



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 16 JULY 2014 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	Mayor	(L)
Councillor Alan Smith	Deputy Mayor - Growth & Regeneration	(L)
Councillor Chris Best	Health, Well-Being & Older People	(L)
Councillor Kevin Bonavia	Resources	(L)
Councillor Janet Daby	Community Safety	(L)
Councillor Joe Dromey	Policy and Performance	(L)
Councillor Damien Egan	Housing	(L)
Councillor Paul Maslin	Children & Young People	(L)
Councillor Joan Millbank	Third Sector and Community	(L)
Councillor Rachel Onikosi	Public Realm	(L)

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Thursday, 10 July 2014**



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: July 16 2014

Declaration of interests

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

1 Personal interests

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

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

2 Disclosable pecuniary interests are defined by regulation as:-

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

(5) Declaration and Impact of interest on members' participation

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

(6) Sensitive information

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

(7) Exempt categories

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

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

Agenda Item 2

MAYOR AND CABINET		
Report Title	Minutes	
Key Decision		Item No.
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: July 16 2014

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 June 25 2014 be confirmed and signed as a correct record. (copy attached).

MINUTES OF THE MAYOR AND CABINET

Wednesday, 25 June 2014 at 6.00 pm

PRESENT: Sir Steve Bullock (Mayor), Councillors Alan Smith, Chris Best, Kevin Bonavia, Janet Daby, Joe Dromey, Damien Egan, Paul Maslin, Joan Millbank and Rachel Onikosi

ALSO PRESENT: Councillor Stella Jeffrey and Councillor David Michael.

3. Declaration of interests

The Mayor declared a prejudicial interest in Item 15 as a Board member of the Surrey Canal Sports Federation and withdrew from the meeting during consideration of the item.

Councillor Paul Maslin declared a personal non prejudicial interest in Item 8 as a parent of a Trinity Primary School pupil.

4. Minutes

RESOLVED that the minutes of the meetings held on April 9 and April 11 2014 be confirmed and signed as a correct record.

5. Outstanding Scrutiny Matters

RESOLVED that the report be noted.

6. Financial Outturn 2013-14

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

RESOLVED that the report be noted.

7. Sir Francis Drake Primary School

The report was introduced by Councillor Paul Maslin, the Cabinet Member for Children & Young People who acknowledged concerns were still held by parents and he referred to tabled addendum documents reflecting late received petitions opposing the proposed demolition.

The Executive Director for Children & Young People's representative referred to the written response to the concerns that had been expressed and he outlined the engagement that had taken place with the Education Funding Agency to modify the proposals.

The Mayor was addressed by Mr Fraser Jopp, the Chair of Governors at Sir Francis Drake Primary School. He reported that the expansion remained a highly sensitive issue for current parents and children and did not think that resistance would end while they believed that alternatives such as building an

entirely new school elsewhere in the north of the borough remained. He stated the views of the Governors were broadly as before and as set out in writing. He stated the Governors desire to properly interrogate the design proposals. He said he believed Sir Francis Drake was popular because it was a small 1FE school and that it was crucial that the transition to a larger school was properly managed to ensure a high quality teaching and learning experience could be maintained.

The Executive Director for Children & Young People's representative responded by indicating the design proposals could be worked up over the summer and approvals would be sought from the Education Funding Agency in the autumn. He further pointed out an entirely new school had been ruled out because a suitable site could not be identified and that this problem was one of the principal reasons why the well-publicised Free Schools initiative had such limited appeal in the borough. He also acknowledged the suggestion of a permanent dedicated space in Deptford Park had not been developed even though the school was proximate to the park.

In response, the Mayor recognized that individual parents would express legitimate concerns about their local school but that he held a wider responsibility to parents generally and he was charged with tackling the problem of finding places for a sharply rising number of children entering the education system. He noted the lack of enthusiastic support for change but concluded he had no real choice other than to go ahead. He affirmed his commitment to support the school and said he expected officers to keep elected members informed on developments. He asked the Chair of Governors to report any support failings directly to him.

Having considered an officer report and an addendum summarising further Representations from parents, and presentations by the Cabinet Member for Children & Young People, Councillor Paul Maslin, and the Chair of Governors at Sir Francis Drake Primary School, the Mayor for the reasons set out in the report:

RESOLVED that:

(i) the responses received during the representation period on proposals to enlarge Sir Francis Drake Primary School be received; and

(ii) the proposal to enlarge Sir Francis Drake Primary School from 1 to 2 forms of entry with effect from September 2016, subject to the development of satisfactory building proposals in partnership with the Education Funding Agency be approved.

8. Small Scale Traffic Schemes 2014-5

The report was introduced by the Deputy Mayor who reported an amended appendix had been tabled which corrected an error in the priority order for schemes.

Having considered an officer report and an addendum reordering the scheme

priorities, and a presentation by Deputy Mayor, Councillor Alan Smith, the Mayor, for the reasons set out in the report:

RESOLVED that:

(i) the prioritisation of Small Scale Traffic Schemes for 2014-15 shown in the amended Appendix A be approved;

(ii) applicable funding identified via S106 or other external sources be used to investigate and treat items from the priority list;

(iii) the small scale traffic schemes carried out in 2013-14 be noted:

(iv) officers report back next year on additional small scale traffic scheme requests received and action taken in respect of the 2014-15 programme.

(v) the Borough's 2014-15 "Local Transport Funding" allocation from Transport for London of £100,000 be allocated as listed below:

- i. £50,000 to the programme of Small Scale Traffic Schemes;
- ii. £50,000 to the development of LIP schemes and the implementation of minor urgent local traffic works;

(vi) the revenue traffic management budget for 2014-15 of £65,000 be allocated as listed below:

- i. £25,000 to the programme of Small Scale Traffic Schemes;
- ii. £20,000 for new waiting and loading restrictions;
- iii. £10,000 for footway parking;
- iv. £10,000 for the maintenance and relocation of speed indicator devices / traffic flow and speed surveys.

9. Adoption Statement of Purpose update

The report was introduced by the Cabinet Member for Children & Young People who congratulated all the staff involved in the compilation of an excellent report and their involvement in a national initiative about to be launched on adoption placements.

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor for the reasons set out in the report:

RESOLVED that:

(i) the work of the Adoption Service be noted;

(ii) the review of the Statement of Purpose be approved; and

(iii) the two updated Children's Guides to Adoption be noted.

10. Trinity Primary School

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor for the reasons set out in the report:

RESOLVED that:

(i) the Council was under a duty to transfer the land and buildings shown on an attached plan at to the Southwark Diocesan Board of Education and the transfer should take place as set out; and

(ii) authority be delegated to the Director of Regeneration & Asset Management, in consultation with the Executive Director for Children & Young People and the Head of Law, to agree the final terms of the transfer and to agree and conclude any other outstanding issues in connection with the land transfer arrangements.

11. Somerville and Kenton Court Extra Care Scheme

The report was introduced by the Cabinet Member for Health, Well-Being & Older People who confirmed the Council had already been in informal dialogue with all but two of the tenants in the facilities under discussion.

The Executive Director for Community Services representative pointed out any impression that the contract between the Council and Notting Hill had already been signed would be wrong. She said the Financial Implications section of the report referenced an 'Award of Contract' report of 15 January 2014. That report was actually a waiver request to allow officers to negotiate the service specification and contract with the provider of the Conrad Court service, Notting Hill Housing Trust. This reflected the S106 agreement between the Council and the property developer Berkley Homes which required the developer (Berkley) to identify an appropriate social landlord and care partner. They entered into an agreement with Notting Hill in the first instance,

Negotiations between the Council and Notting Hill regarding the contract documentation were at a very advanced stage, with a range of commitments from Notting Hill which supported the Council's strategy for improved housing and support to older adults in mixed need communities.

Officers were at the final stage of phasing the start up pricing with the 6 month lead in period for allocations as described. One of the commitments that Notting Hill gave was to use any hours funded which are surplus to the care needs of clients who move in during the start up stages to support other social care clients not living at Conrad Court. Mayor and Cabinet (Contracts) had delegated authority for sign off of that contract to the Director for Community Services. Officers expected all documentation to be finalised for sign off for by mid July.

The Executive Director for Community Services representative went on to clarify that while the proposal was to consult on the transfer of the Council's

directly managed Extra Care service, this was not the same as transferring service responsibility. That would remain with the Council through the management and monitoring of the Extra Care Contract.

The Mayor referred to correspondence which had been received from friends and relatives of current residents. He believed a certain amount of confusion had arisen because of the need to discuss normal residential tenancies at the same time as agreeing care packages. He accepted advice from Councillor Millbank that the process could be very fearful to vulnerable residents accustomed to a given level of provision in their current location and that the appointment of an outside independent advocate could ensure their anxieties were properly addressed.

Having considered an officer report, tabled correspondence from residents friends and relatives and a presentation by the Cabinet Member for Health, Well-Being & Older People, Councillor Chris Best, the Mayor added an extra resolution concerning independent advocacy and otherwise for the reasons set out in the report:

RESOLVED that:

- (i) the consultation taken place so far in line with the decisions of the December 4 2013 Housing Matters report be noted;
- (ii) individual social care assessments be carried out for all tenants at both Kenton Court and Somerville extra care schemes, and the outcomes of these assessments be noted;
- (iii) individual tenants be offered support by an independent advocate;
- (iv) the range of alternative high quality housing, care and support available in the borough be noted, and that there are additional extra care schemes being developed and that five out of 31 tenants at Kenton Court and Somerville have taken up these alternative offers voluntarily already;
- (v) officers formally consult with the tenants at Kenton Court and Somerville about the proposed transfer of the Council's directly managed extra care service to Notting Hill Housing Group at Conrad Court;
- (vi) officers commence TUPE consultation with affected staff in the extra care service;
- (vii) officers commence initial statutory section 105 consultation on the proposals to close the service provided at Kenton Court and Somerville and potentially close the buildings;
- (viii) officers commence feasibility studies on both sites to develop proposals for alternative uses which meet housing need in the borough, and that any further necessary consultation should be undertaken with existing tenants to enable the Mayor to make a further decision on the future of the buildings in Autumn 2014; and

(ix) officers continue to facilitate voluntary decants of tenants who wish to move to other services.

12. Response to Healthier Communities Select Committee on Public Health Expenditure

Having considered an officer report, and a presentation by the Cabinet Member for Health, Well-Being & Older People, Councillor Chris Best, the Mayor:

RESOLVED that the response of the Executive Director for Community Services and Director of Public Health which detailed plans to develop a comprehensive public health outcomes performance management and monitoring framework which will incorporate the priority outcomes of the Health & Wellbeing Strategy be approved and reported to the Healthier Communities Select Committee.

13. Management Report

Having considered an officer report, and a presentation by the Cabinet Member for Policy and Performance, Councillor Joe Dromey, the Mayor

RESOLVED that the report be noted.

14. 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 Paul Maslin, the Mayor:

RESOLVED that the following persons be appointed as a Local Authority governor;

Cllr. Jacqueline Paschoud	Holy Trinity
Cllr. Carl Handley	Watergate
Maureen Swift	St William of York
Hannah Jeffreys	Good Shepherd
Andrew Holmes	Leathersellers' Federation
Sophie Smith	Turnham
Gila Tabrizi	Sydenham
Kate Canniffe	Sir Francis Drake

15. Instrument of Government Brindishe Federation

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

RESOLVED that:

(i) the Instrument of Government for the Brindishe Federation be made by

Local Authority order dated 1 September 2014;

(ii) the nomination of Spyros Elia be approved as the Local Authority governor for appointment by the governing body; and

(iii) the name change of Lee Manor School to Brindishe Manor Primary School be approved.

16. Instrument of Government St Mary's School

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

RESOLVED that:

(i) the Instrument of Government for St. Mary's Church of England Primary School be made by Local Authority order dated 1 September 2014;

(ii) the nomination of James Stevens be approved as the Local Authority governor for appointment by the governing body.

17. Surrey Canal Sports Foundation

Having considered an officer report, and a presentation by Deputy Mayor, Councillor Alan Smith, the Cabinet, in the absence of the Mayor, agreed that:

(i) £500,000 of funding be pledged to the Surrey Canal Sports Foundation subject to the terms of the associated funding agreement being agreed; and

(ii) authority be delegated to the Executive Director for Resources and Regeneration, in consultation with the Director of Regeneration and Asset Management and Head of Law, to negotiate the terms of the funding agreement; and

(iii) the funding agreement be reported back to Mayor & Cabinet for approval.

18. Exclusion of Press and Public

RESOLVED that that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and 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, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

19. Application for funding from Department of Energy and Climate Change.

19. Application for funding from Department of Energy and Climate Change

Having considered a confidential officer report, and a presentation by the Cabinet Member for Public Realm, Councillor Rachel Onikosi, the Cabinet, in the absence of the Mayor, for the reasons setout in the report

RESOLVED that the proposal to apply for a grant under the Heat Networks Funding Stream be approved.

The meeting ended at 7.43pm.

Agenda Item 3

MAYOR AND CABINET		
Report Title	Report Back On Matters Raised By The Overview And Scrutiny Business Panel or other Constitutional bodies	
Key Decision	No	Item No.
Ward		
Contributors	Head of Business & Committee	
Class	Open	Date: July 16 2014

Purpose of Report

To report back on any matters raised by the Overview and Scrutiny Business Panel following their consideration of the decisions made by the Mayor on June 25 2014 or on other matters raised by Select Committees or other Constitutional bodies.

Agenda Item 4

MAYOR & CABINET		
Report Title	Outstanding Scrutiny Matters	
Key Decision	No	Item No. 3
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 16 July 2014

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 date 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
Matters raised by Overview & Scrutiny Business Panel – Recycling	ED Customer Services	15 January 2014	3 September 2014	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet 15 January 2014 available from Kevin Flaherty 0208 314 9327.

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 checked="" type="checkbox"/> Part 1	<input checked="" type="checkbox"/> Part 2	<input type="checkbox"/> Key Decision

Date of Meeting 16th July 2014

Title of Report Financial Forecasts 2014/15


Originator of Report Selwyn Thompson **Ext.** 46932

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

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

Signed:  Executive Member
(nominee)

Date: 08/07/14

Signed:  Director/Head of Service

Date 8/7/2014

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	Financial Forecasts 2014/15		
KEY DECISION	No	Item No.	
WARD	N/A		
CONTRIBUTORS	Executive Director for Resources and Regeneration		
CLASS	Part 1	Date	16 July 2014

1 EXECUTIVE SUMMARY

1.1 This report sets out the financial forecasts for 2014/15 as at 31 May 2014. The key areas to note are as follows:

- An overspend of £11.2m against the directorates' net General Fund revenue budget is forecast. This compares to an underspend of £1.8m reported at the end of 2013/14. At the same time last year, an underspend of £0.3m was forecast.
- The forecast expenditure on the capital programme for the year is now £136.5m, compared to the figure reported in the Budget 2014 of £126.4m. As at 31 May 2014, 11% of the forecast had been spent (£15.6m) which is slightly below the figure expected if the programme is to be delivered in full. The comparable figure to 31 May 2013 was 8% of the budget of £119.8m, with the final outturn being 96% of the revised budget.
- The Housing Revenue Account (HRA) is forecast to spend to budget.
- The Dedicated Schools Grant (DSG) is forecast to spend to budget, but three schools are expected to apply for a licensed deficit.
- As at 31 May 2014, Council Tax collection is 0.14% higher than last year in terms of the percentage of gross cash collected. This year's profile is currently being achieved.
- Business rates collection is 2% higher than the same period last year and is 4.3% higher than required to achieve the target of 98.5% for the year.

2 PURPOSE

2.1 To set out the Council's financial forecasts for 2014/15.

3 RECOMMENDATIONS

The Mayor is asked to:

- 3.1 note the financial forecasts for the year ended 31 March 2015.
- 3.2 note the actions being taken by the Executive Directors to manage down the forecasted year-end overspend and ask them to report back at the next available

opportunity on the progress being made to address the forecasted overspend position.

3.3 agree the updated capital budgets as set out in Section 14 of this report.

4 POLICY CONTEXT

4.1 Reporting financial results in a clear and meaningful format contributes directly to the Council's tenth corporate priority which is 'inspiring efficiency, effectiveness and equity'.

5 OVERALL DIRECTORATE OUTTURN

5.1 The forecasts against the directorates' net General Fund revenue budgets are shown in the Table 1 below. In summary, this is projecting a year-end overspend of £11.2m, against an underspend of £1.8m as at the end of 2013/14. At the same time last year an overspend of £0.3m was forecast.

Table 1 – Overall Directorate position for 2014/15

Directorate	Gross budgeted spend	Gross budgeted income	Net budget	Forecast over/ (under) spend May 2014	Final over/ (under) spend Outturn 2013/14
	£m	£m	£m	£m	£m
Children & Young People	74.3	(20.4)	53.9	8.1	4.1
Community Services	164.3	(56.3)	108.0	1.1	(5.1)
Customer Services	100.8	(63.4)	37.4	2.2	1.6
Resources & Regeneration	43.5	(11.9)	31.6	(0.2)	(2.4)
Directorate Totals	382.9	(152.0)	230.9	11.2	(1.8)
Corporate Items			37.2	0.0	0.0
Overall Total	382.9	(152.0)	268.1	11.2	(1.8)

(1) – gross figures exclude £268m Dedicated Schools' Grant expenditure and matching grant income

(2) – gross figures exclude approximately £225m matching income and expenditure for housing benefits. This figure is lower than last year due to the implementation of the Council Tax Reduction Scheme (CTRS), an effect of which is to replace benefits paid out with discounts at source

5.2 The budget forecasts provided at this stage of the financial year are usually higher than outturn. However, the scale of the variance which is forecast now, is significantly greater than in recent years. Table 2 illustrates that in recent years, the highest forecasted overspend position at this stage of the financial year peaked in the 2011/12. It is also noticeable that in each of the four years since 2010/11, the forecast overspend position had been managed down to result in a year-end underspend for the council.

Table 2 – Councilwide forecast and outturn positions for 2010/14

	2010/11	2011/12	2012/13	2013/14
	£m	£m	£m	£m
Forecast Overspend (31 st May)	0.7	2.1	1.7	0.3
Final Outturn – over/(under)spend	(1.7)	(1.8)	(3.5)	(1.8)

- 5.3 This projected year-end overspend for 2014/15 suggests that the council faces pressures of a different order than normal. This is further compounded by the fact that the council needs to make further revenue budget reductions over the medium term. Ultimately, stringent management action needs to be taken now to manage the position down by the year end.
- 5.4 It should be noted that in setting the council's budget for 2014, a sum of £3.9m was set aside and is being held corporately for managing 'risks and other budget pressures'. These are for such items which although difficult to quantify with absolute certainty, could prove significant should they materialise and be confirmed by the year end. The Executive Director for Resources and Regeneration advises that the overall net forecast overspend position of £11.2m could in part be alleviated by the entire use of this corporately held balance. However, due to the volatility of the position, it is important that further controls need to be put in place to ensure that the above position does not worsen further, but significantly improves towards the end of the year and that on-going progress to manage the position continues to be monitored.

6 CHILDREN & YOUNG PEOPLE

- 6.1 The directorate is forecasting a year-end overspend of £8.1m. This has been set out in Table 3. This time last year the forecast was for an overspend of £0.4m and the year end result was an overspend of £4.1m.

Table 3 – Children & Young People Directorate

Service Area	Gross budgeted spend	Gross budgeted income – grants	Gross budgeted income - other	Net budget	Forecast over / (under) spend
	£m	£m	£m	£m	£m
Children's Social Care	45.9	(1.9)	(0.6)	43.4	2.4
No Recourse to Public Funds	0.7	0.0	0.0	0.7	5.7
Standards & Achievements	4.2	(0.2)	(2.2)	1.8	0.0
Education Infrastructure	1.4	0.0	0.0	1.4	0.0
Targeted Services and Joint Commissioning	13.2	(1.1)	(2.2)	9.9	0.0
Resources & Performance	8.9	0.0	(10.9)	(2.0)	0.0
Schools	0.0	0.0	(1.3)	(1.3)	0.0
Total	74.3	(3.2)	(17.2)	53.9	8.1

- 6.2 The most significant cost pressures for the directorate fall within the children's social care service area and these amount to £8.1m. These are in the following three services areas.
- 6.2.1 Clients with *no recourse to public funds* is creating a cost pressure of £5.7m. These are families who have made an application to remain in the country and are waiting to be dealt with by the Home Office. These clients are not seeking asylum, but are people to whom the local authority owes a duty of care. The forecast is based on the current payment levels and does not include any allowance for growth. There is on average two new cases each week. A new team has been established and has been tasked with identifying and employing measures to help alleviate these

pressures. It is also worth noting that some work is being done by London Councils to assess the feasibility of these costs being considered as a 'new burden' and thereby reimbursable by government. This work remains on-going and officers will update members at the appropriate time.

- 6.2.2 The placement budget for *looked after children (LAC)* is currently forecast to overspend by £1.6m. The number of LAC total 495. As a result of agreed savings proposals and corporate additions, there has been no net increase in the budget which allows for a total of 460. The three year spend figures are £22.8m for 2011/12, £22.6m for 2012/13 and £23.0m for 2013/14. This shows that despite pressure on placements, expenditure in this area has been kept constant. In 2013/14, a lesser overspend was achieved due to once-off events that are not foreseen in this year. Expenditure has remained constant through a rigorous approach on procurement of places and the strategy to recruit in-house foster carers rather than use external foster carers or residential placements.
- 6.2.3 Members should note that further action is proposed to review residential placements with the aim being to implement 12 different placement arrangements expected to save £1,000 each per week. This would save a further £0.3m in this financial year.
- 6.2.4 *Children leaving care* is currently forecast to overspend by £0.8m. The number of clients now total 70. This is a reduction from the start of the year of 86. The forecast is based on the current level being at a level which does not exceed 70 throughout the remainder of the financial year.
- 6.2.5 The leaving care numbers have increased significantly over last three years, but given the need to make council-wide budget reductions over this period, the budget for this service has not kept pace. The main cost is lodgings for these young people. The continuation of work with the council's housing department aims to achieve best value for these placements, but the market for such accommodation is very difficult. There are organisations who will seek out appropriate accommodation for a finders fee. This is anticipated to generate an in-year saving of some £0.1m. An examination of age profile suggests that numbers supported should fall and the projection reflects a reduced overspend of £0.1m on this basis.
- 6.3 There are currently no budget pressures in the rest of the Children and Young People directorate that cannot be managed.
- 6.4 The key unit costs and activity levels within children's social care are summarised in Table 4 below.

Table 4 – Average weekly unit costs

	Average weekly unit costs		Client numbers
	May 2013 (£)	May 2014 (£)	May 2014
Local authority fostering	354	365	209
Agency fostering	890	867	203
Residential homes	2,908	3,127	50*

* This includes 7 clients who are in residential schools

- 6.5 These weekly unit costs demonstrate the importance of the directorate's strategy for shifting the balance of provision towards fostering, as well as trying to bear down on

costs. For example, every client moving from agency to local authority fostering results in a saving of around £26k per annum and around £118k for every movement from a residential placement to agency fostering.

7 COMMUNITY SERVICES

- 7.1 The directorate is forecasting a year-end overspend of £1.1m. At the same time last year, an underspend of £0.4m was projected with the actual results last year being an underspend of £5.1m.

Table 5 – Community Services

Service Area	Gross budgeted expenditure	Gross budgeted income	Net budget	Forecast over/ (under) spend
	£m	£m	£m	£m
Cultural & Community Development	22.4	(7.8)	14.6	(0.3)
Adult Services Division	105.5	(26.7)	78.8	2.3
Public Health	14.4	(14.4)	0.0	(0.4)
Crime Reduction & Supporting People	19.4	(7.2)	12.2	0.0
Strategy, Improvements & Partnerships	2.6	(0.2)	2.4	(0.5)
Total	164.3	(56.3)	108.0	1.1

- 7.2 *Adult services* is forecast to overspend by £2.3m. This assumes achievement later in the year of savings of £1.9m in addition to savings already achieved. At the end of the last financial year, adult services underspent by £2.1m.
- 7.3 There are a number of over and underspends forecast against individual services within this area. Increased underspends of the transferred health funding means that there is now a clear net underspend, with most savings delivered as proposed.
- 7.4 The key issues to note are as follows:
- i. Social work staffing budgets are predicted to overspend by £0.5m. This is mostly due to the increased costs associated with Deprivation of Liberty Safeguards (DOLS) cases where activity has increased significantly in recent months following the recent Cheshire West court case. The full restructure of the social work service will now take effect in mid-July. For the first three months of the year, costs were higher than budgeted and this contributes to the overspend.
 - ii. The in-house day care service is forecast to underspend by £0.7m. This reflects the reduced use of the centres as more service users receive non-building based services.
 - iii. The largest overspends are on budgets for packages and placements where current forecasts are for an overspend of up to £3m. Part of this is attributable to demographic factors with increasing numbers of very frail elderly, older people with dementia and younger physically disabled people. This pressure was estimated during the budget process at approximately £1m.

- iv. A further part of the overspend matches the reduced use of in-house day care, where the realignment of budgets will reduce overspends in one area and underspends in the other.
- v. Each year during the winter period, there is a seasonal increase reduction of placements and packages of care ending, due to deaths. The winter of 2013/14 was unusually mild and the normal seasonal reduction in packages was lower this year with people needing higher levels of service. The number of packages and placements that ceased over the last 3 years were 588 for 2012, 466 for 2013 and 267 for 2014. Expressed financially, the greater number of deaths over the start of 2013 meant that services costs reduced by £50k per week more in 2013 than 2014.
- vi. There is evidence of increased activity from the hospital with more people being discharged who require intensive care packages. This has added to social care costs. Officers are working to analyse the cost increase in this area and will seek some additional funding from health. The overspend on packages and placements also includes care provided to adults with no recourse to public funds.

7.5 The 2014/15 budget assumes savings of £7.2m for adult social care. As at the end of May 2014, savings of £3.9m had already been delivered. Delivery of a further £1.9m is expected in-year and is assumed in the figures in this report. Achievement of the remaining savings is not certain in this financial year. However, work is ongoing to progress these and to identify other areas where spend can be contained to offset any potential non-achievement.

7.6 A net balanced position is forecast for *crime reduction and supporting people*, compared to an underspend of £1.4m in 2013/14.

7.7 In 2013/14, there was an overspend within the *youth offending service* of £0.3m as a result of the changes to the financing of secure remand and youth detention, meaning that local authorities now bear the full financial risk associated with this provision. This is a volatile area of spend which is not entirely controllable in that costs are driven by the number of local young people ordered into secure remand by the courts, the severity of their offences and hence how long they are held pending the court process. The numbers of placements have been unusually low in the first two months, so no overspend is forecast. This trend may not continue in the rest of the year, but the service will seek to absorb any increase in costs within its overall budget.

7.8 From April 2013, responsibility for local public health functions transferred to local authorities. Resources to fund these new functions were transferred in the form of a specific grant of £20.2m in 2014/15. This includes £4.9m relating to drug & alcohol funding that has been managed by the council locally, so only the balance of £15.3m is managed by public health.

7.9 There are currently commitments against this budget totalling £14.9m. At this stage, it is assumed that none of this will be committed on new activity, but that it will be used to support eligible base budget activity. This will result in an underspend of £0.4m.

7.10 The *cultural and community services division* is forecasting an underspend of £0.3m compared to an underspend of £0.4m last year. Once-off underspends totalling

£0.3m are projected for the leisure service representing two reimbursements from contractors from events in previous years. The *community sector grants* service is forecasting an underspend of £0.1m which relates to a reduced contribution to the London Boroughs Grants Scheme and a minor underspend on individual grant allocations due to groups not taking up their grant offer.

- 7.11 There is a £0.1m overspend forecast on the Deptford Lounge budget due to low levels of income generated from third party room hire which continues to be significantly lower than both the budgeted figure and income levels assumed in the original projections for the Deptford Lounge complex. The Broadway Theatre budget is forecasted to overspend by £0.1m due to slippage against delivery of 2014/15 savings.
- 7.12 The *strategy, improvements and partnerships division* is projecting an underspend on staffing of £0.5m which predominantly relates to the directorate management team budget.

8 CUSTOMER SERVICES

- 8.1 The directorate is forecasting a year-end overspend of £2.2m. This compares to an overspend at the end of 2013/14 of £1.6m. The projection for the same period last year was £1m.

Table 6 – Customer Services

Service Area	Gross budgeted spend	Gross budgeted income	Net budget	Forecast over/(under) spend
	£m	£m	£m	£m
Strategic Housing and Regulatory services	13.7	(10.9)	2.8	1.8
Environment	40.3	(19.3)	21.0	0.3
Public Services *	37.3	(31.8)	5.5	0.0
Strategy & Performance (inc. IMT)	9.5	(1.4)	8.1	0.1
Total	100.8	(63.4)	37.4	2.2

* excludes £225m of matching income and expenditure in respect of housing benefits

- 8.2 The strategic housing and regulatory services is forecasting an overspend of £1.8m. The main contributor to the overspend is the cost of bed and breakfast (B&B) accommodation where a £1.5m overspend is being reported. The additional £0.3m has arisen due to the delayed implementation of proposed savings in *housing needs* and *housing partnership and development*.
- 8.3 The number of B&B tenancies as at end of May 2014 was 382. This compares to 123 at the same time last year and is an increase of 64 on the figure as at the end of 2013/14. At this level, the overspend would be expected to be in the region of £2m. The forecast of £1.5m reflects an estimate of the impact of measures to reduce demand by increasing focus on homelessness prevention and an increase in supply by giving priority to homelessness cases in other forms of temporary accommodation and the increase in hostel places expected by the year end. However, there is a risk that if the numbers continue to increase at the rate they have been in the first two months of the year, then the overspend could rise to approximately £3m by the year end.

- 8.4 The supply measures mentioned above will impact on the private sector leasing (PSL) budget in the short term, where a higher turnover will increase the loss of income due to increased void rates. Increased turnover will also impact on repairs and maintenance costs. This could be met from balances held in reserves for this purpose.
- 8.5 Officers are currently considering options for reducing expenditure, the redirection of grant funding and the use of balances to offset the overspend arising from the slippage in implementing savings proposals.
- 8.6 The *environment division* is forecasting an overspend of £0.3m. This has mostly arisen from projected income shortfalls in *bereavement services* and the *lumber service* in *street management* of £0.2m in total. The balance of £0.1m relates to an overspend on staffing in street management. Officers are reviewing options to reduce expenditure with a view to minimise the impact of the overspend within the division.
- 8.7 The *public services division* is projecting to spend to budget.
- 8.8 The *strategy and performance division* is projecting a £0.1m overspend. This is attributable to the *information management and technology* (IMT) service where delays in the implementation of a reorganisation has resulted in a £0.3m forecasted overspend. This is offset by additional income of £0.1m in *Inprint services* and digital imaging and a number of minor underspends across the service. Officers are reviewing options to reduce expenditure to minimise the impact of the overspend within the service.

9. RESOURCES AND REGENERATION

- 9.1 The directorate is forecasting an underspend of £0.2m. At this point last year, an underspend of £0.7m was forecast and the result for last year was an underspend of £2.4m. The table below sets out this year's forecast by service division.

Table 7 – Resources & Regeneration

Service Area	Gross budgeted spend	Gross budgeted income	Net budget	Forecast over/(under) spend
	£m	£m	£m	£m
Audit & Risk	5.5	(2.6)	2.9	0.2
Corporate Policy & Governance	3.4	0	3.4	(0.3)
Finance	5.2	(1.2)	4.0	(0.2)
Executive Office	0.2	0	0.2	0.0
Personnel & Development	3.0	(0.3)	2.7	(0.1)
Legal Services	2.7	(0.4)	2.3	0.0
Strategy	2.5	(0.4)	2.1	(0.1)
Planning & Economic Development	3.4	(1.6)	1.8	(0.2)
Regeneration & Asset Management	17.6	(5.4)	12.2	0.5
Total	43.5	(11.9)	31.6	(0.2)

- 9.2 The *audit & risk division* is forecasting an overspend of £0.2m. This is mainly due to instability in the insurance market leading to potential additional costs for the council's liability insurance premium. Officers are currently working with insurers to

minimise any additional costs and the outcome will be reported in future monitoring reports. As highlighted in previous years, a proportion of any additional costs will be attributable to the Housing Revenue Accounts (HRA) and schools and once any increase is finalised, the relevant apportionment will be calculated which is likely to have the effect of reducing the forecast shown.

- 9.3 The *corporate policy & governance division* is forecasting an underspend of £0.3m. This is mainly in respect of staffing costs where several posts are being held vacant, though it also includes a series of smaller underspends across various supplies and services budgets.
- 9.4 The *finance division* is forecast to underspend by £0.2m. The bulk of this relates to the contingency for the directorate that is held within this division.
- 9.5 The *personnel & development division* is forecast to underspend by £0.1m. This is mainly due to reduced spend on learning & development and workforce planning.
- 9.6 The *legal services division* is projecting a small overspend of £0.04m. This is mainly due to staffing costs, but may be reduced by income in relation to Lewisham Hospital which is yet to be finalised.
- 9.7 The *strategy division* is forecasting an underspend of £0.1m. This is mainly due to delayed recruitment of apprentices.
- 9.8 The *planning division* is forecasting an underspend of £0.2m. This is due to forecast increased land charge income.
- 9.9 The *regeneration & asset management division* is forecasting an overspend of £0.5m. This is mainly due to staffing costs pending a reorganisation later in the year.

10 CORPORATE PROVISIONS AND TREASURY MANAGEMENT

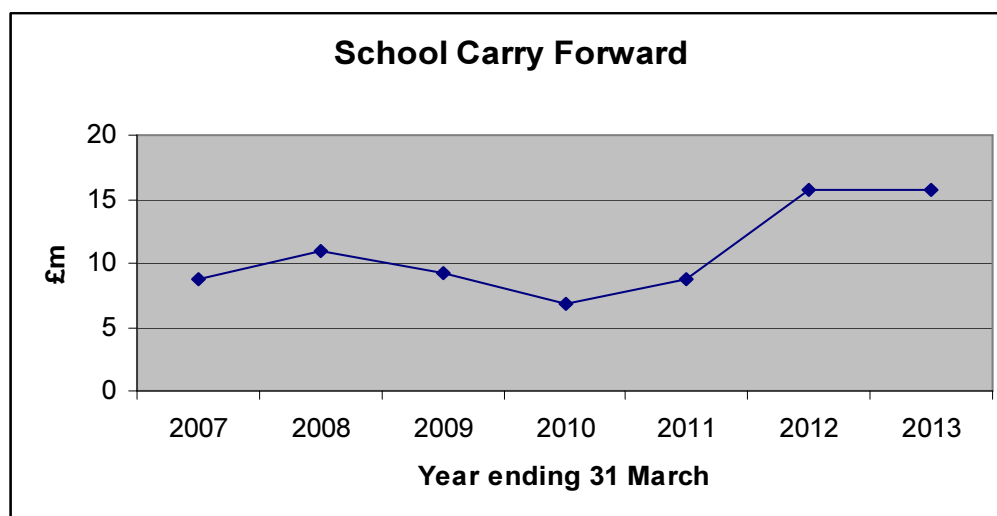
- 10.1 The Corporate financial provisions include working balances, Capital Expenditure charged to the Revenue Account (CERA), and interest on revenue balances. These provisions are not expected to overspend although with the impact of continued reductions in service budgets, there is ever greater pressure on working balances. Certainty on their outturn only becomes clear at the end of the financial year.
- 10.2 With continued concerns about the stability of the banking sector, the council's treasury management strategy continues to be focused on avoiding risk, wherever possible. With investment returns still at historically low levels, albeit with indications of modest rate rises possible by the end of the calendar year, there is little opportunity to seek higher returns. However, the council continues to keep its strategy under review and assess alternative investment strategies to find the appropriate balance in the trade off between return and risk.

