	Evelyn	54.8%	15.13%	12.84%	
	New Cross	52.7%			
Grove Park	Grove Park	19.1%	50.17%	47.83%	
Forster Park	Whitefoot	26.5%	50.17%	47.83%	
Bellingham Green	Bellingham	31.7%	51.00%	47.61%	

The data suggests that BME users are underrepresented compared to ward level in Silwood, but are overrepresented in Telegraph Hill, Grove Park, Forster Park, and Bellingham Green. It is therefore possible that the closure of the service will impact more significantly on children and adult carers who are BME.

Sex

The majority of adult carers who attend the Generation Play Clubs are female, and so the impact of the proposal will be felt most by this group.

There is no anticipated impact relating to religion and belief, gender reassignment, or sexual orientation.

3.3 Staff data:

Workforce Profile Information				
Age:	20-30: 2	31-40: 2	41-50: 5	51+: 7
Disability:	1		Not known: 1	
Gender reassignment:	Not known: 16			
Pregnancy and maternity:	1 (maternity)			
Race:	BME: 5	White: 10	Other:	Not Known: 1
Religion or belief:	Not known: 16			
Sex:	Female: 16		Male: 0	
Sexual Orientation	Not known: 16			
Marriage and civil partnership:	Not known: 16			

n.b. Data is based on staff returns to HR. 'Not Known' means that no response has been provided.

All staff working in the service are female, and the closure of the service will therefore have a disproportionate impact on this group.

No other significant equalities impacts are anticipated in the proposal.

4: Consultation

Public consultation took place between the 19th November and 7th December 2012, staff consultation took place between the 19th November and 14th December 2012 using the following approaches:

- drop in sessions at each of the Generation Play Club sites;
- online consultation using UEngage;
- paper consultations distributed to each Generation Play Club;
- a series of additional meetings with organisations or parents/community groups interested in developing alternative uses for the sites; and
- a formal staff meeting.

4.1 Outcomes from public consultation

Themes identified in consultation responses are summarised below:

Value and Impact of the Generation Play Club Services	<p>There was a clear message from all responses to the consultation that users highly valued the Generation Play Clubs, the quality and range of services that are provided through them, and the positive impact this has on children and families.</p> <p>Many responses mentioned the importance of Generation Play Clubs for specific groups of parents: parents for whom English was not a first language; fathers; and parents of children with disabilities, particularly in relation to the value of the Sensory Room at Deptford Park and the accessibility of centres for those with disabilities.</p>
Community Cohesion	<p>The importance of the Generation Play Clubs in contributing to community cohesion was highlighted across all sites.</p>
Universal provision	<p>Several examples of early intervention were given during the consultation, including cases involving Special Educational Needs and Domestic Violence. Many responses felt that the universal provision was important in itself, and as a means to identify those with targeted needs.</p>
Local setting and alternative provision	<p>A recurring theme in responses was the concern about the alternative services provided by Children's Centres being too targeted or oversubscribed, meaning that demand might not be met. Many users responded that the Generation Play Club was the only place they could go, due to cost, transport and mobility issues, or due to the welcoming atmosphere. For users with children of different ages, the Generation Play Clubs also offered a provision for all children, whereas other provision is often age restricted. The opening hours and holiday provision offered by the Generation Play Clubs was highly valued and mentioned in most of the responses. Additionally, many responses mentioned the value of outdoor space and play areas, especially given the number of children who live in flats. Most users and responses identified the Generation Play Clubs as being in deprived areas, where the service was most needed.</p>
Usage and Data	<p>Through the consultation, both staff and the public raised concerns over the accuracy of usage data, and said that the Generation Play Clubs were used by more people, more regularly than the data sourced from sign in sheets.</p>
Consultation	<p>There were several comments about the consultation process and ways to respond. There were also questions about how the decision would be made. Many users wanted to be able to respond that they wanted the Generation Play Clubs to stay the same as they are now and continue to be run by the Council. This was also reflected in the petitions received by the Council.</p>

Options for alternative uses of the sites.

A majority of responses asked for the closure of the Generation Play Clubs to be reconsidered and for the money for savings to be found from elsewhere. Many responses showed an enthusiasm for exploring alternative options to closure and promoting use of the sites and assets.

4.2 Options for alternative uses of the sites

During the consultation, officers worked with organisations, groups of parents and individuals to develop proposals for alternative uses of the sites without council funding. Several viable expressions of interest were identified.

Staff Consultation

A formal consultation meeting with staff was held on 3rd December 2012, which a total of 20 people attended, including representation from Trade Unions.

The proposal will place the 16 staff employed by the Council in a redundancy situation. Staff who have been issued with notice of redundancy will be able to apply for re-deployment opportunities. There are re-deployment opportunities available, but it is recognised that the economic climate has had an impact on the number of positions available.

5: Impact Assessment

The Equalities Impact Assessment has been undertaken to ensure that in the case of implementation of the saving proposal to cease the Generation Play Club service, the Council has met its responsibilities under the Equality Act 2010, specifically:

- To eliminate unlawful discrimination, harassment and victimisation.
- To advance equality of opportunity between people from different groups.
- To foster good relations between people from different groups.

The assessment of the potential impact on the nine protected characteristics (age, disability, gender, ethnicity, sexual orientation, religion and belief, gender reassignment, pregnancy/maternity and marriage/civil partnership) has been based on an analysis of service information, including available data relating to service users, and equalities data collected during the consultation.

5.1 Impact on Service Users:

As the proposal is to end the Generation Play Club service, it is anticipated that proposals will yield a negative impact for the service user. However, many of the negative impacts that may arise from the closure of the service can be mitigated through other services and actions. The consultation has identified viable proposals for the alternative use of at least 6 of the centres, centred around activities for children and families. In addition, the Early Intervention Service, including Children’s Centres, will encourage and support the private, voluntary and independent sector to run their own activities.

Age:

The proposed will have the greatest impact upon children aged between 0 and 5 years. A range of alternative provision exists. Children’s Centres offer support and information to all families and particularly targeted support to families who need it. There is a range of provision similar to stay and play available across the borough from providers other than the Council. In addition there are existing parks and playgrounds, Children’s Centre services including Carer

and Toddler groups, Childminder Drop-Ins, Stay and Play sessions, Dad's Stay and Play, Play and Learn for under 5s, and many others. Existing universal services that will continue to be offered include signposting to other services, the universal 3 and 4 year old entitlement to the 15 hours free early education, as well as the universal health visiting service.

Disability:

Some responses to the public consultation in four of the Generation Play Club sites particularly highlighted the importance of the Generation Play Club service as a resource for children with disabilities, including the early identification of disability or Special Educational Needs. Data collected in 2011/12 doesn't show a high usage of contacts self-identifying as having a disability, although Bellingham shows a higher number of contacts.

Sex:

Women are the main user group of the Generation Play Club service, and the proposal is therefore likely to impact most on this group. It is also noted that the service is used by fathers, who may find it harder to access alternative services.

Ethnicity:

Many of the residents of the borough do not speak English as a first language and the consultation identified that the Generation Play Clubs were a useful service for these parents and carers. The Council will need to ensure that interpreting and translation services are available in order to communicate with these families/CYP to ensure that they get the support that they need.

The EAA has not identified any disproportionate effects relating to Sexual Orientation, Religion and Belief, Pregnancy and Maternity, or Gender reassignment.

5.2 Impact on Staff:

The proposal would see the service provision run directly by the Council ending, including the deletion of the 21 posts in the Generation Play Club service. This will directly affect 16 members of staff.

A delayed timetable has been proposed to Mayor and Cabinet, to allow for alternative uses of the sites to be developed and to maintain business continuity whilst this is achieved. If the proposal is taken, the closure of the Generation Play Clubs, and redundancies will take effect in March 2014.

Staff who have been issued with notice of redundancy will be able to apply for re-deployment opportunities. There are re-deployment opportunities available, but it is recognised that the economic climate has had an impact on the number of positions available.

All staff employed in the service are female, and there will therefore be a disproportionate effect on women if the proposal is taken.

6: Decision/ Result

Following an analysis of the available research and data it is recommended to continue with the proposal but with actions to mitigate negative impact on equality and diversity. These actions are given in the Equalities Action Plan below.

7: Equality Analysis Action Plan			
Issue identified	Discussion	Identified Actions	Lead and timescale
	<p>Age: The impact for children, as reported by those that responded, included better school readiness, mixing with children of different ages, inclusion, developing social skills and overcoming shyness. Several responses highlighted the negative impact that closing the Generation Play Clubs may have for families. If parents have fewer opportunities to learn parenting skills, this could lead to more difficulties as children grow up and the impact of losing the service could impact negatively on the health and wellbeing of families.</p> <p>Sex, Ethnicity, Disability: Women are the predominant users of the service, and the closure of Generation Play Clubs will therefore affect this group the most. Many responses mentioned the importance of Generation Play Clubs for specific groups of parents: parents for whom English was not a first language; fathers; and parents of children with disabilities, particularly in relation to the value of the Sensory Room at Deptford Park and the accessibility of centres for those with disabilities.</p>	<p>Given the amount of savings that need to be made by the Council, we are having to look at the way services are delivered, and acknowledge that service provision will not be the same in the future. Opportunities for parents to access support is also available through maternity services, health visitors and Children's Centres. Children's Centres provide services 48 weeks of the year. This includes signposting to other services and advice on the universal 3 and 4 year old entitlement to the 15 hours free early education, as well as the universal health visiting service.</p> <p>The Family Information Service is able to offer information and guidance to parents and carers on local facilities and alternative provision.</p> <p>Each Children's Centre also provides a range of activities and support to parents, including for fathers, families for whom English is a second language, and children with complex needs. Additionally, Children's Centres offer carer and toddler groups, and stay and play services and these will continue to be actively promoted. The proposal for the Deptford Park site includes plans to continue to provide sessions for children with additional needs including the sensory room. Children with Complex Needs and their families are able to access targeted services, such as Short Breaks. Details of our Short Breaks services are available on the Council website.</p>	<p>John Russell Ongoing</p>

7: Equality Analysis Action Plan			
Issue identified	Discussion	Identified Actions	Lead and timescale
Community Cohesion	<p>All groups: The importance of the Generation Play Clubs in contributing to community cohesion was highlighted across all sites. It was felt by some that crime and anti-social behaviour may increase if the sites were shut, and that the local environment and buildings would be at risk from decay and being vandalised.</p>	<p>The Council recognises the value of community cohesion, and a significant proportion of the consultation was directed to exploring and developing alternative uses of the site for the benefit of local communities. The Council is committed to supporting other organisations or groups of parents who wish to raise alternative funding to use the sites to prevent the buildings being unused. We want to work with any parents or organisations who would be interested in using the sites with alternative sources of funding. Individual meetings for those who are interested have been held, and these discussions are continuing.</p>	<p>John Russell October 2013</p>
Universal provision	<p>All groups: Several examples of early intervention were given during the consultation, including cases involving Special Educational Needs and Domestic Violence. Many responses felt that the universal provision was important to identify those with targeted needs.</p>	<p>We recognise that one way to target families is through mixed, universal provision. Children's Centres service providers are held to account by the Council on the outcomes for targeted families and the number of these their services reach, however, there is nothing to prevent them continuing to provide a universal service. Existing universal services that will continue to be offered include signposting to other services, and advice on the universal 3 and 4 year old entitlement to the 15 hours free early education, as well as the universal health visiting service.</p>	

7: Equality Analysis Action Plan			
Issue identified	Discussion	Identified Actions	Lead and timescale
Page 66 Local setting and alternative provision	<p>All groups: A recurring theme in responses was the concern about the alternative services provided by Children's Centres being too targeted or oversubscribed, which may mean that demand would not be met.</p> <p>For users with children of different ages, the Generation Play Clubs also offered a provision for all children, whereas other provision is often age restricted.</p> <p>The opening hours and holiday provision offered by the Generation Play Clubs was highly valued and mentioned in most of the responses. Most users and responses identified the Generation Play Clubs as being in deprived areas, where the service was most needed.</p>	<p>We acknowledge that children's centres do not offer the same provision as Generation Play Clubs. However, they are an alternative, and offer support to all families and particularly targeted support to families who need it. There is a range of provision available across the borough. In addition to existing parks and playgrounds, children's centre services include Carer and Toddler groups, Childminder Drop-Ins, Stay and Play sessions – including Dad's Stay and Play, Play and Learn for under 5s, and many others.</p> <p>Existing universal services that will continue to be offered include signposting to other services, and advice on the universal 3 and 4 year old entitlement to the 15 hours free early education, as well as the universal health visiting service.</p> <p>To ensure all services are accessible for all young people unless otherwise stated or if they have been commissioned for particular groups. Access to services should be clearly communicated</p>	John Russell Ongoing

Sign Off
Signed _____ Date _____

Appendix C: GENERATION PLAY CLUB data

Play Club	Opening hours	Attendance data at Generation Play Clubs between 1st Apr 2011 to 31st Mar 2012 ²		Generation Play Club costs 11/12 (staff, building, & maintenance)	Potential Sessional Charges Total costs ÷ 6 or more contacts in year
		Based on signing in sheets at each Generation Play Club	% adults attending 5 times or less		
All Generation Play Clubs	Various.	3486 adults (25,520 contacts) 3930 children (30,769 contacts)	68.34	£495,654 ³	£33.88
Friendly Gardens	Mon-Fri: 9.30-3.30pm	313 adults (2138 contacts) 438 children (2102 contacts)	73.2	£71,734	£42.75
Telegraph Hill	Mon-Fri: 9.30-3.30pm	785 adults (4785 contacts) 906 children (6410 contacts)	75.1	£61,566	£16.95
Deptford Park	Mon-Fri: 9.30-3.30pm (Tues am: SEN group only)	312 adults (1680 contacts) 352 children (2102 contacts)	76	£67,804	£55.44
Silwood	Mon-Fri: 9.30-3.30pm	272 adults (2856 contacts) 353 children (3639 contacts)	66.9	£66,935	£27.09
Grove Park	Mon-Fri: 10am-3.00pm	325 adults (2280 contacts) 355 children (2703 contacts)	63.3	£79,546	£42.63
Forster Park	Mon-Fri: 9.30-3.00pm	260 adults (2009 contacts) 269 children (2237 contacts)	68.8	£65,142	£41.02
Bellingham Green	Mon-Fri: 9.30-4.00pm Sat: 10.00-3.00pm	1219 adults (9772 contacts) 1257 children (11,576 contacts)	55.1	£82,927	£11.31

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² The number of adults/children given is the number of individuals who attended in the year, the number of contacts given is that number multiplied by the number of times they attended (April 2011-March 2012).

³ These figures are based on the costs for the Generation Play Clubs, with no staff vacancies, for the 2011/12 financial year. The allocation from the Early Intervention Grant in £554,000 per annum.

Agenda Item 8

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

Date of Meeting	11 th September 2013
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Title of Report	Implementing the Armed Forces Community Covenant for Lewisham
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Originator of Report	Robyn Fairman	46635
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: *Daniel Goo* Executive Member

Date: 2nd September 2013

Signed: ~~_____~~ Director/Head of Service

Date 2/9/13

Control Record by Committee Support

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

MAYOR & CABINET			
Report Title	Implementing the Armed Forces Community Covenant for Lewisham		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Resources & Regeneration Head of Law Executive Director for Community Service Executive Director for Children & Young People		
Class	Part 1	Date:	11 September 2013

1. Summary

- 1.1 This report outlines the steps being taken to implement the commitments made in the Armed Forces Community Commitment and seeks the Mayor's endorsement for this work.

2. Recommendations

- 2.1 The Mayor is asked to
- note the work already being done to live up to the commitments made in the Armed Forces Community Covenant
 - agree the creation of single officer contact for all members of the armed forces community
 - agree the appointment of Cllr Damian Egan as an Armed Forces Member Champion to complement the work of the Council's representative for Reserve Forces and Cadets Associations
 - agree that additional mental health support for veterans be commissioned through the Improving Access to Psychological Therapies (IAPT) service
 - agree that the council obtain an agreement to provide concessionary sport and leisure access for ex-service personnel.
 - agree that the extra support in the previous two recommendations be made available to former service personnel who are Lewisham residents and have returned from service in the last five years

3. Policy Context

- 3.1 The measures in this report aim to meet the aspirations outlined in the Armed Forces Community Covenant for Lewisham agreed by Council on November 28 2012 and signed by the Mayor on 12 March 2012.

3.2 Providing support to the borough's armed servicemen and women and their families links to the Corporate Priority of **Community Leadership**, and the Sustainable Community Strategy priority of **Ambitious and Achieving**.

4. Background

4.1 In 2011 the Prime Minister announced the creation of Community Covenants. The aim of the covenant is to encourage the local community to support its local armed forces in a tangible way. It is intended to promote an understanding of service life and to integrate the armed forces into the local community.

4.2 Lewisham has an excellent track record of supporting its local armed forces. In 2000 it adopted all the local cadet units, and in 2007 Lewisham staged a welcome home reception for Lewisham service personnel returning from Iraq.

4.3 Since the creation of Armed Forces Day Lewisham has arranged an annual service at the Allerford Road Memorial Garden in Bellingham to recognise its veterans from all conflicts.

4.4 Last year the Council formally adopted 1475 Squadron ATC to cement the relationship that has existed for over seventy years with the squadron and to honour them after they were judged as the best ATC unit in the whole of the UK. Each November Lewisham stages two Remembrance Sunday Services in the borough attended jointly by around 1,500 people.

4.5 In November 2012 Council agreed to sign up to a covenant with partners to demonstrate its ongoing commitment and appreciation for our local armed forces. The covenant document formed a statement of this borough's mutual support between our civilian and armed forces communities. It was formally signed in March 2013.

4.6 At the signing of the Military covenant, the Council committed to the following ambitions:

- Facilitate the placement of children of service personnel at Lewisham's schools and colleges.
- Provide support care for returning servicemen and women, including mental health.
- Set out to the armed forces how to access housing services in the borough.
- Forge closer links with our key partners and the wider community in the borough and the armed forces.
- Help the transition from serving to becoming a 'veteran' and recognise and remember the sacrifices made by the armed forces community.
- Assist ex-service personnel with retraining, education and employment opportunities enabling their full integration into Lewisham's community.