11 DEDICATED SCHOOLS' GRANT (DSG)

- 11.1 The total year end balances in schools was £15.7m. The balance at the end of the previous year also stood at £15.7m, as shown in Chart 1 below. This has stopped the trend of recent years where the carry forward balance in schools was increasing.

The amount of funds that are deemed as excess balances (8% of a school's budget in primary and special schools, 5% in a secondary school) has fallen from £5.5m to £4.7m.

Chart 1 – School carry forward from 2007 to 2013



Note: The average percentage balance for primary schools is 9% and 5% for secondary schools. For schools overall, the percentage carry forward is 8%.

- 11.2 There were nine schools that last year had an excess balance and the Schools' Forum asked that they be visited for a discussion to take place on managing their balances down. However, three of these schools have increased their carry forward. Two of these can demonstrate they are for good reasons. For the federated schools of Elfrida and Athelney, contractors were not able to undertake building works as the ground had been saturated with rain water over the winter while the works were underway. The costs will fall in 2014/15. At Adamsrill, negotiations with contractors have not been concluded in the timescales expected. Due to the complications of the school places programme, the expansion work at John Stainer has been delayed. The schools planned capital works run concurrently with the places expansion work and have consequently been delayed.
- 11.3 Local Authorities received their final notification of the 'high needs block' on 31 March 2014. The overall DSG settlement is set out in Table 8.

Table 8 – DSG Settlement for 2014/15

	Before Academy Recoupment	After Academy recoupment
	£m	£m
2014/15 Schools Block	201.4	182.5
2014/15 Early Years Block	17.0	17.0
2014/15 High Needs Block	43.4	42.3
2014/15 Total additions and deductions for non block funding	6.8	6.8
2014/15 total DSG allocation	268.6	248.6

- 11.4 This compares with the figure of £267.7m stated in the Budget 2014 report to the full Council in February 2014. The extra funding relates to the high needs block and covers some of the growth that the council bid for. There will be further adjustments

to the level of the DSG during the year, particularly on the early years numbers when the forecasts are revised to actual numbers.

- 11.5 The date for schools to submit their budget plans to the local authority was the 31 May 2014. Currently, returns from 93% or 79 schools have been received. Those schools that have not made a return have been written to. The returns that have been received are being analysed.
- 11.6 It is expected that at least two primary schools will apply for a licensed deficit as well as one secondary school. Trinity had a licensed deficit in place from last year, but good progress has been made and the financial position is better than expected at this stage of their recovery plan. There are a small number of schools where clarification on budget plans and budget figures is being sought.

12. HOUSING REVENUE ACCOUNT

- 12.1 The Housing Revenue Account (HRA) is projecting to spend to budget in 2014/15.

Table 9 – Housing Revenue Account

HRA – Service Area	Gross budgeted spend	Gross budgeted income	Net budget	Forecast over/(under) spend
	£m	£m	£m	£m
Housing management (LBL & PFI)	12.3	(2.9)	9.4	0.0
Lewisham Homes management costs (including R&M)	36.1	0.0	36.1	0.0
Management and Support services (LBL) (including SLAs)	2.0	0.0	2.0	0.0
Energy costs	3.0	0.0	3.0	0.0
Capital Financing	65.9	0.0	65.9	0.0
Balances, Provisions and contingencies	20.1	0.0	20.1	0.0
Rents, Service Charges and major works income	0.0	(90.2)	(90.2)	0.0
Government Grants (PFI Credit/Decent Homes Funding)	0.0	(46.3)	(46.3)	0.0
Total	139.4	139.4	0.0	0.0

13. COLLECTION FUND

- 13.1 As at 31 May 2014, £20.5m of council tax had been collected, which is 19.5% of the total amount due for the year of £105.1m. This is broadly on line with the profiled collection rate of 19.6% if the overall target for the year of 96% is to be met. At the same time last year, the collection rate to date was 19.36%, some 0.14% lower than this year.
- 13.2 Business rates collection is at 30.1%, which is an increase of 2% compared to the same period last year and 4.3% higher than the 25.8% profiled collection rate if the overall target rate for the year of 98.5% is to be achieved.

14. CAPITAL EXPENDITURE

- 14.1 Figures agreed at full Council when the budget was set have been updated and are being recommended for agreement as the revised budget by way of this report. The proposed amendments relate only to the rolling forward of unspent budgets at the end of the last financial year, to update figures for known changes to grants and new projects and for the additional programme previously agreed by the Mayor for the highways repair budget.
- 14.2 The overall spend this financial year to the end of May 2014 is £15.2m. This is 11% of the revised budget.

Table 10 – Capital Programme

2014/15 Capital Programme	Budget Report (Feb 2014)	Revised Budget	Spend to 31 May 2014	Spent to Date (on Revenue Budget)
	£m	£m	£m	%
Community Services	0.5	1.3	0.1	8
Resources & Regeneration	7.8	11.8	0.1	1
Children & Young People	50.1	59.4	4.6	8
Customer Services	0.2	1.2	0.2	17
Housing (General Fund)	9.6	14.2	4.3	30
Total General Fund	68.2	87.9	9.3	11
HRA – Council	0.8	1.5	0.1	7
HRA - Lewisham Homes	57.5	47.0	5.8	12
Total HRA	58.3	48.5	5.9	12
Total Expenditure	126.5	136.4	15.2	11

- 14.3 Table 11 shows the current position on the major projects in the 2014/15 General Fund capital programme (i.e. those over £1m in 2014/15).

Table 11 – Summary of Major Capital Schemes

2014/15 Capital Programme	Budget Report (Feb 2014)	Revised Budget	Spend to 31 May 2014	Spent to Date (Revised Budget)
	£m	£m	£m	%
Housing Regeneration Schemes (Kender, Excalibur, Heathside and Lethbridge)	4.7	5.0	1.4	28.0
Primary Places Programme	25.1	25.5	1.4	5.0
BSF - Sydenham	9.9	11.9	2.4	20.0
BSF – Brent Knoll	5.6	6.8	0.7	10.0
Other Schools Capital Works	9.1	12.4	0.2	2.0
Acquisition & Conversion of properties	0.0	3.1	2.8	90.0
Disabled Facilities / Private Sector Grants	1.8	1.8	0.0	0.0
Catford Broadway & Town Centre Regeneration	2.8	3.5	0.0	0.0
Asset Management Programme	2.5	2.4	0.1	4.0
Highways and Bridges (TfL)	0.0	2.4	0.0	0.0
Highways and Bridges (LBL)	3.5	3.9	0.0	0.0

14.4 The main sources of financing the programme are grants, contributions, and capital receipts from the sale of property assets.

15 FINANCIAL IMPLICATIONS

15.1 This report concerns the financial forecasts for the 2014/15 financial year. However, there are no direct financial implications in noting these.

16 LEGAL IMPLICATIONS

16.1 The council must act prudently in relation to the stewardship of council taxpayers' funds. The council must set and maintain a balanced budget.

17 CRIME AND DISORDER ACT IMPLICATIONS

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

18 EQUALITIES IMPLICATIONS

18.1 There are no equalities implications directly arising from this report.

19 ENVIRONMENTAL IMPLICATIONS

19.1 There are no environmental implications directly arising from this report.

20. CONCLUSION

20.1 The current projected overspend for the year of £11.2m is a concern and directorate management teams need to respond quickly and effectively to ensure this position is managed down over the coming months. The Executive Director for Resources and Regeneration will continue to work with directorate management teams across the council to effect the necessary actions to manage their service pressures and she also advises that directorate management teams will need to consider strengthening local controls on certain expenditure in the short term until monitoring reports show the necessary improvements.

20.2 It is vital that the Executive Directors of each of the directorates currently reporting a projected overspend to do everything possible to reduce these overspends by the end of the financial year. The Executive Director for Resources and Regeneration now advises that local DEPs (Directorate Expenditure Panel) be strengthened with immediate effect and should the projected overspend position worsen, then there is the possibility of introducing recruitment freezes, in-year savings or a CEP (Central Expenditure Panel) with both the Chief Executive and Executive Director for Resources and Regeneration as its members.

20.3 Members should note the management action is currently being taken which to address the issues identified in this report.

21. BACKGROUND PAPERS AND APPENDICES

None

For further information on this report, please contact:

Selwyn Thompson, Head of Financial Services on 020 8314 6932

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	Part 1 <input checked="" type="checkbox"/>	Part 2 <input type="checkbox"/>	Key Decision <input checked="" type="checkbox"/>

Date of Meeting	16 th July 23014
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Title of Report	2015/16 to 2017/18 Medium Term Financial Strategy
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Originator of Report	David Austin		49114
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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		
Environmental Implications		
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)	X	
Reason for Urgency (as appropriate)		

Signed:  Executive Member

Date: 8th July 2014

Signed:  Director/Head of Service

Date 8-7-2014

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	2015/16 to 2017/18 Medium Term Financial Strategy		
KEY DECISION		Item No.	
WARD	All		
CONTIBUTORS	Executive Director for Resources & Regeneration		
CLASS	Part 1	Date:	16 July 2014

1. EXECUTIVE SUMMARY

- 1.1. The Medium Term Financial Strategy (MTFS) for 2015/16 to 2017/18 sets out the Council's medium term financial plan. It includes a review of the Council's overall financial position bringing together the outturn for 2013/14, the forecast for the current financial year of 2014/15, and considers prospects for 2015/16 and future years.
- 1.2. The strategy forecasts a reduction in resources of a minimum of £46.8m (21%) between 2014/15 and 2017/18. At the same time spending projections, including pay and prices and provision for budget pressures related to an increasing population and changing demographic needs, estimate that minimum additional spending of £39.7m (15%) will be required to meet those needs. Whilst assumptions will continue to be updated the broad scale of the challenge is not expected to change fundamentally.
- 1.3. The Council estimated the level of savings required for the four year period 2014/15 to 2017/18 at £95m. Of this £8m of savings were agreed in the 2014/15 budget. Further work has been done on the budget model for this report which involved reviewing the model and refining the assumptions used. The revised model reduces the savings requirement for the period 2015/16 to 2017/18 to £84.6m. This is down from £87m (£95m old budget gap - £8m savings agreed).
- 1.4. The Council has developed the Lewisham Future Programme to address the budget gap. The report sets out the main areas covered by the Lewisham Future Programme. The immediate target is now to deliver £38.8m of savings to bridge the budget gap for 2015/16.
- 1.5. In respect of the budget gap of £84.6m from 2015/16 to 2017/18, officers have outline proposals in the region of £31m to bring forward for Members consideration in the Autumn, £21m of which relate to 2015/16.
- 1.6. This report also presents a specific proposal where officers are seeking the Mayor's approval to proceed to the next stage. The proposal relates to voluntary sector grants where authority is sought to go out to consultation on the allocation of funds through the voluntary sector grants programme (see Appendix 4).

2. PURPOSE

- 2.1. The main purpose of this report is to set out the medium term financial position for the Council over the next three years and the assumptions on which this is based. It also provides an overview of the current financial situation and provides an update on the delivery of the savings programme for 2015/16.
- 2.2. The MTFFS covers the following areas:
 - It sets out the expected resource envelope that the Council's General Fund must operate within in 2015/16, attempts to project funding in future years, and identifies the main factors that might affect this.
 - It sets out service and other spending projections (e.g. Housing Revenue Account, Capital Programme, Dedicated Schools Grant) and the main factors that may affect these.
 - It projects the General Fund budget gap which is the difference between the resource envelope and spending projections. This includes some sensitivity analysis for a base, medium and worst projection for each year, depending on the assumptions made.
 - It sets out the measures the Council needs to take to address the budget gap through the Lewisham Future Programme.

3. RECOMMENDATIONS

- 3.1. The Mayor is recommended to endorse the 2015/16 to 2017/18 Medium Term Financial Strategy.
- 3.2. The Mayor is asked to agree to the commencement of a three month consultation on the proposed draft criteria, application process, and £1.5m budget reduction for the new grants programme.

4. STRUCTURE OF THE REPORT

- 4.1. The Report is structured as follows:
 1. Executive Summary
 2. Purpose
 3. Recommendations
 4. Structure of the report

STRATEGIC REVIEW

5. Introduction
6. Local Policy Context
7. National Policy Context
8. Budget Update

MEDIUM TERM FINANCIAL STRATEGY

9. Introduction
10. Resource Envelope
11. Revenue Expenditure Assumptions
12. General Fund Budget Gap
13. Addressing the Budget Gap
14. Housing Revenue Account
15. Dedicated Schools Grant
16. Capital Programme
17. Risk Management

SUMMARY AND IMPLICATIONS

18. Conclusion
19. Financial Implications
20. Legal Implications
21. Equalities Implications
22. Environmental Implications
23. Crime & Disorder Implications
24. Background Papers
25. Appendices

STRATEGIC REVIEW

5. INTRODUCTION

- 5.1. The MTFs represents the start of the Council's formal budget process, which concludes with the setting of the overall Budget each year. The Budget Report for 2015/16 will be presented to Mayor & Cabinet in January 2015 and full Council in February 2015.
- 5.2. This report sets out the scope of the Council's financial planning which includes: the General Fund; Housing Revenue Account; the Dedicated Schools Grant and the Capital Programme.
- 5.3. The key objectives of the 2015/16 to 2017/18 Strategy are to:
 - plan the Council's finances over a three year period to take account of local improvement priorities and national priorities;
 - ensure that the Council's corporate priorities continue to drive its financial strategy and resource allocation;
 - assist the integration of business and financial planning processes;

- ensure that the plan takes account of: stakeholder and partner consultation; external drivers; capital investment; budget risk assessments; and expected developments in services;
- ensure that the Council's medium term financial strategy is linked to other internal strategies and plans; and
- ensure that the final agreed budget reflects all these considerations.

5.4. Over the last four years, the Council has undertaken a major budget reduction programme to manage the difficult financial challenge it has been faced with. In the period 2010/11 to 2014/15 the Council has identified savings of £93m. The financial outlook for the Council and the public sector as a whole remains extremely challenging. The Government has re-affirmed the need for significant reductions in public sector expenditure over the medium term. The Council has already seen the effects of these in its revenue budget settlements for the previous and current financial years and in the reduction of capital resources provided to the Council.

5.5. The focus of the MTFFS is the Council's General Fund budget. Whilst it is very important, particularly at a time of financial constraint, to identify ways in which services can be delivered more effectively across traditional organisational and financial boundaries, the nature of the current financial austerity regime is such that most of the budget reductions have to come from Council General Fund services. Having a sound General Fund MTFFS, and a strategy for responding to the challenges it presents, is an essential pre-requisite to ensuring effective responses from all of the services the Council directs and influences.

6. LOCAL POLICY CONTEXT

6.1. The Council's strategy and priorities drive the medium term financial planning process, with changes in resource allocation determined in accordance with policies and priorities. *Shaping our future* is Lewisham's Sustainable Community Strategy. It covers the period for 2008 to 2020 and sets out a vision for Lewisham and the priority outcomes that organisations, communities and individuals can work towards to make this vision a reality. The key priorities are set out at Appendix 1 for reference.

6.2. In taking forward the Council's Budget Strategy, in engaging our residents, service users and employees, and in deciding on the future shape, scale and quality of services, we will be driven by the Council's four core values:

- We put service to the public first.
- We respect all people and all communities.
- We invest in employees.
- We are open, honest and fair in all we do.

7. THE NATIONAL POLICY CONTEXT

- 7.1. The Chancellor of the Exchequer made his 2014 Budget speech on 19 March this year. He set out the latest key economic forecasts which showed an improved position from his December 2013 Spending Round Speech with the economy growing at a faster rate than previously announced. The forecast for growth for 2014 was revised upwards to 2.7% compared to the previous figure of 2.4%. 2015 is now forecast at 2.3% (previously 2.2%), and the 2016 forecast remains the same.
- 7.2. Despite the improving economic position, the Government remains committed to cutting public sector spending. On-going protection for key spending areas, including health, schools and overseas development, means spending cuts fall on other spending areas, including local authorities. Within the local authority sector, the Government has reversed some of the mechanisms in the local government finance system for equalising needs and resources. The consequence is a much larger reduction in resources for areas of higher deprivation, typically poorer urban areas.
- 7.3. The consequence for Lewisham is plain. The Settlement Funding Assessment (the total amount the government assumes to come from Revenue Support Grant and business rates) fell by 10% in 2014/15 and is set to fall by 15% in 2015/16. In addition, government funding results in a higher proportion of their spending from grant and business rates, with a lower proportion funded from Council Tax. So the cuts, which are already larger in inner city areas, are magnified by the more limited proportion of revenue made up by Council Tax.
- 7.4. The expected continuing improvement in economic activity will have a beneficial impact on aspects of the Council's services. It should help drive regeneration within the borough, leading to more businesses and jobs as well as additional housing. The Council will achieve some direct financial benefits from these developments, including additional Council tax, New Homes Bonus and a share of increased business rates. There will also be benefits to Lewisham residents in terms of more jobs and more housing. However, the consequence of other aspects of government policy, such as failure to curb rising house prices and welfare reform impact on levels of homelessness, will have a significant continuing adverse impact on Lewisham residents and, together with demographic pressures, will lead to increased pressure on services.
- 7.5. Other economic indicators will have an impact on the Council's spending. Inflation is expected to remain at around 2% but real wages are increasing and it will be difficult for local government – and other parts of the public sector – to continue to keep pay increase below the rate of inflation. In addition, the expected increase in interest rates, with the governor of the Bank of England forecasting interest rates in the region of 2.5% by 2017/18, will affect the authority's finances. In this case it should be beneficial since interest on the Council's cash balances will rise while interest on Council debt, which is mainly funded from long term fixed interest loans, will be largely unaffected.

8. BUDGET UPDATE

2013/14 Financial accounts

- 8.1. The Council's draft final accounts for 2013/14 have been prepared and were reviewed by the Audit Panel on 24 June 2014, before being submitted for audit by the Council's external auditor, Grant Thornton. A separate report on the Council's final outturn position for revenue and capital budgets was presented to Mayor & Cabinet at the 25th June 2014 meeting.
- 8.2. The Council's final 2013/14 revenue outturn position was a Directorate underspend of £1.8m. The Housing Revenue Account (HRA) and the Dedicated Schools Grant were both spent to budget. Capital expenditure for the year was £114.4m. This represents 96% of the revised forecasted year-end expenditure budget of £119.8m

2014/15 Budget

- 8.3. The 2014/15 budget was approved by Council on the 26 February 2014. The overall budget position for the Council is a net General Fund Budget Requirement of £268.1m, as set out in Table 1 below. Further detail is provided in the Corporate Budget Book at Appendix 5.

Table 1 - Overall Budget Position for 2014/15

Detail	Expenditure/ (Income) £m	Expenditure/ (Income) £m
Settlement Funding Assessment (SFA) for 2014/15	(186.5)	
Council Tax 2014/15 at 0% increase	(78.4)	
SFA: Adjustment 2014/15	(0.9)	
Surplus on Collection Fund	(2.3)	
Assumed Budget Requirement for 2014/15		(268.1)
Base Budget for 2013/14	284.6	
Less: Previously agreed savings for 2014/15	(24.5)	
Less: Once off use of provisions and reserves	(4.0)	
Plus: Pay inflation	1.1	
Plus: Non-pay Inflation	3.4	
Plus: Budget pressures to be funded	3.6	
Plus: Risks and other potential budget pressures	3.9	
Total		268.1

2014/15 General Fund Revenue Budget Monitoring

- 8.4. Officers continue to undertake regular revenue budget monitoring in 2014/15. The first revenue budget monitoring report was presented to the Public Accounts Select Committee on 9th July. This was based on information to the end of May 2014 and forecast a year-end overspend of £11.2m. The main service areas overspending are:

- Clients with No Recourse to Public Funds £5.2m,

- Childrens Social Care £2.4m, and
- Adult Services £2.3m.

8.5. The Executive Director noted that, in setting the council's budget for 2014, a sum of £3.9m was set aside and is being held corporately for managing 'risks and other budget pressures'. This is for items which although difficult to quantify with absolute certainty, could prove significant should they materialise. Amounts required will be confirmed by the year end.

Housing Revenue Account Monitoring

8.6. The forecast position for the Housing Revenue Account is to spend to budget for 2014/15.

Dedicated Schools Grant

8.7. The forecast position for the Dedicated Schools Grant is to spend to budget for 2014/15.

Capital Programme

8.8. The overall spend this financial year to the end of May 2014 is £15.2m. This is 11% of the revised 2014/15 budget.

MEDIUM TERM FINANCIAL STRATEGY (MTFS)

9. INTRODUCTION

9.1. The MTFS takes a forward view of the likely financial position of the Council over the next three years. This strategy does not seek to duplicate or replace any of the Council's other policies and strategies.

9.2. The financial strategy has produced a model with financial forecasts that aim to deliver the Council's priorities and identifies the constraints of the significant financial challenges it faces.

9.3. The MTFS projects:

- a. the resource envelope the Council's General Fund must operate within in future years;
- b. service and other spending pressures and the main factors that may affect these; and
- c. the General Fund budget gap which is the difference between the resource envelope and the spending projections.

- 9.4. As the level of uncertainty regarding funding is high for both 2016/17 and 2017/18, the strategy has modelled three indicative scenarios, the base case, the medium case, and the worst case scenarios. The base case is assumed to be the most likely expected to happen. These scenarios are based on a number of local and national assumptions which have been made based on the information available (Please see Appendix 2).

10. RESOURCE ENVELOPE

- 10.1. The resource envelope set out in this section of the report consists of the following elements:
- The ‘Settlement Funding Assessment’ (SFA) which is the total of Revenue Support Grant, business rate top-up, and retained business rate income; and
 - Council Tax income.

Settlement Funding Assessment (SFA)

- 10.2. Local authorities currently receive funding from the government via the Settlement Funding Assessment (SFA). This consists of the local share of business rates, and Revenue Support Grant. The first Settlement Funding Assessment in 2013-14, which formed the starting point for setting Revenue Support Grant until 2020, was called the Start-Up Funding Assessment.
- 10.3. As part of the 2014/15 Settlement Finding Assessment, the Government also announced provisional figures for 2015/16. Table 2 below sets out the SFA for Lewisham from 2013/14 to 2015/16. The total reduction in funding was 10.4% in 2014/15 and is expected to be 14.8% for 2015/16.

Table 2: Make-up of Lewisham’s Settlement Funding Assessment, 2013/14 to 2015/16

	2013/14	2014/15	2015/16	Change 13/14 to 14/15	Change 14/15 to 15/16
	£'000	£'000	£'000	%	%
Revenue Support Grant	124.9	101.7	71.7	-18.6%	-29.5%
Business Rate Top-up (to reflect Lewisham’s low business rate base)	68.3	69.6	71.6	+1.9%	+2.9%
Retained Business Rates	14.8	15.1	15.5	+2.0%	+2.7%
Total SFA	208.1	186.4	158.8	-10.4%	-14.8%

Projection of Settlement Funding Assessment for 2016/17 and 2017/18

- 10.4. The Local Government Association published projections in its June 2013 Future Funding Outlook report that it expected average cash reductions in funding for local government of 8% in 2016/17 and 7% each year from 2017/18 until 2019/20, based on national government spending projections and the assumption that health, schools' and overseas development spending would continue to be protected in real terms.
- 10.5. There are two factors in particular that could mean that the reductions in SFA in Lewisham are greater than the amounts assumed in the LGA publication:
- The reductions assumed in the LGA report apply to all funding for local government. To the extent that grants such as Public Health grant are likely to be protected in cash terms, the percentage increase would be greater in SFA;
 - Since 2010/11, grant reductions have systematically been greater in areas with higher levels of deprivation, typically inner city areas.
- 10.6. The anticipated total SFA for the next three years is shown in Table 3 below. The assumptions used in each of the projections are stated in Appendix 2.

Table 3: Total SFA Future Year Projections

	2015/16 Expected	2016/17 Projection	2017/18 Projection	Change 2015/16 to 16/17	Change 16/17 to 17/18
	£m	£m	£m	%	%
Base Case	158.8	148.7	138.3	-6.8*	-7.5
Medium Case	N/A	145.5	133.8	-9.1	-8.7
Worst Case	N/A	142.2	128.0	-11.7	-11.1

*The 2015/16 base includes £2.9m of Council tax freeze grant and SFA adjustment grant, therefore the % reduction in grant is less than the 8% predicted by the LGA.

Business rate income

- 10.7. Following changes to the local government finance system which came into effect in 2013/14, the Council retains 30% of the business rate income it receives, with 20% going to the GLA and 50% paid to government. Each year the Council receives an amount (the top-up) from central government. The Council's business rate income is therefore materially impacted by the national tax take and to a lesser degree by growth in business rates locally (see Table 2 above).
- 10.8. The base case assumption is a 2% rise above inflation in business rate valuations in the Borough. This and other assumptions are stated in Appendix 2.

Council Tax income

- 10.9. Council Tax income is affected by growth in the number of properties in the borough, the rate of Council Tax collection, and decisions about the level of Council Tax. For the purposes of the MTFs, it has been assumed that there will be no increase in Council Tax. The MTFs does include assumptions growth in properties in the borough and rate of Council Tax collection. These are set out In Appendix 2.
- 10.10. Forecast Council Tax income from 2015/16 to 2017/18 is set out in Table 4. using the assumptions in Appendix 2.

Table 4: Council Tax Income Future Year Projections

	2014/15 Actual	2015/16 Expected	2016/17 projection	2017/18 projection
		£m	£m	£m
Base	78.4	80.8	81.6	82.4
Medium	N/A	N/A	81.0	81.6
Worst	N/A	N/A	80.3	80.8

11. REVENUE EXPENDITURE ASSUMPTIONS

- 11.1. In addition to the reduction in the level of resources available over the next three years, the Council faces a number of budget pressures which will add to the overall revenue expenditure. This section of the report considers the effect such pressures will have on the future years' revenue expenditure.

Pay

- 11.2. There was a pay award of 1% for local government workers in 2013/14 following a number of years with no pay awards. The pay award for 2014/15 is still to be agreed but the employers have offered a 1% increase in line with national funding assumptions. The base model has assumed that pay awards will remain at 1% in future years. Sustaining pay awards below inflation will become increasingly difficult and the medium and worst case models make variations to this assumption. The assumptions used in the MTFs are stated in Appendix 2.

Employer pension contributions

- 11.3. As with most Councils, the Lewisham Pension Fund has a significant deficit reflecting the nature of a final salary scheme, the available return on investments, and the increased longevity of staff who have retired. Changes to the scheme affecting the contributions made by employees, the age at which benefits can be taken, and the calculation of the benefits and indexing arrangements have helped to address pressures on the Pension Fund but not eliminated the deficit.

- 11.4. As a result of the last Valuation of the Pension Fund assets and liabilities at 31st March 2013, an additional £1m per annum needs to be put into the Pension Fund. This is on top of the 21.5% of basic pay that the Council contributes for those staff who are members of the Fund (about 90%). The next valuation is at 31st March 2016 and has effect from 2017/18. The assumptions used in the projections are stated in Appendix 2.

Employer national insurance contributions

- 11.5. Changes to the State Pension scheme which take effect from 1 April 2016 will mean that there is a universal pension. Previously staff in the local government pension scheme opted out of the second state pension. The universal pension rules will mean that there will no longer be a lower employer (or employee) national insurance contribution for opted out employees.
- 11.6. The employer's national insurance contribution for the 82.5% of staff who are in the Local Government Pension Scheme will therefore increase from 10.4% to 13.8% on earnings between about £8,000 and £40,000 per annum. There will also be a loss of the 3.4% rebate on earnings between about £5,500 and £8,000. This is estimated to cost General Fund services an additional £2.0m per annum from 2016/17.
- 11.7. The base, medium and worst case models all build in the cost of this change. No allowance has been made for the possibility of further changes to other changes that the Government might make to employer National Insurance contributions. For example, as a way of responding to funding pressures in health and social care.

General price inflation assumptions

- 11.8. General price inflation is calculated on non-pay expenditure on General Fund services (excluding internal recharges and housing benefit payments). A proportion of this expenditure is contractual with indices linked to inflation but in many cases the Council is in a position to re-negotiate increases or switch to lower value providers. For the purposes of these projections, it is assumed that all prices go up by inflation, which in 2015/16 has been estimated at 2.5%. The assumptions used in the projections beyond 2015/16 are in Appendix 2.

General fees and charges assumptions

- 11.9. The Council's approach in the past has been to expect fees and charges it makes to rise in line with inflation unless there is a specific decision to increase them by more or less. In some cases, this will be outside the control of the Council (for example, where charge rates are set by statute). However, for the purposes of these projections of spending, it is assumed that on average fees and charges will increase by inflation.

Further budget pressures and risks

11.10. Forecasting the impact of demand changes is the most difficult aspect of the MTFs. But the MTFs needs to make allowance for the potential impact of these. The key challenges that impact on the demand for Council services are as follows:

- Population growth – this particularly affects people based services such as adult and children’s social care. But it also affects general demand for universal services such as leisure and cultural services and school places;
- Ageing population – this affects care for the very elderly but also impacts on care for younger adults and children with disabilities who are living longer as a result of improvements in medical care. It also has a direct impact on the funding the Council needs to provide for the London-wide concessionary fares scheme;
- Household growth – this impacts on property based services such as refuse collection and waste disposal;
- Impact of government policy – improvements in economic well-being and reduction in crime should potentially mean less demand for Council services. However, the shortage of housing, the impact of welfare changes, and policy toward people with No Recourse to Public Funds are all having a major impact on social needs within the borough. This is reflected directly through the number of families the Council has to accommodate in bed and breakfast and expenditure incurred on families with No Recourse to Public Funds. It also affects the ability of families to cope with economic and social pressures, with potential consequence for the number of children at risk or who need to be placed in care; and
- Impact of reducing preventative services – reductions in budgets for preventative services such as early years, the youth service and aspects of adult social care provision are likely to affect demand for acute services including children at risk, children involved in crime, adults in residential accommodation and so on.

11.11. The Council is pro-actively trying to address these demand pressures and seeks to ensure wherever possible that the changes it has to make to services reduce rather than increase demand. These include, for example, measures to support people with a social care need at home, prevent children coming into care, increase the supply of affordable housing, reduce household and commercial waste disposal, as well as rigorous application of criteria for access to services.

11.12. Other pressures, such as the cost of transition of children with disabilities into adult services or when specific grants are withdrawn, are assumed to be managed within service budgets.

11.13. Nevertheless, with significant population growth forecast additional demand in some services is unavoidable. Therefore, the Council annually provides £7.5m for growth from demand and other unavoidable pressures in the. The model assumes this will continue for future years.

Specific grant assumptions

11.14. The following assumptions have been made in the projections on specific grants which fund services:

- The Public Health grant – this grant is £20.1m in both 2014/15 and 2015/16. The base case assumes that this will remain at £20.1m at this level. The medium and worst case assume that it will reduce by 5% per annum from 2016/17 onwards.
- The Better Care Fund – this grant is £6.3m in 2014/15 and increases to £19.7m in 2015/16. £3.1m of the increase is for new burdens and is therefore neutral. The balance of growth is intended for social care funding that could reduce health spending, including offsetting budget reductions that would otherwise have had to be made in adult social care. These arrangements have to be jointly agreed with the local Clinical Commissioning Group (CCG).
- Adult Social Care new burdens funding – the government has announced funding of £1.6m for the additional costs in 2015/16 of implementing the Care Act 2014 (Dilnot) reforms. The changes include a move to national eligibility criteria, new thresholds below which people do not have to pay for care, new maximum lifetime contributions to the cost of care, and the ability to defer payment for care. Some of the changes take effect from April 2015 but the main changes associated with new thresholds and maximum life-time contributions take effect from April 2016. The Care Act could have very large final consequences for the Council but it is not possible at this stage to estimate what these will be or to assess the extent to which the government will fund them. No provision is therefore made for impact of this in the base, medium or worst cases.
- The Council receives a number of other grants but most are relatively small or directly related to specific projects. For example, funding we receive from the London Mayor's Office for Policing and Crime (MOPAC) to support crime reduction work. Any changes to these other grants will have to be met with an equivalent reduction in service spend to ensure it will have a neutral impact on the budget gap.

Other Income and Expenditure Items

11.15. There are other income and expenditure items in the Council's budget which are mainly non-service specific. These consist of the following elements:

Capital financing charges

11.16. Capital financing charges include all revenue costs relating to the Council's outstanding borrowing in terms of principal repayments and interest charges. They also include a contribution to the cost of the Building Schools for the Future Private Finance Initiative (PFI), historic debt the Council has to pay in relation to the former Inner London Education Authority, and provision for capital spending which is charged directly to revenue. These costs are offset by income from the Catford Regeneration Partnership Limited and interest on the Council's revenue balances.

11.17. The main factors that affect projections of capital financing charges are the level of borrowing for capital purposes, the level of the Council's cash balances, and interest rates. The MTFS assumes that all capital spending will be funded either from grant, capital receipts, capital reserves or be charged direct to revenue. It also assumes that cash balances remain at their current level. Changes to interest rates should not affect borrowing costs as the Council borrows long term at fixed rates. If interest rates rise the Council receives more interest. However, the projections have not built in any assumptions about changes to interest rates as timing remains uncertain and any rise is likely to be small in the near term. The assumptions used in the projections are stated in Appendix 2.

Levies

11.18. These cover the London Pension Fund Authority, the Environment Agency and Lee Valley. The Council has been provided indicative totals for levies in 2015/16. The assumptions used in the projections are stated in Appendix 2.

Added years pension costs

11.19. In the past, staff who retired early were awarded additional assumed years in the Pension Fund with the additional cost being charged to the General Fund. Although added years stopped being awarded some years ago, the Council has an on-going commitment for those staff who were awarded added years in the past. The assumptions used in the projections are stated in Appendix 2.

Other known future years budget adjustments

11.20. There are three further adjustments that are included within the budget projections for future years, as follows:

- Concessionary fares – the cost of concessionary fares to the Council changes each year to reflect increases in population entitled to concessionary fares, increases in fares themselves, and changes to the basis for allocation of costs between boroughs. Transport for London has provided projections for boroughs through to 31 March 2015. From 2015/16 onwards, the projections assume an increase of 5% each year.
- Highways and footways maintenance – the 2014/15 budget report included a proposal to switch highways and footways maintenance funding from capital to revenue in order to avoid the build up of prudential borrowing charges. To fund this, it was agreed that £350k growth would be provided each year in the revenue budget together with funding that would be released within the capital financing charges budget as a result of prudential borrowing no longer being required.
- Controlled Parking Zones (CPZ) review – the CPZ review involves review of three existing CPZ areas and the potential introduction of new CPZs. Net loss of parking income from the review of the existing zones is estimated at £200k in a full year, but this should be more than offset by estimated additional net income of £400k from new CPZs.

Education Services Grant

- 11.21. This is a grant carved out of Revenue Support Grant which is an assessment of the amount the Council needs to fund local authority education functions which it would no longer be responsible for if all schools in its area were Academies or Free Schools. Lewisham's 2014/15 allocation is £4.8m but the government has consulted on a proposed 20% reduction in 2015/16 on the overall amount available. In addition, although the grant is not ring-fenced, it will reduce if schools opt out of local authority control. The assumptions made on Education Services Grant are listed in Appendix 2.

New Homes Bonus

- 11.22. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes in use. The grant is paid each year for six years. It's based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes.
- 11.23. Growth in the number of properties in Lewisham will lead to an increase in the New Homes Bonus although this will be offset from 2017/18 onwards as funding for properties for which New Homes Bonus was allocated in earlier years of the system drop out of the calculation. The government has also announced a top-slice of £70m of New Homes Bonus to fund Greater London Authority (GLA) led projects in 2015/16. Although the government has not said what it will do post 2015/16, it is assumed that this top-slice will remain in place in subsequent years.
- 11.24. In 2014/15 the Council's allocation is £6.4m. £650k of this has been committed within the revenue budget to additional spending requirements resulting from the provision of new housing. The balance is held in provisions for anticipated growth in Lewisham. The funding will be used to improve the borough's town centres, increase in the number of jobs in the borough, provide improved transport links to the rest of London and build upon the necessary infrastructure such as schools, health facilities and open spaces..
- 11.25. A strategic review of these demands, combined with the forecast growth in new homes expected in the Borough, is being conducted to potentially release resources to the General Fund to cover relevant expenditure. This will be reported separately to Mayor and Cabinet later in 2014/15.

Council Tax Freeze Grant

- 11.26. The government will provide additional grant funding to support Councils that freeze Council Tax in both 2014/15 and 2015/16. Local authorities will receive funding equivalent to a 1% increase in Council Tax. This is budgeted at £0.9m in 2014/15 and £1.9m in 2015/16. The funding in 2014/15 and £0.9m of the funding in 2015/16 reflects the decision to freeze Council Tax in 2014/15. Payment of the further £1.0m in 2015/16 assumes the Council will freeze Council Tax in

2015/16. From, 2016/17 onwards, this funding is assumed to transfer to Revenue Support Grant.

12. GENERAL FUND BUDGET GAP

- 12.1. Using the medium term resource envelope and revenue expenditure projections stated above the resulting overall forecast position for the authority is shown in Table 8 below:

Table 8: Summary of Projected Financial Position

	Base Case			Medium Case			Worst Case		
	2015/16	2016/17	2017/18	2015/16	2016/17	2017/18	2015/16	2016/17	2017/18
	£m	£m	£m	£m	£m	£m	£m	£m	£m
Total Resources	242.6	230.5	221.2	242.6	226.0	215.2	242.6	221.6	207.9
Service Revenue Expenditure	(246.8)	(258.9)	(270.0)	(246.8)	(261.0)	(275.2)	(246.8)	(266.2)	(283.6)
Other Revenue Expenditure	(34.6)	(35.9)	(35.8)	(34.6)	(36.3)	(36.4)	(34.6)	(36.9)	(37.2)
Cumulative Savings Required	38.8	64.3	84.6	38.8	71.3	96.4	38.8	90.8	112.9
Annual Budget Gap Required	38.8	25.5	20.3	38.8	32.5	25.2	38.8	52.0	22.1

- 12.2. Taking the base case scenario as the expected position, it shows the annual measures required to bridge the budget gap from 2015/16 to 2017/18 are £38.8m, £25.5 and £20.3m. A total of £84.6m over the three years to 2017/18. This is a substantial budget gap for the Council, especially as previous savings made from 2010/11 to 2014/15 have totalled £93m. The next section of this report looks at what the Council is currently doing to address the gap in order to produce a balance budget.
- 12.3. The medium case scenario has been modelled to show the effect that slight changes in the assumptions will have on the overall budget gap. Here the cumulative budget gap to 2017/18 increases by £11.8m to £96.4m. Although it is not anticipated that the budget gap figure will be this high, funding for the years 2016/17 and 2017/18 remains uncertain, especially as 2015 is a general election year and new funding policies may be established.
- 12.4. The worst case scenario is the most unlikely scenario projected. The cumulative budget gap to 2017/18 increases by £28.3m to £112.9m. This scenario demonstrates the difficulty the Council could potentially face if the very worst

happens. Once again it is prudent to show these figures as the future funding remains unknown.

13. ADDRESSING THE BUDGET GAP

Lewisham Future Programme

- 13.1. The Lewisham Future Programme, established in the Autumn of 2013, is the Council's organisational approach to deliver savings in order to address the budget gap. The Programme focuses on the areas of greatest spend, recognising that in many consecutive years of spending reductions even greater innovation, focus on the customer, and cross-cutting thinking is required to deliver savings whilst attempting to minimise the impact on residents and customers of Lewisham.
- 13.2. The estimated budget gap for 2014/15 to 2017/18 were recognised at £95m following the financial settlement in December 2013. Savings of £8m were identified for 2014/15.

The Lewisham Future Programme Board (LFP)

- 13.3. The Lewisham Future Programme Board was established to manage delivery of these changes and to develop options for the Mayor and Council to consider. The board is chaired by the Chief Executive and consists of all Executive Directors plus the Head of Corporate Resources and the Head of Service Design and Customer Insight.
- 13.4. Its objective is to oversee a programme of change which will ensure that Lewisham's public services continue to be relevant and responsive to the community, in a way that provides opportunities and meets the Council's statutory obligations. It is recognised that the impact of the LFP will be fundamental and require innovative solutions that re-focus and re-shape services to meet this objective.
- 13.5. The role of the Board is in two parts: 1) to develop savings options for Mayor and Council to consider and then, once consulted upon and agreed, 2) to implement the changes.
- 13.6. Work to date has focused on developing options via 18 service and cross-cutting based reviews, each led by Heads of Service across the organisation. Each review has been provided an indicative target to help frame the scale of change needed. These targets are set between 10-40% of the net budget and 5-25% of the gross budget. The reviews are summarised in the Table 9 below

Table 9: LFPB Reviews

Thematic reviews – total £66m	Target £m	Cross cutting reviews – total £29m	Target £m
Smarter & deeper integration of social care & health	25	Management & corporate overheads	7

Thematic reviews – total £66m	Target £m	Cross cutting reviews – total £29m	Target £m
Supporting people	3	Schools effectiveness services	2
Sharing services (and third party spend)	12	Crime reduction	1
Efficiency review	10	Culture & community services	3
Asset rationalisation	9	Housing & non-HRA funded services	1
Corporate & business support services	3	Environmental services	4
Income generation	3	Public services	1
Enforcement & regulation	1	Planning & economic development	1
NB - £8m of the £95m savings listed here were agreed for 2014/15.		Safeguarding & early intervention services	7
		Customer transformation	2

Progress to Date

- 13.7. The Board has initiated, assessed and challenged a range of possible savings options. From these options a number of work strands have been identified, £8m of savings agreed and further provisional savings proposals totalling £31m to 2017/18 are being drawn up. Of these, approximately £21m relate to the 2015/16 financial year. This leaves a savings gap for 2015/16 alone, assuming all proposals are agreed, of £17.8m.
- 13.8. The Chief Executive is also undertaking a near-zero based budget challenge process with Heads of Service which may lead to further savings proposals.
- 13.9. In addition to the above, officers are looking at measures to reduce demand through existing service strategies and approaches being developed as part of the Lewisham Future Programme. New cross-Council activity monitoring and forecasting is being introduced so that the major risks in this area can be tracked and early action taken to address them. The activity data being monitored is as follows:
- Children in care;
 - Children on remand;
 - Special Education Needs transport;
 - Families with No Recourse to Public Funds;
 - Families in Temporary Accommodation;
 - Adults receiving home in residential settings and at home; and

- Waste tonnages.

- 13.10. In addition, the Council holds various revenue reserves for the risk of events that may disrupt 'business as usual' activities. These have been maintained with the uncertainty prevailing from austerity. In 2014/15 the Council started using (£3m of) these reserves to smooth the budget process.
- 13.11. The Council holds £12m of un-earmarked reserves and corporate provisions for unforeseen events. A review of the current reserves and provisions will be undertaken as part of the 2015/16 budget setting process. This will evaluate how they might best be used to mitigate the financial risks to the Council as it transforms and reshapes services.

Revenue Budget Savings Process

- 13.12. The next steps are for:
- 1) the proposals to be presented to members for scrutiny and decision;
 - 2) the LFP to continue informal member level discussions around key service areas; and
 - 3) the Board to continue to develop further savings proposals for 2015/16 and future years.
- 13.13. The Board has agreed to putting savings forward as they are ready this year, and the provisional timetable for scrutiny and decision making is shown in Table 10 below. These savings decisions and any further savings that may be identified after these rounds will then be collated and included in the usual budget process in February 2015.

Table 10: Budget Timetable – Key Dates

Month	Key Stage
September 2014	Select Committees - Revenue Budget Savings report
October 2014	Select Committees - Revenue Budget Savings report
	PAC and Mayor & Cabinet - Treasury Management Mid Year report
November 2014	PAC and Mayor Cabinet - Revenue Budget Savings
	Select Committees – 2 nd Revenue Budget Savings report
December 2014	Provisional Local Government Finance Settlement
	Select Committees – 2 nd Revenue Budget Savings report

	PAC – 2 nd Revenue Budget Savings Report
January 2015	Final Local Government Finance Settlement
	Mayor & Cabinet – 2 nd Revenue Budget Savings Report
February 2015	National Non Domestic Rates consultation session
	Greater London Authority sets the Budget and Precept for 2015/16
	Notification of Precepts and Levies
	PAC - the 2015/16 Budget Report
	Mayor & Cabinet agrees the Budget & Council Tax 2015/16
March 2015	Council approves Budget & Council Tax for 2015/16

14. HOUSING REVENUE ACCOUNT

- 14.1. The Housing Revenue Account (HRA) is a statutory account which sets the Landlord costs and income for the housing stock.
- 14.2. The HRA now operates with a 30 year business plan which allows the housing strategy to be updated and implements long term planning on resources and asset maintenance.
- 14.3. The plan contains a long-term assessment of the need for investment in assets, such as Decent Homes and other cyclical maintenance requirements, as well as forecasts on income streams such as rents, in line with rent restructuring.

15. DEDICATED SCHOOLS GRANT

- 15.1. Lewisham was allocated a Dedicated School Grant (DSG) of £267.6m for 2014/15.
- 15.2. The current Government believes that there is an inequality in the funding of schools. With similar schools or pupils in different locations attracting different levels of funding. As a first step to addressing this, the government have allocated an additional £350m in 2015/16, to increase the per-pupil budgets for those local areas that they consider to be the least fairly funded.
- 15.3. The current consultation on the process of allocating the additional £350m will not result in any extra funding for Lewisham. The government proposals are based on bringing all local authorities funding up the average level. It is not known how many years investment this would require. With the extra cost of London salaries built into the current settlement Lewisham's funding is above the national average and over the next few years indications are that we would not receive any growth.
- 15.4. The government still wish to bring in a national funding formula, the earliest that this could be implemented being April 2016. It is not known whether this would operate at individual school level or local authority level. It does leave the possibilities of movement of funding between authorities.

16. CAPITAL PROGRAMME

- 16.1. The Capital Programme is a financial expression of the Council's priorities for investment. It has strategic links to the Council's Community Strategy and the Corporate Plan. The Asset Management Strategy sets out the Council's approach to the assets required to deliver excellent services to local people and this also influences the content of the Capital Programme.

Capital Programme Schemes and Resources 2014/2018

- 16.2. The estimated resources available, the forecast spend and the under programming within the 2014/15 to 2017/18 Committed Capital Programme are set out in Table 11 below:

Table 11: Capital Programme Resources and Forecast Expenditure 2014/15 to 2017/18 (as at June 2014)

SCHEMES	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000	Total £000
General Fund	87,906	31,476	26,138	14,018	159,538
HRA	48,554	49,384	58,131	82,208	238,277
	136,460	80,860	84,269	96,226	397,815
RESOURCES					
Prudential Borrowing	3,602	2,000	3,598	27,400	36,600
Grants and Contributions	82,323	38,238	11,342	767	132,670
General (Capital Receipts, Reserves, Revenue)	50,535	40,622	69,329	68,059	228,545
	136,460	80,860	84,269	96,226	397,815

- 16.3. The proposed 2014/15 to 2017/18 Capital Programme totals £398m and brings together all capital projects across the Council. It sets out the key priorities for the Council over the next four years and is the subject of regular review.
- 16.4. Over the next four years the Council faces a period of financial uncertainty as revenue funding is cut and Government grants are reduced or terminated. This places increased reliance on the Council's capacity to generate capital receipts from asset sales to fund infrastructure development. For this reason, any new projects or programmes will need to clearly demonstrate a sound business case for investment.

17. RISK MANAGEMENT

- 17.1. A critical element of the Council's medium term financial planning processes is to ensure that the financial consequences of risk are adequately reflected in the Council's budgets. The Council's risk register sets out those strategic and corporate risks which could materialise, together with the key risk areas in

service budgets and associated mitigating measures. These include failure to contain expenditure within agreed cash limits, not meeting the revenue budget savings target and under achievement of income, as well as more specific risks on certain budgets.

SUMMMARY AND IMPLICATIONS

18. CONCLUSION

- 18.1. The Medium Term Financial Strategy sets out initial estimates of the scale of financial challenge the Council will face over the medium term to 2017/18. It presents the outturn for 2013/14, summarises the current financial position for 2014/15, and looks forward to 2015/16 and later years.
- 18.2. The next stages in the development of the financial strategy will be further refinement of the Council's longer term forecasting in light of the next Spending Round and the Council's development of the proposals by the Lewisham Future Programme. The Council will have to make further difficult decisions to prepare for future shortfalls.
- 18.3. It is difficult to predict the Council's finances after 2015/16 especially as 2015 is a general election year. However, it remains true that more challenging times lie ahead and it is inevitable that austerity becomes the new norm. Local authorities have largely acknowledged that deep changes are required if they are to continue to deliver positive outcomes for their citizens. What is not yet clear is how authorities can continue to make this happen in practice and what local government will look like in future.

19. FINANCIAL IMPLICATIONS

- 19.1. This report is concerned with the Council's medium term financial strategy and as such, the financial implications are contained within the body of the report.

20. LEGAL IMPLICATIONS

- 20.1. The purpose of this report is to develop a medium term approach in support of better service and financial planning. Members are reminded that the legal requirements are centred on annual budget production, and that indicative decisions made for future years are not binding.
- 20.2. The Local Government Act 2000 and subsequent regulations and guidance says that it is the responsibility of the full Council to set Lewisham's budget, including all of its components and any plan or strategy for the control of the Council's capital expenditure. Regulations provide that it is for the Executive to have overall responsibility for preparing the draft budget for submission to the full Council to consider. Once the budget has been set, it is for the Mayor & Cabinet to make decisions in accordance with the statutory policy framework and the budgetary framework set by the Council.

20.3. Where there are proposals for a reduction to a service which the Council is either under a statutory duty to provide, or which it is providing in the exercise of its discretionary powers and there is a legitimate expectation that it will consult, then consultation with all service users will be required before any decision to implement the proposed saving is taken. The outcome of such consultation must be reported to the Mayor. Where the proposed savings will have an impact upon staff, then the Council will have to consult the staff affected and their representatives in compliance with all employment legislative requirements and the Council's own employment policies.

21. EQUALITIES IMPLICATIONS

21.1. The Council's budget is of primary importance as a means of delivering Lewisham's objectives. When the budget savings and resources allocation proposals are considered during the latter part of this year, they will be assessed in terms of their impact on service delivery and equalities implications.

22. ENVIRONMENTAL IMPLICATIONS

22.1. There are no environmental implications directly arising from the report.

23. CRIME & DISORDER IMPLICATIONS

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

24. BACKGROUND PAPERS

Title of Document	Date	File Location	Contact Officer
Budget Report 2014/15	29 th February 2012 (Full Council)	5 th Floor Laurence House, Corporate Resources	David Austin
Final Revenue and Capital Outturn 2013/14	25 th June 2014 Mayor and Cabinet	5 th Floor Laurence House, Financial Services	Selwyn Thompson
2014/15 Budget Monitoring Report	9 th July 2014 Public Accounts Committee	5 th Floor Laurence House, Financial Services	Selwyn Thompson

25. APPENDICES

Appendix 1 – Corporate Priorities

Appendix 2 – Summary of MTFs Assumptions

Appendix 3 – Glossary of Terms

Appendix 4 – Voluntary Sector Grants criteria

Appendix 5 – Corporate Budget Book

For further information on this report please contact

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APPENDIX 1 – LEWISHAM CORPORATE PRIORITIES

The six Sustainable Community Priority outcomes, agreed with the Lewisham Strategic Partnership and the Council's 10 Corporate Priorities are set out as follows:

Sustainable Community Strategy

- **Ambitious and achieving:** where people are inspired and supported to fulfil their potential.
- **Safer:** where people feel safe and are able to live free from crime, anti-social behaviour and abuse.
- **Empowered and responsible:** where people can be actively involved in their local area and contribute to supportive communities.
- **Clean, green and liveable:** where people live in high quality housing and can care for and enjoy their environment.
- **Healthy, active and enjoyable:** where people can actively participate in maintaining and improving their health and well being.
- **Dynamic and prosperous:** where people are part of vibrant localities and town centres well-connected to London and beyond.

Corporate Priorities

- **Community Leadership and Empowerment:** developing opportunities for the active participation and engagement of people in the life of the community.
- **Young people's achievement and involvement:** raising educational attainment and improving facilities for young people through partnership working.
- **Clean, green and liveable:** improving environmental management, the cleanliness and care for roads and pavements, and promoting a sustainable environment.
- **Safety, security and a visible presence:** partnership working with the police and others to further reduce crime levels and using Council powers to combat anti-social behaviour.
- **Strengthening the local economy:** gaining resources to regenerate key localities, strengthen employment skills and promote public transport.
- **Decent Homes for all:** investment in social and affordable housing to achieve the decent homes standard, tackle homelessness and supply key worker housing.
- **Protection of children:** better safeguarding and joined up services for children at risk.
- **Caring for adults and older people:** working with health services to support older people and adults in need of care.
- **Active, healthy citizens:** leisure, sporting, learning and creative activities for everyone
- **Inspiring efficiency, effectiveness and equity:** ensuring efficiency and equity in the delivery of excellent services to meet the needs of the community.

APPENDIX 2 - SUMMARY OF ASSUMPTIONS

	Base case	Medium case	Worst case
Resource envelope			
Settlement Funding Assessment	<ul style="list-style-type: none"> 8% cash reduction in 16/17 and 7% each year thereafter £2.9m added to baseline used for 2016/17 calculation for consolidation of Council Tax freeze grant for 2014/15 and 2015/16 and Settlement Funding Assessment Adjustment grant Nothing additional is included for projected population growth as this is assumed to be included in the government's SFA calculation 	<ul style="list-style-type: none"> 10% cash reduction in 16/17 and 8% each year thereafter £2.9m added to baseline used for 2016/17 calculation for consolidation of Council Tax freeze grant for 2014/15 and 2015/16 and Settlement Funding Assessment Adjustment grant Nothing additional is included for projected population growth as this is assumed to be included in the government's SFA calculation 	<ul style="list-style-type: none"> 12% cash reduction in 16/17 and 10% each year thereafter £2.9m added to baseline used for 2016/17 calculation for consolidation of Council Tax freeze grant for 2014/15 and 2015/16 and Settlement Funding Assessment Adjustment grant Nothing additional is included for projected population growth as this is assumed to be included in the government's SFA calculation
Retained business rates	<ul style="list-style-type: none"> 2% real terms increase each year from 2015/16 from growth in rateable value base 3% reduction in 2015/16 from appeals against 2005 and 2010 valuations 	<ul style="list-style-type: none"> 1% real terms increase each year from 2015/16 from growth in rateable value base 5% reduction in 2015/16 from appeals against 2005 and 2010 valuations 	<ul style="list-style-type: none"> No real terms change in rateable value base 7% reduction in 2015/16 from appeals against 2005 and 2010 valuations
Council Tax income	<ul style="list-style-type: none"> No change in Council Tax level 1% increase each year in property base from 2015/16 onwards 1% change in Council Tax base in 2015/16 to reflect inclusion of projected in-year growth in Council Tax base report CT collection rate of 96.5% each 	<ul style="list-style-type: none"> No change in Council Tax level 0.75% increase each year in property base from 2015/16 onwards 1% change in Council Tax base in 2015/16 to reflect inclusion of projected in-year growth in Council Tax base report CT collection rate of 96.0% each 	<ul style="list-style-type: none"> No change in Council Tax level 0.5% increase each year in property base from 2015/16 onwards 1% change in Council Tax base in 2015/16 to reflect inclusion of projected in-year growth in Council Tax base report CT collection rate of 95.5% each

	Base case	Medium case	Worst case
	year from 2015/16 onwards	year from 2015/16 onwards	year from 2015/16 onwards
Settlement Funding Assessment Adjustment Grant	<ul style="list-style-type: none"> £0.9m in 2014/15 and 2015/16 Consolidated in RSG from 2016/17 	<ul style="list-style-type: none"> £0.9m in 2014/15 and 2015/16 Consolidated in RSG from 2016/17 	<ul style="list-style-type: none"> £0.9m in 2014/15 and 2015/16 Consolidated in RSG from 2016/17
Surpluses/deficits on Collection Fund	<ul style="list-style-type: none"> £3m surplus declared for 2014/15, of which Lewisham share is £2.3m. This is taken into account in 2015/16 budget 	<ul style="list-style-type: none"> £3m surplus declared for 2014/15, of which Lewisham share is £2.3m. This is taken into account in 2015/16 budget 	<ul style="list-style-type: none"> £3m surplus declared for 2014/15, of which Lewisham share is £2.3m. This is taken into account in 2015/16 budget
Service spending assumptions			
Pay awards	<ul style="list-style-type: none"> 1% through to 2017/18 	<ul style="list-style-type: none"> 1% in 2015/16 2% from 2016/17 onwards 	<ul style="list-style-type: none"> 2% in 2015/16 3% from 2016/17 onwards
Employer pension contributions	<ul style="list-style-type: none"> £1m added each year until 2016/17 No change from 2017/18 onwards 	<ul style="list-style-type: none"> £1m added each year until 2017/18 	<ul style="list-style-type: none"> £1m added each year until 2017/18
Employer national insurance contributions	<ul style="list-style-type: none"> £2m increase in 2016/17 (removal of 3.4% reduction for employees who are opted out) put to pressures and risks 	<ul style="list-style-type: none"> £2m increase in 2016/17 (removal of 3.4% reduction for employees who are opted out) put to pressures and risks 	<ul style="list-style-type: none"> £2m increase in 2016/17 (removal of 3.4% reduction for employees who are opted out) put to pressures and risks
General price inflation	<ul style="list-style-type: none"> 2.5% increase each year in non-pay budgets 	<ul style="list-style-type: none"> 2.5% increase each year in non-pay budgets 	<ul style="list-style-type: none"> 2.5% increase each year in non-pay budgets
General fees and charges	<ul style="list-style-type: none"> 2.5% increase each year in fees and charges budgets 	<ul style="list-style-type: none"> 2.5% increase each year in fees and charges budgets 	<ul style="list-style-type: none"> 2.5% increase each year in fees and charges budgets
Pressures and risks	<ul style="list-style-type: none"> £6.5m growth each year (in addition to increase in Pension Fund contributions) 	<ul style="list-style-type: none"> £6.5m growth each year (in addition to increase in Pension Fund contributions) 	<ul style="list-style-type: none"> £6.5m growth each year (in addition to increase in Pension Fund contributions)
New legislation	<ul style="list-style-type: none"> Nothing allowed 	<ul style="list-style-type: none"> Nothing allowed 	<ul style="list-style-type: none"> Nothing allowed

	Base case	Medium case	Worst case
Specific grants in service budgets			
Public Health grant	<ul style="list-style-type: none"> No change 	<ul style="list-style-type: none"> 5% reduction each year from 2016/17 	<ul style="list-style-type: none"> 5% reduction each year from 2016/17
Other Expenditure Items			
Capital financing charges	<ul style="list-style-type: none"> No new borrowing Borrowing requirement reduces by the amount of repayment of debt through Minimum Revenue Provision Consolidated Rate of Interest on borrowing remains at 2013/14 rate General Fund investments remain unchanged Interest on investments remains 0.5% 	<ul style="list-style-type: none"> No new borrowing Borrowing requirement reduces by the amount of repayment of debt through Minimum Revenue Provision Consolidated Rate of Interest on borrowing remains at 2013/14 rate General Fund investments remain unchanged Interest on investments remains 0.5% 	<ul style="list-style-type: none"> No new borrowing Borrowing requirement reduces by the amount of repayment of debt through Minimum Revenue Provision Consolidated Rate of Interest on borrowing remains at 2013/14 rate General Fund investments remain unchanged Interest on investments remains 0.5%
Levies	<ul style="list-style-type: none"> As projected for 2015/16 Zero increase from 2016/17 Historic GLC liabilities funded from reserves 	<ul style="list-style-type: none"> As projected for 2015/16 2% increase from 2016/17 Historic GLC liabilities funded from reserves 	<ul style="list-style-type: none"> As projected for 2015/16 2% increase from 2016/17 Historic GLC liabilities funded from reserves
Added years pensions costs	<ul style="list-style-type: none"> Charges to HRA netted off 2% reduction per annum 	<ul style="list-style-type: none"> Charges to HRA netted off 1% reduction per annum 	<ul style="list-style-type: none"> Charges to HRA netted off No reduction
2014/15 budget pressures and risks	<ul style="list-style-type: none"> All used and allocated to service spend 	<ul style="list-style-type: none"> All used and allocated to service spend 	<ul style="list-style-type: none"> All used and allocated to service spend
Non-ring fenced grants			
Council Tax freeze grant	<ul style="list-style-type: none"> £0.9m in 2014/15 and 2015/16 for 	<ul style="list-style-type: none"> £0.9m in 2014/15 and 2015/16 for 	<ul style="list-style-type: none"> £0.9m in 2014/15 and 2015/16 for

	Base case	Medium case	Worst case
	2014/15 freeze <ul style="list-style-type: none"> • Further £1.0m in 2015/16 for 2015/16 freeze • Consolidated in RSG from 2016/17 	2014/15 freeze <ul style="list-style-type: none"> • Further £1.0m in 2015/16 for 2015/16 freeze • Consolidated in RSG from 2016/17 	2014/15 freeze <ul style="list-style-type: none"> • Further £1.0 in 2015/16 for 2015/16 freeze • Consolidated in RSG from 2016/17
Education Services Grant	<ul style="list-style-type: none"> • 20% national reduction in 2015/16 	<ul style="list-style-type: none"> • 20% national reduction in 2015/16 • 5% reduction each year from 2015/16 for opt out from local authority control 	<ul style="list-style-type: none"> • 20% national reduction in 2015/16 • 10% reduction each year from 2015/16 for opt out from local authority control

APPENDIX 3 - GLOSSARY OF TERMS

Actuarial valuation

An independent report of the financial position of the Pension Fund carried out by an actuary every three years. The actuary reviews the Pension Fund assets and liabilities as at the date of the valuation and makes recommendations such as, employer's contribution rates and deficit recovery period, to the Council.

Baseline funding level

The amount of a local authority's start-up funding allocation which is provided through the local share of the estimated business rates aggregate (England) at the outset of the scheme as forecast by the Government. It forms the baseline against which tariffs and top-ups are calculated.

Budget Requirement

The Council's revenue budget on general fund services after deducting funding streams such as fees and charges and any funding from reserves. (Excluding Council Tax, RSG and Business Rates)

Capital expenditure

Spend on assets that have a lasting value, for example, land, buildings and large items of equipment such as vehicles. This can also include indirect expenditure in the form of grants or loans to other persons or bodies.

Capital Programme

The Council's plan of future spending on capital projects such as buying land, buildings, vehicles and equipment.

Capital Receipts

These are proceeds from the disposal of land or other assets and can be used to finance new capital expenditure but cannot be used to finance revenue expenditure.

Capping

This is the power under which the Government may limit the maximum level of local authority spending or increases in the level of spending year on year, which it considers excessive. It is a tool used by the Government to restrain increases in Council Tax. The Council Tax cap, currently 2%, means that any local authority in England wanting to raise Council Tax by

more than 2% in 2014/15 must consult the public in a referendum, Councils losing a referendum would have to revert to a lower increase in their bills.

CIPFA

The Chartered Institute of Public Finance and Accountancy are one of the UK accountancy institutes. Uniquely, CIPFA specialise in the public sector. Consequently CIPFA holds the responsibility for setting accounting standards for local government.

Collection fund

A statutory account maintained by the Council recording the amounts collected from Council Tax and Business Rates and from which it pays the precept to the Greater London Authority.

Collection Fund surplus (or deficit)

If the Council collects more or less than it expected at the start of the financial year, the surplus or deficit is shared with the major precepting authority, in Lewisham's case this is the GLA, in proportion to the respective Council Taxes. These surpluses or deficits have to be returned to the Council taxpayer in the following year through lower or higher Council taxes. If, for example, the number of properties or the allowance for discounts, exemptions or appeals vary from those used in the Council Tax base, a surplus or deficit will arise. The Council generally achieves a surplus, which is shared with the GLA.

Contingency

This is money set-aside centrally in the Council's base budget to meet the cost of unforeseen items of expenditure, such as higher than expected inflation or new responsibilities.

Council Tax Base

The Council Tax base for a Council is used in the calculation of Council Tax and is equal to the number of Band D equivalent properties. To work this out, the Council counts the number of properties in each band and works out an equivalent number of Band D equivalent properties. The band proportions are expressed in ninths and are specified in the Local Government Finance Act 1992. They are: A 6/9, B 7/9, C 8/9, D 9/9, E 11/9, F 13/9, G 15/9 and H 18/9, so that Band A is six ninths of the 'standard' Band D, and so on.

CPI and RPI

The main inflation rate used in the UK is the CPI (Consumer Price Index), the Chancellor of the Exchequer bases the UK inflation target on the CPI. The CPI inflation target is currently set at 2%. The CPI differs from the RPI (Retail Price Index) in that CPI excludes housing costs. Also used is RPIX, which is a variation on RPI, one that removes mortgage interest payments.

Dedicated schools grant (DSG)

This is the ring-fenced specific grant that provides most of the Government's funding for schools. This is distributed to schools by the Council using a formula agreed by the schools forum.

Financial Regulations

These are a written code of procedures set by a local authority, which provide a framework for the proper financial management of the authority. They cover rules for accounting and audit procedures, and set out administrative controls over the authorisation of payments, etc.

Financial Year

The local authority financial year commences on 1st April and finishes on the following 31st March.

General Fund

This is the main revenue fund of the local authority, day-to-day spending on services is met from the fund. Spending on the provision of housing however, must be charged to the separate Housing Revenue Account (HRA).

Gross Domestic Product (GDP)

GDP is defined as the value of all goods and services produced within the overall economy.

Gross expenditure

The total cost of providing the Council's services, before deducting income from Government grants, or fees and charges for services.

Housing Revenue Account (HRA)

A separate account of expenditure and income on housing that Lewisham must keep. The account is kept ring-fenced from other Council activities.

The Government introduced a new funding regime for social housing within the HRA from April 2012.

Individual authority business rates baseline

This is derived by apportioning the billing authority business rates baseline between billing and major precepting authorities on the basis of major precepting authority shares.

Levies

A levy is an amount of money a local authority is compelled to collect (and include in its budget) on behalf of another organisation. Lewisham is required to pay levies to a number of bodies such as the London Pensions Fund Authority.

Local share

This is the percentage share of locally collected business rates that will be retained by local government, currently 50%.

Net Expenditure

This is gross expenditure less services income, but before deduction of government grant.

New Homes Bonus

Under this scheme Councils receive a new homes bonus (NHB) per each new property built in the borough for the first six years following completion. Payments are based on match funding the Council Tax raised on each property with an additional amount for affordable homes. It is paid in the form of an un-ringfenced grant.

Prudential Borrowing

Set of rules governing local authority borrowing for funding capital projects under a professional code of practice developed by CIPFA to ensure the Council's capital investment plans are affordable, prudent and sustainable.

Revenue Expenditure

The day-to-day running expenses on services provided by Council.

Revenue Support Grant (RSG)

All authorities receive Revenue Support Grant from central government in addition to its baseline funding level under the local government finance system. An authority's Revenue Support Grant amount plus its baseline funding level together comprises its Settlement Funding Assessment.

Section 151 officer

Legally Councils must appoint under section 151 of the Local Government Act 1972 a named chief finance officer to give them financial advice, in Lewisham's case this is the post of the Executive Director for Resources and Regeneration.

Settlement Funding Assessment (SFA)

A local authority's share of the local government spending control total which comprises its Revenue Support Grant for the year in question and its baseline funding level (in 2013/14 this was called the Start-up funding allocation).

Specific Grants

As the name suggests funding through a specific grant is provided for a specific purpose and cannot be spent on anything else e.g. The Dedicated Schools Grant (DSG) for schools.

Spending Review

The Spending Review is an internal Government process in which the Treasury negotiates budgets for each Government Department. The 2010 SR set government spending for the four financial years up to 2014/15, the 2013 SR set spending for a single year 2015/16. The next spending review is expected in 2016.