5 Eligibility and Identification

Who is the Covenant for?

- 5.1 The Armed Forces Community Covenant expresses a mutual moral obligation between the local community, the Local Authority and the Armed Forces, and in particular encourages support for the members of the Armed Services Community working and residing in Lewisham. It specifies that “this includes Pre-Service, Serving and ex-Service personnel, their families and widow(er)s.”
- 5.2 The commitment enshrined in the Covenant to offer support to the local Armed Forces community and make it easier for service personnel, families and veterans to access the help and support available to them should apply as broadly as possible in the work of the Council.
- 5.3 However, in some areas resource implications make it necessary to focus support on a smaller group of veterans, recognising recent service and helping those who have recently returned to civilian life to rejoin the community and receive the support they need. In these cases the priority will be given to former service personnel who are Lewisham residents and have returned from service in the last five years. Newly returning service men or women will be eligible for similar support from five years from the date of their return.

Identification

- 5.4 At present there are no formal arrangements for the services to inform the council that ex-service personnel are coming back to reside in the borough, nor any precise numbers of ex-service personnel currently living in Lewisham.
- 5.5 Cllr Pauline Morrison, Lewisham’s representative for Reserve Forces and Cadet Associations, has formally requested that local reserve forces notify the council whenever one of their members returns from active service.
- 5.6 Given there are no military bases in the borough or close by it seems reasonable to estimate the numbers falling into this category will be very low, and for the purposes of this paper are estimated as up to ten per year. This estimate, however, will be closely monitored.

6. Implementing the Covenant

- 6.1 Promoting the council’s offer to ex-service personnel and identifying them when they seek to access our services is essential. Customer Services have nominated the Head of Benefits to be the main point of contact for ex-service personnel. The Lewisham website will also have a dedicated information page for service personnel.
- 6.2 The Council’s communications team will promote the offer to veterans and how ex-service people can contact the council. Additionally, council services will provide guidance to all front line officers about the enhanced offer available.
- 6.3 At member level, Cllr Damian Egan will be the council’s Armed Forces Champion. Cllr Pauline Morrison will retain her role as the member representative for Reserve Forces and Cadets Associations.

A Forces Friendly Employer

- 6.4 The Council prides itself on being a forces friendly employer and positively supports staff who are reservists. Our offer to reservist employees includes:
- 10 days additional paid leave each year to attend military training
 - a flexible working policy to assist with military commitments
 - management support in preparation for, during and after mobilisation
 - access to an Occupational Health service
 - eligibility for sickness absence pay in line with terms and conditions
 - eligibility for maternity, paternity and adoption leave in line with terms and conditions
- 6.5 Expanded corporate Volunteer Reserve Forces guidance is to be issued for across the organisation which will detail all the above policies, ensure that recognition will be given to training and experience relevant to employment and encourage reservists to keep in contact at a social level with friends and colleagues from their workplace during periods of mobilisation.
- 6.6 Lewisham Council recognises the transferable skills that job applicants with an Armed Forces background can bring to help us continue to successfully deliver Council services. Any applicant who has left the services within the last five years will be automatically shortlisted where they match the person specifications for vacancies.

Re-integration into the Community

- 6.7 The Council will work with the South London District Armed Services Lead at Jobcentre Plus to reintegrate ex service personnel back into the community by:-
- Promoting events and facilitating access to British Forces resettlement services
 - Promoting Armed Forces Independent Payments and supporting eligible ex service personnel to apply for these payments
 - Promoting events coordinated by the Career Transition Partnership, including employment fairs with a range of job opportunities from multi national co-operations
 - Working with the British Legion to establish mutual referral protocols to services provided by partner organisations. This will also include identifying individuals and undertaking diagnostic interviews so that ex service personnel who need additional support can be identified
 - Acting as a point of contact between key voluntary and community service organisations and ex service personnel

Housing

- 6.8 Lewisham introduced a new Allocation Policy on 29th October 2012 which incorporated The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, giving additional preference priority for housing.
- 6.9 Ex-armed forces can therefore apply for Council housing if they meet the following criteria:-

- those who are serving or have served in the regular armed forces within the period of 5 years preceding their application
- or a person has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where the spouse or civil partner has served in the regular forces; and their death was attributable (wholly or partly) to that service
- or is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service

6.10 When a single ex-armed forces personnel approach Lewisham for housing they are referred to SHIP (Single Homeless Intervention & Prevention). They are:

- assessed to ensure they meet one of the above criteria
- if accepted they would attract band 3 (priority housing)
- if assessed as having as high priority e.g. high medical this would attract a band 2 (high priority)
- if a case is assessed as band 2 a case can be put forward to the Lettings & Support Services Manager to grant additional priority and as a consequence moved up into Band 1.
- Eligible for one offer only

6.11 When ex-armed forces personnel and family approach Lewisham they are assessed by the Applications Team. They are:

- assessed to ensure they meet one of the above criteria
- if accepted they would attract band 3 (priority housing)
- if assessed as having as high priority e.g. high medical this would attract a band 2 (high priority)
- if a case is assessed as band 2 a case can be put forward to the Lettings & Support Services Manager to grant additional priority and as a consequence moved up into Band 1.
- Eligible for one offer only

6.12 Lewisham has a 'local connection' criteria of having to live within the borough for 2 years. Ex-armed forces personnel (who meet the above criteria) are not subject to this criteria.

Health and Well-being

6.13 All ex-service personnel will be offered information, guidance and sign-posting into statutory services via their named contact at the council.

6.14 Additionally for those who have returned from service in the last five years the Council will:

- commission additional places through the IAPT Service, providing specialist short term support for lower level mental health issues such as anxiety and depression.
- obtain an agreement with our leisure contractors to offer concessionary access to sports and leisure.

School Admissions

- 6.15 All applications for school places for the children of full-time service personnel are prioritised under the 'exceptional medical or social' criterion under Lewisham's school admissions policy.
- 6.16 If the child is in Key Stage 1, where infant class size legislation applies, the child can be placed as an 'exception' as detailed in the School Admissions Code.

Promoting the Armed Forces to young people and the community

- 6.17 The Youth Service will promote the Cadets through our Youth Service Offer, as will the Young Mayor's office and the Council communications team. We will also work with existing volunteer organisations in Lewisham to promote and strengthen local cadet organisations.
- 6.18 One of the Youth Task Force proposals recently approved was the establishment of a Schools Employability Programme, bringing employers into schools to allow young people the opportunity to explore diverse career options. The council will work with schools to ensure that the armed forces have the opportunity to show what they have to offer as a career option.
- 6.19 The council will, through its communications team and other departments like the Young Mayor's Office, promote events like Armed Forces Day, Personal Development Days, and other events for Lewisham residents led locally by 106 Regiment.

7. Evaluation

- 7.1 The Council will evaluate its progress against the aims of the Covenant every twelve months, incorporating feedback from the local armed services, measuring the success of these core objectives in our support for the armed forces and assessing the impact the covenant is having amongst the community.

8. Financial implications

- 8.1 The Armed Forces Community Covenant is designed to ensure that the needs of the Armed Forces community are considered by the whole council. Therefore the majority of measures outlined in this report will be absorbed as part of the council's core business. It is impossible accurately to predict the numbers of ex-service personnel who make seek help from the council and in some cases such help will not have a direct financial cost, for example in terms of the changes already made to the housing allocations system. However, direct costs that are incurred will initially be met from corporate reserves.

9. Legal Implications

- 9.1 Under S1 of the Localism Act 2011 the Council has a general power of competence to do anything which an individual may do unless it is expressly prohibited.
- 9.2 The specific powers in relation to the allocation of Council housing to ex-armed forces personnel are set out in the body of the Report at paragraph 6.7.
- 9.3 The School Admissions Code issued under Section 84 of the School Standards and Framework Act 1998 requires local authorities to allocate a place to children of UK armed service personnel with a confirmed posting to their area, or returning from overseas to live in that area. They must allocate a place in advance of the family arriving in the area. Local authorities must also ensure that arrangements in their area are committed to removing disadvantage for children of service personnel.
- 9.4 Under the National Health Service Act 2006 the Council is able to commission mental health services from Health providers and the Council has entered into arrangements relating to this provision with the Maudsley Foundation Trust under this Act.
- 9.5 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.
- 9.6 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 9.7 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.
- 9.8 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/>

9.9 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

9.10 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/>

10. Crime and Disorder Implications

10.1 There are no crime and disorder implications relevant to this report.

11. Equalities Implications

11.1 The Covenant is in place to ensure that in service personnel, veterans and their families do not face disadvantage compared to other citizens in the provision of services that civilian communities have access to.

12. Environmental Implications

12.1 There are no environmental implications relevant to this report.

Background Documents

- Community Covenant (Council Report, November 2012)

If there are any queries on this report please contact Robyn Fairman on 020 8314 6635.

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

Date of Meeting	11 September 2013
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Title of Report	Community Assets Changes
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Originator of Report	Petra Marshall		47034
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed  Executive Member
Date

Signed  Executive Director
Date

Control Record by Committee Support

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

MAYOR AND CABINET			
Report Title	Community Assets Changes		
Key Decision	Yes	Item No.	
Ward	Bellingham, Brockley, Sydenham, Lewisham Central, Telegraph Hill, Evelyn, Forest Hill		
Contributors	Executive Director for Community Services, Head of Law		
Class	Part 1	Date:	11 September 2013

1. Summary

- 1.1 The key challenge facing the Council with regard to asset management is rationalisation to ensure a fit for purpose stock of buildings to meet future service delivery requirements and to reduce resources. This report proposes the closure of six community assets, which are under-used and deemed surplus to requirements.

2. Recommendations

- 2.1 It is recommended that the Mayor:

- Agree the closure of the following six community assets:
 - Bellingham North Community Centre, from 1 March 2014
 - Sydenham Hill Community Hall, from 1 November 2013
 - Hillcrest clubroom, from 1 October 2013
 - Slaithwaite community flat, from 1 October 2013
 - Sector J club room, from 1 October 2013
 - Trinity Tenants Hall, already closed

- Note the following change in use of a community asset:
 - 82 Tanner's Hill

3. Policy Context

- 3.1 The Strategic Asset Management Plan 2011-14 outlines how the Council's asset base is used to provide citizens with access to high quality local services as set out in the Sustainable Community Strategy.
- 3.2 Lewisham has a strong history of working with the third sector and empowering residents and communities. The Sustainable Community Strategy sets out the Lewisham Strategic Partnership's commitment to creating a borough that is:
- Empowered and Responsible: where people are actively involved in their local area and contribute to supportive communities

This is also reflected in Lewisham's corporate priority:

- Community leadership and empowerment: developing opportunities for the active participation and engagement of people in the life of the community.

3.3 Lewisham is fortunate to have a strong and thriving third sector which ranges from very small organisations with no paid staff through to local branches of national charities. The third sector includes charities, not for profit companies limited by guarantee, faith organisations, civic amenity societies as well as social enterprises. A number of these organisations use the council's assets to help deliver their services.

4. Background

4.1 The Council's asset management programme is working towards delivering the following key benefits:

- council assets are better aligned to current and future service needs
- more efficient and environmentally sustainable buildings within the corporate estate
- reduction in maintenance backlog and increased proportion of buildings in good condition
- savings in running buildings in the corporate estate

4.2 The key challenges facing the Council with regard to asset management is the process of rationalisation. This has become critical in light of reduced public spending and a need to ensure that the Council's assets are fit for purpose to meet future service delivery requirements.

4.3 The Council's annual revenue spend on its operational corporate estate of circa 125 buildings is approximately £9m. Recent condition surveys and an ongoing review of data held on buildings in the corporate estate suggest that many of the buildings are in poor condition with high planned preventative maintenance (PPM) and response repairs. The survey shows that a significant number of buildings are non-Disability Discrimination Act (DDA) compliant requiring significant investment to make them compliant.

4.4 The first phase of the asset rationalisation programme was set out in the Mayor & Cabinet 22 February 2012 report, and outlined the need for the Council to take a critical look at its assets. This report committed to making £1m savings from the corporate estate between 2012-14. The report also committed to a second phase of rationalisation, details of which are being developed currently.

4.5 There are 40 available council owned community premises in the borough, the majority of which are small estate based centres. In addition there are a number of community facilities within shared use buildings i.e. Downham Health & Leisure Centre, Deptford Lounge and Leemore Community Hub. There are also a large number of community facilities that are not owned or managed by the Council e.g. social clubs and church halls that add to the picture of community facility provision in the borough.

- 4.6 Nearly half of the Council owned community premises were found to be red (“buildings surplus to service requirements or in poor condition thus recommended for disposal”) in a building review undertaken in 2010, with an estimated total 5-year condition costs of £6.6m. This high condition cost demonstrates that serious consideration needs to be given to the rationalisation of these premises, but that need has to be balanced with service delivery need. The current average annual expenditure on the community centre portfolio is approximately £679k.
- 4.7 Mayor & Cabinet in February 2012 agreed the closure and disposal of Parker House; and the closure and disposal of a further two empty premises: 28 Deptford High Street and 106 Wells Park Road. The six community assets set out in this report form a second stage of rationalisation of the community assets portfolio.

5. Community Asset Changes

- 5.1 **Bellingham North Community Centre**, 15 Bellingham Green, SE6 3HB. This centre is directly managed by the Council, but is not a council owned asset. It is leased from the United Reform Church. The 10 year lease came to an end in June 2013 and the Council is currently holding over. The building is considered surplus to requirements as it is under utilised and there are better community resources located close by. There is currently one occupant of the building – African Family Project (AFP) – as well as ad hoc private bookings. Notice will be given to the landlord to relinquish the lease, with a closure date of 1 March 2014. The Council would have no further involvement in the building thereafter. Support will be given to AFP to suggest alternative premises that they may be able to re-locate to, including our own directly managed buildings and those operated by others (e.g. Bellingham Leisure & Lifestyle Centre).
- 5.2 **Sydenham Hill Community Hall**, adjacent to Eddisbury House, SE26 6TT. This hall is relatively under-used and in close proximity to The New Generation (TNG), a brand new £3.5m youth centre in Wells Park Road. The hall is owned and directly managed by the Council. Current occupants are Happy Days Nursery, Lewisham & Kent Islamic Supplementary School, and Sydenham Seventh Day Adventist Church as well as ad hoc private bookings. It is proposed that the hall is closed from 1 November 2013, whilst the Council considers options for its future use. This will include discussions with the relevant housing providers about the need and demand for community facilities in this area going forward, and potential asset transfer. Advice will be given to the current occupants about alternative venues they may be able to use; and adequate notice given.
- 5.3 **Hillcrest club room**, 80 High Level Drive, SE26 6XP. Like Sydenham Hill this club room is deemed as surplus to requirements. It is very under-used and is also very close to TNG. It is owned and directly managed by the Council. There is one occupant left in the building – Christ Chapel - and notice has been given to vacate by the end of August. It is proposed that the club room is closed from 1 October, whilst the Council considers options for its future use. This will include discussions with the relevant housing providers about the need and demand for community facilities in this area going forward, and potential asset transfer.

- 5.4 **Slaithwaite community flat**, 98 Slaithwaite Road, SE13 6DB. This community flat is owned and directly managed by the Council. It is largely under-used, and very close to Leemore Community Hub which offers larger and better quality facilities. There is one occupant left in the building – Lewisham Church of Christ – and notice has been given to vacate by the end of August. It is proposed that the community flat is closed from 1 October, whilst the council considers options for its future use. This will include discussions with the relevant housing providers about asset transfer in the first instance.
- 5.5 **Sector J club room**, 29 Gately House, Coston Walk, SE4 2JF. This club room is owned by the Council but managed by a premises management organisation, Forman House Management Group. This group is closing and relinquishing the building. The club room is under-used and close to the much larger Honor Oak Centre which also has capacity. There are a couple of users of the club room, Foreman House PMC bingo session which has been investigating options to move to the Honor Oak Centre; and one church – Redeemed Christian Church of God. The management group has given notice to this user group. The club room will be closed from 1 October, at which point the Council will consider options for its future use. This will include discussions with the relevant housing providers about asset transfer in the first instance.
- 5.6 **Trinity Tenants Hall**, Evelyn Street, SE8 3LS. This building closed in spring 2011 following limited use for some years prior to this. This was due to inactivity of the Trinity Tenants & Residents Association premises management committee. The building had also fallen into disrepair. It is proposed that the hall remains closed whilst the Council considers options for its future use. This will include discussions with the relevant housing providers about the need and demand for community facilities in this area going forward, and potential asset transfer.
- 5.7 **82 Tanners Hill**, SE8 4PN. 82 Tanners Hill is a shopfront unit within the Tanner's Hill estate. The recent occupants, Capture Arts, vacated the property on 5 July 2013. Lewisham Homes, supporting the Tanner's Hill Tenants & Residents Association (TRA), want to develop the unit into a community hub and are investing funds into refurbishing the interior alongside Brockley Assembly funding awarded to the TRA. Lewisham Homes will take the property on, either on a tenancy at will or lease, in the short term with a view to transferring the asset at a later stage. The building will not close and is included in this report for information only.

6. Financial Implications

- 6.1 The income for each of the community assets proposed for closure is set out below, based on 2013-14 figures:

	Income 2013/14
Bellingham North Community Centre	£2,793.00
Sydenham Hill	£21,021.84
Hillcrest clubroom	£3,096.00
Slaithwaite community flat	£2,004.60
Sector J club room	£0*
Trinity Tenants Hall	£0**
Total	£28,915.44

* Income from this building was collected by the PMC

** No bookings have been taken on this building since 2011

6.2 The expenditure for each of these community centres, based on 2012-13 figures is as follows:

	Bellingham North Community Centre	Sydenham Hill Community Hall	Hillcrest Clubroom	Slaithwaite Community Flat	Sector J Clubroom	Trinity Hall
Repairs & maintenance General	1,067.67	122.62	98.29	209.76	841.28	
Repairs & maintenance Contract	250.00	291.20	3,227.71			
Planned preventative maintenance	6,189.63	2,528.32	2,555.32	634.99	6,538.35	1,975.64
Security						4,814.92
Health & Safety Works	946.45	662.82	662.82	166.48	1,714.09	517.93
Electric	2,751.99	1,896.23	2,990.09	1,422.22	41.61	37.88
Gas	5,551.51	4,205.20	1,873.15		37.43	
Rent	17,500.00					
Service Charge						
Rates			877.50			
Metered Water			936.14		226.41	202.76
Refuse (Recharge)	1,489.49	744.74	804.23			
Alarm lines						
TOTAL	35,746.74	10,451.13	14,025.25	2,433.45	9,399.17	7,549.13

6.3 The total expenditure costs in the table above are £79,604.87. On closure of these buildings, corporate asset service have advised that the only ongoing cost will be the rates. This means that the net expenditure saving is approx £79k p.a.

6.4 In addition to this expenditure the Community Resources service have a small minor repairs budget and the costs associated with the running of these centres – administrative functions undertaken by the Grants & Information Team; and day to day running of the centres by the caretakers. The closure of these buildings will reduce the number of buildings looked after by the caretakers. This, alongside the closure of Parker House, will enable the delivery of savings already agreed within the community premises budget, including the deletion of a vacant post.

6.5 Taking the total income for these buildings as £29k and the expenditure as £79k; there will be an overall saving to the council, per annum, of £50k. In addition, there will be further savings to the community premises budget as outlined in 6.4 above.

6.6 Based on the current budget structure the Community Services budget will have a budget pressure of £29k while Resources & Regen budgets will show a saving of £79k. However budgets will be adjusted between Directorates so that the impact is cost neutral for Community Services with Resources & Regen showing the net saving.

7. Legal implications

7.1 The Localism Act includes a 'general power of competence'. This gives local authorities the legal capacity to do anything an individual can do that is not specifically prohibited.

7.2 Section 3(1) of the Local Government Act (1999) (LGA 1999) places a duty upon the Local Authority to make arrangements to secure continuous improvement in all of its services, having regard to a combination of their economy, efficiency and effectiveness.

7.3 The Localism Act 2011 includes provisions that may impact on asset management, in particular, the Community Empowerment provisions relating to the Community Right to Challenge and Assets of Community Value.

7.4 The Right to Challenge enable voluntary and community bodies, charities, parish councils or public sector employees delivering the service, to express an interest in running a local authority service. Where it accepts an expression of interest, the local authority must carry out a procurement exercise for the running of that service. This exercise will inevitably need to include arrangements in respect of any assets from which the service is delivered or which are otherwise required in connection with the service.

7.5 The Assets of Community Value provisions provide an opportunity for local community groups to bid to buy buildings or land which are listed by the local authority as "assets of community value". The impact of these provisions is that there can be no "relevant disposal" of a building which has been listed until the process set out in the Act has been followed. The landowner is required to notify the Council of the proposed disposal which the Council is then required to publicise. There is then an interim moratorium period of 6 weeks whilst local community groups decide whether or not they wish to prepare a bid. If any group notifies the Council that it does wish to be treated as a potential bidder, there is then a full moratorium period of 6 months (during which no disposal can take place) to enable a bid to be prepared. Following the expiry of the full moratorium period, there is no obligation on the landowner to actually dispose of the asset to a group which has submitted a bid. The landowner will simply consider it alongside any other bids received. If a disposal (to any person) does not take place within the protected period of 18 months from the date the landowner first notified the Council of the proposed disposal, the process has to be commenced again before any disposal can take place. These provisions apply to the Council's assets, as well as those of private landowners and clearly they may impact on any proposals to dispose of relevant assets which come out of the Asset Rationalisation Plan, should the Council receive an application for listing of any property as an asset of community value.

- 7.6 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.
- 7.7 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.8 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.
- 7.9 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/>
- 7.10 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
- 7.11 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/>

8. Crime and Disorder Implications

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

9. Equalities Implications

9.1 The implementation of the proposed closure of six community assets as set out above has given rise to the need to consider the equalities implications on service users.

9.2 The following paragraphs outline the potential impacts of the proposed closure of these buildings on the protected characteristics of Lewisham residents.

9.2.1 **Age.** The proposed closure of Bellingham North Community Centre and Sydenham Hill is likely to have a disproportionate impact on young people. This is because some of the regular user groups provide services for young people and children; Happy Days nursery and Lewisham & Kent Islamic Supplementary School at Sydenham Hill; and African Family Project at Bellingham North Community Centre.

9.2.2 **Disability.** The proposed closures are unlikely to have any adverse impacts.

9.2.3 **Gender.** The proposed closure of Bellingham North is likely to have a disproportionate impact on women as the majority of users of the African Family Project are women.

9.2.4 **Gender reassignment.** The proposed closures are unlikely to have any adverse impacts.

9.2.5 **Marriage & civil partnership.** The proposed closures are unlikely to have any adverse impacts.

9.2.6 **Pregnancy & maternity.** The proposed closures are unlikely to have any adverse impacts.

9.2.7 **Race.** The proposed closure of all the buildings is likely to have a disproportionate impact on race. A number of the regular user groups provide services to particular communities; for example the Lewisham & Kent Islamic Supplementary School at Sydenham Hill. In addition there are a number of churches who use these buildings, who have predominantly black congregations.

9.2.8 **Religion & belief.** The proposed closure of Sydenham Hill, Hillcrest, Slaithwaite and Sector J is likely to have a disproportionate impact on religion and belief. Church groups use space at each of these buildings on a regular basis.

9.2.9 **Sexual orientation.** The proposed closures are unlikely to have any adverse impacts.

9.3 In proposing the closure of these buildings officers are confident that there is potential space for these affected groups in alternative premises either in the vicinity or within the borough. Reasonable support and assistance is and will be provided to all groups to aid their transition before closure.

10. Environmental Implications

10.1 There are no environmental implications arising from this report.

11. Conclusion

11.1 The Council's assets play an important role in supporting the community to access services. Rationalisation of community assets is necessary to achieve savings and ensure a fit for use stock of buildings that meets need over the coming years.

Background Documents

None

If there are any queries on this report please contact Petra Marshall, Community Resources Manager, 020 8314 7034.

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


Date of Meeting	11 th September 2013
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Title of Report	Deptford Southern Housing Sites project – section 105 housing consultation outcome.
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Originator of Report	Eleanor Hoyle		49462
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  _____ Executive Member

Date: 2nd September 2013

Signed:  _____ Director/Head of Service

Date 3/9/13

Control Record by Committee Support

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

MAYOR AND CABINET			
Report Title	Deptford Southern Housing Sites project – section 105 housing consultation outcome		
Key Decision	Yes	Item No.	
Ward	New Cross/Evelyn		
Contributors	Executive Director for Resources & Regeneration, Head of Law		
Class	Part 1	Date:	11 September 2013

1. Summary

- 1.1 A statutory consultation under Section 105 of the Housing Act 1985 has been carried out with secure tenants directly affected by the Deptford Southern Housing sites project. The process for that consultation and the results from it are detailed in this report. The report also details the Equalities Analysis Assessment that has been carried out for the scheme.

2. Purpose

- 2.1 The purpose of this report is to inform the Mayor and Cabinet of the Section 105 consultation that has been carried out with secure tenants in blocks directly affected by the current proposals for the Deptford Southern Housing Sites projects, the results of that consultation process and the Equalities Analysis Assessment that has been carried out for the project.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 Note and consider the comments made by secure tenants in response to the statutory consultation undertaken in accordance with Section 105 of the Housing Act 1985;
- 3.2 Note comments made by leaseholders and other local residents regarding the proposed redevelopment of the Deptford Southern Housing sites.
- 3.3 Note the responses provided by the project team and the proposals for on-going consultation activity
- 3.4 Note and consider the Equalities Analysis Assessment that has been completed for the project.

- 3.5 Having noted recommendations 3.1 to 3.4 agree to proceed with the Deptford Southern Housing project as detailed in the report of 1 May 2013.

4. Policy Context

- 4.1 Lewisham's Regeneration Strategy 'People, Prosperity and Place; 2008-2020' notes that Deptford is an identified 'Area for Regeneration' in the London Plan and that the town centre is a development opportunity site in the north of the borough. The Strategy also identifies housing as a key element of the town centre regeneration programme and suggests that a range of high quality housing, including affordable homes, should be delivered as part of the regeneration of the town centre.
- 4.2 The project meets several of the key principles of the Council's Housing Strategy 2009-2014;
- Increasing housing supply
 - Widening housing choice and manage demand
 - Developing a quality private rented sector
 - Expanding the housing offer
 - Greening homes and neighbourhoods
- 4.3 The Sustainable Communities Strategy highlights the significant development potential in Deptford as a key opportunity for the borough. The project also meets the aims of the 'Clean, Green and Liveable' objective within the strategy, which includes an aspiration to increase the supply and quality of housing to accommodate the diverse needs of the borough's population.
- 4.4 In the Asset Management Plan 2011-2014, the Old Tidemill school buildings and surrounding land are identified as a key site for potential housing delivery.

5. Background

- 5.1 In May 2006 Council Officers commenced initial design and feasibility work with PTEa Architects with respect to the Council's intent and aspirations in the regeneration area. A final report was published in March 2007 jointly by Lewisham Council and PTE architects called "Tidemill School, The Lewisham Lounge and Giffin Street Regeneration Area"
- 5.2 In the summer of 2007 Council Officers prepared a Business Case following on from the report referred to in paragraph 5.1 above to demonstrate the commercial and financial viability of the proposed regeneration programme and identifying the commercial approach to its development. A key element of the Business Case was the delivery of a baseline housing scheme of 251 new homes of mixed tenure and split (by habitable room) approximately 65% private and 35% social and affordable. This was phase 4 of a 6 phase scheme, the first 3 phases of which (Wavelengths extension, Frankham Street parking boulevard and Deptford Lounge/Tidemill development) have now

been completed. The report also referred to the other projects on going in Deptford town centre, including the delivery of a new station in partnership with Network Rail. The Business Case assumption that the earlier phases of the programme could be funded by the Council on the basis of projected receipts from future housing projects within the programme has underpinned the approach to programme development and to the scope of the Southern Housing Sites project.

- 5.3 Following consultation with residents and stakeholders, officers agreed to review plans and investigate if the existing housing blocks at Reginald Road and Giffin Street could be brought into the scope of the regeneration programme. This work commenced in summer 2008 but was mainly suspended until summer 2011 due to;
- the recession and the associated problems with the private sector housing market
 - the changes announced to the national funding regime for new affordable homes
 - the need to prioritise other elements of the Deptford regeneration programme already in delivery
- 5.4 From summer 2011, officers worked with PTE architects to revise the 2007 feasibility report and produce a revised design proposal for the southern housing sites that included the demolition and replacement of the existing Giffin Street and Reginald Road blocks as part of the proposals. This scheme was reported to Mayor & Cabinet on 11th April 2012 and agreed as the design position for the scheme, replacing the baseline scheme, subject to consideration of the response to the statutory consultation with secure tenants on the revised design proposal under Section 105 of the Housing Act 1985 and the Equalities Analysis Assessment (EAA) which officers were instructed to carry out in relation to the enhanced scheme.
- 5.5 The response to the consultation was reported back to and considered by Mayor & Cabinet on 11th July 2012. At that time, Mayor & Cabinet noted that the EAA was still in the process of being completed and would be reported back to M&C for consideration in due course.
- 5.7 The new Tidemill school and Deptford Lounge building was completed in January 2011 and the new Deptford station, which has been progressed alongside the Council-led regeneration programme, was completed in early 2013. The lease of Block R to L&Q was completed on 1 June 2012. The Council took a lease back of the artists studios and gallery on the ground floor and these are now occupied by Temporary Contemporary Studios.
- 5.8 A housing needs assessment exercise was carried out with residents in both the Giffin Street and Reginald Road blocks in June 2012. This showed that there are various re-housing need issues including overcrowding and accessible homes requirements. This exercise will need to be repeated with the directly affected tenants under any scheme option, at an appropriate point during the procurement and development process, depending on when the

decant of those blocks is proposed in scheme phasing proposals. These will be discussed and agreed with the preferred developer as part of the procurement process.

- 5.9 On 1 May 2013 a report was agreed by Mayor & Cabinet that altered the scheme proposals to a hybrid option of previous schemes, which included the demolition of 2-30A Reginald Road and left the Giffin Street blocks in situ. The report also agreed to a revised timetable for the procurement of a development partner via a competitive dialogue process.
- 5.10 Agreement to this revised scheme was on the basis that the results of a further Section 105 consultation and an Equalities Analysis Assessment would be reported back to the Mayor & Cabinet prior to commencement of the dialogue stage of the procurement exercise.

6. Section 105 Consultation process – Summer 2013

- 6.1 On 29 May 2013, a letter was sent to all secure tenants in Reginald Road and Giffin Street informing them of the revised scheme proposals and inviting their comments as part of the statutory Section 105 consultation. The letter, which detailed the proposals, provided a masterplan image of the scheme and gave information on the Lewisham Homes Major Works standard, is attached as appendix 1. Letters were also sent to leaseholders informing them of the proposed changes and inviting comments.
- 6.2 The letters invited all residents to respond with comments via email, in writing or by attending one of 2 drop in sessions held at Deptford Lounge. The sessions were organised to accommodate all residents with a day time and early evening time slot being available in the local library, which is fully accessible. A Frequently Asked Questions (FAQs) document was produced to give to residents at these events. The project team met 4 tenants and 1 leaseholder at these events.
- 6.3 3 email and 6 written responses were received during the initial consultation period, including a letter written on behalf of the residents of the Reginald Road block dated 14 June that requested further information was provided to enable residents to make informed responses to the consultation. This letter did not have signatures from all residents and was rather written as a group letter. This letter was not received by the project team until 28 June. A response was sent via email to the email address from which an electronic copy was sent including a copy of the FAQs document. However this response was not acknowledged. The individual responses received were generally in support of the proposals and raised some individual housing issues.
- 6.4 Further to the extension of the deadline a petition with 108 signatures was received on 11 July. This petition, which is attached here for reference, included signatures from 11 residents in the Reginald Road block affected by the scheme and 33 Giffin Street residents with the remainder of the signatures being from other local residents.

6.5 Due to the fact that the closing date for the Section 105 consultation was set at 12 July, that the group letter raised some further issues to be considered and the fact that petition was received a day before the end of the proposed consultation period, the project team decided to extend the consultation period to 2 August to allow residents additional time to respond. All directly affected residents were informed of this decision in a letter on 19 July, which is attached to this report. Subsequent to this extension, no further written representations were received.

7. Section 105 Consultation outcomes

7.1 As a result of the comments and questions raised during the consultation period, an updated 'Frequently Asked Questions' document was produced and circulated with the letter of 19 July referred to at 6.5 above. The FAQs provide responses to all issues that have been raised during previous consultations on the project and during the current section 105 consultation. A copy of this document was sent to all those who had signed the petition and is attached to this report for reference.

7.2 The project team have drawn the following conclusions from the consultation exercise;

- Giffin Street residents who responded individually support blocks remaining in situ. Dealing with individual housing need is key issue.
- The directly affected residents in Reginald Road still have some queries about how they will individually be affected by the scheme. The project team should endeavour to carry out some individual contact with these residents to discuss their concerns further.
- The majority of queries raised by residents have been considered by the project team and addressed in the parameters for the procurement of the development partner for the scheme.
- The level of resident engagement/response is low. This could be due to the length of time that the project has been in development. The project team needs to ensure that regular, consistent communications are sent to residents and should continue to offer to support a resident steering group.
- The mailing list for the next update needs to be extended to include surrounding blocks.

7.3 The project team were contacted by some residents as a result of the consultation who didn't have comments on the proposals specifically but had some other issues that required Council support to resolve. These included referrals to the occupational health team and signposting residents to information on their re-housing options.

8. Financial implications

8.1 No new expenditure commitments are proposed as part of the recommendations in this report. Financial implications associated with the procurement of a development partner were detailed in 1 May 2013 report to

Mayor & Cabinet and will be updated according to the outcome of the procurement process.

9. Legal implications

- 9.1 Section 105 of the Housing Act 1985 provides that the Council must consult with all secure tenants who are likely to be substantially affected by a matter of Housing development. Section 105 specifies that a matter of Housing Management would include demolition of dwelling houses let by the authority and that such consultation must inform secure tenants of the proposals and provide them with an opportunity to make their views known to the Council within a specified period. Section 105 further specifies that before making any decisions on the matter the Council must consider any representations from secure tenants arising from the consultation. Such consultation must therefore be up to date and relate to the development proposals in question. For this reason, it was necessary to carry out consultation on the hybrid housing solution and for the Mayor to consider the response to the consultation before it is implemented.
- 9.2 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.
- 9.3 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.
- 9.4 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.
- 9.5 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/>

9.6 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

9.7 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/>

10. Crime and Disorder Implications

10.1 The new development will be expected to meet 'Secure by Design' standards.

11. Equalities Implications

11.1 An Equalities Analysis Assessment was carried out on the project in August 2013. This was based on information gathered from ward profile data, the June 2012 housing needs assessment and information gathered during the Section 105 consultation and considered the potential effects of the project, both in terms of housing decant and construction, on those with protected characteristics.

11.2 The EAA includes an action plan to ensure that the project team and development partners have a clear set of tasks to carry out in order to ensure equality issues are given due regard throughout the project. This document will be reviewed on at least an annual basis or more often if required by the project timetable.

12. Environmental Implications

12.1 There are no direct environmental implications from the recommendations in this report.

13. Conclusion

13.1 The Section 105 consultation has provided directly affected tenants, leaseholders and the wider community with the opportunity to raise queries about the scheme. Many of the queries raised were points that the project team had considered over the course of project development and responses were provided. However, there is further work to be done to ensure that all directly affected residents are fully aware of the proposals and the project team will continue to communicate with residents over the coming months as the procurement process progresses. The selected development partner will be expected to continue this process in partnership with the Council.

Background Documents

List the name, date and location/author of all relevant background documents.