Start-up funding allocation (SUFA)

Refer to Settlement Funding Assessment.

Treasury Management

The process of managing the Council's cash flows, borrowing and cash investments to support Lewisham's finances. Details are set out in the Treasury Management Strategy which is approved by Mayor and Cabinet and Full Council in February each year.

APPENDIX 4

Safer Stronger Communities Select Committee			
Report Title	Main Grants Programme 2015 to 2018	Item No	X
Contributors	Head of Community & Neighbourhood Development		
Class	Part 1	Date	15/7/14

1. Purpose of Report

- 1.1 This report provides details of the proposed consultation on the new main grants programme and seeks the views of members of the Safer Stronger Select Committee prior to approval to consult being sought from Mayor and Cabinet on 16 July 2014.

2. Background

- 2.1 The current main grants programme was agreed by Mayor and Cabinet Contracts in July 2011. Funding was awarded for two and a half years from October 2011 to the end of March 2014 to 73 organisations. An extension to the programme for a further year was agreed in December 2013 taking the current funding to 31 March 2015.
- 2.2 As part of the Lewisham Futures Board programme officers were asked to consider reductions to the main grants budget. A proposal to reduce the £5.9million budget by £1.5million is contained within the Medium Term Finance Strategy report that will be presented to Mayor and Cabinet on 16th July 2014.
- 2.3 This paper is the first of several opportunities that the Safer Stronger Select Committee will have to input into the grants process. Additional reports will be brought to the committee at the end of the 3 months consultation prior to the programme opening to applications and in April 2015 prior to funding decisions being taken at Mayor and Cabinet Contracts.

3. Consultation

- 3.1 The Lewisham Compact with the Voluntary and Community Sector requires the council to undertake 3 month consultation of changes that affect their funding. The attached draft consultation document provides information about the proposed new grant programme criteria, application process and the proposed overall reduction to the grants

budget. Organisations and individuals can respond to the consultation in any form they choose but a set of questions and response form are included to guide them.

- 3.2 The consultation will open on 30th July 2014 and run until 29th October 2014. A full report on the consultation outcome will be brought to Safer Stronger Select Committee.

4. Conclusion

- 4.1 The draft consultation pack for the main grants programme is provided for members of the Safer Stronger Select Committee to scrutinise. Officers will be available at the meeting to answer questions about the consultation process and the proposed programme.



London Borough of Lewisham

Consultation on proposed changes to main grants programme

July 2014

Cultural and Community Development Service
2nd Floor, Laurence House
1 Catford Road, London SE6 4RU
Community.Enterprise@lewisham.gov.uk

Part 1 – About this Consultation

Topic of this consultation

1. This consultation is about the proposed new priorities for Lewisham Council's main grants programme and associated application process. We want to seek views on the proposed grants criteria and the application process.
2. The consultation also seeks views about an indicative reduction to the main grants budget which is being proposed as part of a major review of the council's budget in order to achieve savings of £95million in the next 4 years.

Audience

3. The consultation is aimed at voluntary and community organisations that provide services in London Borough of Lewisham. We would also welcome the views of other public or private sector partners who work with the voluntary and community sector in Lewisham.

Duration

4. The consultation will be open for 3 months from 30th July 2014. The deadline for responses is 29th October 2014.

How to Respond

5. There are several ways to respond to this consultation:
 - By e-mail to: Community.Enterprise@lewisham.gov.uk
 - By post to: Community Enterprise Team, 2nd Floor, Laurence House, 1 Catford Road, London SE6 4RU
 - By attending a consultation meeting

There will be consultation meetings on:

30th July at 2.30pm at the Civic Suite Catford

Xxx September at 7pm at xxxxxx

Places at these consultation meetings must be booked in advance by emailing Community.Enterprise@lewisham.gov.uk. Due to the size of the venue places are limited to one person per organisation at each meeting.

After the Consultation

6. Once the consultation has closed all responses will be considered and a summary of responses collated and included in a report to Mayor and Cabinet Contracts on 12th November 2014. This report will seek approval for the main grants programme 2015/16 criteria, proposed budget level and permission to invite applications for funding.

Part 2 – Background

Background

7. The current main grants programme was agreed by Mayor and Cabinet Contracts in July 2011. Funding was awarded for two and a half years from October 2011 to the end of March 2014 to 73 organisations. Funding was provided over four themes; Children and Young People, Building Social Capital, Gateway Services and Communities that Care. An extension to the programme for a further year was agreed in December 2013 taking the current funding to 31 March 2015.

Lewisham Council Commitment to Grant Aid programme

8. Although the third sectors role within the commissioning of local public services has grown, the council recognises that their continues to be a need for grant aid investment for the following reasons:
 - A recognition of the importance of maintaining an independent sector that can act as a critical friend to challenge public sector policy and delivery.
 - A recognition of the key role that the sector plays in building civic participation, providing a voice for seldom heard residents and providing community intelligence.
 - A recognition of the great diversity of the sector and the need to engage with small and emerging groups as well as large established organisations.
 - A recognition of the sector's potential to take risks and innovate which does not always sit easily within commissioning frameworks.
 - A recognition that third sector organisations have been key delivery partners for a wide range of targeted short term initiatives. Grant aid provides a level of security for organisations ensuring that there is a strong sector ready to work in partnership with us.

Lewisham Council Financial Position

9. Over the last x years the council has made reductions to its budget of xx. This represented xxx% of the controllable budget. The grant aid budget was largely protected during that savings phase with only a small reduction of £500k of unallocated funds. The remaining grants budget is £5.9million.
10. Lewisham Council needs to make a further £95million reduction to its controllable budget over the next 4 years. This equates to approximately 30% of the controllable budget. For this reason the council has been undertaking a fundamental review of all its budgets.

Part 3 – The proposal

Proposed reduction to the grant aid budget

11. In the context of the unprecedented scale of the reduction to the council budget it is proposed to make an indicative reduction of £1.5million to the £5.9 million grants budget. This equates to 25% of the budget.

Our Proposed funding approach

12. It is our view that in these times of diminishing resources the need for collaboration is greater than ever. Our intention is to fund a group of organisations that are committed to working with each other and us to ensure the best possible outcomes for Lewisham's

residents with our shared resources. We intend to take a dynamic approach to grant aid that allows for flexibility over the period of funding to ensure that we are able to respond together to changing needs and priorities. We are not just looking to fund organisations but to enlist active partners who are as passionate about Lewisham as we are and have the drive and capacity to make a difference to people's lives.

13. In order to achieve this we have thought about the profile of organisations that we are seeking to fund and what they would bring to a funding partnership. Further detail of this partner profile can be found at appendix A in the draft grants criteria and guidance.

Proposed themes and priorities

14. In establishing the priority themes for the grants programme we have considered:

- The level of need locally
- The contribution the third sector can make to meeting the priority
- The availability of other sources of funding locally

The programme themes are:

- 1) Strong and Cohesive Communities
- 2) Communities that Care
- 3) Access to Advice and Counselling
- 4) Widening access to Arts and Sports

15. Full details of the proposed themes are contained at Appendix A in the draft grants criteria and guidance.

Proposed timetable and application process

16. The outcome of this consultation will be presented to Mayor and Cabinet contracts on 12th November. Approval of the revised criteria and permission to open to applications will be sought. The Mayor and Cabinet Contract's decision is subject to potential call in by the Overview and Scrutiny Business Panel and therefore applications will not formally open until 26th November. In the interim we will be holding networking events for each theme group in the week commencing 17th November to enable organisations to discuss any potential collaborations. There will be application surgeries during December and the deadline for applications will be 4th February 2015.
17. Applications will be assessed during February and draft recommendations will be sent to organisations by 30th March 2015. Any organisations that are currently in receipt of grant aid will also be sent 3 months notice of a proposed change to their grant aid at that point. Information will be provided about the appeals process. All draft recommendations and appeals will be presented to Mayor and Cabinet Contracts for decision in April 2015. The date of this meeting has not yet been confirmed. The new grants will be implemented from 1st July 2015 and current main grant funding will be extended for 3 months subject to organisations continuing to meet the conditions of grant aid and Mayor and Cabinet approval.

18. **Key dates:**

30 July 2014	consultation opens
29 th October 2014	consultation closes
12 th November 2014	Mayor and Cabinet approval of proposed grants programme.
26 th November 2014	applications open
4 th February 2015	application deadline
30 th March 2015	draft recommendations and 3 months notice provided

April 2015 tbc

Mayor and Cabinet decisions on grant allocations

1st July 2015

new grants commence.

Proposed Assessment Process

19. Applications will be assessed against both the partner profile and the theme criteria. There will be a three stage assessment process with initial officer assessment of individual applications followed by a theme lead reviewing each assessment for consistency and drawing up a set of recommendations for the theme to be presented to a senior officer panel.

Part 4 – Consultation Questions

20. We are happy to receive responses to this consultation in any format but we are particularly keen to hear your views on the following:
- a. The council has retained its commitment to grant aid for the voluntary and community sector. Our rationale for this is laid out in paragraph 8 above. Do you agree that grant aid is important? Is there anything missing from the rationale?
 - b. The council needs to save £95million over the next 4 years. This equates to approximately 30% of the controllable budget. The council has been able to protect the main grants budget during previous savings rounds but the scale of reductions still to be found mean that it is unlikely that the grants budget can continue to be protected. A saving of 25% is proposed. Do you feel that this is fair and proportionate? Please give reasons.
 - c. If the proposed saving to the grants budget is agreed which of the following approaches to implementing the reduction do you feel would provide the best outcomes for Lewisham's residents?
 - i) Funding a similar number of organisations as are currently funded but at a reduced level.
 - ii) Funding less organisations but being able to retain the current average funding levels.
 - d. Do you feel the areas covered in the partners profile in Appendix A are the right ones? What's missing? What would you do differently?
 - e. Do you feel the priority themes are the right ones? What's missing? What would you do differently?
 - f. We are undertaking an equalities assessment of the proposed changes. Do you feel that the proposed changes would have a negative or positive impact on Lewisham residents on the basis of their race, gender, faith/religious belief, disability, age, sexual orientation, gender assignment or marital status? Please provide comments on the impact you feel the proposed changes could have, which groups you feel may be affected and any action you feel we could take to mitigate any potentially negative impact.

You may wish to use the response form at Appendix B.

Lewisham Council – Cultural and Community Development Service
July 2014



Corporate Budget Book

2014/15

1. INTRODUCTION

The corporate budget book outlines Lewisham Council's plan for revenue and capital expenditure on its services and infrastructure for 2014/15. The budget was developed in the context of a three to five year medium term financial strategy and will allow us to build on the achievements of previous years.

For 2014/15, the Council's net revenue general fund budget totals £268.1m. The budget has been developed within the context of a framework of financial controls.

The Capital Programme totals £385.9m for 2014/15 to 2017/18 (General Fund £137.9m and HRA £248.0m) and brings together all the capital projects across the Council.

Budget monitoring and control throughout the financial year will ensure that the Council maintains control over the delivery and expenditure of the services it provides for the people of Lewisham.

Corporate Budget Book 2014/15

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2. THE BUDGET BUILD UP

2.1. General Fund Services

The General Fund includes services such as Children’s Services, Social Services, Leisure Services, Transport, Regulatory Services, and the corporate activities required to coordinate and manage the work of the Council.

General Fund services (i.e. those other than associated with the provision of council housing and schools) are financed by:

- Nationally – Settlement Funding Assessment (SFA) which is made up of Revenue Support Grant (RSG) and Business Rates Baseline;
- Local taxpayers – through the Council Tax;
- Local service users – through fees and charges.

Lewisham’s planned General Fund net expenditure for 2014/15 is £268.1m (2013/14 was £284.6m). This is referred to as the “Budget Requirement” and is funded from a combination of Council Tax, certain specific grants and any funding from reserves. Funding for schools is financed separately through the Dedicated Schools Grant. Table 1 shows how the Budget Requirement for 2014/15 is built up. Table 2 shows the net expenditure by Directorate.

Table 1 – Budget Requirement 2014/15

Detail	Income £m	% of Budget
<i>RSG for 2014/15</i>	101.7	38%
<i>Business rates baseline</i>	84.8	32%
Sub Total - SFA for 2014/15	186.5	70%
Council Tax 2014/15	78.4	29%
SFA: Adjustment 2014/15	0.9	0%
Surplus on Collection Fund	2.3	1%
Assumed Budget Requirement	268.1	

Table 2 – Net Expenditure 2014/15

Directorate	2014/15 £m	2013/14 £m	Change £m	Change %
CYP	61.5	66.7	-5.3	-8%
COM	109.3	119.7	-10.4	-9%
CUS*	43.5	47.7	-4.2	-9%
R&R* & Corporate	53.8	50.5	3.3	7%
Budget	268.1	284.6	-16.6	-6%

* 13/14 restated for move of IMT service from R&R to CUS

2.2. Paying for General Fund Services

For 2014/15, the Directorate gross revenue expenditure is £1,093.3m. This is reduced by income from fees & charges and specific grants of £825.2m. The amount allocated to each directorate is summarised in Table 3 and Section 3, and detailed in Sections 4 to 9.

Table 3 – Directorate Cash Limits Summary 2014/15

Directorate	Gross Exp. £m	Income £m	Net Exp. £m
CYP	482.1	-420.6	61.5
COM	176.7	-67.4	109.3
CUS	331.2	-287.7	43.5
R&R & Corporate	103.3	-49.5	53.8
Totals	1,093.3	-825.2	268.1

2.3. Breakdown of Income 2014/15

Description	£m
Govt Grant Income	
Dedicated Schools Grant (DSG)	248.6
Pupil Premium	17.3
Education Services Grant	4.8
Public Health Grant	20.1
Rent Allowances	182.3
Rent Rebates	54.2
Other Govt Grants	53.0
Fees and Charges	39.5
Interest and Investment	1.9
Rent	10.1
Recharges	167.8
Other Income	25.6
2014/15 Working Budget	825.2

2.4. Reconciliation between the 2013/14 and 2014/15 Budgets.

Tables 4&5 below show the budget changes from the prior year to arrive at the 2014/15 budget:

- At the Council level, and
- By Directorate.

The key to both tables is provided after Table 4.

Table 4 – Reconciliation at the Council level

Description	£m
2013/14 Total Budget (year end position)	284.6
Changes to arrive at the 2014/15 budget:	
• Savings agreed (1)	-24.5
• Inflation - increase in prices	4.3
• Pressures & other risks (2)	7.5
• Once-off use of reserves	-3.0
• Council Tax Freeze Grant 2014/15	-0.9
• Other technical adjustments (3)	0.1
• One off funding not carried forward (4)	0.0
2014/15 Working Budget	268.1

- (1) A breakdown of the savings agreed as part of the budget setting process for 2014/15 can be found in the Budget Report to Full Council on 26 February 2014 at Section 8 and Appendix Y1.
- (2) A full list of pressures and risks for 2014/15 are detailed in section 8.20-8.45 of the Budget Report 2014/15 to Full Council on 26 February 2014.
- (3) This includes a transfer of £8.3m to move the Information Management and Technology (IMT) service from Resources & Regeneration to Customer Services.
- (4) This is made up of once-off funding allocated to directorates during 2013/14 which is not carried forward and does not form part of the on-going budget in 2014/15.

Table 5 – Reconciliation by Directorate

Description	CYP £m	COM £m	CUS £m	R&R £m	Corporate Items £m	Total £m
2013/14 Total Budget (year end position)	66.7	119.7	36.1	57.1	5.0	284.6
Changes to arrive at the 2014/15 budget:						
• Savings agreed (1)	-5.6	-9.8	-2.6	-4.0	-2.5	-24.5
• Inflation - increase in prices	0.1	0.4	0.1	0.1	3.6	4.3
• Pressures & other risks (2)	0.5		0.8	0.2	6.0	7.5
• Once-off use of reserves					-3.0	-3.0
• Council Tax Freeze Grant 2014/15					-0.9	-0.9
• Other technical adjustments (3)	-0.1	0.2	9.7	-8.3	-1.4	0.1
• One off funding not carried forward (4)	-0.1	-1.2	-0.6	-3.9	5.8	0.0
2014/15 Working Budget	61.5	109.3	43.5	41.2	12.6	268.1

3. DIRECTORATE SUMMARIES

This section outlines the gross expenditure and income of each of the General Fund Directorates (objectively) and the gross expenditure and income budgets broken down by the type of spend (subjectively).

The tables also provide a comparison to the prior year's end of year budget position.

Corporate Budget Book 2014/15

3.1. Overall Subjective Summary by Directorate

2014/15 Budget - £m	CYP	COM	CUS	R&R	Corporate Items	To/(from) Reserves	Total
Expenditure:							
Employee Costs	174.3	33.9	35.6	22.5			266.3
Running Costs	211.4	130.2	289.0	21.4	30.6	-3.0	682.6
Internal Recharges	85.6	11.2	0.2				97.0
Capital Charges	10.8	1.4	6.4	9.2	19.6		47.4
Total Expenditure:	482.1	176.7	331.2	53.1	50.2		1,093.3
Income							
External sources	-318.5	-54.7	-274.2	-7.4	-2.3		-657.1
Internal Recharges	-102.1	-12.7	-13.5	-4.5	-35.3		-168.1
Total Income	-420.6	-67.4	-287.7	-11.9	-37.6		-825.2
Net Budget 2014/15	61.5	109.3	43.5	41.2	12.6		268.1
Prior Year Comparison							
Net Budget 2013/14	66.7	119.7	36.1	57.1	5.0		284.6
Variance (£m)	-5.2	-10.4	7.4	-15.9	7.6		-16.5
Variance (%)	-8%	-9%	20%	-28%	152%		-6%

4. DIRECTORATE FOR CHILDREN & YOUNG PEOPLE

4.1. Service description

Schools

The Directorate is responsible for the services provided by::

- 2 Nursery Schools for 244 pupils,
- 1 Pupil Referral Unit (PRU) for 128 pupils,
- 64 Primary schools for 24,371 pupils,
- 5 Special Schools for 624 pupils,
- 9 Secondary Schools for 9,005 pupils, and
- 2 All through Schools for 1,270 pupils.

Children's Social Care

Covers all Children's Social Care functions, and all functions related to individual children with complex and/or special educational needs. The service works with children who need to be looked after and safeguarded from harm. The service provides support to families to promote childrens upbringing in their own families, provided that this is consistent with the child's welfare.

Partnerships and Targeted Services for Children and Young People

The service provides all early intervention services, including the Children's Centres, Targeted Family Support (including Troubled Families coordination), support for Teams Around the Child and Teams Around the Family across the partnership; the Attendance and Welfare service; the Youth Service and Not in Education or employment Training (NEET) reduction delivery function; support for schools re crime and liaison with the Youth Offending Service (YOS); securing integrated workforce strategy and practice across the partnership. The Service also includes health commissioning for children and young people on behalf of the Clinical Commissioning Group (CCG), integrated commissioning; all partnership functions including the Children and Young People's Strategic Partnership Board and associated groups; liaison with the Voluntary and Community Sector (VCS); and Inspections.

Standards and Achievement

The Service includes all functions related to raising standards of achievement in schools; governors; elective home education; the Educational Psychology service, improving schools' and settings' capacity to meet the needs and raise standards for all children; and the music service. The Service also includes Looked After Children education; universal early years education and care, including responsibilities for Private, Voluntary and Independent providers and childminders; the PRUs; education for school

phobics and others with a medical need.

Resources and Performance

The Service provides support functions for the Directorate, Schools Forum and schools including arrangements for the financial management of the free entitlement offer for two, three and four year olds. It provides a traded HR service for schools, provides a strategic estates management function for Local Authority (LA) maintained schools and a traded service for statutory maintenance responsibilities, a client monitoring function for the school meals contract covering 64 schools. The service also provides free school meals eligibility checks for parents. The service provides all the Directorate's performance functions and includes business support for the Executive Director's office, including equalities, corporate liaison work, service planning, and business continuity support to schools.

Education Infrastructure

Service portfolio covers all places planning and delivery of those places across early years, mainstream school places and Special Education Needs (SEN) places; capital clienting for schools, including Information and Communication Technology (ICT).

4.2. Overall subjective summary by Service Area for CYP

2014/15 Budget - £m	Schools	Children Social Care	Partnerships & Targeted Services	Standards & Achievement	Resources & Performance	Education Infrastructure	Total
Expenditure:							
Employee Costs	144.0	14.1	5.5	5.3	4.7	0.7	174.3
Running Costs	71.2	65.8	8.1	23.4	41.2	1.7	211.4
Internal Recharges	1.3	1.5	0.1	0.3	82.4		85.6
Capital Charges	7.2		0.2	0.1	3.3		10.8
Total Expenditure:	223.7	81.4	13.9	29.1	131.6	2.4	482.1
Income							
External sources	-218.9	-44.6	-1.7	-24.6	-28.7		-318.5
Internal Recharges	-1.3	-0.9	-1.3	-1.4	-96.6	-0.6	-102.1
Total Income	-220.2	-45.5	-3.0	-26.0	-125.3	-0.6	-420.6
Net Budget 2014/15	3.5	35.9	10.9	3.1	6.3	1.8	61.5
Prior Year Comparison							
Net Budget 2013/14	6.5	34.3	12.6	6.1	5.2	2.0	66.7
Variance (£m)	-3.0	1.6	-1.7	-3.0	1.1	-0.2	-5.2
Variance (%)	-46%	5%	-13%	-49%	21%	-10%	-8%

5. DIRECTORATE FOR COMMUNITY SERVICES

5.1. Service description

The Directorate works with a wide range of public, private and voluntary partners including the Primary Care Trust, the Metropolitan Police, local voluntary and community organisations and local business.

Together with these partners, the Directorate is committed to the vision of 'Building Stronger Communities across Lewisham' by creating:

- healthy and caring communities,
- vibrant, active and inclusive communities, and
- safer and secure communities.

To achieve this, the Directorate seeks to build independence and inter-dependence in local communities, strengthen the social fabric of the borough, promote the voice and role of the voluntary and community sector and secure improved services that support independence, health and well being in Lewisham.

The Directorate encompasses a number of key service areas:

- Adult Social Care,
- Crime Reduction and Supporting People,
- Culture and Community Development,
- Public Health
- Strategy & Performance

Within these service areas, the Directorate provides support for libraries, arts and entertainment, adult education, community development, crime reduction and safer neighbourhoods, and sports and recreation.

The Directorate also provides social care services to vulnerable adults helping them to maintain their independence and where possible to remain living in their own homes. In addition, it supports children and young people who are involved in, or who are the victims of, crime.

5.2. Overall subjective summary by Service Area for Community Services

2014/15 Budget - £m	Adult Social Care	Crime Reduction & Supporting People	Culture and Community Development	Public Health	Strategy & Performance	Total
Expenditure:						
Employee Costs	18.7	4.1	8.0	1.5	1.6	33.9
Running Costs	86.7	15.5	14.0	13.0	1.0	130.2
Internal Recharges	7.5	1.1	2.6			11.2
Capital Charges	0.3		1.1			1.4
Total Expenditure:	113.2	20.7	25.7	14.5	2.6	176.7
Income						
External sources	-25.8	-7.2	-7.0	-14.5	-0.2	-54.7
Internal Recharges	-7.0	-1.0	-2.7		-2.0	-12.7
Total Income	-32.8	-8.2	-9.7	-14.5	-2.2	-67.4
Net Budget 2014/15	80.4	12.5	16.0	0.0	0.4	109.3
Prior Year Comparison						
Net Budget 2013/14	82.8	18.4	18.4	0.0	0.1	119.7
Variance (£m)	-2.4	-5.9	-2.4	0.0	0.3	-10.4
Variance (%)	-3%	-32%	-13%	0%	300%	-9%

6. DIRECTORATE FOR CUSTOMER SERVICES

6.1. Service Description

The Directorate's strategic aims are:

- Working collaboratively, drive forward the vision for excellent customer services across the borough.
- Work together across service boundaries to provide excellent support to the organisation through a range of specialist services.
- Develop, value and motivate staff, equipping them to deliver excellent services.
- Creating a safe, attractive, healthy and sustainable environment for the benefit of local people.

Environment Division:

The division includes the following service areas - Waste Management (refuse & recycling); Cleansing; Green Scene (parks and open spaces); Trading Standards and street markets; Environmental Health and Enforcement; Fleet and Bereavement Services.

Public Services Division:

The division provides the 'front door' to a wide range of services across the Council. This division includes

ServicePoint (AccessPoint, CallPoint and Registration); Benefits; Revenues; Emergency Planning; and Parking Management.

Strategic Housing and Regulatory Services

Division:

This division includes the following service areas - Housing strategy and programmes; Housing Needs (including Housing Options and Homesearch); and Private Sector Housing.

Service Design and Innovation Division:

This division is responsible for leading the Council's work on customer service transformation and supports services across the Council in delivering better, more customer focused services. It also provides strategic and practical support to service areas within the Directorate and the Customer Services Management team.

Information Management and Technology

This division co-ordinates and manages the provision and maintenance of ICT tools; identifying, supporting and leading transformation/continuous improvement that can be enabled or assisted by ICT.

6.2. Overall Subjective Summary by Service Area for Customer Services

2014/15 Budget - £m	Environment	Public Services	Strategic Housing & Business Regulatory Services	Service Design & Innovation	IMT	Total
Expenditure:						
Employee Costs	20.3	8.2	4.4	1.3	1.4	35.6
Running Costs	19.8	253.7	8.7	0.1	6.7	289.0
Internal Recharges				0.2		0.2
Capital Charges	1.5	0.2	3.3		1.4	6.4
Total Expenditure:	41.6	262.1	16.4	1.6	9.5	331.2
Income						
External sources	-7.3	-255.8	-10.2	-0.1	-0.8	-274.2
Internal Recharges	-12.0	-0.9		-0.2	-0.4	-13.5
Total Income	-19.3	-256.7	-10.2	-0.3	-1.2	-287.7
Net Budget 2014/15	22.3	5.4	6.2	1.3	8.3	43.5
Prior Year Comparison						
Net Budget 2013/14	22.3	5.1	6.9	1.8	11.6 ¹	47.7
Variance (£m)	0.0	0.3	-0.7	-0.5	-3.3	-4.2
Variance (%)	0%	6%	-10%	-28%	-28%	-9%

¹ This figure and other comparator figures for IMT are included in the directorate total for 2013/14 although they were part of Resources and Regeneration directorate.

7. DIRECTORATE FOR RESOURCES & REGENERATION

7.1. Service description

The Directorate has a key enabling role for the Authority, facilitating service delivery through a structured framework of support, advice and guidance. It is committed to regenerating the borough, working in partnership to create sustainable communities.

Planning and Economic Development

Provide employment and business support for the local economy; maintenance of the local economic assessment; strategic leadership on business employment and the European Union (EU). Development and use of land in the long term public interest are achieved through a positive and proactive approach to shaping, considering, determining and delivering development proposals.

Regeneration and Asset Management

Work to renew the physical fabric of the borough, sustainably and enhance the overall economic well being of Lewisham through programme management capital delivery, building schools for the future, town centre regeneration; asset strategy, facilities management and maintenance of the corporate estate;

and Transport (including highways improvement and lighting).

Corporate Support Services

Personnel and Development

Facilitate the development of a flexible and responsive workforce to ensure modern, high quality services; and support delivery of the Council's people management strategy objectives.

Legal and Electoral Services

Ensure legal compliance, facilitate the fulfilment of Council objectives in a way that is resistant to legal challenge, and ensure robust decision making processes. Electoral Services facilitate maximum participation in electoral registration and the democratic electoral process.

Corporate Resources

Facilitate the Council's Strategic Finance activities (setting the budget, providing corporate finance and procurement advice, and performing treasury management functions and managing the Pension Fund) to support delivery of Council objectives.

Oversee processes for managing and mitigating risks; coordinate and provide assurance on the framework of

internal control; and deliver professional guidance and support for investigations, insurance provision and health & safety.

Finance

Provide overall planning and direction for the medium term (revenue and capital) financial strategy; manage the treasury and pension funds; provide financial support for managers and administrative support for back office business processes; administer the pension fund, provide a payroll service; maintain a strategic overview of corporate procurement activity, ensuring compliance and probity.

Policy and Governance

Oversees generic policy development, evaluating emerging themes and issues of strategic importance. Support for elected Members in fulfilment of their duties as ward representatives, decision makers and scrutiny councillors, helping them achieve greater democracy and public engagement in the local decision making process.

Strategy

Provide corporate leadership, bringing local public agencies together to deliver the Sustainable Community Strategy priorities; leads on the Council's

community governance agenda; supports the work of Mayor and Cabinet in their leadership roles; promotes the reputation of the Council, working to enhance service delivery through information campaigns, building sustainable relationships and dialogue with residents and other stakeholders.

7.2. Overall Subjective Summary by Service Area for Resources & Regeneration

2014/15 Budget - £m	Planning	Regen. & Asset Mgt	Exec Office	HR	Law	Corporate Finance	Finance	Policy & Gov'n.	Strategy	Total
Expenditure:										
Employee Costs	2.8	5.0	0.2	2.6	2.4	1.0	4.7	1.9	1.9	22.5
Running Costs	0.6	12.5		0.4	0.3	4.3	1.1	1.5	0.7	21.4
Internal Recharges										
Capital Charges		3.0					6.2			9.2
Total Expenditure:	3.4	20.5	0.2	3.0	2.7	5.3	12.0	3.4	2.6	53.1
Income										
External sources	-1.6	-3.4		-0.1	-0.2	-1.3	-0.4		-0.4	-7.4
Internal Recharges		-2.0		-0.2	-0.2	-1.0	-1.1			-4.5
Total Income	-1.6	-5.4		-0.3	-0.4	-2.3	-1.5	0.0	-0.4	-11.9
Net Budget 2014/15	1.8	15.1	0.2	2.7	2.3	3.0	10.5	3.4	2.2	41.2
Prior Year Comparison										
Net Budget 2013/14	2.2	17.6	0.2	3.1	2.3	3.1	10.9	3.5	2.4	45.3
Variance (£m)	-0.4	-2.5	0.0	-0.4	0.0	-0.1	-0.4	-0.1	-0.2	-4.1
Variance (%)	-18%	-14%	0%	-13%	0%	-3%	-4%	-3%	-8%	-9%

8. HOUSING REVENUE ACCOUNT

The HRA is a separate statutory account which shows the expenditure and income on the provision of the Council's housing stock of approximately 15,050 dwellings.

8.1. Service description

The Local Government and Housing Act 1989 prescribes that the HRA must not operate at a net cost to the General Fund. The cost of providing and maintaining the Council's Housing stock must be met primarily from rents and charges to tenants.

The HRA is funded from the following sources:

Revenue Services	%
Tenants Rents	61
Government Grant (PFI & Decent Homes)	33
Fees and charges	6

8.2. Tenants' Rents

The average rent for a Council dwelling in 2014/15 is £95.97 per week. This is an average increase of £4.61 from the 2013/14 average, a rise of 5%.

8.3. HRA Budget Subjective Summary by Service

2014/15 Budget - £m	Public Services	Environment	Strategic Housing & Business Regulatory Services	IMT	Strategy & Performance	Total
Expenditure:						
Employee Costs			1.4	0.1	0.4	1.9
Running Costs	17.1	81.8	1.1	0.8	5.6	106.4
Internal Recharges		19.7			19.4	39.1
Capital Charges		-5.8			27.8	22
Total Expenditure:	17.1	95.7	2.5	0.9	53.2	169.4
Income						
External sources	-0.1		-2.3		-137.2	-139.6
Internal Recharges		-16.9	-2.3		-10.6	-29.8
Total Income	-0.1	-16.9	-4.6		-147.8	-169.4
Net Budget 2014/15	17	78.8	-2.1	0.9	-94.6	0.0
Prior Year Comparison						
Net Budget 2013/14	17.2	85.7	-2.3	0.9	-101.6	0.0
Variance (£m)	-0.2	-6.9	-0.2	0.0	-7.0	0.0
Variance (%)	-1%	-8%	-9%	0%	-7%	0%

9. Capital Programme

9.1 The Authority's Capital Programme

The Capital Programme for 2014/15 to 2017/18 is as illustrated in the table below.

Major Projects over £2m	2014/15	2015/16	2016/17	2017/18	Total
	£m	£m	£m	£m	£m
GENERAL FUND					
BSF - Sydenham (D&B)	9.9	4.7	1.2		15.8
BSF - Brent Knoll (D&B)	5.6				5.6
BSF - Hatchem Temple Grove	0.9				0.9
BSF - ICT in Schools	0.5	0.5	0.4	0.4	1.8
Schools - Primary Places Programme	25.1	8.9	9.4		43.4
Schools - Other Capital Works	7.7	1.2	1.2	1.2	11.3
Highways & Bridges - LBL	3.5	3.5	3.5	3.5	14.0
Catford TC (inc Broadway & Milford Towers) Regeneration	2.8	2.0	3.6		8.4
Deptford Town Cen & High St Imps	0.1				0.1
Asset Management Programme - Non Schools	2.5	2.5	2.5	2.5	10.0
ICT - Tech Refresh	0.5	0.5	0.5	0.5	2.0
Kender and Excalibur Regeneration	1.9	0.8	0.6	1.1	4.4
Heathside & Lethbridge Regeneration	2.8	3.7	1.5	1.6	9.6
Property Acquisition – Hamilton Lodge/Canonbie Rd					
Disabled Facilities Grant	1.0	0.7	0.7	0.7	3.1
Private Sector Grants and Loans	0.8	0.6	0.6	0.6	2.6
Aids, Adaptations, Disabilities	0.4	0.4	0.4	0.5	1.7
Other Schemes	2.1	1.1	0.0	0.0	3.2
	68.1	31.1	26.1	12.6	137.9
HOUSING REVENUE ACCOUNT					
Customer Services	0.8	0.7	0.7	0.7	2.9
Lewisham Homes	57.5	48.7	57.4	81.5	245.1
	58.3	49.4	58.1	82.2	248.0
TOTAL PROGRAMME	126.4	80.5	84.2	94.8	385.9



London Borough of Lewisham

Consultation on proposed changes to main grants programme

July 2014

Cultural and Community Development Service
2nd Floor, Laurence House
1 Catford Road, London SE6 4RU
Community.Enterprise@lewisham.gov.uk

Part 1 – About this Consultation

Topic of this consultation

1. This consultation is about the proposed new priorities for Lewisham Council's main grants programme and associated application process. We want to seek views on the proposed grants criteria and the application process.
2. The consultation also seeks views about an indicative reduction to the main grants budget which is being proposed as part of a major review of the council's budget in order to achieve savings of £95million in the next 4 years.