Short Title Of Document	Date	Contact Officer
"Tidemill School, The Lewisham Lounge and Giffin Street Regeneration Area" Feasibility Study, PTE Architects	Mar 2007	Eleanor Hoyle
Business Case for the Giffin Street Regeneration Programme	Aug 2007	Eleanor Hoyle
Giffin Street Regeneration Programme – Business case and the Commercial Approach	November 2007	Eleanor Hoyle
Giffin Street Regeneration Programme – deliverables and timescales	November 2007	Eleanor Hoyle
Appointment of the RSL partner and land sales that arise as a consequence under the Giffin Street regeneration programme	June 2008	Eleanor Hoyle
The Future of Deptford Town Centre Regeneration Programme – Update on deliverables and timescales	July 2009	Eleanor Hoyle
The Future of Deptford Town Centre Regeneration Programme – Update on the financial arrangements and the commercial approach	July 2009	Eleanor Hoyle
Deptford Town Centre Regeneration Programme: Delivery of the Southern Housing Site component of the regeneration programme.	April 2012	Eleanor Hoyle
Deptford Town Centre Regeneration Programme: Approval of the shortlist of developers for Southern Housing	July 2012	Eleanor Hoyle

Deptford Town Centre Regeneration Programme: Southern Housing Sites project update	May 2013	Eleanor Hoyle
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If there are any queries on this report please contact **Eleanor Hoyle, Capital Project Manager**, 020 8314 9462.

Attached Appendices

Masterplan
Equalities Analysis Assessment – August 2013

Appendices available on Council website

Section 105 consultation letter – 29 May 2013
Resident petition – 11 July 2013
Section 105 follow up letter – 19 July 2013
Deptford Southern Housing FAQs



We wrote a letter to Eleanor Hoyle on 14 June 2013 by registered post with tenant's views as requested 29 May 2013. Tenants had questions that needed answering by 1 July 2013. We have still not received a response to date. We are not happy how the Council have consulted with the tenants under Section 105.

1. Old Tidemill School: Tenants of Reginald Road, Giffin Street, Frankham Street, Princess Louise Building and New Butt Lane are not in agreement to your proposals to Demolish 2-30a Reginald Road and the Building of the New Scheme. However, tenants are not oppose to the re-development of the Old Tidemill School & School Keepers House, as long as the height is not increased to block tenants views and the Nature Reserve, Pathway , Giffin Street Car Park, Playground area remain and some sort of compensation will be provided for long-term noise nuisance during the build.
2. Deptford High Street Construction. Tenants are experiencing the disruption and noise and dust coming from Deptford High Street development. Secondly, no tenants in the surrounding buildings were informed that the construction site for the High Street will be housed in Giffin Street Car Park until December 2013.
3. Anti-Social Behaviour: Tenants are concerned that building a large estate in a high risk area will add to existing problems of antisocial behaviour (drugs, alcohol and people loitering outside betting shops and at the end of Hales Street and Reginald Road). This has still not been addressed since the Councils last Proposal in 2008 to Demolish and Build a New Housing Scheme.
4. Green Areas: As part of the Councils Open Space Strategy framework Tenants are against the loss of the Nature Reserve which can be used and opened to the members of the Public. Furthermore this space is still being used for Tidemill School projects (workshops, arts, crafts & films and learning activities) as the children no longer have a green area in the new School. Please look at links below:-
<http://assembly-se8.tumblr.com/>
<http://deptfordhighstreet.co.uk/tag/old-tidemill-school/>
5. Privacy Issues: The new Housing Scheme will obscure tenants views and lack of privacy.
An example of this is the new build opposite to the New Tidemill School which overlooks the playground of the school which is a great on-going concern for parents which still have not been addressed.
6. Communal Garden & Parking: Reginald Road Tenants do not want to lose our off street car parking together with the Communal Garden as this is constantly used by residents and their children as a community playground. We want to maintain open space and not be congested.
7. No.2-30a Reginald Road Building: This building was recently refurbished by Decent Homes within the last 10 years with (New roof, central heating, kitchen & bathrooms) and new Boilers in 2012. Wasting Council resources by trying to demolish the block with 20 year life span. This is financial & business planning *Contd....*

According to the Mayor & Cabinet Minutes of the Meeting held on 11 July 2012. The Mayor had tried to negotiate & sell the land to London & Quadrant Housing Association for £6.5 Million despite the majority of tenants that were not in Agreement via petition and other individual correspondences by tenants has not been answered.

This is one of many petitions sent to you with regards to this matter. Additional tenant's, home owners and businesses are still continuing to petition against this Scheme (this will be forwarded at a later date).

Residents views has not has not changed since 2008 with regards to the Councils Proposals to demolish 2-30a Reginald Road and the building of a New Housing Scheme. Please note, as far as the Residents are concerned this puts an end to anymore further consultation or plans regarding this matter.

Yours faithfully,

2-30a Reginald Road, SE8
Giffin Street Residents
Frankham Street Residents
New Butt Lane Resident/Business
Princess Louise Building – Hales Street
Email: giffin.reginald@hotmail.co.uk



Deptford Southern Housing sites

Equalities Analysis Assessment

August 2013

Background and context

In the summer of 2007 Council Officers prepared a Business Case to demonstrate the commercial and financial viability of the proposed regeneration programme for Deptford Town Centre and identifying the commercial approach to its development.

A key element of the Business Case was the delivery of a housing scheme on the old Tidemill school site. This element was programmed in the latter stages of the overall timetable, due to the fact that it required vacant possession of a school site currently in use. Between 2007 and 2011, programme resources were focused on other projects and work was recommenced on this project in 2011 when the delivery programme for Deptford Lounge and the new Tidemill School were confirmed. In September 2012, a project review was instigated at the point between development and procurement stages.

There remain other elements of the overall Deptford master plan that are still to be delivered including Deptford RISE and the Albany. The Deptford Town Centre Masterplan forms part of a wider regeneration initiative across the North of the Borough which includes Convoys Wharf, the Surrey Canal Triangle and several other key schemes.

Work to date on the Southern Housing Sites project as part of the wider programme has focused on the design elements of the scheme. There are still a range of tasks relating to the commercial and technical elements of the project that need to be completed prior to procuring a development partner.

Management of the Equalities Impact Assessment

The assessment was undertaken by Eleanor Hoyle, Project Manager, supported by Cathy Rooney, xxxx, and Rachel George, Housing Regeneration & Projects Manager.

Identification of the aims/objectives

The aims of the Deptford Southern Housing sites project are;

- A fully specified scheme for procurement
- The successful conclusion of the statutory consultation
- Procurement of a development partner / registered social landlord who understands the Council's aims for the regeneration of Deptford, as set out in the programme business plan.
- Delivery of the finally agreed scope in accordance with the time, cost and quality constraints established and agreed.

These aims can have potential positive equalities benefits; equally, we need to ensure that in working towards their achievement we do not discriminate against or exclude any group

The aim of this assessment is to check whether the delivery of the Deptford Southern Housing sites project, including the decant of tenants in Reginald Road, is likely to have a positive or negative impact on different groups within our diverse community and having made this assessment to set out the action to be taken to ensure due regard is given to equalities issues and to seek to **prevent** direct and indirect discrimination and **positively promote** harmonious community relations.

This equality impact assessment was undertaken using the methodology and approach set out in Lewisham's Equality Analysis Assessment Toolkit.

Deptford Southern Housing sites project scope

Scheme proposals

- Giffin Street blocks will remain in situ and residents would not be re-housed
- 2-30a Reginald Road would be demolished
- Old Tidemill School buildings to be converted into residential properties
- Frankham Street parking boulevard to remain in situ

The Giffin Street blocks would receive further works as part of the Lewisham Homes' programme of external decorations work. Further details of this works will be provided to residents prior to further required survey work being undertaken on the buildings, which are likely to be undertaken in 2015/16. The works will focus on ensuring that all Lewisham Homes properties meet an agreed standard, which is outlined in the attached document.

The Reginald Road properties would be demolished in a later phase of the development, to allow the opportunity for residents in those properties to move into the new development or elsewhere in the borough as they wish.

The process for selecting a developer to build the scheme is being advertised at the moment and is to start over the summer. This would mean that we would expect to appoint a developer in Spring/Summer 2014 and that work on the scheme would commence on site in late 2014/early 2015. The developer will also be required to demonstrate how they will involve and inform residents throughout the process.

A masterplan for the scheme is attached to this letter; this is a general proposal at present and the detail of where different types of housing would be located will be agreed as part of the detailed design process with a developer. In general it is currently proposed that the new blocks have the following housing types;

A/B, C/D, E/F, K/L – units for sale or private rent
J, G/H – units for affordable rented or shared ownership

Scope/focus of the Equality Impact Assessment and assessment of relevance

Proportionally the assessment needs to concentrate on areas with highest potential impact. Key issues for consideration include:-

- Do we have accurate profiles of our tenants and residents to inform our communication/consultation strategies for the scheme?
- How we communicate and engage with tenants is a key part of how the re-housing project is delivered, both the reality and perception. It is critical that we engage with hard to reach groups particularly BME and excluded groups. We need to ensure our communication strategies adequately take into account the range of groups who need to be engaged and involved.
- How do we ensure the immediate needs of elderly, people with disabilities, parents with young children are met during re-housing?

The scoping grids at appendix A look to determine whether the delivery of this project;

- could affect some groups in society differently
- can/will promote equal opportunities

Sources of information

The key data needed for this EqlA is the profile of the current tenants of the Reginald Road and Giffin Street housing blocks.

Lewisham Homes monitoring data

As the housing management organisation, Lewisham Homes collect information from tenants via monitoring forms, telephone surveys and contact with tenants for some repairs and maintenance issues. This data is collected on a voluntary basis and therefore will not be given by all tenants. Moreover some tenants may come under more than one category within the monitoring groups. Whilst this means that the data is unlikely to present a complete picture of the equalities groups represented within the housing blocks, it is a set of data on which to base some initial assumptions.

The tables below give data on access requirements, race, religion, sexual orientation and employment status.

INSERT

Ward profiles

The ward profile documents (attached) provide information on key census data for the local area and refer to several of the protected characteristics. They are also supported by ONS data sets available online. Some of the key considerations in Evelyn/New Cross wards, where the project site is located, are;

- Both wards have a lower than average percentage of older residents – 5.85% compared to 9.3% across the borough
- Both wards have a higher than average BME population with over 50% of residents from a BME background (compared to around 35% across the borough), particularly Black and Chinese residents.
- High affordable percentage of housing in the area; in New Cross and Evelyn wards, there is currently an average of 48.5% social rented housing, compared to 31% on average in Lewisham. Owner occupation is at an average of 21% across the two wards, whereas the borough average is 42%.

Housing needs assessment – June 2012

An assessment of the needs of residents was carried out in June 2012. Most of the residents interviewed supported the new development and many were keen to move because they are overcrowded, disabled or elderly and either wanted more appropriate accommodation or in some cases saw this as an opportunity to move to other parts of the borough. However most residents wanted to remain in Deptford and were pleased that provision was being made within the scheme for decant properties.

Leaseholders are worried that the value of their property might be less than what they paid which will put them into negative equity. After the sale, they could be left with a mortgage still to pay. Therefore some leaseholders have expressed a preference to be bought out but others expressed an interest in being rehoused within the new development.

The data from the needs assessment is held confidentially by the project team so that it can be utilised to inform future engagement and liaison with the project development partner.

Consultation & communication

The Council previously consulted residents in June 2012 about the Council's proposals to build a new housing development on the site of the old Tidemill School and surrounding sites of Reginald Road, Frankham Street and Giffin Street. The scheme proposed (known as the enhanced scheme) included the demolition of all the properties listed above and the option for secure tenants to be re-housed within the new development. A letter was sent to all residents as formal consultation under Section 105 of the Housing Act 1985, dated 1st June 2012. As part of this consultation process drop in sessions were held in the Deptford Lounge to collect views. Representations about these proposals received by Friday 29th June (the publicised closing date for consultation) were considered by Mayor and Cabinet on Wednesday 11 July 2012.

Following the consultation and approval of the scheme by the Mayor & Cabinet, the Council were in the process of carrying out the initial stages of a process to find a developer to deliver the scheme. However, several issues arose that led to a decision to halt the process and review the scheme before a partner was appointed. The main reasons for this decision included the need to carry out further technical surveys on the buildings that would form part of the scheme to ensure the proposals could be delivered, information being available on Lewisham Homes' programme of works for the blocks and new sales information about housing schemes in the area which suggested that the scheme as previously proposed might not be financially viable.

The project team have attended and hosted local meetings throughout the development of the project and have issued written updates to residents on a number of occasions. This work has formed part of the overall communication strategy for the Deptford Town Centre programme.

A notification flyer was sent to all residents in December 2012 informing them of the decision to halt the process that was underway to find a development partner. Since then, the project team have;

- Been working with Lewisham Homes to ensure that future external works investment into existing blocks is maintained
- Ensured that there is a full set of technical information for the scheme, including carrying out further surveys in the Giffin Street and Reginald Road blocks
- Gathered further information on the financial implications of the scheme
- Worked with PTEa, the architects who have been involved in the design of the scheme previously, to develop a new design option (I think this should be last as otherwise it looks as though we looked at design first – when really it is the result of the other aspects)

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

The most recent Section 105 consultation was carried out in Summer 2013. On 29 May 2013, a letter was sent to all secure tenants in Reginald Road and Giffin Street informing them of the revised scheme proposals and inviting their comments as part of the statutory Section 105 consultation. The letter, which detailed the proposals, provided a masterplan image of the scheme and gave information on the Lewisham Homes Major Works standard, is attached as appendix 1. Letters were also sent to leaseholders informing them of the proposed changes and inviting comments.

The letters invited all residents to respond with comments via email, in writing or by attending one of 2 drop in sessions held at Deptford Lounge. The sessions were organised to accommodate all residents with a day time and early evening time slot being available in the local library, which is fully accessible. A Frequently Asked Questions (FAQs) document was produced to give to residents at these events. The project team met 4 tenants and 1 leaseholder at these events.

3 email and 6 written responses were received during the initial consultation period, including a letter written on behalf of the residents of the Reginald Road block dated 14 June that requested further information was provided to enable residents to make informed responses to the consultation. This letter did not have signatures from all residents and was rather written as a group letter. This letter was not received by the project team until 28 June. A response was sent via email to the author of the letter including a copy of the FAQs document. The individual responses received were generally in support of the proposals and raised some individual housing issues.

Further to the extension of the deadline a petition with 108 signatures was received on 11 July. This petition, which is attached here for reference, included signatures from 11 residents in the Reginald Road block affected by the scheme and 33 Giffin Street residents with the remainder of the signatures being from other local residents.

Overall assessment

Most equalities groups are over-represented in Lewisham Council housing for a range of social and economic reasons and therefore the needs of these groups are more likely to need to be addressed by a housing decant project.

The key aim of a re-development scheme is to improve the town centre environment for existing and future residents. This is to benefit all, regardless of ethnic background, main language spoken, gender, employment status, health and well being, or sexual orientation. However, different groups within the community will have different needs or require varying and different levels of support in taking part in the processes involved. This assessment has provided a place where this information can be recorded so that throughout the programme the Council and its partners can ensure that differing needs are monitored and met.

The analysis of the data highlights the diversity which exists both within the local community and amongst residents living in the block that will be most directly affected by the redevelopment. Groups within the community will have different needs or require varying and different levels of support in taking part in the processes involved, most particularly their decant from current properties into new ones. This assessment has provided a place where this information can be recorded so that throughout the scheme the Council and its partners can ensure that differing needs are monitored and met where feasible and has also identified the key impacts and actions.

This assessment demonstrates that the Deptford Southern Housing sites project is likely to have some shorter term negative impacts, but that there are actions that can be taken as part of the project to mitigate these impacts. There are also wider and longer term positive impacts, such as the transfer from poor quality existing housing to new properties and the wider benefits which are the result of the wider regeneration of Deptford Town Centre.

Some of the key areas to note are;

Ethnicity

Data gathered during the needs assessment shows that there is a large number of residents from BME backgrounds, the ward profiles demonstrate that this is in line with the ethnicity profile of both the New Cross and Evelyn wards. The data indicates that language may be one of the key communication barriers however as yet there has been no data collected on the first language spoken by tenants. An assessment will need to be undertaken to ensure that any individual language or literacy barriers are addressed to ensure communication with residents and the local community can be accessed by all.

Medical conditions / disability

Approximately 10% of residents in the existing blocks have stated that they have medical issues or disabilities. Their specific needs e.g. reduced mobility, will need to be considered when allocating them a new property. In addition, officers carrying out consultation will have to ensure that they are supported where necessary to enable them to participate fully in the consultation process.

Religion

A number of households have identified themselves as having specific religious beliefs. The project team will therefore need to ensure that they are aware of religious customs when considering housing needs, for example, resident feedback has indicated that religious beliefs in relation to the preparation of food will need to be considered when designing the kitchen, dining and living spaces. In addition, the project team should be mindful of religious customs when consulting and communicating with residents and the wider community.

Leaseholders

Another group on which there is currently a lack of data is leaseholders. The fact that they own their property means that the council doesn't necessarily have a duty to re-house them, but rather to meet the requirements to make a fair market offer for the property, which is enhanced by 10% (or 7.5% for absentee leaseholders) to reflect the homelessness and disturbance payments that all residents are entitled to. There are however some specific equalities issues to consider:

Support needs – some leaseholders may have needs that haven't been identified and will therefore need additional assistance to understand and organise a purchase agreement and move.

Let properties – absentee landlords may have tenants occupying their property. Whilst these are not council tenants, it is possible that by seeking vacant possession of the estate, they will have a housing need due to the comparatively low levels of rent in Reginald Road and Giffin Street, which may mean they are unable to find suitable alternative accommodation without support.

Action plan and timetable

The activities laid out below will provide the project team with opportunities to further assess and address tenants' specific needs and to ensure that any negative equalities impacts are being mitigated.

Activity	Details	Timescale
Communications plan	Details of all communication methods to be utilised, including; <ul style="list-style-type: none"> ▪ Letters ▪ Decant Interviews ▪ Online information ▪ Meetings/drop in sessions 	On-going
Section 105 consultation	Statutory consultation to ensure that all residents are given the opportunity to comment on the changes to their housing management. Ensure language and literacy issues are addressed.	Development phase
Resident steering group	No resident steering group currently exists for these housing blocks. However the project team should continue to reiterate the offer to support such a group.	Ongoing
Decant interviews	Detailed assessment of households, to look at specific	Ongoing from

	needs, communications issues and to establish a relationship with the tenant.	commencement of programme.
Considerate Contractors' scheme	All contractors on site will be expected to sign up to a Considerate Contractors scheme and to ensure that their sites meet all relevant standards including DDA compliance.	Development phase

Publication of Results

The results of this Equalities Analysis will be reported on the Council's web pages as part of wider equalities data reporting.

Monitoring

The EAA will be monitored through the project reporting structures.

Equalities Category	Potential Impact	Assessment of impact	Actions
All	Move from known community if chose not to live in new development. Move to better housing stock Move to more suitable housing stock Lack of understanding of decant options available Lack of trust in decant team New properties do not meet housing need	Negative Positive Positive Negative Negative Negative	Investigate and publicise social networking opportunities across the borough. Ensure offer property meets housing need of tenant Detailed and continued support and advice provided to tenants by decant team. Establishment of on site presence and development of working relationships between decant team and tenants. Requirement placed on project development partner to provide units that meeting housing need at time of development.
Gender	Social networks harder to maintain Security concerns for women Single parents may not be able to attend information events due to primary caring responsibilities. 20% of Lewisham tenants are lone parent families.	Negative Negative Negative	Investigate and publicise social networking opportunities across the borough. Possible use of property guardians to ensure estate isn't squatted. Decant team to organise appointments/meetings during
Gender re-assignment	Support networks harder to maintain if not remaining in the area or moved to different parts of new development.	Negative	Affordable units located in proximity to each other within development to facilitate existing networks. Work with tenants to ensure there is public transport access in new locations.
Pregnancy & maternity	Bed size need may change during decant Stress related illness Families with increasing bed size need may have to wait longer for units if their priority is less than a decant tenant from Reginald Road.	Negative Negative Negative	Ensure medical records are kept updated and that tenant is aware of potential issue with unit size.
Race	Language barriers Ethnic community ties weakened/strengthened depending on location of decant property BME residents are nearly twice as likely to live in homes that do not meet decent homes standards and are overcrowded - potential moves to other housing stock could improve chances of decent homes.	Negative Negative/Positive Positive	Use of interpreters and translated materials Assessment of possible community ties during decant interview process, team to assist tenant with bidding for properties via specialist RSLs where appropriate.
Disability	Access routes altered during decant if some routes are altered during development period. Have to move out of area to find suitable accommodation options. Difficulty accessing meetings and/or information relating to the decant Current properties may have been adapted to meet specific needs, decant properties won't have these as standard Some specific needs highlighted by decant process	Negative Negative Negative Negative/positive Positive	Work with contractors on site to ensure that DDA compliant routes are maintained. Scheme designs include affordable wheelchair unit provision. Hold meetings in DDA compliant venues. Decant officers need to ensure adaptations can be matched or improved upon in decant property. Decant officers to refer vulnerable tenants to providers of specialist services.
Age	Pensioners income might not be able to meet higher rental levels in other socially rented properties. Older leaseholders from original community may not be able to afford to buy elsewhere. Social networks formed within estate harder to maintain Opportunity to provide support where need hasn't previously been identified Young people in single households given opportunity to make transition to private rented or shared ownership property with financial support. Journeys to school shortened/lengthened depending on new location	Negative Negative Negative Positive Positive Positive/negative	Decant team to work with households to ensure benefit levels are correct and that rental level is manageable. Work with RSLs to find shared ownership solutions Investigate and publicise social networking opportunities across the borough. Decant officers can identify suitable properties and/or refer the tenant to support services within the council Work with RSLs to find shared ownership solutions Work with tenants to look at public transport connections.
Religion & belief	Change of parish could affect social networks Move could be closer to place of worship Gender considerations for specific religions may mean some households can only be interviewed by female staff. Decant timetable could mean that key dates fall during religious festivals	Negative Positive Neutral Negative	Assessment of possible community ties during decant interview process, team to assist tenants with bidding for properties via specialist RSLs where appropriate. Ensure record is kept of households where a female member of staff is required so that there are no unnecessary delays in interviewing or contact with the tenant. Decant team to ensure that religious beliefs and tenets are taken into account when arranging meetings and moves.
Sexual orientation	May be same sex households in the block	Neutral	Where tenant is moving to an ALMO or RSL property, this organisation will need to meet or exceed current standards and support on tackling harassment and discrimination.
Marital status/civil partnership	Co-habiting couples who haven't registered their partner could be treated differently from those who are married/in a civil partnership	Negative	Review housing policy on placement of couples and ensure tenants are aware of what tenancy rights any partner living at the address may have.



Deptford Southern Housing Project
Programme Management
4th Floor Laurence House
Catford
London SE6 4RU

020 8314 7181
deptfordtowncentre@lewisham.gov.uk

29 May 2013

Dear ,

PLEASE READ THIS LETTER CAREFULLY

IT CONCERNS THE FUTURE OF PROPERTIES IN GIFFIN STREET AND REGINALD ROAD, SPECIFICALLY;

**Nos. 22-80 Giffin Street SE8 4RH
Nos. 82-150 Giffin Street SE8 4RJ
Nos. 2-30A Reginald Road SE8 4RY**

IT ALSO EXPLAINS HOW YOU CAN PROVIDE US WITH YOUR VIEWS ABOUT THE COUNCIL'S PROPOSALS

I am writing to consult you about the Council's proposals for the Deptford Southern Housing sites, which affect all of the properties listed above and form part of the wider redevelopment plans for the town centre. This letter is a formal consultation under Section 105 of the Housing Act 1985, and is within the arrangements which the Council maintains for this purpose. The proposals outlined in this letter have some significant differences from the previous scheme proposals, so please read this letter carefully to see how you are affected.

Background

The Council previously consulted you in June 2012 about the Council's proposals to build a new housing development on the site of the old Tidemill School and surrounding sites of Reginald Road, Frankham Street and Giffin Street. The scheme proposed (known as the enhanced scheme) included the demolition of all the properties listed above and the option for secure tenants to be re-housed within the new development. A letter was sent to all residents as formal consultation under Section 105 of the Housing Act 1985, dated 1st June 2012. As part of this consultation process drop in sessions were held in the Deptford Lounge to collect your views. Representations about these proposals received by Friday 29th June (the publicised closing date for consultation) were considered by Mayor and Cabinet on Wednesday 11 July 2012.

Following the consultation and approval of the scheme by the Mayor & Cabinet, the Council were in the process of carrying out the initial stages of a process to find a developer to deliver the scheme. However, several issues arose that led to a decision to halt the process and review the scheme

before a partner was appointed. The main reasons for this decision included the need to carry out further technical surveys on the buildings that would form part of the scheme to ensure the proposals could be delivered, information being available on Lewisham Homes' programme of works for the blocks and new sales information about housing schemes in the area which suggested that the scheme as previously proposed might not be financially viable.

A notification flyer was sent to all residents in December 2012 informing them of the decision to halt the process. Since then, the project team have;

- Been working with Lewisham Homes to ensure that future external works investment into existing blocks is maintained
- Ensured that there is a full set of technical information for the scheme, including carrying out further surveys in the Giffin Street and Reginald Road blocks
- Gathered further information on the financial implications of the scheme
- Worked with PTEa, the architects who have been involved in the design of the scheme previously, to develop a new design option (I think this should be last as otherwise it looks as though we looked at design first – when really it is the result of the other aspects)

This work has resulted in changes being proposed to the scheme and these were presented to the Mayor & Cabinet on Wednesday 1 May, when approval was gained to consult with residents on the basis of the revised scheme and to commence the initial stages of a procurement exercise to find a development partner, which will be decided following the outcome of consultation with residents and gathering further technical information on the site. The details of this scheme are given below.

Scheme proposals

The scheme as now proposed is as follows;

- Giffin Street blocks would remain in situ and residents would not be re-housed
- 2-30a Reginald Road would be demolished
- Old Tidemill School buildings to be converted into residential properties
- Frankham Street parking boulevard to remain in situ

The Giffin Street blocks would receive further works as part of the Lewisham Homes' programme of external decorations work. Further details of this works will be provided to residents prior to further required survey work being undertaken on the buildings, which are likely to be undertaken in 2015/16. The works will focus on ensuring that all Lewisham Homes properties meet an agreed standard, which is outlined in the attached document.

The Reginald Road properties would be demolished in a later phase of the development, to allow the opportunity for residents in those properties to move into the new development or elsewhere in the borough as they wish.

The process for selecting a developer to build the scheme is being advertised at the moment and is to start over the summer. This would mean that we would expect to appoint a developer in Spring/Summer 2014 and that work on the scheme would commence on site in late 2014/early 2015. The Council will keep you updated on the proposed timetable for the scheme and the progress of the developer selection. The developer will also be required to demonstrate how they will involve and inform residents throughout the process.

A masterplan for the scheme is attached to this letter; this is a general proposal at present and the detail of where different types of housing would be located will be agreed as part of the detailed design process with a developer. In general it is currently proposed that the new blocks have the following housing types;

A/B, C/D, E/F, K/L – units for sale or private rent
J, G/H – units for affordable rented or shared ownership

The Consultation Process

To date, the Council has consulted with residents through meetings and other events that have taken place in Deptford and by sending out letters. Further information on the Council's plans for Deptford can be found on our website: www.lewisham.gov.uk/deptfordtowncentre

The Council is seeking your views on the proposals set out in this letter. If you and any other secure tenant in your home wish to make any representations about any aspect of these proposals and their effect as outlined in this letter, you must do so please by **no later than 12 noon on Friday 12 July 2013**. The representations should be in writing and sent to the following address:

Deptford Southern Housing Project
Programme Management
4th Floor, Laurence House
1 Catford Road
London SE6 4RU

Comments can also be sent to deptfordtowncentre@lewisham.gov.uk

You can, if you wish, let us know your views by entering your comments on the separate sheet accompanying this letter.

There will also be the opportunity to speak to Council officers about the regeneration programme and the proposals for the Deptford Southern Housing sites at two drop in sessions, which will be held in rooms 1 and 2 in the Deptford Lounge. These sessions will be:

Thurs 6th June: 5pm - 7pm
Tuesday 11th June: 11am - 2pm

Comments forms will be available at these sessions.

All representations received by the time specified will be considered by Mayor and Cabinet before making a final decision on the scheme proposals at a meeting to be held in September 2013.

Yours sincerely,



Eleanor Hoyle
Project Manager



Eleanor Hoyle
Programme Management
4th Floor Laurence House
Catford
London SE6 4RU

deptfordtowncentre@lewisham.gov.uk

19/07/13

Dear

PLEASE READ THIS LETTER CAREFULLY

IT CONCERNS THE FUTURE OF PROPERTIES IN GIFFIN STREET AND REGINALD ROAD, SPECIFICALLY;

**Nos. 22-80 Giffin Street SE8 4RH
Nos. 82-150 Giffin Street SE8 4RJ
Nos. 2-30A Reginald Road SE8 4RY**

IT ALSO EXPLAINS HOW YOU CAN PROVIDE US WITH YOUR VIEWS ABOUT THE COUNCIL'S PROPOSALS

Further to my letter of 29 May 2013, I am writing to inform you that following feedback from residents, it has been decided that the consultation period will be **extended until Friday 2 August 2013**. This letter is a part of the formal consultation under Section 105 of the Housing Act 1985 and is within the arrangements which the Council maintains for this purpose.

We have received several individual and group responses to the consultation already and a set of frequently asked questions and responses are attached to provide you with additional information on the scheme that addresses questions raised in correspondence and at the drop in sessions that have been held. We are also contacting residents in blocks adjacent to those directly affected by the scheme – these letters are not part of the formal Section 105 consultation.

The Consultation Process

To date, the Council has consulted with residents through meetings and other events that have taken place in Deptford and by sending out letters. Further information on the Council's plans for Deptford can be found on our website: www.lewisham.gov.uk/deptfordtowncentre

The Council is seeking your views on the proposals set out in this letter. If you and any other secure tenant in your home wish to make any representations about any aspect of these proposals and their effect as outlined in this letter, you must do so please by **no later than 12 noon on Friday 2 August 2013**. The representations should be in writing and sent to the following address:

Deptford Southern Housing Project
Programme Management

4th Floor, Laurence House
1 Catford Road
London SE6 4RU

Comments can also be sent to deptfordtowncentre@lewisham.gov.uk

You can, if you wish, let us know your views by entering your comments on the separate sheet accompanying this letter.

All representations received by the time specified will be considered by Mayor and Cabinet before making a final decision on the scheme proposals at a meeting to be held in September 2013.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'E Hoyle', written in a cursive style.

Eleanor Hoyle
Project Manager

Deptford Southern Housing sites

Frequently Asked Questions – July 2013

BACKGROUND

The borough of Lewisham has targets (set by the Mayor of London) to provide around 1,000 new homes per year, to help meet London's growing housing need. Many of these new homes will be built in areas that have good public transport links, which helps to protect existing green space and encourages less reliance on cars because of the ease of access to buses, trains and amenities like shops and leisure facilities.

The Council has been developing proposals to build a new housing development on the land in between Giffin Street and Reginald Road which, it has been calculated, would enable us to provide an additional 200+ properties as well as meeting various housing needs of existing residents (improving accessibility, easing overcrowding etc).

A previous proposal incorporated the demolition and rebuilding of two blocks on Giffin Street (no's 22-80 and 82-150), one block on Reginald Road (no's 2-30a) and the conversion of the old Tidemill School buildings. However, the Council has had to re-evaluate this scheme after further investigation over the past year including in-depth technical surveys of all the above buildings. We have also received new information about Lewisham Homes' planned programme of works and the housing market conditions in the area. As a result, we are now looking at a revised scheme which incorporates the following:

- Demolishing 2-30a Reginald Road
- Converting the old Tidemill School buildings into residential properties

Under the current proposals, 22-80 and 82-150 Giffin Street and Frankham Street parking boulevard would be retained.

PTEa, the architects who have been involved in the design of the scheme previously, have developed new design options about which the Council is currently consulting secure tenants.

This is a general proposal at present and the detail of where different types of housing would be located will be agreed as part of the detailed design process with a developer. But in general it is currently proposed that the new blocks have the following housing types:

A/B, C/D, E/F, K/L, Q – units for sale or private rent
J, G/H – units for affordable rented or shared ownership

A significant number of new homes within the development will need to be for private sale or rent in order to fund new affordable homes, improvements to streets and open spaces in and around the site.

DENSITY AND DESIGN

How many units does the Council plan to build as part of this new scheme?

The current scheme proposes to build 208 new homes across the site, although this could change as result of planning requirements and the detailed assessment of the scheme. This figure includes the conversion of the old Tidemill School buildings and the re-provision of

housing for residents living within the existing housing on Reginald Road which will need to be demolished to allow the scheme to be built.

How high will the new blocks be?

The current proposals range from three to seven storeys.

What influence will residents have over the finalised plans?

We would really like residents to be involved in all aspects of the scheme. First and foremost, we are proposing to set up a Stakeholders Steering Group to help us pick the right RSL/development partner to develop these proposals. Tasks will include interviewing the shortlisted candidates and evaluating how they will involve and inform residents throughout the process.

We will support Stakeholder Steering Group members to attend meetings by reimbursing you reasonable expenses and offering training on how to evaluate proposals. If you are interested in getting involved in the resident steering group please let us know via email or telephone.

We will be asking developers to tell us how they plan to consult with residents about their plans and the development process during the selection of the developer. We would expect there to be drop in sessions, newsletters and exhibitions for residents. If there are other ways you think would be useful, please let us know.

Will there be a safe play area for children?

Yes. It is a planning requirement to provide safe places for children to play near their homes. We will be consulting residents on the detailed design of play areas.

Even though the Giffin Street blocks are no longer part of the proposals, will they receive any refurbishment works?

The Giffin Street blocks would receive further works, including external decoration, as part of the Lewisham Homes' programme of Major Works. Further information on this is available at; http://www.lewishamhomes.org.uk/major_works/our_future_mw_programme

Will properties in the new development have smaller rooms?

No. The room sizes will be required to follow the London Housing Design Guide. These are typically similar to, or larger than, rooms in the existing flats.

I live alone. Will I have to move into a studio apartment?

No. The Council does not support the inclusion of new studios or bedsits in new developments for social rent, and as a decant tenant you would be entitled to a 1-bed. However studio apartments are available through Homesearch (the Council's choice based lettings scheme) should residents choose it.

Will I have the same neighbours?

If residents choose to stay in the development, we plan to re-house them at the same time as their neighbours, which means you would continue living in the same area. The location of each household will be based on individual housing needs and the layout of the new build homes.

Will all tenants be offered 'like for like' and given the same size property as they currently have?

All residents will be offered a house or apartment based on their current housing needs, including numbers of bedrooms and any medical requirements. This may mean that some families will be offered larger sized properties and some residents offered smaller properties than they currently have. We will work with you to ensure your household needs are taken into account when re-housing you.

If I'm not entitled to a garden will I get a balcony the same size as I have now?

All new properties will have a private balcony or garden. The last time we asked residents about the plans they told us they wanted more gardens included and this has been incorporated into the proposals. Meanwhile, the balconies will be a size as required by the new London Housing Design Guide. They will provide enough space for a meal around a small table, clothes drying or for a family to sit outside.

Will the new homes have soundproofing?

The new homes will have to comply with the latest Building Regulations, which include strict requirements for sound insulation in walls and floors separating flats. These are likely to be far superior standards to the existing flats.

How will the scheme ensure privacy for existing and new residents?

The detailed planning permission that will be required will consider issues of overlooking and privacy and ensure that the buildings meet design standards.

Will the room layouts take religious requirements into consideration? For example, some religions do not accept open plan kitchens.

We will try to take this into consideration. The recent housing needs assessment collected information about religious needs, but if you want to provide additional information in this regard please contact us.

THE LOCAL AREA

What is happening to Deptford High Street and how long will the work go on for?