Audience

3. The consultation is aimed at voluntary and community organisations that provide services in London Borough of Lewisham. We would also welcome the views of other public or private sector partners who work with the voluntary and community sector in Lewisham.

Duration

4. The consultation will be open for 3 months from 30th July 2014. The deadline for responses is 29th October 2014.

How to Respond

5. There are several ways to respond to this consultation:
 - By e-mail to: Community.Enterprise@lewisham.gov.uk
 - By post to: Community Enterprise Team, 2nd Floor, Laurence House, 1 Catford Road, London SE6 4RU
 - By attending a consultation meeting

There will be consultation meetings on:

30th July at 2.30pm at the Civic Suite Catford

4th September at 7pm venue tbc

Places at these consultation meetings must be booked in advance by emailing Community.Enterprise@lewisham.gov.uk . Due to the size of the venue places are limited to one person per organisation at each meeting.

After the Consultation

6. Once the consultation has closed all responses will be considered and a summary of responses collated and included in a report to Mayor and Cabinet Contracts on 12th November 2014. This report will seek approval for the main grants programme 2015/16 criteria, proposed budget level and permission to invite applications for funding.

Part 2 – Background

Background

7. The current main grants programme was agreed by Mayor and Cabinet Contracts in July 2011. Funding was awarded for two and a half years from October 2011 to the end of March 2014 to 73 organisations. Funding was provided over four themes; Children and Young People, Building Social Capital, Gateway Services and Communities that Care. An extension to the programme for a further year was agreed in December 2013 taking the current funding to 31 March 2015.

In addition to the £5.9 million grants budget Lewisham Council has contracts to a value of over £20 million with voluntary and community sector organisations to provide a wide range of services. These include youth activities, children's centres, supported housing and public health initiatives. The types of organisations that Lewisham is contracting with ranges from large national charities to small local community based organisations.

Lewisham Council Commitment to Grant Aid programme

8. Although the third sectors role within the commissioning of local public services has grown, the council recognises that their continues to be a need for grant aid investment for the following reasons:
 - A recognition of the importance of maintaining an independent sector that can act as a critical friend to challenge public sector policy and delivery.
 - A recognition of the key role that the sector plays in building civic participation, providing a voice for seldom heard residents and providing community intelligence.
 - A recognition of the great diversity of the sector and the need to engage with small and emerging groups as well as large established organisations.
 - A recognition of the sector's potential to take risks and innovate which does not sit easily within commissioning frameworks.
 - A recognition that third sector organisations have been key delivery partners within Lewisham, including for a wide range of targeted short term initiatives. Grant aid provides a level of security for organisations ensuring that there is a strong sector able to address local need, attract additional resources and be ready to work in partnership with us.

Lewisham Council Financial Position

9. Since May 2010 the council has cut £82 million from its budget. The grant aid budget was largely protected during that savings phase with only a small reduction of £500k of unallocated funds. The remaining grants budget is £5.9million.

10. Lewisham Council needs to make a further £95million reduction to its controllable budget over the next 4 years. This equates to approximately 30% of the controllable budget. For this reason the council has been undertaking a fundamental review of all its budgets.

Part 3 – The proposal

Proposed reduction to the grant aid budget

11. In the context of the unprecedented scale of the reduction to the council budget it is proposed to make an indicative reduction of £1.5million to the £5.9 million grants budget. This equates to 25% of the budget.

Our Proposed funding approach

12. It is our view that in these times of diminishing resources the need for collaboration is greater than ever. Our intention is to fund a group of organisations that are committed to working with each other and us to ensure the best possible outcomes for Lewisham’s residents with our shared resources. We intend to take a dynamic approach to grant aid that allows for flexibility over the period of funding to ensure that we are able to respond together to changing needs and priorities. We are not just looking to fund organisations but to enlist active partners who are as passionate about Lewisham as we are and have the drive and capacity to make a difference to people’s lives.
13. In order to achieve this we have thought about the profile of organisations that we are seeking to fund and what they would bring to a funding partnership. Further detail of this partner profile can be found at appendix A in the draft grants criteria and guidance.

Proposed themes and priorities

14. In establishing the priority themes for the grants programme we have considered:
 - The level of need locally
 - The contribution the third sector can make to meeting the priority
 - The availability of other sources of funding locally

The proposed programme themes are:

- 1) Strong and Cohesive Communities
 - 2) Communities that Care
 - 3) Access to Advice
 - 4) Widening access to Arts and Sports
15. Full details of the proposed themes are contained at Appendix A in the draft grants criteria and guidance.

Timetable and application process

16. The outcome of this consultation will be presented to Mayor and Cabinet contracts on 12th November. Approval of the revised criteria and permission to open to applications will be sought. The Mayor and Cabinet Contract's decision is subject to potential call in by the Overview and Scrutiny Business Panel and therefore applications will not formally open until 26th November. In the interim we will be holding networking events for each theme group in the week commencing 17th November to enable organisations to discuss any potential collaborations. There will be application surgeries during December and the deadline for applications will be 4th February 2015. The draft application form is attached at Appendix B.
17. Applications will be assessed during February and draft recommendations will be sent to organisations by 30th March 2015. Any organisations that are currently in receipt of grant aid will also be sent 3 months notice of a proposed change to their grant aid at that point. Information will be provided about the appeals process. All draft recommendations and appeals will be presented to Mayor and Cabinet Contracts for decision in April 2015. The date of this meeting has not yet been confirmed. The new grants will be implemented from 1st July 2015 and current main grant funding will be extended for 3 months subject to organisations continuing to meet the conditions of grant aid and Mayor and Cabinet approval.
18. **Key dates:**

30 July 2014	consultation opens
29 th October 2014	consultation closes
12 th November 2014	Mayor and Cabinet approval of proposed grants programme.
26 th November 2014	applications open
4 th February 2015	application deadline
30 th March 2015	draft recommendations and 3 months notice provided
April 2015 tbc	Mayor and Cabinet decisions on grant allocations
1 st July 2015	new grants commence.

Proposed Assessment Process

19. Applications will be assessed against both the partner profile and the theme criteria. There will be a three stage assessment process with initial officer assessment of individual applications followed by a theme lead reviewing each assessment for consistency and drawing up a set of recommendations for the theme to be presented to a senior officer panel.

Part 4 – Consultation Questions

20. We are happy to receive responses to this consultation in any format and we are particularly keen to hear your views on the following:
- a. The council wishes to retain its commitment to grant aid for the voluntary and community sector. Our rationale for this is laid out in paragraph 8 above. Do you agree that grant aid is important? Is there anything missing from the rationale?
 - b. The council needs to save £95million over the next 4 years. This equates to approximately 30% of the controllable budget. The council has been able to protect the main grants budget during previous savings rounds but the scale of reductions still to be found mean that it is unlikely that the grants budget can continue to be protected. A saving of 25% is proposed. Do you feel that this is fair and proportionate? Please give reasons.
 - c. If the proposed saving to the grants budget is agreed which of the following approaches to implementing the reduction do you feel would provide the best outcomes for Lewisham's residents?
 - i) Spreading the funding across more organisations with each getting less
 - OR
 - ii) Funding fewer organisations better.
 - d. Do you feel the areas covered in the partners profile in Appendix A are the right ones? What's missing? What would you do differently?
 - e. Do you feel the priority themes are the right ones? What's missing? What would you do differently?
 - f. We are undertaking an equalities assessment of the proposed changes. Do you feel that the proposed changes would have a negative or positive impact on Lewisham residents on the basis of their race, gender, faith/religious belief, disability, age, sexual orientation, gender assignment or marital status? Please provide comments on the impact you feel the proposed changes could have, which groups you feel may be affected and any action you feel we could take to mitigate any potentially negative impact.

You may wish to use the response form at Appendix C.



London Borough of Lewisham

Main grants programme July 2015 to March 2018 criteria and guidance.

July 2014

Cultural and Community Development Service
2nd Floor, Laurence House
1 Catford Road, London SE6 4RU
Community.Enterprise@lewisham.gov.uk

Lewisham Grants Programme

SECTION A – GENERAL CRITERIA

1. Purpose

Lewisham is fortunate to have a diverse third sector which ranges from very small organisations with no paid staff through to local branches of national charities. As well as being directly involved in delivering services to citizens in the borough, third sector organisations also provide the essential infrastructure to allow the sector as a whole to develop and support individual citizens to be able to play an active role within their local communities.

Although the third sectors role within the commissioning of local public services has grown, the council recognises that their continues to be a need for grant aid investment for the following reasons:

1. A recognition of the importance of maintaining an independent sector that can act as a critical friend to challenge public sector policy and delivery.
2. A recognition of the key role that the sector plays in building civic participation, providing a voice for seldom heard residents and providing community intelligence.
3. A recognition of the great diversity of the sector and the need to engage with small and emerging groups as well as large established organisations.
4. A recognition of the sector's potential to take risks and innovate which does not sit easily within commissioning frameworks.
5. A recognition that third sector organisations have been key delivery partners within Lewisham, including for a wide range of targeted short term initiatives. Grant aid provides a level of security for organisations ensuring that there is a strong sector able to address local need, attract additional resources and be ready to work in partnership with us.

2. Funding Collaboration

It is our view that in these times of diminishing resources the need for collaboration is greater than ever. Our intention is to fund a group of organisations that are committed to working with each other and us to ensure the best possible outcomes for Lewisham's residents with our shared resources. We intend to take a dynamic approach to grant aid that allows for flexibility over the period of funding to ensure that we are able to respond together to changing needs and priorities. We are not just looking to fund organisations but to enlist active partners who are as passionate about Lewisham as we are and have the drive and capacity to make a difference to people's lives.

3. Partner Profile

In assessing applications to the grants programme we will be looking at organisation's readiness to work with us as active partners and what they can bring to such a partnership. We will be considering:

- Local Intelligence; the level of understanding you have of local need. Who are your users? Do you serve a geographical area or a community of interest? How do you recognise and record need? What do you know about people who may need your services but are not yet users?
- Transformation; your ability to transform the way you work to better meet needs. How have you adapted your working practices over the last 3 years? What opportunities do you see for further transformation?
- Collaboration; your track record of working in partnership. How well connected are you to other organisations delivering similar services? What opportunities do you see for increased partnership work and what benefit could this bring to your users?
- Resources; your track record of attracting resources both financial and volunteer time. What resources does your organisation bring to the borough? What are your plans for resourcing your work over the next 3 years?
- Shared Values (London Living Wage, Equality, Environmental Sustainability); your commitment to London Living Wage, equalities and environmental sustainability. How can you demonstrate your commitment in these areas? What plans do you have to improve on this?

4. Programme Themes

In establishing the priority themes for the grants programme we have considered:

- The level of need locally
- The contribution the third sector can make to meeting the priority
- The availability of other sources of funding locally

The programme themes are:

1. Strong and Cohesive Communities
2. Communities that Care
3. Access to Advice
4. Widening access to Arts and Sports

Details of what we are seeking to fund in each theme are provided below with advice on what you will need to cover in your application.

SECTION B – THEME CRITERIA

Theme 1: Strong and Cohesive Communities

This theme is around developing and maintaining strong communities and building a more inclusive and cohesive borough. The theme is split into two strands:

- a. Borough wide infrastructure and equalities support
- b. Neighbourhood community development and youth work support

1a. Borough Wide

We wish to fund a group of organisations that will adopt a strong collaborative approach, sharing resources and minimising duplication to achieve the following:

- I. Provide support around the development of policies and procedures to ensure that all communities and individuals have fair and equal access to services.
- II. Identify and work in partnership to address issues that lead to particular communities experiencing difficulties accessing services.
- III. Identify inappropriate over representation of particular communities within services and work with partners to address this.
- IV. Build a more inclusive and cohesive borough, promoting understanding across different communities and reducing marginalisation.
- V. Develop and coordinate networks and collaborations and provide effective representation at appropriate levels for the voluntary and community sector
- VI. Assist existing organisations in building their capacity and capability through advising on best practice and supporting the introduction of effective operational and developmental systems in order to provide a responsive range of high quality services, including promotion of the exchange of skills between the VCS and private sector
- VII. Promote and broker partnerships to maximise access to and cost-effective use of both statutory and non-statutory funding
- VIII. Promote volunteering and provide a brokerage service for community organisations to access volunteers
- IX. Provide advice on volunteer recruitment and supervision and advise organisations on effective volunteer management systems

In your application you will need to specify which of the above objectives you intend to address. Describe your intended users and beneficiaries. Outline your programme of activity in Year 1 with milestones, outcomes and outputs. Describe how you will work with the other organisations funded through this strand and what opportunities you see for collaboration over the course of the 3 year programme. Detail the additional resources you will be leveraging in and provide an income and expenditure budget for Year 1.

1b. Neighbourhood

We wish to fund a network of organisations that will work in designated ward(s) alongside the Local Assembly to deliver:

Community Development (indicative allocation of £24,000 per ward)

- I. Practical support to build strong and cohesive communities
- II. Strengthen local area partnerships by bringing organisations in an area together to work collectively for and with residents in that neighbourhood, a local level infrastructure provider
- III. Coordination and delivery of locally based community activities
- IV. Harnessing skills and volunteer time to develop strong and resilient communities
- V. Facilitating involvement of residents in the issues which affect their lives; and supporting collective action to deliver change
- VI. Identify gaps in youth and community provision in ward
- VII. Deliver activities to meet gaps where possible and raise additional resources through volunteers and fundraising to extend provision

In your application you will need to identify which ward or wards you would like to work in. Please also indicate whether there is a minimum level of funding that you can operate at i.e. if you apply to cover 3 wards could you still deliver a service if your application was only successful for 1 ward. You will need to provide details of how you would work with the local assembly and other ward based organisations to develop and deliver your work programme for Year 1, giving indicative milestones. The assessment will be largely based on the skills and experience you bring as a local partner as the detail of your work programme will need to be developed with residents and other stakeholders.

Theme 2: Communities that Care

The overall intention of the Communities that Care theme is to fund a range of organisations that together provide support to vulnerable adults to assist them in accessing services, prevent their needs from escalating, reduce the burden on statutory services and provide links between statutory services, VCS and communities in relation to working together to support vulnerable adults. The theme will also offer support to organisations providing services for families with disabled children and young carers. The theme is split into 5 strands:

- a) connecting and supporting
- b) transport
- c) advocacy
- d) provision for vulnerable adults
- e) support for families with disabled children and young carers

2a) Connecting and supporting

We wish to fund a consortium of organisations that will work together to:

- I. Deliver community development support to organisations working with vulnerable adults across the four integrated health and social care neighbourhoods.
- II. Identify gaps in provision for vulnerable adults at neighbourhood level and work in partnership to address these gaps.
- III. Take referrals from health and social care professionals for vulnerable adults who would benefit from being connected to community activity in their area.
- IV. Deliver a volunteer befriending service for vulnerable adults who are experiencing social isolation.
- V. Deliver a network of timebanks across the four integrated health and social care neighbourhoods.

In your application you will need to specify which of the above objectives you intend to address. Describe your intended users and beneficiaries. Outline your programme of activity in Year 1 with milestones, outcomes and outputs. Describe how you will work with the other organisations funded through this strand and what opportunities you see for collaboration over the course of the 3 year programme. Detail the additional resources you will be leveraging in and provide an income and expenditure budget for Year 1.

2b) Transport

We wish to fund an organisation or consortium of organisations that will deliver an integrated community transport service that complements existing provision such as taxi card, dial a ride etc and incorporating group transport, individual journeys and support to access other mainstream transport in order to reduce social isolation and increase access to services for vulnerable adults. The service will need to work closely with referring agencies to ensure provision is targeted at people for whom there is no other feasible transport option. Services such as travel training should form part of the integrated offer to enable those individuals who need to build confidence in using public transport to be able to access mainstream provision rather than become dependent on a specialist service. The service will need to work with other

organisations funded through the Communities that Care theme to encourage them to consider transport at the early stages of planning activities and inform them of the wide range of transport options available to their users.

In your application you will need to describe your intended users and beneficiaries. Outline your programme of activity in Year 1 with milestones, outcomes and outputs. Describe how you will work with the other organisations funded through this strand and what opportunities you see for collaboration over the course of the 3 year programme. Detail the additional resources you will be leveraging in and provide an income and expenditure budget for Year 1.

2c) Advocacy

We wish to fund an organisation or consortium of organisations to provide advocacy support for people with learning disabilities to ensure that they can:

- Gain access to services improving their quality of life and social well being
- Be better connected and less excluded
- Improve their confidence and be able to assert their rights and views including influencing local policy and practice

In your application you will need to detail how you intend to achieve the above outcomes. How many people you intend to support. How you will use volunteer advocates to further develop the reach of your services. How you will ensure you are well connected with services that PWLD want to access and your approach to building strong partnerships with both statutory and non statutory services in order to deliver positive outcomes for PWLD.

2d) Provision for vulnerable adults

We wish to fund a network of organisations to provide activities for vulnerable adults that reduce isolation and provide an alternative to mainstream day services. We are looking for activities that can accommodate adults with both moderate and substantial needs and your application should demonstrate your approach to charging and how you are able to accommodate individuals with direct payments where appropriate. Organisations funded through this strand would be expected to work collaboratively with each other and us to adapt services to meet changing needs over the period of the grant. This may mean changing the time or location of activities, improving referral processes, accommodating more or different types of users etc.

We are looking to support activities for the following users:

- Older Adults – to combat isolation, increase independence, reduce or delay the need for statutory services and offer an alternative to day centres. Services for older adults should consider how they are able to accommodate adults with dementia and identify what steps they would need to take in order to achieve this.
- Adults with learning disabilities – to extend the range of available day activities, provide access to social activities in a safe environment.

- Mental Health service users – to offer cost effective activity programmes that support mental health service users and reduce their dependence on statutory services.
- Adults with complex social needs – to provide positive activities for adults with complex social needs that support them to build their self esteem and be actively engaged with their local community.

2e) Support for families with disabled children and young carers

We wish to fund organisations who can provide support to families with disabled children and young carers in order to deliver the following outcomes:

- Reduce isolation/social exclusion of parent carers of disabled children and young carers.
- Improve access to services and take up of entitlements by parent carers of disabled children and young carers
- Parent carers of disabled children and young carers are able to influence local policy and service design
- Young carers have improved educational attainment and well being.

In your application you will need to detail which of the above outcomes you intend to achieve and how. How you will ensure that you are working effectively with other CYP services so as to complement rather than duplicate service provision. How you will go about prioritising your resources to ensure that your services reach those with greatest need. What other resources you will lever in to extend the reach of your services.

Theme 3. Access to Advice Services

i. Introduction

The Council is seeking bids from Lewisham-based voluntary sector advice organisations for the provision of Legal, Advice and Information Services under the Access to Advice Services theme. This theme promotes the delivery of social welfare advice and information services in the borough which are of a high quality, are flexible to changing need and are responsive to ongoing welfare and legal aid reforms.

In particular, the theme is aimed at organisations which deliver effective advice and information services to vulnerable residents, such as older people, disabled people and newly arrived communities, to ensure that all individuals, regardless of their barriers, access services and are supported to live fulfilled and independent lives.

The Council welcomes bids from organisations working in partnership or as part of a consortium and from those who have experience in utilising digital technology innovatively to support local people to address their own advice needs.

ii. Overview of requirement

Services will need to meet the following core objectives:

- The provision of legal advice services in the borough meets the key borough-wide principles of being fully customer-focused and achieving value for money from the resources available
- Services respond flexibly to the multiple and complex legal advice needs of people who live, work or study in the borough
- Delivery of services is flexible to ensure increased choice in the way in which clients access services
- Clients are empowered to address their own advice needs through utilising digital technologies
- Services are delivered comprehensively and innovatively across the borough, using outreach as required, so that all geographies and groups are served (see section iii below)

The Council wishes to fund a mixture of generalist, specialist and client specific legal advice services. Organisations offering basic advice and casework will require or need to be working towards the appropriate Advice Quality Standard (AQS) Advice or Advice & Casework accreditation. Organisations offering more specialist advice, casework and representation will need to employ supervisors and caseworkers who are appropriately qualified and who individually meet the Specialist Quality Mark (SQM) for their area of competence. Where appropriate, organisations may also require the Lexcel quality mark or be registered with the Financial Conduct Authority (FCA).

Organisations will be required to deliver advice in the following priority areas:

- Welfare rights
- Debt and money advice (including multiple debts and arrears)
- Housing advice (including homelessness, repairs, possession proceedings and tenancy issues)
- Immigration, compliant at OISC Level 1 (Basic Advice);
- Employment advice

In all cases, Assisted Information should be provided to all users to enable active signposting to the appropriate provider.

iii. Geographical Coverage and organisational characteristics

The Council wishes to fund a broad geographical spread of support. However, given their ranking within the 10% most deprived wards in England, services operating within Bellingham, Downham, Evelyn and New Cross wards will be prioritised.

Where a generalist agency is bidding to provide a borough wide service, they will need to demonstrate how they are able to ensure effective delivery of the proposed service across all parts of the borough, particularly in areas where there is a current lack of voluntary/community sector activity.

Organisations offering specialist advice services will be expected to demonstrate effective partnership working with other advice agencies to ensure that the specialist service is accessible on a borough-wide basis. Specialist organisations will also be expected to take referrals from other advice agencies, community groups and statutory agencies.

Providers should demonstrate innovative approaches, using outreach and other techniques to show how they will deliver alternative ways of providing access to services for people unable to make use of open door access. Such techniques may include but are not limited to:

- Empowering and encouraging customers to utilise digital technology to address their own needs
- Showing how need for a home visit or vulnerable/referred clients will be assessed, provided for or referred on
- Provision of targeted outreach or other access routes where there is evidence that particular groups or communities are not accessing open door services
- Plans based on comprehensive needs assessment for the provision of outreach in locations where open door access is not provided or easily accessible by public transport.

Organisations will be expected to comply with the following:

- Staff have the relevant skills, knowledge and competency to deliver advice at specialist level

- Appropriate case file records are maintained so there is a clear audit trail of the advice and support given to clients
- The organisation is able to meet the language needs of clients through the use of bi-lingual staff, volunteers or use of translation service

iv. Level of work

Generalist social welfare and client specific advice services

Organisations seeking funding for generalist social welfare and client specific advice services will be expected to comply with the following definition of the level of work to be undertaken:

- General Help – estimated to take an average of 20 minutes and ranging from initial diagnosis of client's problem to general advice (no follow up action required)
- General Help with Casework – estimated to take an average of 60 minutes and ranging from writing a letter/phone call on behalf of clients, form filling and general advocacy.

For client specific advice services, in order to meet the diverse language needs of the various smaller communities and new residents in the borough applicants will also have to show that they are able to provide services to meet the needs of one or all of the following community groups:

- People whose first language is not English
- Older people
- People with disabilities

Organisations providing language based advice services will be expected to demonstrate effective partnership working with other agencies to ensure that the provision is accessible on a borough-wide basis and will also be expected to take referrals from other advice agencies, community groups and statutory agencies.

Specialist Advice Services

Organisations applying for specialist advice services will be expected to comply with the following definition of the level of work to be undertaken:

- General Help & Support – estimated to take an average of 60 minutes and including activities such as writing a letter/making a phone call on behalf of clients, form filling and general advocacy
- Casework – estimated to take an average of 3 hours – assumes a degree of complexity and ongoing negotiation with third party, preparation of matters up to appeal level
- Representation – advocating on a client's behalf at tribunals, appeals, or court hearings

Applicants will also be required to provide second-tier advice and support to generalist advice providers through providing access to training, information sharing and technical supervision support.

Theme 4. Widening Access to Arts and Sports

The intention of this theme is to fund organisations or consortiums of organisations that will take a strategic approach to increasing the number of people who participate in the arts and sport in Lewisham. This will particularly involve addressing barriers and providing opportunities for those who are less able to engage. Applications will be expected to demonstrate how they will:

- a. Increase participation, particularly including people who are less able to participate due to disability, economic disadvantage and age (young people and older people).
- b. Nurture talent and provide progression pathways, including developing outreach links into other settings such as schools.

The theme is split into two strands

4a Widening Access to Arts

Lewisham has a rich and diverse arts sector and is recognised as a borough in which creativity can thrive. It is also home to some of the capital's most exciting and innovative organisations. We recognise the huge impact that the arts and creative industries have had on issues such as health and wellbeing, education and the economy but also value the way in which they have helped to make Lewisham the dynamic place that it is. We want to continue to encourage innovation and the ongoing development of an atmosphere in which new things can emerge. Whilst recognising the importance of access to the arts for all ages we also want to ensure that we are building for the future by responding to the current climate in which opportunities for young people to access the arts and develop creative skills in settings other than school is becoming increasingly important.

Through this theme we expect to fund a network of organisations that will deliver activities that:

- Provide opportunities for people of all ages to engage with the arts as active participants and members of an audience.
- Provide opportunities for people of all ages to explore and develop their creativity and acquire new skills.
- Increase awareness and enhance the reputation of Lewisham as a place to spend leisure time.
- Capitalise on funding and other support opportunities from regional and national bodies.

4b Widening Access to Sports

Lewisham has a strong sporting tradition and recognises the vital role that sport and physical activity can play in improving the quality of life of the borough's residents. We want Lewisham to continue to be a place where talent is nurtured and encouraged and where sporting participants fulfil their potential. We also want to make sure that opportunities are available to all of the boroughs residents to regularly participate in sport and physical activity as a means of maintaining and improving their health.

In recent years Lewisham Council has invested significantly in developing high quality sport and leisure facilities and continues to fund Fusion and 1Life to manage these facilities and deliver a programme of associated activities.

To complement these facilities we want to work with a range of voluntary sports clubs and organisations to develop a more coordinated and partnership driven approach to sports provision in the borough in order to make the best possible sporting offer available to the residents of Lewisham. In this context we expect to fund partnerships or single organisations that will take a lead in facilitating partnerships to develop & deliver borough wide, development plans for specific sports. Applications will be expected to show how they will meet the general criteria for this fund (a and b above) and also respond to the following questions:

- Can you demonstrate high levels of demand or growing demand for your sport within Lewisham?
- How will you make the best use of the borough's current and emerging facilities?
- How will you capitalise on funding and/or other support opportunities from regional and national bodies?
- How will you provide activities that encourage people to participate in recreational sport and physical activity?

SECTION C – APPLICATION PROCESS

In order to apply to Lewisham Council Main grants programme you must complete the main grants application form and submit it by 4th February 2015

By email: community.enterprise@lewisham.gov.uk

By post: Grants and Information Team, Culture and Community Development Service, Lewisham Council, 2nd Floor, Laurence House, Catford, SE6 4RU

You should read the criteria and guidance contained in the previous sections of this document before completing your application. Additional guidance on each section of the form is contained below.

Section A – Contact Details

This section is to ensure that we have the correct contact details that we can use to correspond with you about your application.

Section B – Eligibility

The questions in this section will enable us to check that you are eligible to apply for funding under this programme.

Section C – Partner Profile

This section will be used to assess how well your organisation meets the partner profile described in section A, paragraph 3 of this document. This is an important part of the assessment and it is essential that you complete this section fully and address all aspects of the criteria.

Section D – Your Proposed Programme

If you wish to apply to more than one theme you will need to complete this section for each theme you are applying for. We ask you to choose a primary theme that is the main theme you wish to be considered under. You can then choose additional themes as appropriate. This section will allow us to assess how well you meet the theme criteria and it is therefore important that you complete it fully.

Section E – Budget

We are looking for a picture of your organisations total income and expenditure budget for 2015/16. However as funding under this programme will not commence until July 2015 we have asked you to separate out your expenditure for April to June 2015. There is no need to provide a breakdown of this it is purely to give the full picture of your turnover.

We have asked you to breakdown your proposed expenditure for each theme you are applying to. Please feel free to add additional lines as required.

There is also a section for you to include any expenditure that doesn't relate to this application but will be part of your organisation's turnover in 2015/16.

Section F – Your organisation

If you are currently in receipt of main grant funding from Lewisham Council then you do not need to complete this section. All organisations new to this programme will need to complete this section in full and provide the additional documentation requested.

Section G – Further Information and Declaration

It is essential that your application is signed by the chair of your organisations or other member of the management committee with appropriate authority.

Additional Guidance

There will be a series of application workshops in December 2015. Details of these will be available later in the year.

Main Grants Programme 2015 - 2018 Funding Application

Section A

Contact Details

1.	Name of your organisation		
2.	Address and ward where your organisation is based and where activities are carried out. Please list wards your activities cover. If all Lewisham, please put borough-wide		
Address:		Ward based:	
Ward(s) served:			
3.	Name of KEY contact person(s)		
4.	Daytime Tel:		Mobile Tel:
	Website:		Email address:
5.	Address where official correspondence should be sent if different from address above		

Section B

Eligibility

6.	What is the legal status of your organisation? Please tick all relevant box(es)		
<input type="checkbox"/>	Registered charity (quote charity number)		
<input type="checkbox"/>	Company Limited by Guarantee (quote company number)		
<input type="checkbox"/>	Community Interest Company		
<input type="checkbox"/>	Unregistered community organisation		
<input type="checkbox"/>	Other (please specify and quote relevant number)		

7.	Does your intended programme benefit mainly Lewisham residents (85%+ of your recipients live in Lewisham)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.	Does your organisation currently receive main grant funding from Lewisham Council.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8a.	If you answered yes, and your circumstances have changed recently (e.g. you have made changes to your constitution) please state these here.		

If you have answered no to question 8 above please complete Section F below.

Section C	Partner profile
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Main grants recipients will be expected to work with the council as active partners; and applications will be assessed on what they can bring to such a partnership. Please refer to the guidance for further information on what areas you need to address in each of the following questions.

9.	Local intelligence: your understanding of local need

10.	Transformation: Your ability to transform the way you work to better meet needs.

11.	Collaboration: your track record of working in partnership

12.	Resources: your track record of attracting resources both financial and human.

12b.	What is your reserve policy and current reserves status? Please explain how your organisation is financially viable.

13.	Shared values: demonstrating your commitment to these (London Living Wage, equalities, and sustainability) and plans to improve on this.

Section D**Your proposed programme**

We ask you to indicate a theme strand below that is the primary theme you are applying to. You may choose to apply to additional themes and will need to complete Section D for each theme you apply to.

14. Please mark (with an 1) which main grant theme you are applying for as your primary theme. Please mark with 2, 3 etc each additional theme you wish to apply to. You will need to complete Section D separately for each theme you are applying to.

1 Strong and cohesive communities1a Borough wide1b Neighbourhood**2 Communities that care**2a Connecting and supporting2b Transport2c Advocacy2d Provision for vulnerable adults2e Support for families with disabled children and young carers**3 Access to advice**3a Generalist social welfare advice services3b Client specific advice services3c Specialist advice services**4 Widening access to arts and sports**4a Widening access to arts4b Widening access to sports

15. Please outline (in detail) the programme of activity that you propose to deliver, ensuring it meets the criteria of the theme(s) you have indicated above. Please refer to the guidance to ensure you answer all the relevant requirements for each individual theme.

16.	How many people do you expect to benefit from your activities in 2015/16?	Existing users	<input type="text"/>	New users	<input type="text"/>
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17.	Outline the key risks associated with the programme you are proposing and how you will minimise their impact.

18.	User profile. The Council must adhere to the Equality Act 2010 in its provision of funding. Any organisation that is grant funded by the Council must strive to ensure their services are accessible and available to everyone. The impact that the grants programme has will be assessed across all the protected characteristics in the Equality Act 2010. In order to enable us to make this assessment please tell us more about who your proposed programme will benefit:	
	PLEASE TICK ✓	FURTHER DETAIL
	Age	
	Disability	
	Gender	
	Gender reassignment	
	Marriage & civil partnership	
	Pregnancy & maternity	
	Race	
	Religion & belief	
	Sexual orientation	

18b.	If your proposed programme will be aimed exclusively at one specific community please explain the reasons for this.

19.	Key milestones in delivery of programme in Year 1 from July 15 to March 16.

20. Detail your outputs and outcomes and explain how you propose to measure your performance against outcomes. Please remember your outcomes must be linked to the theme priorities. Outcomes are the impact or change you hope to achieve as a result of the project. Outputs are the specific steps you will take to achieve the outcomes.

Outcomes	Outputs	How you will measure outcomes
<p><i>e.g. Children and young people increase their fitness levels to improve their health and well-being.</i></p>	<p><i>e.g. An after school programme of weekly dance classes for 100 children and young people aged 8 – 16 will be delivered. 250 sessions (each 60 minutes long) will take place in 2 locations (Sydenham and New Cross).</i></p>	<p><i>e.g.</i></p> <ul style="list-style-type: none"> • <i>Registers of all attendance at activities</i> • <i>Questionnaires / interviews will be used to assess impact on participants.</i> • <i>An external health professional will also evaluate health, fitness and well-being impact.</i> • <i>Comments and observations from teaching and support staff, artists, facilitators, school teachers and parents</i>

Section E**Budget**

21. One year funding profile: Please provide details of the estimated income and expenditure for the organisation for 2015/16. Please add additional lines as needed.

21a.	Income	Forecast April 2015 – March 2016
	Main Grant Programme	
	Current main grant award if applicable April to June 2015	
	Amount requested under your primary theme for July 15 to March 16	
	Amount requested under your secondary theme if applicable	
	Amount requested under your third theme if applicable	
	Other Lewisham Council Grants (please specify):	
	Other funding (please specify):	
	Earned Income (e.g. sales, fees):	
	Private income (eg donors, sponsorship):	
	Total Income (£)	

21b.	Expenditure	Forecast April 2015 – March 2016
Expenditure for the period April 2015 to June 2015. There is no need to provide a breakdown of this.		
EXPENDITURE FOR PRIMARY THEME		July 2015 – March 2016
Staff costs (please specify)		
Activity costs (please specify)		
Running costs (please specify)		
Other costs (please specify)		
SUB TOTAL OF EXPENDITURE RELATED TO PRIMARY THEME		
ADDITIONAL COSTS FOR ADDITIONAL THEMES please include a breakdown of expenditure for each additional theme you are applying for.		
ANY OTHER EXPENDITURE please include here any expenditure that is not specifically related to this application.		
Total Expenditure (£)		

21c.	Funding profile summary	Forecast April 2015 – March 2016
	Total income	
	Total expenditure	
	Surplus / deficit	

22.	If the summary above shows a surplus or deficit please explain why this is the case and what you intend to do about this.

23.	What other non-financial support does your organisation receive?			
	Item	Value	Item	Value
	<input type="checkbox"/> Rent	£ _____	<input type="checkbox"/> Rate Relief	£ _____
	<input type="checkbox"/> Repairs & Maintenance	£ _____	<input type="checkbox"/> Utilities	£ _____
	<input type="checkbox"/> Other (specify)	£ _____		

24.	Banking arrangements. Successful grant recipients will have their grant paid directly into the organisation's bank account. Please give details of the bank or building society that grant should be paid into.
Account number	
Branch sort code	
Account name	
Bank name and full address	
Organisation name and/or address (if different from Section A)	
Email address for remittance (if different from Section A)	

Section F**About your organisation**

If you answered NO to question 8 (i.e. you are not currently main grant funded by Lewisham) please complete this section. If you answered YES to question 8 please proceed to section G.