The High Street is being completely regenerated; there will be a new road layout, improved parking and new lighting. The works are scheduled to be completed in December 2013.

What green space will the new development provide?

The new development will have 2 main green spaces; a landscaped communal garden in the south east corner and a communal play garden between the converted Old Tidemill School buildings and the proposed new blocks. Maintaining the bio-diversity currently found on the site will be something that the developers are expected to address in their open space designs. They will also be encouraged to work with existing residents and green space users to develop their proposals.

Will Reginald Road block residents lose their communal garden and off-street parking?

In the proposed scheme, the Reginald Road block will be demolished, so the communal garden space will be re-provided in an appropriate location in the development. Any current resident who has an existing parking permit will still be eligible to apply for a permit.

DECANTING AND REHOUSING

If tenants do not want to be rehoused in the new development, will they be given priority to be rehoused elsewhere within Lewisham?

Tenants currently living in 2-30a Reginald Road will be given Band 1 priority status on Homeseach during the decant period, the highest priority that can be awarded.

Do tenants have the choice to be re-housed outside Lewisham?

It is the Council's duty to re-house tenants as part of any decant scheme; however the Council only has the ability to let properties within the borough. When the decant starts, it may be that there are opportunities to move across London although these may be limited depending on the level of housing demand and housing policies present in the desired area.

What Compensation is available for tenants?

When moving due to being decanted, the current compensation payment offered to tenants, called a 'home loss payment', is £4,700. This is a national compensation payment set by Central Government. This is reviewed by Government each September and has been capped at this amount for sometime. The Council has no power to offer any alternative amount than that set by Central Government. In addition to Home Loss, tenants' reasonable moving costs (including re-direction of mail, removals and re-connections) are met and the Council can pay for the second hand value of some fixtures and fittings. An officer will come to your home and discuss this with you in detail when you are preparing to move. If you would like further information please let us know.

Other tenants on Reginald Road and Frankham Street will have long-term noise nuisance during the new build. Will they be compensated for this?

The new housing will start to be built before tenants are re-housed, therefore the sound caused by building works cannot be avoided. A Considerate Constructors Scheme will be in place, and we will work with the builders to minimise the noise impact, for example restricting the times when noisy work such as demolition is carried out.

What are the planned timescales?

We are currently starting to talk to developers, and expect to appoint one in spring/summer 2014. Construction is expected to commence late 2014/early 2015, and to take between 3-5 years in total. The Reginald Road properties would be demolished in a later phase of the development, to allow the opportunity for residents in those properties to move into the first phase or elsewhere in the borough as they wish.

How can I keep up to date as the plans progress?

We will be keeping in touch with residents through email, post, newsletters drop in sessions and notices. You can register to be on our e-mailing list by emailing us at deptfordtowncentre@lewisham.gov.uk

LEASEHOLDERS OPTIONS

What is the Buy back process?

The Council is experienced at buying back leaseholder's homes in regeneration schemes. The process is one of negotiation between the Council's valuer and the leaseholder who can select their own independent surveyor at the Council's cost.

What compensation is available for leaseholders?

In regeneration schemes, leaseholders are bought back at market value plus a Home Loss payment. This is 10% of the property value if you live in your home and 7.5% of the value of your home if you have another property elsewhere. The Council will also pay for costs associated with moving such as removals.

What re-housing options would Leaseholders have?

The Council is experienced at working with Housing Associations to develop affordable home ownership options for resident leaseholders that are bought back as part of re-development schemes. The Council will be working to provide housing options for resident leaseholders including shared ownership within the development. Should leaseholders be interested in this, the choice of property will depend on individual circumstances and what is built.

Leaseholders who live elsewhere will be bought back at market value and are not entitled to being re-housed.

PARKING**What will the parking situation be?**

For existing residents parking should remain the same; residents will be entitled to apply for an on-street parking permit under Deptford East Controlled Parking Zone (CPZ) in the same way they do now.

What about parking for people who need to use a wheelchair?

Residents who use a wheelchair (Blue Badge holders) will be allocated with a parking space close to where they live.

CRIME AND SAFETY**I am concerned about anti-social behaviour and crime. What will be done to make our area safer?**

The Council's Community Safety Services works with the local Police to tackle anti-social behaviour. If you would like to learn more about what they do you can call them on 020 8314 6688 or email communitysafety@lewisham.gov.uk.

New Cross Safer Neighbourhoods Team's current priorities, as identified by residents, are to tackle anti-social behaviour, burglary and motor vehicle crime. Drop in surgeries are held weekly. For more information contact the team on 020 8284 8578.

Will the new homes be safer?

Yes. We will be working closely with the Police and other experts when designing the new scheme, with the aims of improving levels of security in the home and reducing the risk of crime outside the home through well tested principles of natural surveillance and defensible space.

TENANCY, RENT AND FINANCE**Is the Council selling off the land to a private developer?**

The Council is inviting housing developers/RSL (Registered Social Landlord) partnerships to submit proposals on how they would jointly deliver the finalised scheme. Registered Social

Landlords are semi Government organisations that have to operate under Government guidelines for affordable housing. The law changed very recently and Local Authorities are now able to build new homes however the established way of providing new homes and regenerating neighbourhoods has been in partnership with RSL's and developers.

Will Lewisham Council still be my landlord?

No, if you wish to move into the new development your new landlord will become the appointed RSL. The RSL will then become responsible for all matters relating to your tenancy.

Residents in the Giffin Street blocks will remain the tenants of Lewisham Homes.

What will my new tenancy agreement be?

Your tenancy agreement will remain broadly the same as the one you have now.

Will tenants retain their right to buy in the new development?

Yes, however it will be called a 'right to acquire'

Will I be able to keep my pets?

During the selection process we will be seeking agreement from the RSL that if you have a pet, it will be able to move home with you. This is something that can be discussed further as we progress within the steering group and at wider consultations.

Will my rent increase?

We cannot confirm what the new rents would be for each size property type until we have appointed a housing provider. However it may be that as this is a new scheme, there is some increase in rents to reflect the increased quality of the homes. Having said that, as the properties will be managed by a social housing provider, rents for decanting tenants will still be capped by the Government's housing regulator at social (target) rent levels.

We will work with the appointed housing provider to ensure that all tenants are given up to date advice and information about their rents, service charges and entitlement to benefits.

How will my rent be managed?

If your service charges and rent are covered by Housing Benefit entitlement, as long as your circumstances have not changed, this entitlement will remain.

How will my energy bills compare to my existing ones?

The new homes will be insulated to a high standard and will have much more energy-efficient heating systems. It is often the case that energy bills in new build properties are lower than in current homes.

Agenda Item 11

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

Date of Meeting	11 th September 2013
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Title of Report	Variation to the Instrument of Government for the Governing Body of Myatt Garden Primary School
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Originator of Report	Sue Tipler	Ext. 46142
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: _____ Executive Member

Helen Khin

Date: 2nd September 2013

Signed: _____ Executive Director

Ante Sile

Date : 30th August 2013

Control Record by Committee Support

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

MAYOR AND CABINET			
Report Title	Variation to the Instrument of Government for the Governing Body of Myatt Garden Primary School		
Key Decision	Yes	Item No.	
Ward	Brockley		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	11 September 2013

1. Summary

- 1.1 Myatt Garden Primary School's governing body wish to reconstitute to a smaller size. They wish to focus on recruiting and training governors for their particular skills to carry out rigorous monitoring and challenge, whilst retaining an appropriate balance of representation.
- 1.2 Reducing the size of the governing body will allow all governors to add value. The governing body aim to rigorously focus on their core functions and believe that a smaller team of governors who have the right skills is the best model to achieve this.
- 1.3 The report sets out a new Instrument of Government for Myatt Garden Primary School and proposes a nominee for the appointment as the Local Authority governor by the governing body.

2. Purpose

- 2.1 To seek agreement to the variation of the Instrument of Government for Myatt Garden Primary School and nomination of a Local Authority governor.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 Approve that the Instrument of Government for the primary school listed below be made by Local Authority order:

Myatt Garden

11 September 2013

- 3.2 To consider and approve the nomination of the Local Authority governor detailed in paragraph 6 below for appointment by the governing body.

4. Policy Context

- 4.1 Each school has to have an Instrument of Government. The Local Authority must satisfy itself that the Instruments of Government for schools conform to the legislation. The Local Authority must also agree its content.
- 4.2 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. The main purpose of a governing body is to account for the achievement of children and young people in their schools.
- 4.3 The appointment of governors supports the broad priorities within Lewisham's Sustainable Community strategy, in particular those of being "ambitious and achieving" and "empowered and responsible". Governors help inspire our young people to achieve their full potential and they also promote volunteering which allows them to be involved in their local area.
- 4.4 Two specific corporate priorities that are relevant pertain to "community leadership and empowerment" and "young people's achievement and involvement".

5. Background

- 5.1 Myatt Garden Primary School entered into a partnership with Beecroft Garden Primary School, under the leadership of an executive headteacher, when Beecroft Garden (then known as Brockley Primary School) went into special measures in November 2010.
- 5.2 In March 2013, the governing body of Myatt Garden took the decision that a hard federation with Beecroft Garden was not right for the school at that time. They wished to remain a single school with a single governing body.
- 5.3 At a meeting on the 5th July, the governing body of Myatt Garden examined options in respect of changing its composition and confirmed on the 18th July the size and composition of governors they felt would be most effective. The governing body agreed to reduce from a size of eighteen to twelve governors. It was agreed that the governing body be reconstituted as early as possible in the Autumn term 2013.
- 5.5 The governing body of every maintained school must be constituted in accordance with the School Governance (Constitution) (England) Regulations 2012. The total membership of the governing body of a maintained school must be no fewer than seven governors.
- 5.6 The governing body of a maintained school must include the following:-

- (a) at least 2 parent governors;
- (b) the headteacher unless any such headteacher resigns the office of governor in accordance with regulation 19 of the Constitution Regulations 2012;
- (c) one staff governor; and
- (d) one Local Authority governor.

The governing body may in addition appoint such number of co-opted governors as they consider necessary provided that the requirements in the Regulations are met.

The total number of co-opted governors who are also eligible to be elected as staff governors when counted with the staff governor and headteacher, must not exceed one third of the total membership of the governing body.

- 5.7 The regulations now also state that the Local Authority governor is nominated by the Local Authority but appointed by the governing body.
- 5.8 Appendix 1 details the Instrument of Government the governing body is proposing for the local authority to make by order.

6. Governor recommended for Nomination by the Local Authority .

- 6.1 Robert Barker, details of whom appear at Appendix 2, is the Local Authority nominee for appointment as the Local Authority governor by the governing body of Myatt Garden Primary School.

7. Financial implications

- 7.1 There are no financial implications arising from this report.

8. Legal implications

- 8.1 The governing body of every maintained school must be constituted in accordance with the School Governance (Constitution) (England) Regulations 2012.
- 8.2 Section 20 of the Education Act 2002 requires all maintained schools to have an Instrument of Government which determines the constitution of the school and other matters relating to the school.

8.3 Each school must have an Instrument of Government detailing the name of the school, the type of school and the membership of the governing body. The category of governor and the number in each category is specified in the School Governance (Constitution) Regulations 2012.

9. Crime and Disorder Implications

9.1 There are no specific crime and disorder implications.

10. Equalities Implications

10.1 Governors will have enough flexibility in their choice of constitutional models to enable them to address issues of representation of stakeholder groups and to ensure that governing bodies reflect the communities they serve.

11. Environmental Implications

11.1 There are no specific environmental implications.

12. Conclusion

The Instrument of Government proposed for the governing body of Myatt Garden Primary School conforms to The School Governance (Constitution) (England) Regulations 2012.

Background Documents

<u>Short Title of Document</u>	<u>Date</u>	<u>File Location</u>	<u>Contact Officer</u>
The School Governance (Constitution) (England) Regulations 2012	2012	http://www.legislation.gov.uk/ukxi/2012/1034/contents/made	Suhaib Saeed

If there are any queries arising from this report, please contact Suhaib Saeed, Strategic Lead Governors' Services and School Leadership, 3rd Floor, Laurence House, telephone 020 8314 7670.

INSTRUMENT OF GOVERNMENT: COMMUNITY SCHOOLS

1. The name of the school is **Myatt Garden Primary School**
2. The school is a **Community school**
3. The name of the governing body is **The governing body of Myatt Garden Primary School**
4. The governing body shall consist of:
 - a. **2 parent governors**
 - b. **1 Headteacher**
 - c. **1 staff governor**
 - d. **1 Local Authority governor**
 - e. **7 co-opted governors**
5. Total number of governors **12**
6. This instrument of government comes into effect on: **25th September 2013**
7. This instrument was made by order of Lewisham Local Authority on 11th September 2013
8. A copy of the instrument must be supplied to every member of the governing body (and the headteacher if not a governor)

MAYOR AND CABINET

New LA Governor Nominee

APPENDIX 2

Name	School	Occupation	Residential Area	Précis of Suitability to be considered as a school governor	Governor Monitoring Information
Robert Barker	Myatt Garden	Finance Auditor	SE16	Robert Barker is currently a local authority governor at Myatt Garden Primary School and a member of their Finance Committee, the governing body wish to appoint him again following a nomination from the Mayor and Cabinet. He is passionate about making a difference to children's education. Robert is one of the Vice-Chairs of the Lewisham Governors' Association and has recently been appointed as Director of Resources at Wide Horizons Trust.	Male White British

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


Date of Meeting	11 th September 2013
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Title of Report	Response to Public Accounts Select Committee on Managing Contracts Review
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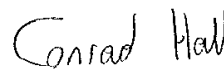
Originator of Report	Andy Murray	48133
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 3rd September 2013

Signed:  Director/Head of Service

Date: 3rd September 2013

Control Record by Committee Support

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

Mayor & Cabinet		
Report Title	Response to Public Accounts Select Committee on Managing Contracts Review	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Resources and Regeneration	
Class	Part 1	Date: 11 September 2013

1. Purpose

- 1.1 This report sets out the response from the Executive Director for Resources and Regeneration to the comments referred to the Mayor on the 22nd May 2013 by the Public Accounts Select Committee on managing contracts.
- 1.2 As part of the work programme for 2012/13, the Public Accounts Select Committee agreed to carry out a review looking at managing contracts in Lewisham. The review was scoped in June 2012 and evidence sessions held in October 2012 and January 2013

2. Recommendation

- 2.1 The Mayor is recommended to approve for submission to the Public Accounts Select Committee the responses on contracts management set out in this report.

3. Policy Context

- 3.1 The Sustainable Procurement Strategy 2012-16 outlines our aims and shows how procurement will contribute towards the Council's priorities in light of the numerous changes and challenges facing Lewisham. The Chief Executive's paper "Serving Lewisham Smarter" identified that the scale of savings required will necessitate a change in the scope and style of how Lewisham operates.
- 3.2 The refocused Sustainable Procurement Strategy is intended to respond to the current demands on the Council while sustaining strong ambitions for the borough, its communities and its people.
- 3.3 Getting procurement right is crucial for achieving the Council's vision to make Lewisham the best place in London to live, work and learn, and in particular to meet its priority to secure best value public services. Sustainable procurement that properly takes into account social, economic and environmental considerations can also help the Council meet wider objectives, offer opportunities for local businesses and regeneration, and minimise administrative costs.

4. Background

- 4.1. At the meeting of the Public Accounts Select Committee on 16th April 2012 the Committee resolved to undertake an in-depth review looking at how contracts are managed with Lewisham. At its meeting on 14th June 2012 the Committee approved the scoping report for the review.
- 4.2. Members were interested in how contracts were being monitored; how contract requirements were being enforced; and what the processes were around bringing contracts to an end. Contract management is becoming increasingly important as more council services are outsourced. Contracts for providing critical services for the public and council staff need to provide quality services and achieve value for money. Proactive contract management is needed to ensure that service expectations are met and that, if possible, further savings or social benefits are realised. Services face different challenges in managing contracts and the large number and diverse nature of council contracts means that different approaches have to be taken depending on the circumstances.
- 4.3. Throughout the review, the Committee should consider the following key questions:
- How contracts are monitored
 - How contract requirements are enforced
 - How responsive is the contractor to complaints of public/staff
 - What procedures are in place for ending the contract
- 4.4. The evidence sessions on 10 October 2012 and 10 January 2013 provided information on the general approach taken by the council to managing contracts and how corporate oversight of the various contract management activities taking place is achieved. This was coupled with information on best practice in contract management and examples of previous scrutiny carried out in Lewisham and across the country into contract management. Additionally evidence was provided on contract case studies.
- 4.5. The Committee concluded its review and agreed its recommendations on Tuesday 26 March 2013.

5 Response to Sustainable Development Select Committee views

5.1 Recommendation 1.

Officers who manage contracts should receive training on and support to achieve effective management of contract and professional individual relationships between client and contractor and their staff.

Response 1.

Contract Management courses are provided by the Learning and Development section and on-going advice and guidance is provided by the corporate procurement team.

5.2 Recommendation 2.

Where practicable, there should be continuity of contact on the officer side throughout the contract, and across periods of contractor changeover. Where changes in personnel take place, suitable handover and overlap procedures should be used to ensure continuity of relationship.

Response 2.

Lewisham generally seeks to maintain continuity of officers involved in contract management and monitoring, however, where changes in personnel are necessary handover and overlap procedures are implemented

5.3 Recommendation 3.

Lewisham should seek to increase the appropriate transfer of risk to the contractor in its contracts, particularly for service and customer failures. Contracts should be flexible enough to allow changes in the risk profile during its life as confidence in the contractor and the client-contractor relationship increases, with allowance for commensurate changes in reward for the contractor.

Response 3.

Lewisham's response to risk is based on the principles of Project Management and the Risk Management Strategy; which includes within its mission statement :

"The Risk Management Policy of the London Borough of Lewisham is to adopt best practice in the identification, evaluation and cost-effective control of risks to ensure that losses are minimised and opportunities are maximised.

Risk will be considered in every aspect of our business to ensure that we can deliver excellent, efficient services and the authority's exposure to risk will be effectively managed."

Our contracts include variation clauses which are used to address changes in both service provision and risk issues throughout the life of the contract.