25. Please give a brief description of your organisation, including stating your organisation's aims and objectives and when the organisation was formed.

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26. Is the organisation currently compliant with filing requirements? Please state when annual details were last filed with the Charity Commission/Companies House. If returns are outstanding please state why.

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27. How many people are involved in your organisation?

Committee members	<input type="text"/>	Other members	<input type="text"/>
Paid staff	<input type="text"/>	Volunteers	<input type="text"/>

28. Please give details of the members of your management committee

Full name	Position Held	Date elected	Term of office
	Chairperson		
	Secretary		
	Treasurer		

29.	When was your committee last elected?	/ /	
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30.	Are any staff or committee members related to each other? If yes please detail.

31.	Please outline what quality assurance system your organisation has in place, level attained (if relevant) and how long this is valid for?

32.	Has your organisation been funded by Lewisham Council within the last 3 years? Please tick as appropriate.
Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, please tick which fund(s) and specify date(s) received:	
<input type="checkbox"/> Local Assembly Funding	<input type="text"/>
<input type="checkbox"/> Small and Faith Fund	<input type="text"/>
<input type="checkbox"/> Sports Small Grant	<input type="text"/>
<input type="checkbox"/> Arts / Festival Fund	<input type="text"/>
<input type="checkbox"/> Public Health grants	<input type="text"/>
<input type="checkbox"/> Youth commissioning	<input type="text"/>
<input type="checkbox"/> Supporting People grant	<input type="text"/>
<input type="checkbox"/> Other (please specify)	<input type="text"/>

33.	Please describe the financial management controls within your organisation, including how many people are required to sign cheques and / or make online transactions.

34.	Please describe the opportunities and threats (risks) face your organisation over the next three years and what plans you have in place to deal with them.

35.	Your application must be accompanied by the following documents. Please note your application may not be considered if these are not provided.	
Item	Enclosed with application (✓)	
Organisation's constitution or governing document		
Audited accounts for 2013/14		
Equalities and Diversity policy and procedures		
Health & safety policy		
Volunteers' policy (if applicable)		
Child protection and vulnerable adults safeguarding policy (if applicable)		
Evidence of CRB / DBS checks and disclosures – reference number and date (if applicable)		
Public liability insurance (if applicable)		

Section G

Further information and declaration

36.	In the space below write any points you want to bring to the attention of the Council.

Declaration

This application must be signed by the **Chair** or by a member of the **management committee**. Scanned copy of signature will be accepted.

The information given in this application is correct. The organisation was neither established for profit nor is conducted for profit. We will inform the relevant officer at Lewisham Council of any changes in the organisation's circumstances that would affect this application or the use of any grant funding relating to it. We agree to abide by the requirements of the Equalities Act.

Name in block capitals: _____

Signature: _____ Date: _____

Position Held in Organisation: _____

Name of organisation: _____

The information you have provided us with will be used in accordance with the Data Protection Act 1998 and other relevant legislation. We have a duty to make sure you know what we intend to do with your information and who it will be shared with or disclosed to.

The council may share the information you have provided us with amongst its own departments, this is to improve working practices and the delivery of services. We may also use it to contact you from time to time.

We may pass your information to other agencies or organisations as allowed or required by law, for example to enable them to carry out their statutory duties or where it is necessary to prevent harm to yourself or other individuals.

*Please tick here if you do **not** wish to be contacted by the Council.*

Please check that you have answered all questions on this form as only fully completed applications can be assessed.

Closing dates for applications: 4th February 2015. Forms returned after this deadline date may not be assessed.

Please return the form to:

By email: community.enterprise@lewisham.gov.uk

By post: Grants and Information Team, Culture and Community Development Service, Lewisham Council, 2nd Floor, Laurence House, Catford, SE6 4RU



London Borough of Lewisham

Main grants programme July 2015 to March 2018 criteria and guidance.

July 2014

Cultural and Community Development Service
2nd Floor, Laurence House
1 Catford Road, London SE6 4RU
Community.Enterprise@lewisham.gov.uk

Lewisham Grants Programme

SECTION A – GENERAL CRITERIA

1. Purpose

Lewisham is fortunate to have a diverse third sector which ranges from very small organisations with no paid staff through to local branches of national charities. As well as being directly involved in delivering services to citizens in the borough, third sector organisations also provide the essential infrastructure to allow the sector as a whole to develop and support individual citizens to be able to play an active role within their local communities.

Although the third sectors role within the commissioning of local public services has grown, the council recognises that there continues to be a need for grant aid investment for the following reasons:

1. A recognition of the importance of maintaining an independent sector that can act as a critical friend to challenge public sector policy and delivery.
2. A recognition of the key role that the sector plays in building civic participation, providing a voice for seldom heard residents and providing community intelligence.
3. A recognition of the great diversity of the sector and the need to engage with small and emerging groups as well as large established organisations.
4. A recognition of the sector's potential to take risks and innovate which does not always sit easily within commissioning frameworks.
5. A recognition that third sector organisations have been key delivery partners for a wide range of targeted short term initiatives. Grant aid provides a level of security for organisations ensuring that there is a strong sector ready to work in partnership with us.

2. Funding Collaboration

It is our view that in these times of diminishing resources the need for collaboration is greater than ever. Our intention is to fund a group of organisations that are committed to working with each other and us to ensure the best possible outcomes for Lewisham's residents with our shared resources. We intend to take a dynamic approach to grant aid that allows for flexibility over the period of funding to ensure that we are able to respond together to changing needs and priorities. We are not just looking to fund organisations but to enlist active partners who are as passionate about Lewisham as we are and have the drive and capacity to make a difference to people's lives.

3. Partner Profile

In assessing applications to the grants programme we will be looking at organisation's readiness to work with us as active partners and what they can bring to such a partnership. We will be considering:

- Local Intelligence; the level of understanding you have of local need. Who are your users? Do you serve a geographical area or a community of interest? How do you recognise and record need? What do you know about people who may need your services but are not yet users?
- Transformation; your ability to transform the way you work to better meet needs. How have you adapted your working practices over the last 3 years? What opportunities do you see for further transformation?
- Collaboration; your track record of working in partnership. How well connected are you to other organisations delivering similar services? What opportunities do you see for increased partnership work and what benefit could this bring to your users?
- Resources; your track record of attracting resources both financial and volunteer time. What resources does your organisation bring to the borough? What are your plans for resourcing your work over the next 3 years?
- Shared Values (London Living Wage, Equality, Sustainability); your commitment to London Living Wage, equalities and sustainability. How can you demonstrate your commitment in these areas? What plans do you have to improve on this?

4. Programme Themes

In establishing the priority themes for the grants programme we have considered:

- The level of need locally
- The contribution the third sector can make to meeting the priority
- The availability of other sources of funding locally

The programme themes are:

1. Strong and Cohesive Communities
2. Communities that Care
3. Access to Advice
4. Widening access to Arts and Sports

Details of what we are seeking to fund in each theme are provided below with advice on what you will need to cover in your application.

SECTION B – THEME CRITERIA

Theme 1: Strong and Cohesive Communities

This theme is around developing and maintaining strong communities and building a more inclusive and cohesive borough. The theme is split into two strands:

- a. Borough wide infrastructure and equalities support
- b. Neighbourhood community development and youth work support

1a. Borough Wide

We wish to fund a group of organisations that will adopt a strong collaborative approach, sharing resources and minimising duplication to achieve the following:

- I. Provide support around the development of policies and procedures to ensure that all communities and individuals have fair and equal access to services.
- II. Identify and work in partnership to address issues that lead to particular communities experiencing difficulties accessing services.
- III. Identify inappropriate over representation of particular communities within services and work with partners to address this.
- IV. Build a more inclusive and cohesive borough, promoting understanding across different communities and reducing marginalisation.
- V. Develop and coordinate networks and collaborations and provide effective representation at appropriate levels for the voluntary and community sector
- VI. Assist existing organisations in building their capacity and capability through advising on best practice and supporting the introduction of effective operational and developmental systems in order to provide a responsive range of high quality services, including promotion of the exchange of skills between the VCS and private sector
- VII. Promote and broker partnerships to maximise access to and cost-effective use of both statutory and non-statutory funding
- VIII. Promote volunteering and provide a brokerage service for community organisations to access volunteers
- IX. Provide advice on volunteer recruitment and supervision and advise organisations on effective volunteer management systems

In your application you will need to specify which of the above objectives you intend to address. Describe your intended users and beneficiaries. Outline your programme of activity in Year 1 with milestones, outcomes and outputs. Describe how you will work with the other organisations funded through this strand and what opportunities you see for collaboration over the course of the 3 year programme. Detail the additional resources you will be leveraging in and provide an income and expenditure budget for Year 1.

1b. Neighbourhood

We wish to fund a network of organisations that will work in designated ward(s) alongside the Local Assembly to deliver:

Community Development (indicative allocation of £24,000 per ward)

- I. Practical support to build strong and cohesive communities
- II. Strengthen local area partnerships by bringing organisations in an area together to work collectively for and with residents in that neighbourhood, a local level infrastructure provider
- III. Coordination and delivery of locally based community activities
- IV. Harnessing skills and volunteer time to develop strong and resilient communities
- V. Facilitating involvement of residents in the issues which affect their lives; and supporting collective action to deliver change
- VI. Identify gaps in youth and community provision in ward
- VII. Deliver activities to meet gaps where possible and raise additional resources through volunteers and fundraising to extend provision

In your application you will need to identify which ward or wards you would like to work in. Please also indicate whether there is a minimum level of funding that you can operate at i.e. if you apply to cover 3 wards could you still deliver a service if your application was only successful for 1 ward. You will need to provide details of how you would work with the local assembly and other ward based organisations to develop and deliver your work programme for Year 1, giving indicative milestones. The assessment will be largely based on the skills and experience you bring as a local partner as the detail of your work programme will need to be developed with residents and other stakeholders.

Theme 2: Communities that Care

The overall intention of the Communities that Care theme is to fund a range of organisations that together provide support to vulnerable adults to assist them in accessing services, prevent their needs from escalating, reduce the burden on statutory services and provide links between statutory services, VCS and communities in relation to working together to support vulnerable adults. The theme will also offer support to organisations providing services for families with disabled children and young carers. The theme is split into 5 strands:

- a) connecting and supporting
- b) transport
- c) advocacy
- d) provision for vulnerable adults
- e) support for families with disabled children and young carers

2a) Connecting and supporting

We wish to fund a consortium of organisations that will work together to:

- I. Deliver community development support to organisations working with vulnerable adults across the four integrated health and social care neighbourhoods.
- II. Identify gaps in provision for vulnerable adults at neighbourhood level and work in partnership to address these gaps.
- III. Take referrals from health and social care professionals for vulnerable adults who would benefit from being connected to community activity in their area.
- IV. Deliver a volunteer befriending service for vulnerable adults who are experiencing social isolation.
- V. Deliver a network of timebanks across the four integrated health and social care neighbourhoods.

In your application you will need to specify which of the above objectives you intend to address. Describe your intended users and beneficiaries. Outline your programme of activity in Year 1 with milestones, outcomes and outputs. Describe how you will work with the other organisations funded through this strand and what opportunities you see for collaboration over the course of the 3 year programme. Detail the additional resources you will be leveraging in and provide an income and expenditure budget for Year 1.

2b) Transport

We wish to fund an organisation or consortium of organisations that will deliver an integrated community transport service that complements existing provision such as taxi card, dial a ride etc and incorporating group transport, individual journeys and support to access other mainstream transport in order to reduce social isolation and increase access to services for vulnerable adults. The service will need to work closely with referring agencies to ensure provision is targeted at people for whom there is no other feasible transport option. Services such as travel training should form part of the integrated offer to enable those individuals who need to build confidence in using public transport to be able to access mainstream provision rather than become dependent on a specialist service. The service will need to work with other

organisations funded through the Communities that Care theme to encourage them to consider transport at the early stages of planning activities and inform them of the wide range of transport options available to their users.

In your application you will need to describe your intended users and beneficiaries. Outline your programme of activity in Year 1 with milestones, outcomes and outputs. Describe how you will work with the other organisations funded through this strand and what opportunities you see for collaboration over the course of the 3 year programme. Detail the additional resources you will be leveraging in and provide an income and expenditure budget for Year 1.

2c) Advocacy

We wish to fund an organisation or consortium of organisations to provide advocacy support for people with learning disabilities to ensure that they can:

- Gain access to services improving their quality of life and social well being
- Be better connected and less excluded
- Improve their confidence and be able to assert their rights and views including influencing local policy and practice

In your application you will need to detail how you intend to achieve the above outcomes. How many people you intend to support. How you will use volunteer advocates to further develop the reach of your services. How you will ensure you are well connected with services that PWLD want to access and your approach to building strong partnerships with both statutory and non statutory services in order to deliver positive outcomes for PWLD.

2d) Provision for vulnerable adults

We wish to fund a network of organisations to provide activities for vulnerable adults that reduce isolation and provide an alternative to mainstream day services. We are looking for activities that can accommodate adults with both moderate and substantial needs and your application should demonstrate your approach to charging and how you are able to accommodate individuals with direct payments where appropriate. Organisations funded through this strand would be expected to work collaboratively with each other and us to adapt services to meet changing needs over the period of the grant. This may mean changing the time or location of activities, improving referral processes, accommodating more or different types of users etc.

We are looking to support activities for the following users:

- Older Adults – to combat isolation, increase independence, reduce or delay the need for statutory services and offer an alternative to day centres. Services for older adults should consider how they are able to accommodate adults with dementia and identify what steps they would need to take in order to achieve this.
- Adults with learning disabilities – to extend the range of available day activities, provide access to social activities in a safe environment.

- Mental Health service users – to offer cost effective activity programmes that support mental health service users and reduce their dependence on statutory services.
- Adults with complex social needs – to provide positive activities for adults with complex social needs that support them to build their self esteem and be actively engaged with their local community.

2e) Support for families with disabled children and young carers

We wish to fund organisations who can provide support to families with disabled children and young carers in order to deliver the following outcomes:

- Reduce isolation/social exclusion of parent carers of disabled children and young carers.
- Improve access to services and take up of entitlements by parent carers of disabled children and young carers
- Parent carers of disabled children and young carers are able to influence local policy and service design
- Young carers have improved educational attainment and well being.

In your application you will need to detail which of the above outcomes you intend to achieve and how. How you will ensure that you are working effectively with other CYP services so as to complement rather than duplicate service provision. How you will go about prioritising your resources to ensure that your services reach those with greatest need. What other resources you will lever in to extend the reach of your services.

Theme 3. Access to Advice Services

The overall intention of the Access to Advice Services Theme is to support organisations that deliver advice and information services in the borough in assisting local residents, particularly those who are vulnerable such as older people, disabled people and newly arrived communities to live fulfilled and independent lives.

The Council is seeking bids from voluntary sector advice organisations based within the borough for the provision of Advice Services in order to provide public access to high quality legal, advice and information services in the London Borough of Lewisham.

Services provided will be at Level 2 (generalist) and Level 3 (specialist) of the Legal Services Commission Quality Mark, and organisations will need to have, or be working towards the appropriate level. Assisted Information should be provided to all users to enable active signposting to the appropriate provider.

The core objectives to be met through the provision of services are:

- Ensuring that the key principles of customer-focused services and achieving value for money from the resources available are central to the provision of legal advice services in the Borough
- Responding to the multiple and complex legal advice needs of people who live, work or study in the borough
- Providing greater flexibility in the ways that advice services are delivered in response to client demand, in the interests of greater choice in order to increase access to advice services
- Ensuring that customers are empowered to address their own advice needs through utilising digital technologies
- Delivering a rationalised approach to legal advice services, ensuring geographical spread as well as services to socially excluded groups through flexible and innovative outreach services

In particular, the Council welcomes bids from organisations working in partnerships or as part of a consortium and from those who have experience in utilising digital technology innovatively to support local people to address their own advice needs.

The Council wish to fund a mixture of generalist, specialist and client specific legal advice services. Organisations in each of these categories will be required to deliver advice in the following priority areas of law:

- Welfare rights
- Debt and money advice (including multiple debts and arrears)
- Housing advice (including homelessness, repairs, possession proceedings and tenancy issues)
- Immigration – where compliant at OISC Level 1 (Basic Advice);

Geographical Coverage and organisational characteristics

The Council wishes to fund a broad geographical spread of support; however services operating within the Bellingham, Downham, Evelyn and New Cross wards (which rank among the 10% most deprived in England) will be prioritised.

Where a generalist agency is bidding to provide a borough wide service, they will need to demonstrate how they are able to ensure effective delivery of services across all the areas of the borough, particularly in areas where there is a current lack of voluntary/community sector activity.

Organisations offering specialist advice services will be expected to demonstrate effective partnership working with other advice agencies to ensure that the specialist service is accessible on a borough-wide basis.

They will also be expected to take referrals from other advice agencies, community groups and statutory agencies.

Preference may be given to a Provider(s) able to demonstrate they can offer more than the minimum number of hours per week.

In regard to the delivery of outreach services a Provider must demonstrate how they will implement arrangements for alternative ways to provide access to services for people unable to make use of open door access. This should include:

- Empowering and encouraging customers to utilise digital technology to address their own needs
- Showing how need for a home visit or vulnerable/referred clients will be assessed, provided for or referred on
- Indicating ability to assess and meet need for outreach services for excluded communities within the areas bid for, where there is evidence of open door services not being accessed by a particular community
- Providing an outreach needs assessment and delivery plan for locations to be covered in areas where open door access is not provided or easily accessible by public transport.

Organisations will be expected to comply with the following:

- Staff have the relevant skills, knowledge and competency to deliver advice at specialist level
- Appropriate case file records are maintained so there is a clear audit trail of the advice and support given to clients
- The organisation is able to meet the language needs of clients through the use of bi-lingual staff, volunteers or use of translation service

Generalist social welfare and client specific advice services

Organisations seeking funding for generalist social welfare and client specific advice services will be expected to comply with the following definition of the level of work to be undertaken:

- General Help – estimated to take an average of 20 minutes and ranging from initial diagnosis of client's problem to general advice (no follow up action required)
- General Help with Casework – estimated to take an average of 60 minutes and ranging from writing a letter/phone call on behalf of clients, form filling and general advocacy.

For client specific advice services, in order to meet the diverse language needs of the various smaller communities and new residents in the borough applicants will have to show that they are able to provide services to meet the needs of one or all of the following community groups:

- People whose first language is not English
- Older people
- People with disabilities

Organisations providing language based advice services will be expected to demonstrate effective partnership working with other agencies to ensure that the provision is accessible on a borough-wide basis and will also be expected to take referrals from other advice agencies, community groups and statutory agencies.

Specialist Advice Services

Organisations applying for specialist advice services will be expected to comply with the following definition of the level of work to be undertaken:

- General Help & Support – estimated to take an average of 60 minutes and ranging from writing a letter/phone call on behalf of clients, form filling and general advocacy
- Casework – estimated to take an average of 3 hours – assumes a degree of complexity and on-going negotiation with third party, preparation of matters up to appeal level
- Representation – advocating on a client's behalf at tribunals, appeals, or court hearings

Applicants will also be required to provide second-tier advice and support to generalist advice providers through providing access to training, information sharing and technical supervision support.

Theme 4. Widening Access to Arts and Sports

The intention of this theme is to fund organisations or consortiums of organisations that will take a strategic approach to increasing the number of people who participate in the arts and sport in Lewisham. This will particularly involve addressing barriers and providing opportunities for those who are less able to engage. Applications will be expected to demonstrate how they will:

- a. Increase participation, particularly including people who are less able to participate due to disability, economic disadvantage and age (young people and older people).
- b. Nurture talent and provide progression pathways, including developing outreach links into other settings such as schools.

The theme is split into two strands

4a Widening Access to Arts

Lewisham has a rich and diverse arts sector and is recognised as a borough in which creativity can thrive. It is also home to some of the capital's most exciting and innovative organisations. We recognise the huge impact that the arts and creative industries have had on issues such as health and wellbeing, education and the economy but also value the way in which they have helped to make Lewisham the dynamic place that it is. We want to continue to encourage innovation and the ongoing development of an atmosphere in which new things can emerge. Whilst recognising the importance of access to the arts for all ages we also want to ensure that we are building for the future by responding to the current climate in which opportunities for young people to access the arts and develop creative skills in settings other than school is becoming increasingly important.

Through this theme we expect to fund a network of organisations that will deliver activities that:

- Provide opportunities for people of all ages to engage with the arts as active participants and members of an audience.
- Provide opportunities for people of all ages to explore and develop their creativity and acquire new skills.
- Increase awareness and enhance the reputation of Lewisham as a place to spend leisure time.
- Capitalise on funding and other support opportunities from regional and national bodies.

4b Widening Access to Sports

Lewisham has a strong sporting tradition and recognises the vital role that sport and physical activity can play in improving the quality of life of the borough's residents. We want Lewisham to continue to be a place where talent is nurtured and encouraged and where sporting participants fulfil their potential. We also want to make sure that opportunities are available to all of the boroughs residents to regularly participate in sport and physical activity as a means of maintaining and improving their health.

In recent years Lewisham Council has invested significantly in developing high quality sport and leisure facilities and continues to fund Fusion and 1Life to manage these facilities and deliver a programme of associated activities.

To complement these facilities we want to work with a range of voluntary sports clubs and organisations to develop a more coordinated and partnership driven approach to sports provision in the borough in order to make the best possible sporting offer available to the residents of Lewisham. In this context we expect to fund partnerships or single organisations that will take a lead in facilitating partnerships to develop & deliver borough wide, development plans for specific sports. Applications will be expected to show how they will meet the general criteria for this fund (a and b above) and also respond to the following questions:

- Can you demonstrate high levels of demand or growing demand for your sport within Lewisham?
- How will you make the best use of the borough's current and emerging facilities?
- How will you capitalise on funding and/or other support opportunities from regional and national bodies?
- How will you provide activities that encourage people to participate in recreational sport and physical activity?

SECTION C – APPLICATION PROCESS

In order to apply to Lewisham Council Main grants programme you must complete the main grants application form and submit it by 4th February 2015

By email: community.enterprise@lewisham.gov.uk

By post: Grants and Information Team, Culture and Community Development Service, Lewisham Council, 2nd Floor, Laurence House, Catford, SE6 4RU

You should read the criteria and guidance contained in the previous sections of this document before completing your application. Additional guidance on each section of the form is contained below.

Section A – Contact Details

This section is to ensure that we have the correct contact details that we can use to correspond with you about your application.

Section B – Eligibility

The questions in this section will enable us to check that you are eligible to apply for funding under this programme.

Section C – Partner Profile

This section will be used to assess how well your organisation meets the partner profile described in section A, paragraph 3 of this document. This is an important part of the assessment and it is essential that you complete this section fully and address all aspects of the criteria.

Section D – Your Proposed Programme

If you wish to apply to more than one theme you will need to complete this section for each theme you are applying for. We ask you to choose a primary theme that is the main theme you wish to be considered under. You can then choose additional themes as appropriate. This section will allow us to assess how well you meet the theme criteria and it is therefore important that you complete it fully.

Section E – Budget

We are looking for a picture of your organisations total income and expenditure budget for 2015/16. However as funding under this programme will not commence until July 2015 we have asked you to separate out your expenditure for April to June 2015. There is no need to provide a breakdown of this it is purely to give the full picture of your turnover.

We have asked you to breakdown your proposed expenditure for each theme you are applying to. Please feel free to add additional lines as required.

There is also a section for you to include any expenditure that doesn't relate to this application but will be part of your organisation's turnover in 2015/16.

Section F – Your organisation

If you are currently in receipt of main grant funding from Lewisham Council then you do not need to complete this section. All organisations new to this programme will need to complete this section in full and provide the additional documentation requested.

Section G – Further Information and Declaration

It is essential that your application is signed by the chair of your organisations or other member of the management committee with appropriate authority.

Additional Guidance

There will be a series of application workshops in December 2015. Details of these will be available later in the year.

DRAFT



Main Grants Programme 2015 - 2018 Funding Application

Section A

Contact Details

1.	Name of your organisation		
2.	Address and ward where your organisation is based and where activities are carried out. Please list wards your activities cover. If all Lewisham, please put borough-wide		
Address:		Ward based:	
Ward(s) served:			
3.	Name of KEY contact person(s)		
4.	Daytime Tel:		Mobile Tel:
	Website:		Email address:
5.	Address where official correspondence should be sent if different from address above		

Section B

Eligibility

6.	What is the legal status of your organisation? Please tick all relevant box(es)		
<input type="checkbox"/>	Registered charity (quote charity number)	<input style="width: 100%;" type="text"/>	
<input type="checkbox"/>	Company Limited by Guarantee (quote company number)	<input style="width: 100%;" type="text"/>	
<input type="checkbox"/>	Community Interest Company		
<input type="checkbox"/>	Unregistered community organisation		
<input type="checkbox"/>	Other (please specify and quote relevant number)	<input style="width: 100%;" type="text"/>	

7.	Does your intended programme benefit mainly Lewisham residents (85%+ of your recipients live in Lewisham)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.	Does your organisation currently receive main grant funding from Lewisham Council.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8a.	If you answered yes, and your circumstances have changed recently (e.g. you have made changes to your constitution) please state these here.		

If you have answered no to question 8 above please complete Section F below.

Section C	Partner profile
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Main grants recipients will be expected to work with the council as active partners; and applications will be assessed on what they can bring to such a partnership. Please refer to the guidance for further information on what areas you need to address in each of the following questions.

9.	Local intelligence: your understanding of local need

10.	Transformation: Your ability to transform the way you work to better meet needs.

11.	Collaboration: your track record of working in partnership
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12.	Resources: your track record of attracting resources both financial and human.
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12b.	What is your reserve policy and current reserves status? Please explain how your organisation is financially viable.
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13.	Shared values: demonstrating your commitment to these (London Living Wage, equalities, and sustainability) and plans to improve on this.
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Section D**Your proposed programme**

We ask you to indicate a theme strand below that is the primary theme you are applying to. You may choose to apply to additional themes and will need to complete Section D for each theme you apply to.

14. Please mark (with an 1) which main grant theme you are applying for as your primary theme. Please mark with 2, 3 etc each additional theme you wish to apply to. You will need to complete Section D separately for each theme you are applying to.

1 Strong and cohesive communities1a Borough wide1b Neighbourhood**2 Communities that care**2a Connecting and supporting2b Transport2c Advocacy2d Provision for vulnerable adults2e Support for families with disabled children and young carers**3 Access to advice**3a Generalist social welfare advice services3b Client specific advice services3c Specialist advice services**4 Widening access to arts and sports**4a Widening access to arts4b Widening access to sports

15. Please outline (in detail) the programme of activity that you propose to deliver, ensuring it meets the criteria of the theme(s) you have indicated above. Please refer to the guidance to ensure you answer all the relevant requirements for each individual theme.

16.	How many people do you expect to benefit from your activities in 2015/16?	Existing users	<input type="text"/>	New users	<input type="text"/>
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17.	Outline the key risks associated with the programme you are proposing and how you will minimise their impact.

18.	User profile. The Council must adhere to the Equality Act 2010 in its provision of funding. Any organisation that is grant funded by the Council must strive to ensure their services are accessible and available to everyone. The impact that the grants programme has will be assessed across all the protected characteristics in the Equality Act 2010. In order to enable us to make this assessment please tell us more about who your proposed programme will benefit:
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PROTECTED CHARACTERISTIC	PLEASE TICK ✓	FURTHER DETAIL
Age		
Disability		
Gender		
Gender reassignment		
Marriage & civil partnership		
Pregnancy & maternity		
Race		
Religion & belief		
Sexual orientation		

18b.	If your proposed programme will be aimed exclusively at one specific community please explain the reasons for this.

19.	Key milestones in delivery of programme in Year 1 from July 15 to March 16.

20. **Detail your outputs and outcomes and explain how you propose to measure your performance against outcomes. Please remember your outcomes must be linked to the theme priorities.** Outcomes are the impact or change you hope to achieve as a result of the project. Outputs are the specific steps you will take to achieve the outcomes.

Outcomes	Outputs	How you will measure outcomes
<p><i>e.g. Children and young people increase their fitness levels to improve their health and well-being.</i></p>	<p><i>e.g. An after school programme of weekly dance classes for 100 children and young people aged 8 – 16 will be delivered. 250 sessions (each 60 minutes long) will take place in 2 locations (Sydenham and New Cross).</i></p>	<p><i>e.g.</i></p> <ul style="list-style-type: none"> • <i>Registers of all attendance at activities</i> • <i>Questionnaires / interviews will be used to assess impact on participants.</i> • <i>An external health professional will also evaluate health, fitness and well-being impact.</i> • <i>Comments and observations from teaching and support staff, artists, facilitators, school teachers and parents</i>

Section E**Budget**

21. One year funding profile: Please provide details of the estimated income and expenditure for the organisation for 2015/16. Please add additional lines as needed.

21a.	Income	Forecast April 2015 – March 2016
	Main Grant Programme	
	Current main grant award if applicable April to June 2015	
	Amount requested under your primary theme for July 15 to March 16	
	Amount requested under your secondary theme if applicable	
	Amount requested under your third theme if applicable	
	Other Lewisham Council Grants (please specify):	
	Other funding (please specify):	
	Earned Income (e.g. sales, fees):	
	Private income (eg donors, sponsorship):	
	Total Income (£)	

21b.	Expenditure	Forecast April 2015 – March 2016
Expenditure for the period April 2015 to June 2015. There is no need to provide a breakdown of this.		
EXPENDITURE FOR PRIMARY THEME		July 2015 – March 2016
Staff costs (please specify)		
Activity costs (please specify)		
Running costs (please specify)		
Other costs (please specify)		
SUB TOTAL OF EXPENDITURE RELATED TO PRIMARY THEME		
ADDITIONAL COSTS FOR ADDITIONAL THEMES please include a breakdown of expenditure for each additional theme you are applying for.		
ANY OTHER EXPENDITURE please include here any expenditure that is not specifically related to this application.		
Total Expenditure (£)		

21c.	Funding profile summary	Forecast April 2015 – March 2016
	Total income	
	Total expenditure	
	Surplus / deficit	

22.	If the summary above shows a surplus or deficit please explain why this is the case and what you intend to do about this.

23.	What other non-financial support does your organisation receive?			
	Item	Value	Item	Value
	<input type="checkbox"/> Rent	£ _____	<input type="checkbox"/> Rate Relief	£ _____
	<input type="checkbox"/> Repairs & Maintenance	£ _____	<input type="checkbox"/> Utilities	£ _____
	<input type="checkbox"/> Other (specify)	£ _____		

24.	Banking arrangements. Successful grant recipients will have their grant paid directly into the organisation's bank account. Please give details of the bank or building society that grant should be paid into.
Account number	
Branch sort code	
Account name	
Bank name and full address	
Organisation name and/or address (if different from Section A)	
Email address for remittance (if different from Section A)	

Section F**About your organisation**

If you answered NO to question 8 (i.e. you are not currently main grant funded by Lewisham) please complete this section. If you answered YES to question 8 please proceed to section G.

25. Please give a brief description of your organisation, including stating your organisation's aims and objectives and when the organisation was formed.

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26. Is the organisation currently compliant with filing requirements? Please state when annual details were last filed with the Charity Commission/Companies House. If returns are outstanding please state why.

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27. How many people are involved in your organisation?

Committee members	<input type="text"/>	Other members	<input type="text"/>
Paid staff	<input type="text"/>	Volunteers	<input type="text"/>

Add in equality information of management committee??? YES

28. Please give details of the members of your management committee

Full name	Position Held	Date elected	Term of office
	Chairperson		
	Secretary		
	Treasurer		

29. When was your committee last elected?	/ /
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30. Are any staff or committee members related to each other? If yes please detail.

31. Please outline what quality assurance system your organisation has in place, level attained (if relevant) and how long this is valid for?

32. Has your organisation been funded by Lewisham Council within the last 3 years? Please tick as appropriate.																
<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please tick which fund(s) and specify date(s) received:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><input type="checkbox"/> Local Assembly Funding</td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/> Small and Faith Fund</td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/> Sports Small Grant</td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/> Arts / Festival Fund</td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/> Public Health grants</td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/> Youth commissioning</td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/> Supporting People grant</td> <td><input style="width: 100%;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/> Other (please specify)</td> <td><input style="width: 100%;" type="text"/></td> </tr> </table>	<input type="checkbox"/> Local Assembly Funding	<input style="width: 100%;" type="text"/>	<input type="checkbox"/> Small and Faith Fund	<input style="width: 100%;" type="text"/>	<input type="checkbox"/> Sports Small Grant	<input style="width: 100%;" type="text"/>	<input type="checkbox"/> Arts / Festival Fund	<input style="width: 100%;" type="text"/>	<input type="checkbox"/> Public Health grants	<input style="width: 100%;" type="text"/>	<input type="checkbox"/> Youth commissioning	<input style="width: 100%;" type="text"/>	<input type="checkbox"/> Supporting People grant	<input style="width: 100%;" type="text"/>	<input type="checkbox"/> Other (please specify)	<input style="width: 100%;" type="text"/>
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<input type="checkbox"/> Supporting People grant	<input style="width: 100%;" type="text"/>															
<input type="checkbox"/> Other (please specify)	<input style="width: 100%;" type="text"/>															

33. Please describe the financial management controls within your organisation, including how many people are required to sign cheques and / or make online transactions.

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34.	Please describe the opportunities and threats (risks) face your organisation over the next three years and what plans you have in place to deal with them.

35.	Your application must be accompanied by the following documents. Please note your application may not be considered if these are not provided.	
Item	Enclosed with application (√)	
Organisation's constitution or governing document		
Audited accounts for 2013/14		
Equalities and Diversity policy and procedures		
Health & safety policy		
Volunteers' policy (if applicable)		
Child protection and vulnerable adults safeguarding policy (if applicable)		
Evidence of CRB / DBS checks and disclosures – reference number and date (if applicable)		
Public liability insurance (if applicable)		

Section G

Further information and declaration

36.	In the space below write any points you want to bring to the attention of the Council.

Declaration
<p>This application must be signed by the Chair or by a member of the management committee. Scanned copy of signature will be accepted.</p> <p>The information given in this application is correct. The organisation was neither established for profit nor is conducted for profit. We will inform the relevant officer at Lewisham Council of any changes in the organisation's circumstances that would affect this application or the use of any grant funding relating to it. We agree to abide by the requirements of the Equalities Act.</p>

Name in block capitals: _____

Signature: _____ Date: _____

Position Held in Organisation: _____

Name of organisation: _____

The information you have provided us with will be used in accordance with the Data Protection Act 1998 and other relevant legislation. We have a duty to make sure you know what we intend to do with your information and who it will be shared with or disclosed to.

The council may share the information you have provided us with amongst its own departments, this is to improve working practices and the delivery of services. We may also use it to contact you from time to time.

We may pass your information to other agencies or organisations as allowed or required by law, for example to enable them to carry out their statutory duties or where it is necessary to prevent harm to yourself or other individuals.

*Please tick here if you do **not** wish to be contacted by the Council.*

Please check that you have answered all questions on this form as only fully completed applications can be assessed.

Closing dates for applications: 4th February 2015. Forms returned after this deadline date may not be assessed.

Please return the form to:

By email: community.enterprise@lewisham.gov.uk

By post: Grants and Information Team, Culture and Community Development Service, Lewisham Council, 2nd Floor, Laurence House, Catford, SE6 4RU

Agenda Item 7

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"/>

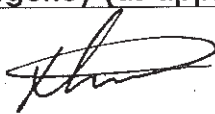
Date of Meeting	16 th July 2014
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Title of Report	Designation of Neighbourhood Forum and Area for Crofton Park and Honour Oak Park
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Originator of Report	Brian Regan
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At 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	N/A	
Risk Assessment Comments (as appropriate)	N/A	
Reason for Urgency (as appropriate)	N/A	

Signed:  Executive Member

Date: 7th July 2014

Signed:  Director/Head of Service

Date: 8/7/2014

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	Designation of Neighbourhood Forum and Area for Crofton Park and Honor Oak Park	
Key Decision	Yes	Item No.
Ward	Crofton Park	
Contributors	Executive Director for Resources & Regeneration & Head of Law	
Class	Part 1	Date: 16 July 2014

1. Summary

- 1.1. The Council has received an application for the designation of a Neighbourhood Forum (NF) and an application for the designation of a Neighbourhood Area for Crofton Park and Honor Oak Park.
- 1.2. The Council has undertaken consultation with the local community regarding the two applications.
- 1.3. Council officers have assessed both applications as meeting the required conditions for formal designation as set out in the relevant legislation. Officers recommend the designation of both the neighbourhood forum and neighbourhood area.
- 1.4. The formal designation of the neighbourhood forum and neighbourhood area would allow the forum to prepare a neighbourhood plan for the area.

2. Purpose

- 2.1. This report seeks the Mayor's approval for the formal designation of the applications from Crofton Park and Honor Oak Park Neighbourhood Forum as a designated Neighbourhood Forum and a Neighbourhood Area. This designation allows the Forum to prepare a Neighbourhood Plan (NP).

3. Recommendations

(1)

- 3.1. The Mayor is recommended to approve the designation of the Crofton Park and Honor Oak Park Neighbourhood Area as set out at Annex 1 and Annex 2.

(2)

- 3.2. The Mayor is recommended to approve the designation of the Crofton Park and Honor Oak Park Neighbourhood Forum as set out at Annex 3 and Annex 4.

(3)

- 3.3. The Mayor is recommended to authorise the Executive Director for Resources and Regeneration to give the required publicity to the designations.

4. Policy Context

- 4.1. The Localism Act 2011 allows Neighbourhood Forum to prepare Neighbourhood Plans that once adopted are legal documents that must be considered when making decisions on planning applications. They are prepared by the local community but formally adopted after a successful referendum held by the Council. Once adopted they become part of the Development Plan for the Borough and as such are part of the Council's policy framework.
- 4.2. The Council's current policy framework includes all adopted development plans that form part of the Lewisham local development framework (LDF). The contents of this report are consistent with the Council's policy framework as in order to adopt a Neighbourhood Plan it must be in 'general conformity' with the Council's Core Strategy which is the primary development plan document in the LDF.
- 4.3. This report supports the achievements of the Sustainable Community Strategy policy objective Empowered and responsible : where people can be actively involved in their local area and contribute to tolerant, caring and supportive local communities, and Clean, green and liveable: where people live in affordable, high quality and adaptable housing, have access to green spaces and take responsibility for their impact on the environment.

5. Background

- 5.1. The Localism Act 2011 sets out permissive powers which allow local communities to influence the planning of their area by preparing Neighbourhood Plans. In areas such as Lewisham where there are no Parish Councils a Neighbourhood Forum must be designated by the Council to obtain the right to prepare a Neighbourhood Plan.
- 5.2. Neighbourhood Plans are led by local people who set out how they want their local area to develop. Local people set out the vision and planning policies for their own neighbourhood. They are about local issues rather than strategic planning issues. They must take account of national planning rules and be in 'general conformity' with the existing adopted planning framework for Lewisham. The governments aim is that they will promote development, they are not about attempts to stop development.

- 5.3. When the plan has been through all the stages of preparation, examination and a successful referendum the Council must adopt the plan as a statutory planning document and it will become part of the development plan for the borough. Under planning law the development plan is the primary consideration when considering planning applications.
- 5.4. The Localism Act 2011 introduced changes to the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004. These changes set out the local planning authorities responsibilities as:
- Agreeing and designating the area of the neighbourhood plan
 - Agreeing and designating a neighbourhood forum
 - Providing advice and support to the neighbourhood forum in preparing the neighbourhood plan
 - Arranging and paying for an Independent Examination of the neighbourhood plan
 - Arranging and paying for a local referendum
- 5.5. The local authority must agree to a neighbourhood forum being a 'qualifying body' for the purposes of the Act and must agree the area for which a neighbourhood plan or development order is to be prepared. There are specific requirements set out in the Act and the neighbourhood planning regulations for neighbourhood forums to be designated as qualifying bodies and for the local authority to set other conditions.
- 5.6. The regulations require that an application to be designated a Neighbourhood Forum and Area must include the following information:
- A copy of the written constitution of the proposed forum;
 - A map showing the proposed neighbourhood area;
 - A statement explaining how the proposed forum is established to promote or improve the social, economic and environmental wellbeing of the area;
 - A statement explaining that membership is drawn from different places in the neighbourhood area and from different sections of the community;
 - A list of at least 21 members of the proposed forum.
- 5.7. The Crofton Park and Honor Oak Park neighbourhood forum and area applications were received by the planning service on 15th January 2014. The application documents can be found at Annexes 1 to 4.
- 5.8. The regulations and guidance on establishing a neighbourhood form and area are light touch as detailed above. The planning service checked that the correct paperwork had been submitted and then arranged for the statutory 6 week publicity to be given to the applications.
- 5.9. The designation of a neighbourhood forum and a neighbourhood area are two separate processes, which none the less can be undertaken simultaneously.

Section 7 of this report considers whether the forum application meets the statutory requirements, and section 8 of this report considers whether the area application meets the statutory requirements.

6. Public consultation

- 6.1. The Council undertook public consultation which went above and beyond the requirements of the legislation.
- 6.2. The applications were placed on the planning policy webpage and comments invited. In addition to this statutory requirement, a publicity notice was circulated to all households and businesses in the proposed area and in a further 150m buffer zone around the proposed area so that those on the boundary would have the opportunity to comment. A letter or email was sent to all local people on the planning policy data base inviting comment and providing details of where further information could be obtained. The applications and associated information were also placed in the planning information office at Laurence House and at the Crofton Park and Honor Oak Park library for people to inspect. The public consultation period lasted for six weeks.
- 6.3. Eighty four responses to the consultation were received from members of the public and from organisations. There were twenty seven representations in support of the proposal, eight offering qualified support, and thirty seven against the proposal. The remaining twelve representations provided general comments without stating support or objections.

Supporting comments

- 6.4. Those offering unqualified support for the proposals stated a variety of reasons for offering support, including agreement with the proposed forum constitution, agreement with the proposed boundary, and the belief that the proposal will enhance the community and will increase community cohesion.
- 6.5. Those offering qualified support stated that they supported the proposals in principle, whilst also raising issues with the detail of the proposals. The majority of those offering qualified support raised issues in relation to the boundary of the area, and to the fact that those outside the boundary will not be able to influence issues within the proposed area. Please see paragraph 6.8 for further discussion regarding respondents' views of the boundary. One respondent offering qualified support raised a separate issue, stating that they would support the forum if the forum will campaign for improved train services.

Objections

- 6.6. Those objecting to the proposals did so mainly regarding two issues: the constitution and the boundary. These two objections are described in turn in the following paragraphs.
- 6.7. Eighteen respondents objected to the constitution, expressing a concern that the wording of the constitution prohibits those from outside of the area from taking part in the forum. All of these eighteen respondents linked this to a concern that the boundary of the proposed neighbourhood area does not include the whole of Honor Oak Park in the eyes of objectors, and that this may result in people outside the boundary being excluded from influencing nearby issues.
- 6.8. Forty five respondents raised concerns regarding the proposed boundary of the neighbourhood area, generally stating that areas have been excluded that should have been included. The majority of these concerns relate to the Honor Oak Park area, with a minority of concerns relating to other areas. A summary of the number of responses regarding each excluded area can be found below:
- Thirty seven respondents referred to areas of Honor Oak Park west of the railway line being excluded, including One Tree Hill, the allotments, Camberwell New Cemetery, Honor Oak Sports Ground including the area immediately surrounding it (within Southwark Borough), Devonshire Road, Honor Oak Park (road), Honor Oak Road, Boveney Road, Brenchley Gardens (Southwark Borough), Hengrave Road, Honor Oak Rise (Southwark Borough), and Brockley Way (Southwark Borough);
 - Three respondents referred to Polsted Road being excluded;
 - One respondent referred to the area to the west of St Dunstan's College being excluded - Ravensbourne Road, Winterstoke Road, Blythe Hill and Stanstead Grove;
 - One respondent referred to Braxfield Road being excluded;
 - One respondent referred to the area up to Whitbread Road being excluded (north of the proposed area);
 - One respondent referred to Chudleigh Road west of Bexhill Road being excluded; and
 - One respondent referred to Elsiemaud Road being excluded.
- 6.9. Objections to being excluded from the area were married with the concern that the constitution of the forum would prevent those from outside the area from influencing decisions within the area.
- 6.10. Additionally, objections were received on the following grounds:
- four respondents stated the forum will be a waste of resources,
 - three respondents stated that the forum will add another layer of bureaucracy,
 - one respondent stated there was insufficient information to comment,
 - one respondent stated the constitution should refer to local businesses,
 - one respondent stated the forum will be too limited, and will only be a protest group,

- one respondent stated the scope and objectives are not clearly set out,
- one respondent stated the proposals should not be led by a councillor,
- one respondent stated it is not clear what benefit the forum would bring, and
- one respondent stated that a neighbourhood plan will have no benefit for residents, and that the Council should produce plans for areas.

6.11. A summary of each representation can be found at Annex 5.

7. Crofton Park and Honor Oak Park Neighbourhood Forum application

7.1. Section 61F (7) of the Town and Country Planning Act 1990 (as inserted into the Act by the Localism Act, Schedule 9) sets out the conditions that a neighbourhood forum must meet, as well as the detailed considerations that a local planning authority must take into account when determining an application for the designation of a neighbourhood forum.

7.2. In assessing the application for a neighbourhood forum the Council will consider the application against the conditions and considerations set out in legislation and in doing so will wish to ensure that the proposed forum is representative of its area.

7.3. The legislation states that a local planning authority may designate an organisation or body as a neighbourhood forum if the authority is satisfied that the following four conditions have been met. In some respects this is a 'tick box validation exercise'. The legislation does not require applicants to give more than the basic information. The four conditions are considered below:

i) Established for the express purpose of promoting or improving the social, economic or environmental well-being of an area

7.4. **Response:** The written constitution states at paragraph 1.2 that the "purpose of the Forum is to promote or improve the social, economic and environmental well-being of the Crofton Park Ward".

7.5. This purpose is reiterated and reflected in the Forum Objectives, found in paragraphs 4 and 4.1 of the constitution: The objectives include:

- improving the Crofton Park Ward area for the benefit of the inhabitants of the area;
- promoting the social, economic and environmental well-being of the area; and
- fostering community spirit and social cohesion and encouraging civic pride.

7.6. The written stated purpose of the Forum and the Forum Objectives therefore meet the legal requirement for the forum to be established for the express purpose of promoting or improving the social, economic or environmental well-being of an area.

ii) Membership is open to individuals who live or work in the area (or are elected members of the Council whose area falls within the neighbourhood area concerned)

7.7. **Response:** The written constitution states that “Membership is voluntary and open to individuals who live or work in the Neighbourhood Area and to elected members of Lewisham Council’s Crofton Park Ward, who have an interest in assisting the Forum to achieve it’s objectives and who are willing to adhere to the rules of the Forum”.

7.8. It is therefore considered that the Forum constitution meets membership eligibility requirements set out in the legislation, as individuals who live or work in the area and elected members of the Council whose area falls within the neighbourhood area are able to join.

7.9. In spite of the constitution meeting the legal requirements, there have been eighteen objections to the constitution in conjunction with the proposed neighbourhood area, due to the fear that those who live outside the proposed area will be excluded from influencing nearby issues. The forum application could not be refused on these grounds, as the minimum legal requirements are met, however officers have taken the concerns of objectors on board, and have worked with the proposed forum to address these concerns through changes to the consultation.

7.10. The proposed forum has agreed to insert a new category of membership, called ‘associate membership’, which is open to those who have an interest in the neighbourhood area who are not residents of the area. Associate members can attend meetings, engage in discussions, and volunteer for forum activities. The key restriction for associate members is that they cannot vote during the annual general meeting of the Forum, for example they cannot vote for the election of the management committee. It is considered that this additional category of membership, which goes above and beyond the legal requirement, will result in the forum being open to individuals from outside the area, and can address the concerns of those outside the area who feared they would be excluded

7.11. In conclusion, the membership rules for the forum satisfy the legal requirements, and furthermore go beyond these legal requirements to ensure that those outside of the proposed boundary are able to participate.

iii) Membership includes a minimum of 21 individuals each of whom lives or works (or is an elected member) in the area

7.12. **Response:** The forum application included the details of 24 members, of which:

- 16 live in the area,
- 7 work in the area,
- and 1 is an elected member for the area.

7.13. The forum therefore meets the requirements of 21 eligible members. Please see below for a more detailed analysis of the membership of the forum..

iv) The neighbourhood forum has a written constitution

7.14. **Response:** The applicant has provided a written constitution, which is available as Annex 4 to this report.

7.15. In addition to the four conditions set out above, the legislation also states that a local planning authority has to have regard to three further considerations. The three further considerations are addressed below:

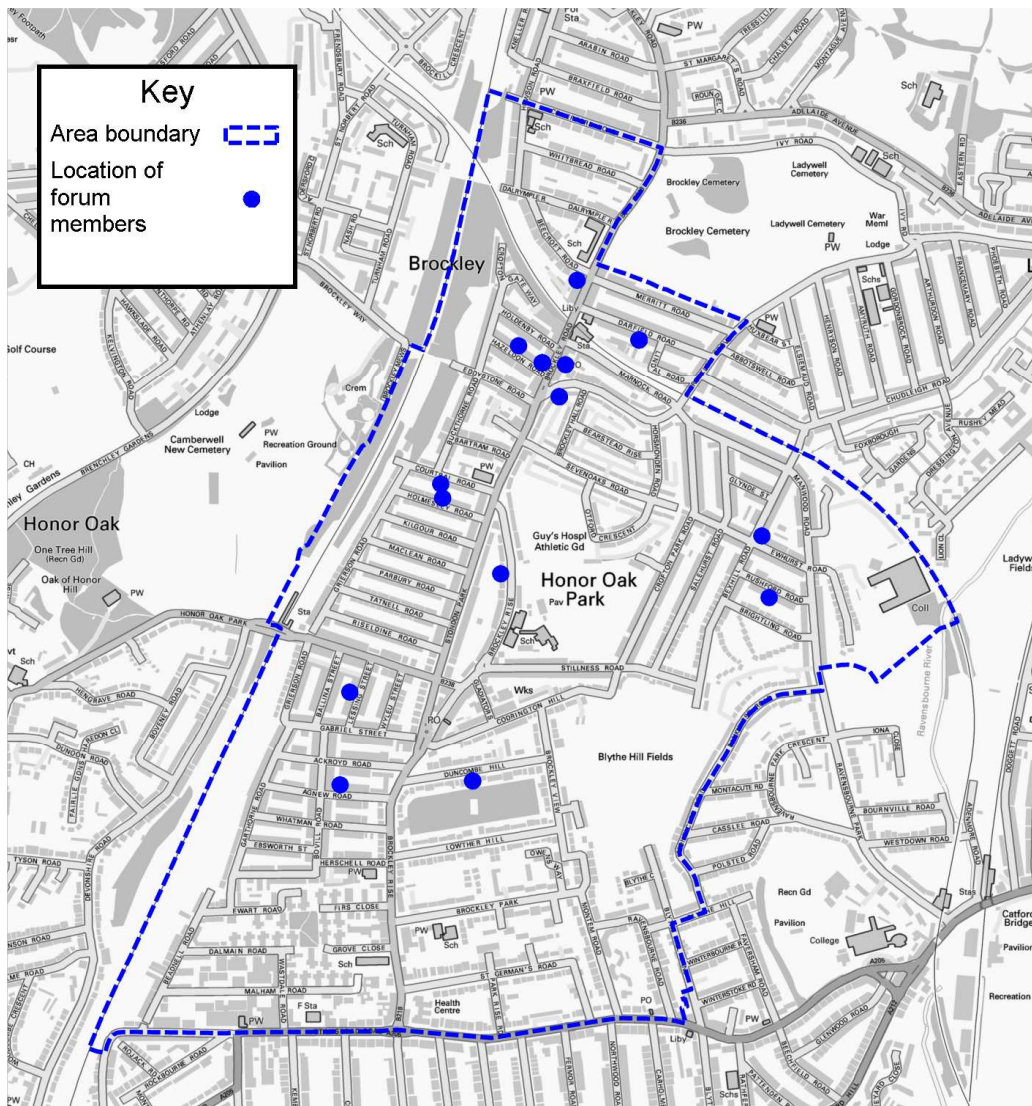
i) The desirability of designating an organisation or body which has secured (or taken steps to secure) membership from each of the required categories (i.e. people who live, work or are elected members).

7.16. **Response:** The forum meets this requirement, as it has 24 members, of which:

- 16 live in the area,
- 7 work in the area,
- and 1 is an elected member for the area.

ii) Whether membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in the area.

- 7.17. **Response:** The map below shows the geographic distribution of members of the Crofton Park and Honor Oak Park Neighbourhood Forum.
- 7.18. Members are drawn from different places within the proposed neighbourhood area. The members are not clustered in one specific location (see map below – please note that the locations of forum members are approximate, and that two or more forum members who share a similar postcode will be represented by only one dot on the map).
- 7.19. Members are also from different sections of the community. Membership includes residents of different areas; workers including café workers; shop owners; florists; opticians; and elected councillors.



iii) Whether the *purpose* of the neighbourhood forum reflects (in general terms) the character of the area.

- 7.20. **Response:** The written constitution states at paragraph 1.2 that the “purpose of the Forum is to promote or improve the social, economic and environmental well-being of the Crofton Park Ward”.
- 7.21. This purpose is reiterated and reflected in the Forum Objectives, found in paragraphs 4 and 4.1 of the constitution: The objectives include:
- improving the Crofton Park Ward area for the benefit of the inhabitants of the area;
 - preparing in partnership with the local planning authority a Neighbourhood Plan for the area or in partnership with other forums in the wider area;
 - conserving the character of the area;
 - promoting the social, economic and environmental well-being of the area;
 - working with members of the local community in assessing the priority of needs, and working together to address these needs;
 - encouraging the goodwill and involvement of the wider community; and
 - fostering community spirit and social cohesion and encouraging civic pride.
- 7.22. It is considered that the purpose of the forum reflects the character of the area. The area is classified as an area of stability and managed change in the Council’s Core Strategy. The purpose of the forum, to improve the social, economic and environmental well-being of the area without large scale growth or wholesale physical change, is therefore entirely in-keeping with the character of the area.
- 7.23. The objectives to work in partnership with the local planning authority and other forums, to encourage the involvement of the wider community, and to foster community spirit and social cohesion are all welcomed, and are especially relevant in ensuring those objectors who are outside of the area will not feel marginalised or excluded from the process and from the local community.
- 7.24. It is therefore considered that the purpose, and the objectives, reflect the character of the area, and therefore meet the legal requirements.

Neighbourhood forum application conclusion

- 7.25. The neighbourhood forum application meets the requirements of the Town and Country Planning Act (1990) (as amended) and the Neighbourhood Planning (General) Regulations (2012). It is recommended that the forum be designated by the Mayor of the London Borough of Lewisham.

8. Crofton Park and Honor Oak Park Neighbourhood Area application

- 8.1. Section 61G of the Town and Country Planning Act 1990 (as inserted into the Act by the Localism Act, Schedule 9) sets out the conditions that an application for a neighbourhood area must meet, as well as the considerations that a local planning authority should take into account when determining an application for the designation of a neighbourhood area.
- 8.2. The London Borough of Lewisham does not contain any parish councils, and there are currently no designated neighbourhood areas, therefore a number of the conditions and considerations do not apply. In light of these facts, there are two conditions and considerations relevant to this application, which are addressed in turn below.

i) Whether the application is submitted by a body which is capable of being designated as a neighbourhood forum.

- 8.3. This condition is met in the case of the application made by Crofton Park and Honor Oak Park Neighbourhood Forum. The assessment found in section 7 of this report outlines that the applicant is capable of being formally designated as a neighbourhood forum.

ii) Whether the area is considered to be an appropriate area.

- 8.4. The government's implementation of neighbourhood planning is characterised by a 'light touch' approach in terms of regulations and guidance, with the assumption that local authorities should not stand in the way of a community's wish to create a neighbourhood area.
- 8.5. This 'light touch' approach to determining neighbourhood area applications is seen in the National Planning Policy Guidance (the NPPG), which states that "The local planning authority should aim to designate the area applied for".
- 8.6. The NPPG states that a local planning authority should only refuse to designate an area applied for if it considers the area "is not appropriate". The NPPG gives guidance as to the issues that could be considered when setting the boundaries of a neighbourhood area, and this guidance can be used to help consider whether the proposed area is so erroneous as to be considered "not appropriate".
- 8.7. The NPPG guidance states that electoral ward boundaries can be an appropriate starting point when setting the size of an area, and that the following considerations could be taken into account:
- village or settlement boundaries, which could reflect areas of planned expansion;
 - the catchment area for walking to local services such as shops, primary schools, doctors' surgery, parks or other facilities;
 - the area where formal or informal networks of community based groups operate;
 - the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style;
 - whether the area forms all or part of a coherent estate either for businesses or residents;
 - whether the area is wholly or predominantly a business area;
 - whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway;
 - the natural setting or features in an area;
 - size of the population (living and working) in the area.

- 8.8. In the case of the current application, the Crofton Park Ward boundary has been used as the area boundary. The use of the existing ward boundary accords with a number of suggested considerations in the NPPG set out above.
- 8.9. The proposed area takes advantage of the existing formal ward assembly network that operates in the ward, and within the wider Borough. This would give the proposed forum the ability to build upon the existing community network, community contacts and the community cohesion that has been established through the assembly.
- 8.10. The proposed area also takes advantage of existing infrastructure and physical features that help define a natural boundary, as suggested by the NPPG. The entirety of the western boundary is defined by the Norwood Junction to London Bridge rail line, the entirety of the southern boundary is defined by Stanstead Road (A205 south circular), and part of the northern boundary is defined by the Thameslink Rail line.
- 8.11. However, it is also acknowledged that a significant number of objections have been received regarding the proposed area boundary, with a particular emphasis on the western boundary in the Honor Oak Park area where the boundary follows the Norwood Junction to London Bridge rail line.
- 8.12. There are two main areas of complaint raised by objectors, addressed in turn below.
- 8.13. First, concerns have been raised that those who live west of the railway line, but who use the amenities of Honor Oak Park parade, would be excluded from having an influence over the issues within the area. This is considered to be a valid concern which accords with the NPPG consideration that neighbourhood areas can be defined by catchment areas for local amenities.
- 8.14. However, it is also considered that there are no definitive catchment boundaries for local amenities in continuous urban areas such as those within the Borough, unlike the situation in rural neighbourhood which may have clearly defined settlement boundaries. In continuous urban areas there will always be an inherent concern by some members of the community on either side of a proposed boundary that they should either be included or excluded from the area. It should also be considered that catchment areas to local services are only one of the suggested approaches to defining neighbourhood areas set out in the NPPG.
- 8.15. In light of the inherent difficulties of defining a boundary in a continuous urban area and in light of the fact that the proposed boundary adheres with other considerations taken from the NPPG guidance, it is not considered that the objections and concerns raised in regards to the proposed area can be considered to render the area as “not appropriate” in the words of the NPPG.

- 8.16. Nevertheless, the concerns of those outside of the boundary, both in the Honor Oak Park area and in other areas surrounding the boundary, have been noted, and passed on to the applicants. It is considered that these concerns have been addressed through alterations to the constitution of the proposed forum. Please see paragraphs 7.8 to 7.11 of this report for further details.
- 8.17. The second main area of complaint raised by objectors is that the boundary excludes local features and amenities located west of the rail line in the London Borough of Southwark which are used by residents living within the proposed neighbourhood area. The local features and amenities include One Tree Hill park, the allotments, Camberwell New Cemetery, and Honor Oak Sports Ground. The fact that these amenities are outside of the proposed neighbourhood boundary means that a future neighbourhood plan for Crofton Park and Honor Oak Park will not be able to include policies regarding these amenities.
- 8.18. The Council does not have the power to designate a neighbourhood area outside its own administrative boundaries, therefore the Council cannot make the decision to extend the proposed neighbourhood area into Southwark.
- 8.19. However, the issues can still be considered as to whether the exclusion of these local features and amenities makes the proposed neighbourhood area “not appropriate” in the words of the NPPG.
- 8.20. It is accepted that the amenities in question are likely to be used by some of the residents within the proposed neighbourhood area. However, it is also considered that the inherent difficulty of defining boundaries in continuous urban areas, as discussed in the paragraphs above, must once again be taken into account.
- 8.21. The use of One Tree Hill, the allotments, Camberwell New Cemetery and Honor Oak Sports Ground is not exclusive to residents of Honor Oak Park. Those living around the Wood Vale Estate, Brenchley Gardens and Brockley Way will also utilise these amenities. Indeed, if joint neighbourhood area applications were to be submitted instead to designate Honor Oak Park residential area in Lewisham Borough along with the amenities in Southwark Borough, then it could face opposition from those who use the amenities who do not live in Honor Oak Park.
- 8.22. It is accepted that people from a number of different neighbourhoods use these amenities. Therefore, it is not considered that amenities in question are an essential part of the proposed neighbourhood area, nor is it considered that the proposed neighbourhood can be considered “not appropriate” because of the exclusion of these amenities.
- 8.23. Officers have taken into account the relevant legislation, the National Planning Policy Guidance (NPPG), the applicant’s submission and the representations received from the community. Officers have followed the NPPG guidance, and have found that the boundary of the area follows existing physical features

and takes advantage of existing formal community networks. Whilst the boundary is contested in some locations, it is considered that this stems from an inherent difficulty in finding an acceptable cut-off point in a continuous urban area, and it is considered that the issues raised are not so serious as to render the area as “not appropriate”.

- 8.24. The NPPG states that the Council should aim to designate the area applied for, unless the proposed area is considered “not appropriate”. In the current case the area is considered to be appropriate, and therefore officers recommend that the proposed area should be formally designated as a neighbourhood area.

9. Legal implications

- 9.1 The Localism Act allows local communities to shape their areas through the use of Neighbourhood Development Plans, which set out policies in relation to the development and use of land in a particular neighbourhood.
- 9.2 By virtue of section 61 G (1) of the Town and Country Planning Act a neighbourhood area means an area within the area of a local authority which has been designated by the authority as a neighbourhood area. The power to designate only arises where a relevant body, as defined by section 61G(2) has applied to the LPA for designation as a neighbourhood area.
- 9.3 A relevant body includes a body “which is or is capable of being” designated a neighbourhood forum. The designation of a Neighbourhood Area and the Neighbourhood Forum may be dealt with under one report, they are nevertheless two separate decisions.
- 9.4 The Town and Country Planning, England - Neighbourhood Planning (General) Regulations 2012 sets out what the Council must do regarding publicity for a designated forum. This states at regulation 10 that 'as soon as possible after designating a neighbourhood forum, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring to the attention of people who live, work or carry on business in the neighbourhood area: (a) the name of the neighbourhood forum; (b) a copy of the written constitution of the neighbourhood forum; (c) the name of the neighbourhood area to which the designation relates; and (d) contact details for at least one member of the neighbourhood forum.
- 9.5 The discretion given to local authorities by section 61G is broad. The exercise of that discretion turns on the factual and policy considerations which exist in the individual case at the time the determination is made.
- 9.6 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.

9.7 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.

9.8 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.

9.9 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/>

9.10 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

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. Financial Implications

- 10.1 There are no additional costs to the Council arising from this report. The planning service have a duty to support neighbourhood forum in preparing neighbourhood plans and to this end there is an impact on the planning service in terms of staff time however these costs will be contained within the existing planning service budget.

11. Equalities Implications

- 11.1. The Equality Act 2010 became law in October 2010. The Act aims to streamline all previous anti-discrimination laws within a Single Act. The new public sector Equality Duty, which is part of the Equality Act 2010, came into effect on the 5 April 2011.
- 11.2. The Equality Duty has three aims. It requires public bodies (including local authorities) when making decisions to have due regard to the need to
- eliminate unlawful discrimination, harassment, victimisation and any conduct prohibited by the Equality Act 2010
 - advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - foster good relations between people who share a protected characteristic and people who do not share it.
 - 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.

- 11.3. The Council will need to advise the Neighbourhood Forum if an Equalities Analysis Assessment (EAA) should be prepared as part of the preparation of the neighbourhood plan.
- 11.4. An EAA is the process of systematically analysing a proposed policy to identify what effect, or likely effect, will follow from the implementation of a policy for different groups in the community. By undertaking the EAA as part of the Neighbourhood Plan process it will ensure that equalities impacts have been fully taken into account in a systematic way.

12. Environmental implications

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

13. Conclusion

- 13.1. The Localism Act 2011 introduced a discretionary power for local communities to prepare neighbourhood plans. The Council has a duty to assist with the preparation of neighbourhood plans. The first stage of neighbourhood planning is the designation of neighbourhood forums and areas.
- 13.2. The Council received an application to designate a neighbourhood forum for Crofton Park and Honor Oak Park and an application to designate a neighbourhood area for Crofton Park and Honor Oak Park. Officers consider that the applications meet the requirements of the relevant legislation.
- 13.3. Officers consider that the proposed forum's membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in the area, and that the purpose of the neighbourhood forum reflects (in general terms) the character of the area. Therefore it is recommended that the proposed neighbourhood forum is formally designated.
- 13.4. Also, officers consider the proposed neighbourhood area to be an appropriate neighbourhood area in regards to local physical and social characteristics. Therefore it is recommended that the proposed neighbourhood area is formally designated.
- 13.5. Officers acknowledge that a number of objections have been raised to the applications regarding the exclusion of those outside the neighbourhood area from participation in the forum in combination with a concern that the boundary of the area should be wider. Officers consider that the legal requirements of the applications have been met, and that the area cannot be considered to be "not appropriate", and therefore the applications should be approved. However, in light of objectors' concerns, the Council has worked with the Forum to widen forum membership to include those who live outside of the proposed boundary, albeit without forum voting rights. Officers consider that this should promote community cohesion and will ensure that those outside of the proposed boundary are able to participate.

Background documents

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Neighbourhood Planning (General) Regulations	2012	Laurence House	Planning Policy	Brian Regan	No
Town and Country Planning Act (as amended)	1990	Laurence House	Planning Policy	Brian Regan	No
Localism Act	2011	Laurence House	Planning Policy	Brian Regan	No

If you have any queries on this report, please contact Brian Regan, Planning Policy Manager, 3rd floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 8774.

Annex 1: Crofton Park and Honor Oak Park Neighbourhood Area Application Form

Annex 2: Crofton Park and Honor Oak Park Proposed Neighbourhood Area Map

Annex 3: Crofton Park and Honor Oak Park Neighbourhood Forum Application Form

Annex 4: Crofton Park and Honor Oak Park Neighbourhood Forum Constitution

Annex 5: Summary of Consultation Responses

**London Borough of Lewisham
Neighbourhood Area Application**

Name of proposed neighbourhood area

Crofton Park and Honor Oak Park Neighbourhood Area (referred to as 'The Area' in the rest of this application)

Contact details of one Forum member to be made public

Cllr Pauline Morrison
26 Claybank Grove, Lewisham, SE13 7TD
cllr_pauline.morrison@lewisham.gov.uk
020 8244 5315
Councillor, Crofton Park Ward

OS Map showing the proposed neighbourhood area attached

Statement explaining that your organisation is a 'relevant body' for the purposes of section 61G of the Town and Country Planning Act 1990 (as amended)

The founding membership of the proposed Crofton Park and Honor Oak Park Neighbourhood Forum consists of those individuals who have, through their connections to the Crofton Park Ward Assembly and local community involvement, expressed an interest in forming a body representing, consisting of, and working for the shared benefit of the local community which lives and works in the Area described in this application. Please see the associated application for the formation of the Crofton Park and Honor Oak Park Neighbourhood Forum, and note that membership of this body will be open to all who live and work in the designated Area or who serve as its elected representatives. This body, which seeks recognition as a Neighbourhood Forum, has agreed a constitution which accompanies this application.

Agreement of the Area boundary was confirmed at a meeting open to all Crofton Park and Honor Oak Park residents, held in Crofton Park Library on 25 October 2013. At this meeting committee officers were elected. Members of the new Neighbourhood Forum intend to establish a Neighbourhood Plan for the Area over the next 18 months.

The involvement of local residents and business owners in the setting up of the Neighbourhood Forum has grown from several years of the local community meeting and working together as part of the Crofton Park Ward Assembly. A culture has developed where local residents and business people are engaged in discussing and working together on issues of shared concern (for example, major planning applications, local amenities such as the Library, transport, and community cohesion demonstrated in such events as 'Croftfest' and 'HOPpy Christmas', Crofton Park Carnival and the more established Blythe Hill Fields Festival).

The Neighbourhood Area is identical to the current Crofton Park Ward of the London Borough of Lewisham. The exact boundary of the Area is outlined on the high-resolution map file attached to this application.