5.4 Recommendation 4.

The use of model contracts, case studies and other methods of transparently explaining the risk transfers in contracts to potential contractors should be used so that the contractors are able to price the risk appropriately and reasonably in the bidding processes. The council should feel sufficiently confident in its contractor relationship management experience to push contractors to not over price the risks in contracting with Lewisham.

Response 4.

Clear and concise specifications are used to ensure that potential contractors are aware of the Council's requirements and understand the associated risks and who is responsible for managing them.

The Council's standard terms and conditions have been updated to reflect the Council's duties and responsibilities under various pieces of legislation on equalities, health and safety, and environment and sustainability.

As well as the Council's standard terms and conditions, there are a number of nationally recognised Standard Forms of Contract available. These are considered wherever possible, as they will have been agreed by employers' and trade organisations, and will be known and readily accepted by potential contractors. Any standard form can still be amended (within reason) to suit local requirements.

5.5 Recommendation 5.

Lewisham should explore, where appropriate and on a case-by-case basis, passing the responsibility of handling the customer interface and dealing with the public to the contractor.

Response 5.

In a number of contracts, currently let by Lewisham, the service provider handles the customer interface, this is considered as part of the contract review prior to undertaking a procurement process. The following contracts include the customer interface :

- Agency Staff
- Facilities Management
- Leisure Services
- Parking Services
- Parks and Open Spaces

5.6 Recommendation 6.

Wherever possible, remedies for contract failure on customer facing contracts should demand restitution as well financial loss. Likewise, outstanding customer service should be rewarded in the contracting framework.

Response 6.

Under English contract law liquidated and ascertained damages can be levied on contractors who are under-performing. The law does not, however, permit LADs to be used as a punishment against the contractor. Consequently, LADs are only enforceable if they constitute a genuine pre-estimate of the loss or are a reasonable amount.

In other contractual arrangements there are default mechanisms where contract failure results in financial deductions from the management fee. This system incorporates a reporting system that identifies non-availability of facilities and/or performance failures, and which also shows the deductions to be made for these failures, which increase over time and can in extreme circumstances result in contract termination.

Where the contractor is made insolvent or enters administration then either a performance bond or parent company guarantee are invoked to mitigate any losses suffered by the Council.

Most Lewisham contracts have an option to extend the service period and this is dependant on satisfactory performance during the life of the contract.

5.7 Recommendation 7.

Cross-service unit 'contract champions' - those officers with substantial positive experience of successfully managing contracts and contractor-client relationships - should be encouraged to spread good practice, advise on contracting processes and drafts, and identify potential efficiencies or service improvements that could be gained from the contracting process.

Response 7.

This inter-action between contract managers occurs on an ad-hoc basis and they are engaged to provide advice and assistance to 'new' client officers. The Commissioning and Procurement Board, that meets monthly, with representatives from all the Directorates is the forum where 'good practice' is identified and disseminated. Client officers are actively involved in reviewing service needs and identifying service improvements.

5.8 Recommendation 8.

There should be increased use of incentives in contracts, where profit for the contractor is generated only after the contractor has achieved specified performance levels.

Response 8.

Lewisham has included incentives within it's contracts for a number of years, including profit share (Downham Lifestyles Centre). Recently the Government has encouraged the use of 'Payment by Results' and certain contracts have incorporated this concept. The Head of Crime Reduction and Supporting People leads for the Council on this concept, and chairs the PbR Board, looking at how this style of contracting can be implemented across Council services.

5.9 Recommendation 9.

The tendering interest register that is being created should advertise upcoming tendering opportunities available with the council and allow companies to be able to register their interest in fulfilling them.

Response 9.

The e-tendering system will be used to advertise upcoming tendering opportunities, and companies will be able to register.

5.10 Recommendation 10.

Lewisham's Procurement Strategy should be updated to reflect the changed and constrained circumstances of the Council.

Response 10.

Lewisham's Procurement Strategy was updated in recent months to reflect changes in Council funding and as well the impact of new legislation, including the Localism Act and the Public Services (Social Value) Act.

5.11 Recommendation 11.

Due to the obligation to the public by contractors who are delivering public services and spending public funds, contracts between the Council and their contractors should be as open and transparent as possible. This should include open contract specification documents, the understanding that contractors have a responsibility to be accountable to public scrutiny and the expectation that contractors should address public scrutiny and queries in a meaningful way.

Response 11.

Lewisham regularly includes contract clauses that provide open book accounting and access to contractor records and documentation. Contracts also include the requirement to facilitate the Freedom of Information Act (FOIA). The Act provides a general right of access to information on public contracts and procurement activity held by public authorities, subject to certain conditions. This means that the Council will be obliged under the Act to release certain information about the suppliers it contracts with, into the public domain, within certain limits and according to relevant exemptions.

6 Legal implications

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

6.2 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. 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.

6.3 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.

6.4 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-actcodes-of-practice-and-technical-guidance/>

6.5 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

6.6 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-sectorequality-duty/guidance-on-the-equality-duty/> "

Public bodies such as local authorities are legally required to consider the three aims of the Public Sector Equality Duty (set out in the Equality Act 2010) and document their thinking as part of any decision-making processes. The Act sets out that public bodies must have due regard to the need to:

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

- foster good relationships between those who share a protected characteristic and those who do not share that characteristic.
- 6.7 The following equalities characteristics are 'protected' from unlawful discrimination in service provision under the Equality Act 2010: age; disability; gender reassignment; pregnancy and maternity; race; religion and belief; gender; and sexual orientation.

7 Financial Implications

- 7.1 There are no specific financial implications arising from this report.

8 Equalities Implications

- 8.1 The Council's Comprehensive Equality Scheme for 2012-16 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.

- 8.2 The Council's Equalities objectives are addressed in contract documentation and form part of the criteria used in the pre-tender evaluation process. The criteria usually include the following aspects:

- Compliance to equality and non-discrimination laws
- Any findings of unlawful discrimination against the tenderer
- Formal investigation for unlawful discrimination
- Equality opportunity policies and where they are set out for employees
- Equalities and non-discrimination codes of practice
- Workforce monitoring.

- 8.3 The response in paragraph 5.4 sets out that "Clear and concise specifications are used to ensure that potential contractors are aware of the Council's requirements and understand the associated risks and who is responsible for managing them.

"The Council's standard terms and conditions have been updated to reflect the Council's duties and responsibilities under various pieces of legislation". This includes the Equality Act 2010.

9 Environmental implications

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

10. Conclusion

- 10.1 The management of contracts is imperative in providing the highest level of service to our residents and the Public Accounts Select Committee's review has provided an opportunity to reconsider our approach but also to show how this activity has kept pace with both legislative and policy changes. .

Background documents

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Managing Contracts – review and recommendations	2013	Civic Suite		Andrew Hagger	No
Managing Contracts – evidence sessions	2012 / 2013	Civic Suite		Andrew Hagger	No

If you have any queries on this report, please contact Andy Murray, Procurement Strategy Manager, 4th floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 8133.

Mayor and Cabinet			
Title	Comments of the Sustainable Development Select Committee on Building the Lenox		
Contributor	Sustainable Development Select Committee	Item No.	
Class	Part 1	Date	11/09/13

1. Summary

- 1.1 This report informs the Mayor and Cabinet of the comments and views of the Sustainable Development Select Committee, arising from discussions held on the officer report entitled *Build the Lenox*, considered at its meeting on 11 July 2013.

2. Recommendation

- 2.1 The Mayor is recommended to note the views of the Sustainable Development Select Committee as set out in section three of this referral and agree that the Executive Director for Resources and Regeneration be asked to respond.

3. Housing Select Committee views

- 3.1 On 11 July 2013, the Sustainable Development Select Committee considered a report entitled *Build the Lenox* and received a presentation from members of the *Build the Lenox* group.
- 3.2 The Committee recommends that the Mayor write to Li Ka-Shing, Chairman of the Board of Hutchison Whampoa to urge a meeting between the developer and the *Build the Lenox* group.
- 3.3 The Committee recommends that a review be carried out by planning officers to determine what support can be given to the *Build the Lenox* group to assist in achieving the Lenox vision.
- 3.4 The Committee acknowledges the potential lasting benefits the *Build the Lenox* project might bring to the borough, including the employment, heritage, tourism, training and education initiatives it should help to create. The Committee also acknowledges that the project could help to create an iconic destination for tourists from around the world.
- 3.5 The Committee acknowledges the success of similar projects in regenerating towns and cities across Europe.
- 3.6 The Committee urges the Mayor to work jointly with the office of the Mayor of London and the London Assembly to support the project.
- 3.7 The Committee welcomes efforts by the Build the Lenox team to encourage the builders of the L'Hermione in Rochefort, France to visit the borough and share their experiences of building a replica warship.

3.8 The Committee notes the relevance of sections of the Council's core strategy, specifically section 4B of the spatial strategy for regeneration areas, which relate to community well being.

4. Financial Implications

4.1 There are no financial implications arising out of this report per se; but there are financial implications arising from carrying out the action proposed by the Committee.

5. Legal Implications

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

6. Further Implications

At this stage there are no specific environmental, equalities or crime and disorder implications to consider. However, there may be implications arising from the implementation of the Committee's recommendations. These will need to be considered in the response.

Background papers

Build the Lenox (11/07/13)

<http://councilmeetings.lewisham.gov.uk/documents/s23426/07%20Build%20the%20Lenox%20110713.pdf>

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

Mayor and Cabinet			
Title	Comments of the Safer Stronger Communities Select Committee on transforming rehabilitation		
Contributor	Safer Stronger Communities Select Committee	Item No.	
Class	Part 1	Date	11/09/13

1. Summary

This report informs the Mayor and Cabinet of the views and comments of the 29th July 2013 Safer Stronger Select Committee, arising from a probation service report '*transforming rehabilitation*', which advised the select committee on changes affecting the future of the probation service.

2. Recommendation

The Mayor is recommended to note the views of the Safer Stronger Communities Select Committee as set out in section three of this referral and agree that the Executive Director for Community Services be asked to respond.

3. Safer Stronger Select Committee views

- 3.1 On 29 July 2013, the Safer Stronger Communities Select Committee considered a report entitled *transforming rehabilitation* provided by the London Probation Trust.
- 3.2 The Committee wishes to express, in the strongest terms, its opposition to the Government's proposals for reforming the delivery of probation services and the management of adult offenders.
- 3.3 The Committee is opposed to the privatisation of provision for rehabilitation of offenders. The Committee is extremely concerned about the suitability of private sector organisations to manage community rehabilitation and probation. It is also concerned about the transfer of offenders between private and public provision because of the unpredictable level of risk posed by offenders as well as the complicated arrangement of the payment mechanism being proposed.
- 3.4 The Committee is troubled by the failure of some government contracts with the private sector to meet basic standards of transparency and cost effectiveness.
- 3.5 The Committee is concerned about the risks involved in the transition from existing provision to the new structure of services.
- 3.6 The Committee does not believe that all of the potential risks to the successful implementation of the new model have been fully considered.
- 3.7 The Committee believes that further representations should be made by the Council to the appropriate authority setting out the concerns about these changes.

4. Financial implications

There are no financial implications arising out of the implementation of the recommendation in this report.

5. Legal implications

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

6. Crime and disorder implications

There are likely to be significant and wide-ranging implications arising from the changes being proposed to the rehabilitation of offenders. These will need to be considered in the response.

7. Further implications

At this stage there are no specific environmental or equalities implications to consider.

Background papers

Transforming rehabilitation:

<http://councilmeetings.lewisham.gov.uk/documents/s23819/05%20Probation%202013.pdf>

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

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

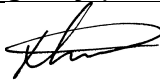
Date of Meeting	11 th September 2013
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Title of Report	Surrey Canal Triangle Regeneration – Update on Land Assembly and Conditional Land Sale Agreement between LBL and Renewal.
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Originator of Report	Director of Regeneration and Asset Management	47908
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  _____ Executive Member
 Date: 9th September 2013

Signed:  _____ Director/Head of Service
 Date: 6th September 2013

Control Record by Committee Support

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

MAYOR & CABINET		
Report Title	Surrey Canal Triangle Regeneration – Update on Land Assembly and Land Agreement between LBL and Renewal.	
Key Decision	Yes	Item No.
Ward	New Cross	
Contributors	Executive Director for Resources & Regeneration Head of Law	
Class	Part 1	Date: 11 September 2013

Reasons for Lateness and Urgency

This report was not available for the original dispatch because despite the best endeavours by all concerned it has not been possible to negotiate and agree all the elements of this complex project in time to meet the prescribed final submission date for this report. The report is urgent cannot wait until the next meeting of Mayor & Cabinet on 2nd October 2013 because this will delay progress on the assembly of the land required to deliver the Surrey Canal Triangle regeneration scheme.

Where a report is received less than 5 clear days before the date of the meeting at which the matter is being considered, then under the Local Government Act 1972 Section 100(b)(4) the Chair of the Committee can take the matter as a matter of urgency if he is satisfied that there are special circumstances requiring it to be treated as a matter of urgency. These special circumstances have to be specified in the minutes of the meeting.

1.0 Purpose of report

- 1.1 To update the Mayor on progress following the “in principle” CPO and Land Appropriation report of 7th March 2012 for the Surrey Canal Triangle (SCT) Regeneration Area and to seek the Mayor's approval for the Council to enter into a Conditional Land Sale Agreement on the Heads of Terms outlined in the Exempt part 2 of this report. The Exempt part 2 of this report is commercially sensitive and is exempt from public publication so as not to prejudice negotiations with Renewal or third party landowners.
- 1.2 The Developer for the SCT site is Renewal Group Limited (Renewal).
- 1.3 This report also updates members on progress with land assembly. Renewal continues to acquire land by negotiation and have successfully acquired or control the majority of the developable area. If the Council is required to use its compulsory purchase powers and land appropriation powers under the Town and Country Planning Act 1990, then a separate report will be presented to Mayor & Cabinet in

due course outlining the justifications for seeking a CPO resolution and any pre-conditions that need to be or have been satisfied by Renewal.

2.0 Recommendations

The Mayor is recommended to:

- 2.1 agree to enter into a Conditional Land Sale Agreement with Renewal Group Limited on the basis of the Heads of Terms outlined in Appendix 2 in the exempt part 2 to this report;
- 2.2 note that a Compulsory Purchase Indemnity Agreement is to be entered into with Renewal Group Limited prior to the Conditional Land Sale Agreement being completed; and
- 2.3 delegate authority to the Executive Director for Resources and Regeneration, in consultation with the Director of Regeneration and Asset Management and Head of Law, to finalise the terms of the Conditional Land Sale Agreement and any associated legal documentation and to enter into the Conditional Land Sale Agreement.

3.0 Policy context

- 3.1 'People, prosperity, place', Lewisham's regeneration strategy 2008-2020, sets out the Council's aspiration for a vibrant, dynamic Lewisham focussed around the themes of people - investing in the individuals and communities which are Lewisham's greatest asset - prosperity - fostering the skills and economic opportunities for Lewisham to flourish and thrive - and place - developing high quality public spaces, sustainable buildings and protecting the areas which are sensitive to change. The strategy identifies the area as a strategic site with the Borough. The strategy is also placed within the framework of the key national and regional policies which affect the Council's work around regeneration of the borough, including the London Plan.
- 3.2 'Shaping our future', Lewisham's Sustainable Community Strategy 2008 - 2020, includes the 'Dynamic and Prosperous' theme, where people are part of vibrant communities and town centres, well connected to London and beyond. It details the Local Strategic Partnership's commitment to 'improving the quality and vitality of Lewisham's town centres and localities', and aspirations to 'support the growth and development of our town centres by working with commercial partners and developers', and 'maximise the use of our town centres as places to engage the local community'.
- 3.3 Strengthening the local economy is a corporate priority, emphasising the importance of 'gaining resources to regenerate key localities, strengthen employment skills and promote public transport.
- 3.4 The Council's Asset Management Plan sets out the approach to using property effectively in order to achieve the Council's objective of making Lewisham the best place in London to live work and learn. It

acknowledges that the Council's assets have a key role to play in supporting the Borough's regeneration aims.

- 3.5 The Council's Local Development Framework (LDF) sets the vision, objectives, strategy and policies that will guide development and regeneration in the borough up to 2025 and together with the Mayor of London's 'London Plan' will form the statutory development plan for the borough.
- 3.6 Lewisham's Housing Strategy 2009 -14, 'Homes for the future: raising aspirations, creating choice and meeting need' includes as key priorities increasing housing supply, despite the current recession, to ensure all opportunities are explored; and meeting housing need and aspirations by widening housing choice across all tenures. Major regeneration schemes remain one of the Council's key vehicles to bring about significant improvements to its housing stock as well as PFI, ALMO and stock transfer methods, especially for housing estates where the cost of tackling the range of physical and social problems means that in most cases they fall outside of the scope of the housing allocations in the Council's Capital Programme. The strategy recognises that in 'the difficult market conditions posed by the housing market downturn, innovative thinking will be required to deliver the necessary numbers, mix and quality of new homes in a way that fits with wider plans for the borough'.
- 3.7 The Council's Annual Lettings Plan was last presented to Mayor & Cabinet in March 2011. It set out the content of the Lettings Plan for 2011/12, which is designed to achieve the Council's strategic priorities for housing need and homelessness.

4.0 Background

- 4.1 In early February 2011 the Council received an application for outline planning permission made by Signet Planning on behalf of Renewal New Bermondsey Two Limited for the comprehensive phased mixed-use development of the SCT Site.
- 4.2 The Council's Strategic Planning Committee on 13th October 2011 resolved to approve the planning application, subject to completion of a Section 106 Agreement. Full details are contained in the report to that Committee and available on the Council's website.
- 4.3 In summary, the Scheme consists of the comprehensive, phased, mixed-use development of the site based upon a set of planning parameters that would enable detailed proposals to come forward for the following:
1. Demolition of all buildings other than MFC Stadium, Rollins House and Guild House;
 2. The provision of up to 240,000sqm of development on 17 different plots;

3. A range of non-residential uses including retail, cafes/restaurants and drinking establishments, hot food takeaways, Business (B1), hotel, community and Leisure and Assembly, with non-residential floor space totalling at least 37,000sqm or 20% of the total floor space provided, whichever is the lower;
4. Up to 2,400 residential dwellings of a range of sizes, including between 0 and 20% by habitable room of 'affordable housing';
5. Minimum and maximum building heights ranging from 5m above ground to 85.7m above ground (between one and 27 storeys);
6. Between approximately 1.51ha and 1.77ha of publicly accessible open space, other public realm areas and residential amenity/play space;
7. Between approximately 3,240m and 4,640sm of Living Roofs;
8. A network of altered and new streets, pedestrian and cycle paths and up to 1,084 car parking spaces and at least 1 cycle parking space per new home, plus at least 282 car parking spaces for staff and visitors;
9. Provision for two bus services to access some of the proposed streets and the provision of bus stops and facilities for bus drivers in order to provide a public transport interchange with a new Surrey Canal Road Station on the East London Line Extension;
10. District Heating Network either connected to the nearby SELCHP plant or powered by an on-site Combined Heat and Power plant and 3,000sqm of photovoltaic panels at roof level; and
11. A vacuum waste storage and handling system.

4.4 RENEWAL – SCHEME PROGRESS SINCE MARCH 2012

4.4.1 Following entering into the Section 106 Agreement, and the grant of planning consent in March 2012, Renewal have focused on securing occupiers for the commercial spaces in phases 1-3. They see this as fundamental to delivering a new, successful and vibrant place for a scheme of this size and complexity.

4.5 Phase 1.

4.5.1 After a process of interviewing a large number of prospective faith organisations over a period of 18 months, Renewal agreed "in principal" terms in October 2012 with Hillsong, to deliver a new faith building in phase 1.

4.5.2 Hillsong, originating from Australia, are one of the fastest growing inclusive churches in the UK. They currently rent the Dominion Theatre on Tottenham Court Road every Sunday where they hold 4 services, each attended by up to 2,000 people.

4.5.3 As an interim measure, Hillsong are entering into a 3 year lease for over 3,000 sq.m. of space in Unit 3, Stockholm Road, for occupation commencing in September 2013, to start their church, build a local congregation and commence their outreach programmes in the local community around Surrey Canal.

- 4.5.4 The temporary change of use planning application was submitted on 21st June 2013 and is expected to be determined in September.
- 4.5.5 Hillsong have appointed contractors for internal fit out works for their temporary church and are ready to commence detailed discussions on the appointment of detailed design architects and the subsequent detailed planning application, by December 2013.
- 4.5.6 Renewal's current discussions pertaining to the permanent scheme, to be formalised in a Development Agreement between Renewal and Hillsong prior to submission of a detailed planning application, envisage works commencing on site by April 2015 with a two year build period.

4.6 Phase 2

- 4.6.1 Renewal are in discussions with several organisations that wish to be tenants in a creative/digital media hub.
- 4.6.2 Renewal funded a local technology business, Mo-sys, with £85,000, to start a 'meanwhile' Virtual Technology Studio facility in Phase 2. Unfortunately after 8 months of operation the Surrey Canal Studios were unable to continue trading profitably and consequently were closed down.
- 4.6.3 Renewal has held discussion with other leading local Creative businesses and are actively working with the larger businesses who need to relocate from the Faircharm Estate (Creekside Area, Deptford) as a result of a new mixed use development there. An Open Day is being planned in October for these businesses to visit and view the spaces due to become available in the current Phase two buildings, later this year. Renewal are at various stages of negotiation with potential individual occupiers.
- 4.6.4 Renewal are also in early discussions with Pinewood Shepperton studios to operate a Digital Media hub in Phase 2.

4.7 Phase 3

- 4.7.1 A key element in creating a new vibrant community at Surrey Canal is Renewal's vision for and commitment to, delivering a major new sports facility for Lewisham and South East London. This sporting complex has the potential to make a significant difference to the lives and health of the predominantly young and disadvantaged population in this area, the surrounding communities and beyond.

4.8 Surrey Canal Sports Foundation Ltd

- 4.8.1 In May 2011 Renewal established the independent Surrey Canal Sports Foundation Ltd. (SCSF) charitable trust to oversee the capital fund raising and delivery of the not for profit 15,000 sq. m. of sports facilities detailed in the planning consent.

4.8.1 A Board of Trustees was recruited during the summer of 2011 under the Chairmanship of Steven Norris [former Minister for Transport] The board consists of:

Sir Steve Bullock (Executive Mayor of Lewisham Council)
Cllr Peter John (Leader of Southwark Council)
Baroness Grey-Thompson (celebrated Paralympian)
Brendan Jarvis (Global Head of Real Estate Barclays Bank PLC)
John Inverdale (Broadcaster)
Steve Backley (Olympian)

4.8.2 The trustees are seeking to raise the £40m required to build the biggest indoor community sports complex in London since Crystal Palace was built in the 1960's (save for the Olympic complex).

4.8.3 Renewal gave a firm undertaking to the SCSF, in the summer of 2011, to vest with them the long leasehold of the sports complex, valued at circa £10million. Following this Sport England pledged, in 2012, £2million towards the capital costs.

4.8.4 The Board is keen to commence fund raising in earnest once the Conditional Land Sale Agreement with Lewisham has been agreed.

4.8.5 They have already received considerable encouragement to apply for capital grants from statutory bodies, philanthropic organisations and the Social Corporate Responsibility funds of at least 3 PLC's.

4.8.6 The SCSF entered into a lease with Renewal on 4th April 2013 to occupy 2,200 sq.m. in unit 2 Stockholm Road, commencing July 2013 to initiate their "sport in the Community" programme by providing a new interim home for Lewisham Thunder [the under 18 England Basketball Champions]. The aim is to support and enable them, under the management and coaching skills of Steve Bucknall, [an ex American NBA player and coach], to become a British Basketball League [BBL] franchise and a key anchor occupier of the new Sports complex with it's 3000 seat basketball arena.

4.8.7 The Olympic legacy Company has provided two basketball court sprung wood floors, seating and associated equipment. A launch with an exhibition match is being planned for October 2013. In addition, the local health authority has provided funding for Lewisham Thunder to deliver a "Hoops for Health programme" within 16 local primary schools commencing this September.

4.8.8 The SCSF is also providing facilities within this temporary building for the Fusion table tennis Club and are in discussions with an amateur boxing club.

4.8.9 The new sports complex is, in principle, already fully occupied by the organisations listed above plus a regional centre for the English Table Tennis Association including provision for televising major table tennis

Championships and events, the Millwall Community Scheme, a new home and museum for the London Amateur Boxing Association and provision for Ladywell gymnastics club. An in-principal agreement with Technogym [a reputable leading Italian manufacturer] is in place to equip the 150-station fitness and well-being centre.

4.9 Planning and other matters

- 4.9.1 Renewal will be submitting a section 73 Application in September 2013 for minor material amendments to the approved outline scheme, enabling a detailed design and application for the Sports Building to be submitted soon thereafter. Their current intention is to commence building this phase on site in the autumn of 2015.
- 4.9.2 Renewal have also let the construction contract to build the company's new office and presentation suite on site at Surrey Canal in readiness for preliminary works, launches, commencement on site and delivery of the first three phases. Renewal will be in occupation and on site by the end of December 2013.
- 4.9.3 This new predominantly glass single story building, sitting atop Guild House, one of the retained buildings, and overlooking the entire site is seen as the ideal location to launch the final phase of the SCSF fundraising. When the SCSF Board of Trustees can be assured of the Conditional Land Sale Agreement, the SCSF will seek to secure the capital funds already pledged (up to 50% of the funding required). Once 50% of the funds have been secured the SCSF will instruct and fund the detailed design and planning application for the sports facilities.

5.0 Existing ownerships and land assembly issues

- 5.1 The majority of the land required for the Scheme is in the ownership of the Council and Renewal.
- 5.2 A Plan showing the current land assembly position is provided in Appendix 1 of this report. This shows the area now controlled or owned by Renewal, and the land still to be acquired.
- 5.3 The Council owns the freehold of the Stadium land, the freehold of the adjoining sports and the community centre (known as the Lion's Centre) which houses the Millwall Community Scheme (MCS).
- 5.4 Millwall FC ("MFC") has a long lease (with 132 years to run) on the Stadium and adjoining land and the MCS has a lease (with 17 years to run) on the sports and community centre. Neither MFC nor MCS can develop the land leased to them by the Council without the Council's consent as Landowner. The Council, MCS and Renewal are making good progress on negotiations to relocate the Trust to Phase 3 of the Scheme. Correspondence and discussions with MFC have also taken place and these negotiations are still continuing.

- 5.5 If agreement cannot be reached with any of the third party within a reasonable period then the Council will need to consider using its compulsory purchase powers in order to facilitate the land assembly and enable the scheme to proceed. Should this become necessary this will be subject to a further report in due course.
- 5.6 Renewal, who commenced acquisitions in 2004, now owns the majority of the developable land within the SCT. Renewal have continued to acquire land over the past 8 years, with offers to acquire by agreement the remainder of the land. The plan at Appendix 1 shows the land acquired to date by Renewal and the land to be acquired has been independently verified by CPO Surveyors GL Hearn.

6.0 Financial implications

Paragraphs 6.1 to 6.11 are on the Exempt part 2 of this Report.

7.0 Risk Assessment

- 7.1 Key risks in entering into the Conditional Land Sale Agreement are outlined in the financial and legal implications section of this report. A risk register for this project is being monitored by the Council's SCT Project Board. It is intended that prior to entering into the Conditional Land Sale Agreement, the Council and Renewal will enter into a CPO Indemnity Agreement which will seek to provide the Council with the protection it needs to avoid the financial risks associated with the CPO process and any acquisitions by agreement ahead of any CPO. The report to Mayor & Cabinet on 7 March 2012 delegated authority the Director of Regeneration and Asset Management, in consultation with the Head of Law and Head of Asset Strategy & Development (interim), to negotiate the terms of and enter into this CPO Indemnity Agreement with Renewal. A separate report will be presented to Mayor & Cabinet should a CPO be required, and that report will identify the risks associated with the process.

8.0 Comments from the Head of Planning

- 8.1 The Core Strategy Development Plan Document (DPD) sets out the vision, objectives, strategy and policies to manage development in the borough over the next 15 years (2011 to 2026). The Core Strategy is the Council's key planning policy document and together with the London Plan forms the development plan for the borough. The Core Strategy allocates five sites in the north of the borough as 'strategic sites' one of which is Surrey Canal Triangle (Core Strategy Strategic Site Allocation 3, SSA3).
- 8.2 The strategic sites are considered central to the achievement of the Core Strategy as redevelopment can collectively transform the physical environment and achieve place making objectives by delivering a comprehensive range of regeneration outcomes in the borough's most deprived areas. This includes significant numbers of new homes, a range of economic, employment and training opportunities, accessibility

improvements (public transport, pedestrian and cycle), and infrastructure provision and public realm improvements.

- 8.3 Surrey Canal Triangle represents an opportunity to transform the environment and infrastructure and create a new destination around the borough's premier sporting destination (Millwall Stadium) which currently is not enhanced or improved by the surrounding industrial estates.
- 8.4 The Core Strategy policy (SSA3) allocates the site for mixed use development and requires a comprehensive phase approach to redevelopment in line with an approved Masterplan. For the purposes of this site, the detailed planning application and supporting documentation which the Council resolved to approve on 13th October 2011. This represents the site's masterplan. The policy seeks to create a 'destination' that could act to focus and attract other regeneration opportunities. It ensures development facilitates and takes advantage of the proposed new station on the London Overground network and the existing sporting and leisure facilities at Millwall Stadium to create a new high quality destination in an area which is relatively devoid of local facilities. Specifically the policy:
- ensures the continued operations of Millwall Stadium and supports its potential redevelopment
 - seeks a range of uses including employment, retail, housing (up to 2,500 new homes), leisure and community
 - makes provision for a range of infrastructure including the Surrey Canal Road London Overground Station and substantial improvements to walking and cycling routes, including on-site amenity space
 - ensures high quality design of all new buildings and spaces.
- 8.5 The Core Strategy is intended to encourage third party landowners and developers to bring forward their land and buildings for re/development where appropriate. The Council has been working with landowners and their agents to assist the process of bringing forward development within the earliest possible period. This particularly applies to the strategic site allocations. However, it is accepted that there may be instances where landowners may be reluctant or unwilling to bring forward their land for development. In such circumstances the Council may choose to use its compulsory purchase powers to achieve the Core Strategy's wider regeneration objectives.

9.0 Legal implications

Paragraphs 8.1 to 8.16 are on the Exempt part 2 of this report.

10.0 Equality Implications

- 10.1 There are none at this stage of the process or in terms of entering into a Conditional Land Sale Agreement.

11.0 Environmental Implications

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

12.0 Crime and disorder implications

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

13.0 Conclusion

13.1 Mayor & Cabinet are recommended to approve the Council to entering into a Conditional Land Sale Agreement on the terms outlined in this report.

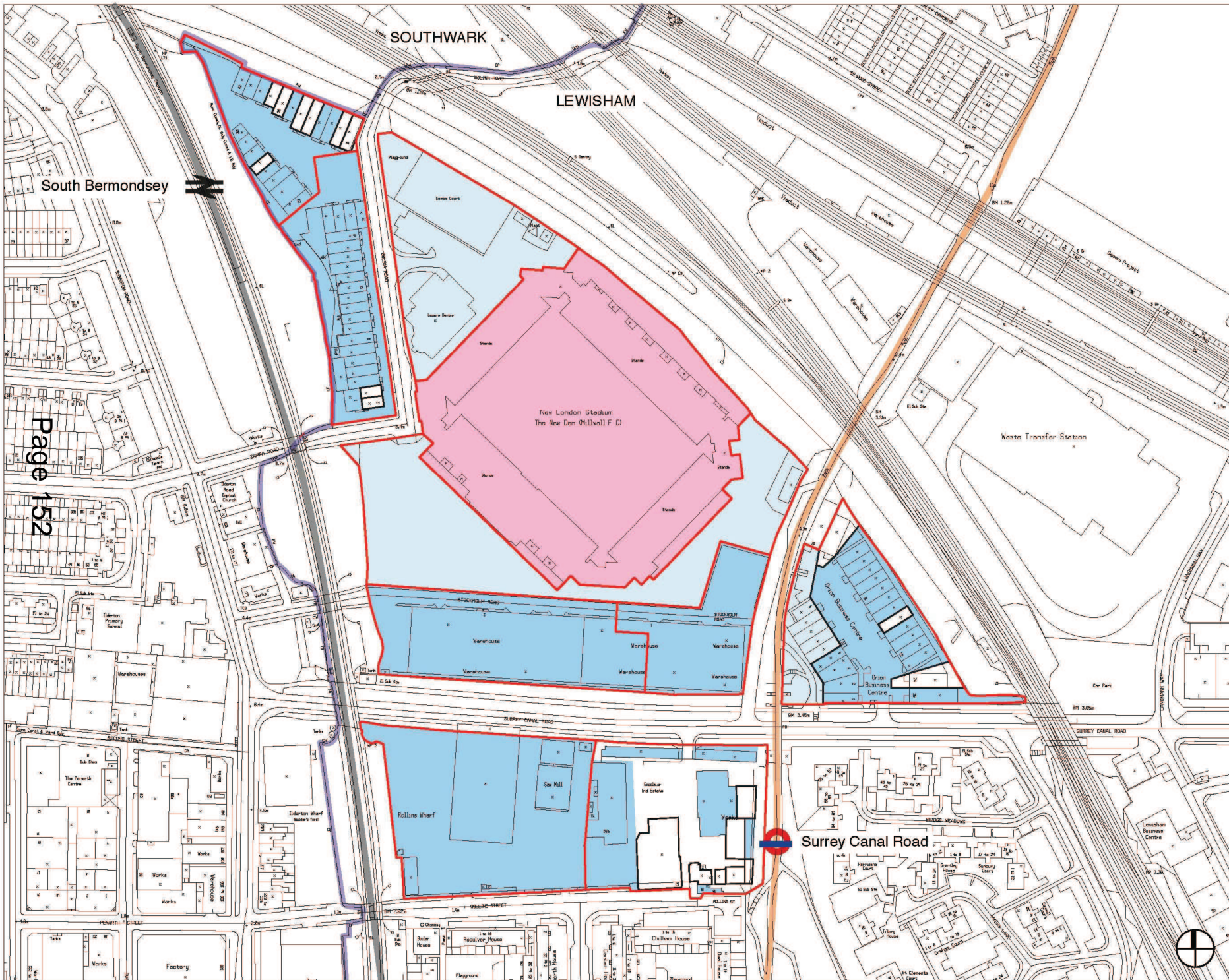
Background Papers

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

<u>Short title of document</u>	Date	File Location	Contact Officer
Strategic Planning Committee Report Land to the North and South of Surrey Canal Road	13.10.11	Laurence House	Chris Brodie
SCT "in principle" CPO and land appropriation report	7.3.12	Laurence House	Abdul Qureshi

Use of Appendices Appendix 1: Site Ownership Plan.

If there are any queries on this report please contact Rob Holmans, Director for Regeneration & Asset Management on 020 8314 7908.



KEY

- Renewal Owned
- Heads of Terms Agreed with London Borough of Lewisham and TFL
- Land to be Acquired
- Millwall FC (owned by London Borough of Lewisham leased to Millwall FC)
- Site Boundary
- Borough Boundary
- National Rail Line
- East London Line
- South Bermondsey Station
- Surrey Canal Road Station

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SOUTHWARK

LEWISHAM

South Bermondsey

New London Stadium
The New Den (Millwall F.C.)

Surrey Canal Road

Waste Transfer Station

Rollins Wharf

Orion Business Centre

The Fenwick Centre

Works

Factory

Iderton Wharf

Works

Factory

Saw Mill

Works

Factory

Essex End Estate

Works

Factory

Works

Works

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MAYOR & CABINET		
Report Title	Exclusion of the Press and Public	
Key Decision	No	Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: September 11 2013

Recommendation

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:-

- 17 Lewisham Gateway Land Appropriation
- 18. Surrey Canal Triangle Land Agreement

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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