The Area boundary is defined by the railway/London Overground line which runs between Brockley and Forest Hill (to the west) and the South Circular road (to the south). The northern boundary is part-bordered by the perimeter of the Brockley and Ladywell Cemetery and the railway line which runs from Crofton Park to Catford. To the east, the Area crosses part of Ladywell Fields and is bordered by the south-east perimeter of Blythe Hill Fields.

As much of the Area's boundary is defined by railway lines which cannot be easily crossed, along with the north side of the South Circular road and the perimeter of large open sites such as Blythe Hill Fields and the Brockley and Ladywell Cemetery, the Area, means that the Area has a natural perimeter and identity. Although it is identical to the Crofton Park Ward boundaries, it is important to include 'Honor Oak Park' in the designated Area's name to reflect the large part of the Area in SE23 and to ensure this part of the Area is never overlooked.

The Area is of mixed use:

Residential

The Area is largely residential in nature typically composed of late 19th century/early 20th century terraced housing as well as 1920s/30s terraced and semi-detached housing. The composition of housing is 55% owner-occupied, 25.8% private rented and 16.8% social rented (source: 2011 Census). The largest area of social housing – the Ewart Estate – is situated in the south west of the Area and consists of approximately 250 properties constructed in the 1970s.

Business

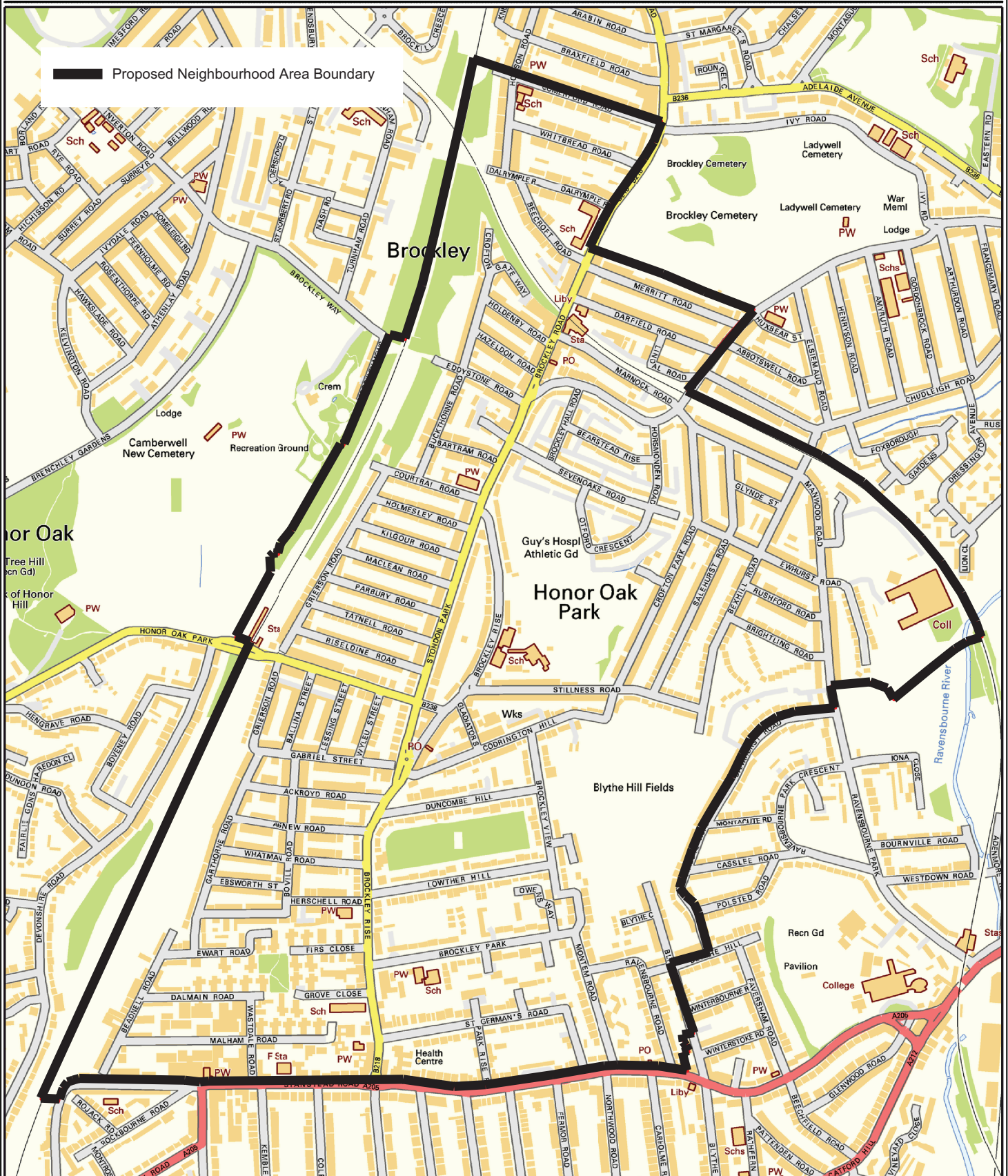
The main high street locations of shops in the Area are along Brockley Road to the north (known locally as 'Crofton Park High Street') and the shopping parade along Honor Oak Park. There are smaller enclaves of shops at Ewhurst Road SE4, Brockley Rise (between Stillness Road and Codrington Hill, and between Stanstead Road and Firs Close) and along parts of Stanstead Road. There is an industrial estate along Malham Road to the south west of the Area.

Social amenities

The Area borders the Brockley and Ladywell Cemetery and contains part of Ladywell Fields. It also includes Blythe Hill Fields to the south east and the Guy's Hospital Athletic Grounds/King's College Sports Ground situated at the heart of the Area.

15 January 2014

Proposed Crofton Park and Honor Oak Park Neighbourhood Area



This map is reproduced from Ordnance Survey material with the permission of the Controller of Her Majesty's Stationery Office. Crown copyright and database rights: 100017710 [2013]

A3 NOT TO ANY RECOGNISABLE SCALE

date: 06/12/2013
 drawn: ACM
 coloured: ACM
 drawing ref: M/PROJ/A&A/CROFT.P WARD

MAP 2

CORPORATE ASSET SERVICES

Lewisham

DataGraphics
 Laurence House
 1 Catford Road
 Catford, London
 SE6 4RU



tel.: 0208 314 8262
 datagraphics@lewisham.gov.uk

**London Borough of Lewisham
Neighbourhood Forum Application**

Name of proposed neighbourhood forum

Crofton Park and Honor Oak Park Neighbourhood Forum (referred to as 'The Forum' in the rest of this application)

Name of proposed neighbourhood area

Crofton Park and Honor Oak Park Neighbourhood Area

Contact details of one Forum member to be made public

Clr Pauline Morrison
26 Claybank Grove, Lewisham, SE13 7TD
cllr_pauline.morrison@lewisham.gov.uk
020 8244 5315
Councillor, Crofton Park Ward

Copy of written constitution attached

OS Map showing the proposed neighbourhood area attached

Statement explaining how the proposed forum is established to promote or improve the social, economic and environmental wellbeing of the area

The Forum will draw on the established local community structures, including members of the well attended Crofton Park Ward Assembly, local residents, community groups and businesses. It will work to the following objectives:

- to improve the Crofton Park Ward area for the benefit of the inhabitants of the area;
- to prepare in partnership with the local planning authority a Neighbourhood Plan for the area or in partnership with other forums any wider area;
- to conserve the character of the area, set out in the Design Statement of the Neighbourhood Plan;
- to promote the social, economic and environmental well-being of the area;
- to work with members of the local community in assessing the priority of needs, and to work together to address these needs;
- to encourage the goodwill and involvement of the wider community; and
- to foster community spirit and social cohesion and encourage civic pride

Statement on membership

Membership of the Forum is open to those who live or work in Crofton Park Ward and to the area's elected representatives.

Founding members include residents of both SE4 and SE23 postcode areas, local businesses people who have been involved in Ward Assemblies and in community activities, and members of local community groups such as the Crofton Park Transport Users' Group and the Crofton Park Community Garden project.

The formation of the Forum has been trailed at Ward Assembly meetings in 2013 as well as in the promotional Assembly leaflet distributed to every home in Crofton Park Ward.

Members

Please see the individual membership application forms attached to this application. A central list will not be maintained electronically at this point in view of data protection considerations. Category of membership appears in the top left-hand corner of each joining form.

Publication of names

Prospective members were told that their names and category of membership would be in the public domain **but that their addresses and contact details would be published.**

12 January 2014

CROFTON PARK & HONOR OAK PARK NEIGHBOURHOOD FORUM CONSTITUTION

Name

1. The name of the forum shall be the Crofton Park & Honor Oak Park Neighbourhood Forum, hereafter referred to as 'the Forum'.

Neighbourhood Area

2. The Forum will pursue its objectives in the Crofton Park Ward of the London Borough of Lewisham for the benefit of the inhabitants of the area including residents, business operators and properly constituted community and voluntary groups. The Area is defined in the Crofton Park Ward map available at: <http://tinyurl.com/CroftonParkWardMap2013>.

Purpose

3. The purpose of the Forum is to promote or improve the social, economic and environmental well-being of the Crofton Park Ward and to be the lead body in relation to all matters within its Ward Boundaries

Objectives

4. The provision for a neighbourhood forum is set up under the provisions of the 2011 Localism Act. The main purpose of the neighbourhood forums in that Act is to produce a Neighbourhood Plan to further the social, economic and environmental well-being of individuals and organisations in the Area.

4.1 The objectives of the Forum shall be:

- to improve the Crofton Park Ward area for the benefit of the inhabitants of the area;
- to prepare in partnership with the local planning authority a Neighbourhood Plan for the area or in partnership with other forums any wider area;
- to conserve the character of the area, set out in the Design Statement of the Neighbourhood Plan;
- to promote the social, economic and environmental well-being of the area;
- to work with members of the local community in assessing the priority of needs, and to work together to address these needs;
- to encourage the goodwill and involvement of the wider community; and
- to foster community spirit and social cohesion and encourage civic pride.

Powers

5. In furtherance of the objects, but not otherwise, the Forum's Management Committee may exercise the power:

- to promote the health and social, economic and environmental wellbeing of the residents of the area and to work together as members irrespective of gender, ethnicity, ability, religion, sexual orientation or political view;
- to promote sustainable development, environmental improvement and conservation;
- to work with groups of a similar nature and exchange information, advice and knowledge with them, including cooperation with other voluntary bodies, charities, statutory and non-statutory organisations;
- to publicise and promote the work of the Forum and organise meetings, training courses, events, seminars, etc;
- invite and receive contributions and raise funds where appropriate, to finance the work of the Forum, and to open a bank account to manage such funds;
- to employ staff and/or volunteers (who shall not be members of the Management Committee) as are necessary to conduct activities to meet the objectives;
- to take any form of action that is lawful, which is necessary to achieve the objects of the Forum, including taking out any contracts which it may see fit; and
- to receive contributions through a membership fee, if desired.

Membership

6.1 The Forum will comprise at least 21 individuals who live or work in the Crofton Park & Honor Oak Park Neighbourhood Area or who are elected members of Lewisham Council's Crofton Park Ward.

6.2 Membership is voluntary and open to individuals who live or work in the Neighbourhood Area who has an interest in assisting the Forum to achieve it's objectives and is willing to adhere to the rules of the Forum.

6.3 Membership shall be drawn from different places in the neighbourhood area and different sections of the community in the neighbourhood to reflect the diversity, character and inclusivity of the area.

6.4 All members shall have an equal vote.

6.5 The Secretary shall maintain a list of members at all times.

6.6 Any member of the Forum may resign their membership by providing the Secretary with written notice.

Management Committee

7.1 The Forum shall be administered by a management committee of no less than three people and no more than 15, who must all be at least 18 years of age.

7.2 Management committee members will be elected at an Annual General Meeting for a period of one year and must stand for re-election at the Forum's AGM

7.3 Management committee members can appoint officers from within the membership, to fill vacancies that arise during the year.

7.4 Subcommittees or working groups can be appointed by the Forum Committee to carry out specific tasks, consider policies and advise the Forum Committee.

7.5 The Forum Committee can co-opt replacement members up to the full management committee number of 15. Co-opted members will have the same voting rights as all the other members of the Committee. They will be able to stand as officers.

7.6 A Committee member shall be asked to resign if failing, without reasonable explanation and previous apology, to attend two consecutive committee meetings.

Officers

8.1 The Forum's management committee shall consist of a Chair, Vice-Chair, Secretary and Treasurer.

8.2 The Chair:

- shall provide leadership and motivation;
- shall be the chief presiding officer and chairperson for the Forum and meetings with a casting vote in any tie of votes only;
- shall lead the Forum in all formal communication and business with external organisations and individuals, being its spokesperson;
- shall have the power to take decisions on urgent matters between meetings of the Forum; and
- shall enforce the Constitution.

8.3 Vice-Chair:

- shall be the Chair's alternate in their absence, with all the duties and responsibilities of the Chair during the Chair's absence; and
- shall be from another area of the neighbourhood or community organisation than that of the Chair.

8.4 Secretary:

- shall be responsible for maintaining all meeting records and notes; and
- shall be responsible for correspondence (including email) with Forum members and outside organisations.

8.5 Treasurer:

- shall be responsible for maintaining all budgetary records;
- shall be responsible for monitoring expenditure; and
- shall be responsible for the publication of statement of accounts.

Meetings

9.1 General meetings:

- all Forum members shall be invited to general meetings at least four times per year;
- for general meeting business to be conducted, a quorum of 21 members must be present at the meeting;
- all members shall be given at least 14 days notice of when a meeting is due to be held.

9.2 Annual General Meetings:

- one of the Forum's general meetings shall be its Annual General Meeting (AGM) where the management committee will be elected and deliver a report of activities

in relation to each of the Forums objectives by the Chair and a statement of income and expenditure will be presented by the Treasurer;

- for AGM business to be conducted, a quorum of at least 12 persons must be present at the meeting;
- all Forum members are entitled to vote at the AGM. Voting shall be conducted by a show of hands on a majority basis. In the case of a tied vote, the Chair or an appointed deputy shall make the final decision;
- all members shall be given at least 28 days' notice by email of when a meeting is due to be held and all meetings will be publicised on the Forum's webpage on the www.CroftonPark.com website.

9.3 Special General Meetings:

- Special General Meetings may be called from time to time by the Management Committee solely to consider amendments to the constitution or dissolution of the Forum. These shall be subject to the same rules as for conduct of Annual General Meetings.

9.4 Management Committee Meetings:

- The Management Committee shall meet at least six times a year. Meetings shall enable the Committee members to discuss actions, monitor progress to date, and consider future developments.
- All members shall be given at least 14 days' notice of when a meeting is due to be held, by email or as otherwise agreed at a meeting of the Management Committee.
- Two-thirds of committee members must be present in order for a meeting to take place.

Finance

10.1 Any money acquired by the Forum, including donations, contributions and bequests, shall be paid into an account operated by the Management Committee in the name of the Forum.

10.2 All funds must be applied to the objectives of the Forum and for no other purpose.

10.3 A bank account shall be opened in the name of the Forum. Any deeds, cheques etc relating to the Forum's bank account shall be signed by at least two of the following committee members: Chair, Treasurer or Secretary.

10.4 Any income/expenditure shall be the responsibility of the Treasurer who will be accountable to ensure funds are utilised effectively and that the Forum stays within budget.

10.5 Official accounts shall be maintained, and will be examined annually by an independent auditor who is not a member of the Forum.

10.6 An annual financial report shall be presented at the AGM. The Forum's accounting year shall run from 1 April to 31 March.

Neighbourhood Plan

11.1 The Forum will produce a Neighbourhood Plan in accordance with the legal requirements and regulations.

10.2 The Forum shall set up web pages on www.CroftonPark.com to publicise the neighbourhood planning process, record it and seek views of the public.

Amendments to the Constitution

11.1 Any changes to this constitution must be agreed by a majority vote at a Special General Meeting, called exclusively for the purpose.

11.2 Proposed amendments to this Constitution or dissolution of the forum must be conveyed formally to the Secretary in writing. The Secretary and other Management Committee officers shall then decide whether to put the proposed amendments to a Special General Meeting for discussion.

Dissolution

12.1 The duration of the Forum shall be for five years from the date of designation by the local authority.

12.2 The Forum may be dissolved if deemed necessary by the members in a majority vote at a Special General Meeting. Any assets or remaining funds after debts have been paid shall be returned to their providers or transferred to local charities or similar groups at the discretion of the Forum's Management Committee.

This constitution was adopted at an Inaugural Meeting of the Crofton Park & Honor Oak Park Neighbourhood Forum held at _____ on _____ by:

Signed: Chair

Signed: Vice-Chair

Signed: Treasurer

Signed: Secretary

Signed: Member

Signed: Member

Summary of consultation responses to the applications for Crofton Park and Honor Oak Park Neighbourhood Area and Forum

Rep ID	Categorisation	Summary
1	Support	I support a forum for this area.
2	Support	I support the forum. There are too many small houses in area. I have a query regarding a specific development.
3	Support	I agree with purpose and objectives. The neighbourhood plan will benefit local community. It will increase community cohesion.
4	Qualified Support	I was delighted to see proposal, until I realised my street (Elsiemaud Road) will not be included. I use Crofton Park post office and shops, and Crofton Park station, and live next door to Crofton Park Baptist Church. Elsiemaud Road should be included in the area.
5	Support	Excellent idea. I hope to be involved. I am concerned about currently proposed block of flats in area.
6	Comment	How will the proposal differ from the current assembly?
7	Object	The proposal does not include all of Honor Oak Park. I would not support proposal if it will not cover entire area.
8	Support	We are in favour. It will be positive for the area.
9	Comment	I am not within the proposed area, so why have I received this mailshot? It is a waste of time and money.
10	Comment	I do not object to the area, but the boundary does seem arbitrary. The constitution seems fine, but I'd expect those outside the area to be able to engage with the plan.
11	Support	I am writing in support of the proposed forum.
12	Object	The forum is dominated by Crofton Park residents. I live in area, at Whatman Road, and I feel geographically closer to Forest Hill. I use facilities in Forest Hill, not Crofton Park. Honor Oak will not be the focus of the forum, so will not benefit. I suspect few residents of SE23 would wish to join forum. I am concerned that a group of people elected by a small number will have power. I don't know anything about their expertise, motives or plans.
13	Qualified Support	I live at Chudleigh Road, west of Bexhill Road, and consider this to be part of Crofton Park. The boundary should include this area. I would like to become involved. I cannot find the forum's constitution so cannot comment on this aspect. I would very much like to become involved in planning in Crofton Park.

Rep ID	Categorisation	Summary
14	Support	It is an excellent idea, and we strongly support it. The forum should include "Honor Oak Park" in the title. Crofton Park is not accurately named. Crofton Park station has a lousy train service.
15	Support	I am very supportive of the idea. I agree with the proposed area and constitution.
16	Qualified Support	The naming of the borough, wards and forum is confusing. The label on the map saying "Honor Oak Park" is in the wrong place. Will the college receive one vote, or will every teacher and pupil receive a vote? I thought there was already a similar group for Crofton Park - will this proposal replace the existing group? Would the objectives of the forum include improving the appalling train service from Honor Oak Park and Brockley? If so, then I am all for it.
17	Support	I am very interested. The area boundary accords with my understanding of the neighbourhood. I agree with the purpose and objectives. A recent development was of a poor quality.
18	Comment	The proposal sounds Crofton Park-centric. Honor Oak Park already has a community group. Crofton Park (between Beecroft Road and Eddystone / Sevenoaks Road) seem to be neglected. No theoretical issue with combining two areas, but wouldn't want to see things move away from Honor Oak Park.
19	Object	The boundary of Crofton Park along with an incomplete area of Honor Oak Park is not well thought out. Arbitrary line has been used as area boundary. Shows a lack of understanding of areas to west of railway line (One Tree Hill and residents in wedge shaped area between Honor Oak Park (road) and Devonshire Road. Honor Oak Park fosters village atmosphere centred on parade. People within short walking distance of the parade have an interest in the centre of Honor Oak Park. However I have no special interest in Crofton Park. There should be a sharper targeting of neighbourhood boundaries. Honor Oak Park should go it alone.
20	Support	I fully support the proposal to create a forum. A minor point is that the boundary should extend to the west boundary of St Dunstan's College, to include all of Ravensbourne Road, Winterstoke Road, all Blythe Hill and Stanstead Grove.
21	Support	We approve of the forum and wish to join.
22	Support	The proposed area is a suitable neighbourhood. It would be hard to find a boundary between Crofton Park and Honor Oak Park. The railway forms a prominent boundary. The purposes and objectives of the constitution are in line with the ambition of giving local people the opportunity to enhance their community in line with their views.
23	Object	Please don't waste your money on another community forum. Money should be spent on services, not on a talking shop. Council officers and elected politicians already know what needs to be done.

Rep ID	Categorisation	Summary
24	Comment	I'd like to propose that Polsted Rd be included within the boundary - our neighbourhood is definitely part of the Blythe Hill Fields area rather than the general Catford area.
25	Support	We agree with the purpose and objectives of the forum.
26	Comment	A boundary is difficult to define, and the proposed boundary is as good as any. I agree with the purpose and objectives. The information provided is too long and full of jargon.
27	Support	I welcome the creation of the neighbourhood area. I wish to build an extension in the near future. I wish to be kept informed.
28	Support	We are interested in the forum. There is a growing community here. We socialise together, so it makes sense to come together on local issues.
29	Comment	The boundary does not align with my understanding of the area. The boundary should start at Whitbread Road. I agree with the purpose and objectives. Is there a neighbourhood forum for Brockley?
30	Object	I oppose the current proposal. It seems to be driven by residents of Crofton Park, with Honor Oak Park as an afterthought. The proposed boundary doesn't match up with the boundary of Honor Oak Park on a map. The boundary of Honor Oak Park is Forest Hill Road. Honor Oak Park has a stronger link with Forest Hill, and should link up with that area. Crofton Park is better linked to Brockley. I hope the proposals can be revised.
31	Qualified Support	Devonshire Road (at least the northern portion from Tyson Road to Honor Oak Park) should be included in the area. It is less than half a mile from the centre of Honor Oak. I urge you to amend the area. Residents of Devonshire Road are part of the Honor Oak Park community, and I would like to be part of the forum.
32	Qualified Support	I am interested in the forum. I agree with objectives. But Polsted Road should be included.
33	Object	I disagree with the boundary. It shouldn't end at the railway line (near Honor Oak Park station). It should continue west and include One Tree Hill as it provides important amenity space and contributes to the character of the area. It should include Hengrave Road and Boveney Road because this is the catchment of the station. Honor Oak Park has as much in association with Forest Hill as it does with Crofton Park.
34	Comment	The area should include Braxfield Road.

Rep ID	Categorisation	Summary
35	Support	We are enthusiastic about the proposal. The community can assist and deal with planning issues. People are coming together more, and would like to have a say, both in Crofton Park and Honor Oak Park.
36	Object	Why have the forum members not been listed? Decisions will be taken in line with the design statement in the neighbourhood plan, however the plan hasn't been produced yet. We only know the aims of the forum, we don't know what it will do. I can't support the forum due to the uncertainties.
37	Support	I support the forum. The area is sensible. I hope design and planning issues can be considered in conjunction with neighbouring wards. The first objective of the forum should refer to "residents and businesses". "Inhabitants" is vague, and businesses should be included.
38	Object	My notion of my neighbourhood extends into Southwark - Brockley Way, Brenchley Gardens and the vicinity. Some of the other areas are of little interest to me. Southwark has previously consulted Lewisham residents regarding the expansion of the burial space
39	Qualified Support	I support the idea of a forum in principle, I do not agree with the area. I live at Bovill Road, and I do not see Crofton Park as being part of the same neighbourhood. I do see One Tree Hill and the allotments as being my neighbourhood. The boundary should not stick rigidly to the ward boundary.
40	Support	I support the formation of the forum.
41	Comment	The objectives should be further justified - there are limited development opportunities in the area. Proposal may result in duplication in planning system with no benefits. Application lead should not be elected councillor, as it should be lead from community.
42	Support	We like the idea of the neighbourhood area.
43	Comment	We live at Polsted Road, just outside the proposed boundary. We want to be included in the forum. We consider ourselves in Blythe Hill (which is in the area), not Crofton Park or Honor Oak Park. We would be unhappy at the creation of a plan that includes Blythe Hill which excludes from it the people who live close to it and regularly use it. The boundary is wrong.
44	Object	We don't agree with the boundary. It needs to include more of Honor Oak Park rather than splitting it in two.
45	Support	I support the proposed forum. I attend assembly meetings, residents and businesses are passionate when it comes to their local area. I am chair of EPSP at the Ackroyd - a project for elderly people - these people would welcome the opportunity to voice an opinion on local matters.

Rep ID	Categorisation	Summary
46	Support	This is a good idea. We need a forum to discuss how to make our neighbourhood a good place to live and work. The anti Domino Pizza campaign showed how strongly people feel about the quality of local businesses. The Council have not kept us informed about the fight to prevent Tesco's opening opposite Budgens. I live in Sevenoaks Road and have had to put up with this ugly building site which is now attracting fly tipping. No one knows what is happening.
47	Support	I am writing on behalf of the Ackroyd Community Association to express support for the creation of a Neighbourhood Forum for Crofton Park Ward.
48	Object	The area is misnamed. It only covers part of Honor Oak Park, which in the view of most residents stretches over the railway line up to the hill. The road called Honor Oak Park should be included. Honor Oak Park doesn't follow the ward boundary. Creating an area with a name which doesn't match the boundary is likely to result in a lack of cooperation and commitment. A distinction could be drawn between Honor Oak Park and Honor Oak, with the former being smaller than the latter. But to say Honor Oak Park road is not in Honor Oak Park is indefensible. It is not clear what advantage it will bring. We already have societies with better boundaries. I am opposed to the application.
49	Object	I am not sure we need another level of committees and politicians given that we already have a very good and helpful planning department. It is government policy to help development of housing and schools etc, and this will only hold up development. We recently contacted the local councillors regarding an application at Prendergast Ladywell Fields College, but both Labour councillors refused to help as they supported the development. I was banned from attending meetings. Once they realised level of concern they made feeble effort to help out. Their job is to represent constituents, but they didn't. This forum is not needed. Instead we could have Facebook page for every street in the borough. We do not need another level of bureaucracy at the mercy of politicians.
50	Object	I am opposed to the proposed area. The boundary cuts the area in half. It should extend west at least as far as St Augustine's but ideally as far as Honor Oak Road and Brenchley Gardens. It should include the north part of Devonshire Road. The local shops for these places is Honor Oak Park. The boundary should not follow the ward boundary. If the area is not extended west, then I am opposed to the whole proposal.
51	Object	The proposed area does not align with my understanding of the neighbourhood I live in. My neighbourhood includes Honor Oak Recreation Ground and One Tree Hill. I am aware that Honor Oak Park is split by the railway line and crosses two boroughs, and I am against boundary lines that do not take this into consideration.
52	Object	I am opposed. I do not see the benefits. It adds an unnecessary level of bureaucracy. It will be unrepresentative. We already have an elected council. It will have no power over neighbouring developments such as Catford dog track, which was not properly consulted on. The Neighbourhood Plan will just be a hotch potch of control that will still need to accord with planning regulations, and will be subject to bullying by developers and will penalise individual residents.

Rep ID	Categorisation	Summary
53	Object	I do not agree with "Honor Oak Park" being in the title. The boundary replicates Crofton Park Ward. The boundary does not include Honor Oak Road and only includes part of Honor Oak Park road. Honor Oak Park station is the nub of Honor Oak and includes One Tree Hill from which the area gets its name. One Tree Hill is a central feature of Honor Oak's landscape.
54	Qualified Support	The general principle is very appropriate as Honor Oak does not engage easily with either Forest Hill or Peckham Rye. The high streets of Honor Oak and Crofton Park are closer. However, I live in Honor Oak Rise, and find it extraordinary that my road (and others bearing the Honor Oak name) and the principle church (St Augustine's) are not included in the area. It is stated that the railway line provides an obvious delineation, but there is a bridge over the line by the station, Such a delineation is therefore archaic. Many people outside area use the station - the area only covers half of the catchment area. The station is a focus for local people and their identity. Maybe a small area of Southwark could be re-designated as Lewisham.
55	Support	I support the proposal. It sounds like an excellent initiative.
56	Support	I support the proposal, and hope we are successful.
57	Support	We think this is a fantastic idea. It will foster a greater sense of community engagement. The area is often lumped in with Forest Hill, which is a different neighbourhood with different needs and interests.

Rep ID	Categorisation	Summary
		<p>I write on behalf of the Forest Hill Society. The proposed boundary does not represent the neighbourhood as it actually functions. It excludes many residents who rely on and use key parts of the area. The constitution states that the plan is for the benefit of inhabitants of the area, therefore many people who associate with Crofton Park and more particularly Honor Oak Park will be excluded from membership and from voting for in the referendum.</p> <p>The boundary reflects the ward boundary. There is no reason for this to be the case. The boundary should reflect the functional neighbourhood. The proposed boundary does not reflect the functional neighbourhood of Honor Oak Park as it excludes half the community to the west of the railway line. This is a significant problem as a key area of benefit could be improvements to Honor Oak Park and the local shopping centre, however many relevant residents would be excluded.</p> <p>Honor Oak Recreation Ground is a key open space which is included. One Tree Hill is excluded but we can see that it may have a wider significance.</p> <p>There is also a concern that the southern part of the boundary is functionally Forest Hill.</p> <p>At a recent Crofton Pak Ward Assembly meeting we understand residents who were from outside the boundary area who had gone along to take part in the discussion were excluded from the discussion. The boundary may create more problems than it solves.</p> <p>This is in contrast to the Grove Park proposal which appears to have covered issues relating to the proposed area in greater detail.</p> <p>Lewisham could consider separating the approval of the boundary from that of the forum. The boundary can be considered first, and then the forum and constitution can be considered in light of the boundary.</p> <p>We have spoken to a number of Forest Hill Society residents, who share the concern regarding the boundary.</p> <p>The constitution only includes those who live and work in the area. It is not clear how the views of people living nearby will be taken into account.</p> <p>We are aware there is a duty to consult neighbouring groups as part of regulation 14 set out in the Neighbourhood Planning regulations, however at that stage it will be too late to have a meaningful impact.</p> <p>In parished areas outside of urban areas it may be appropriate to exclude non-residents, but not in dense urban areas.</p> <p>The draft constitution says positive things about working with local groups and being inclusive, but this may not reflect the intention when it comes to dealing with groups such as the FHS who operate partially in the area. In an urban area it is important to address this type of overlap.</p> <p>We would like assurances, if this application is approved, that the Forest Hill Society as key civic group and local stakeholder with members in a large part of the proposed area would be able to contribute and collaborate.</p> <p>We would welcome the opportunity to engage, and have made attempts to do so. We want to work with any</p>

Rep ID	Categorisation	Summary
59	Object	<p>The proposed area does not align with our understanding of the local neighbourhood.</p> <p>The area splits Honor Oak Park in two.</p> <p>It divides the community around Honor Oak Park and station.</p> <p>It fails to take advantage of the possibility to cross boundaries. Instead it reinforces the division of the borough line which separates residents from their amenity space (Honor Oak Park Recreation Ground, One Tree Hill, and allotments).</p> <p>It would exclude part of Honor Oak Park community from having influence over the neighbourhood's future.</p> <p>There are streets to the north and east of the boundary that are closer to Crofton Park than alternative centres. These residents are precluded from involvement.</p> <p>The proposed boundary runs along the middle of residential streets in places. The idea that two sides of the same street are in separate neighbourhoods is absurd.</p> <p>We have been contacted by constituents regarding this matter.</p>
60	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary as it divides the Honor Oak Park community in two. It excludes key assets (including Honor Oak Recreation Ground, One Tree Hill and St Augustine's), and alienates a large number of residents who live outside the boundary who identify as being part of the Honor Oak Park community.</p> <p>The constitution excludes anyone living outside the boundary. This will entrench the issue of Honor Oak Park being split between different wards and boroughs.</p> <p>A key stage of the Localism Act - identifying the area - has not been properly presented to the local community. The applicants have merely chosen to define Crofton Park as a neighbourhood, which is not acceptable.</p>

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61	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary as it divides the Honor Oak Park community in two. It excludes key assets (including Honor Oak Recreation Ground, One Tree Hill and St Augustine's), and alienates a large number of residents who live outside the boundary who identify as being part of the Honor Oak Park community.</p> <p>The constitution excludes anyone living outside the boundary. This will entrench the issue of Honor Oak Park being split between different wards and boroughs.</p> <p>A key stage of the Localism Act - identifying the area - has not been properly presented to the local community. The applicants have merely chosen to define Crofton Park as a neighbourhood, which is not acceptable.</p> <p>The Grove Park application is much better thought out and more inclusive, and has undergone community engagement.</p> <p>I hope the application is turned down. An neighbourhood forum needs to be representative of the whole neighbourhood.</p>
62	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary as it divides the Honor Oak Park community in two. It excludes key assets (including Honor Oak Recreation Ground, One Tree Hill and St Augustine's), and alienates a large number of residents who live outside the boundary who identify as being part of the Honor Oak Park community.</p> <p>The constitution excludes anyone living outside the boundary. This will entrench the issue of Honor Oak Park being split between different wards and boroughs.</p> <p>A key stage of the Localism Act - identifying the area - has not been properly presented to the local community. The applicants have merely chosen to define Crofton Park as a neighbourhood, which is not acceptable.</p>

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64	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary as it divides the Honor Oak Park community in two. It excludes key assets (including Honor Oak Recreation Ground, One Tree Hill and St Augustine's), and alienates a large number of residents who live outside the boundary who identify as being part of the Honor Oak Park community.</p> <p>The constitution excludes anyone living outside the boundary. This will entrench the issue of Honor Oak Park being split between different wards and boroughs.</p> <p>A key stage of the Localism Act - identifying the area - has not been properly presented to the local community. The applicants have merely chosen to define Crofton Park as a neighbourhood, which is not acceptable.</p>
65	Object	<p>The proposed boundary does not reflect my understanding of the local neighbourhood. The boundary divides Honor Oak Park in two. If I lived on Devonshire Road within 200m of Honor Oak Park station I would consider my local neighbourhood to be my nearest shops and services. Roads around One Tree Hill are similarly affected. The boundary should be reconsidered.</p>
66	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary. The catchment area of Honor Oak Park station would make much more sense, taking in the roads between the Southwark border and railway line to the west, and Blythe Hill Park to the east. The station, the shops and the two nearby parks are the focal point of the community, and should be geographic centre. The ward boundary is not a neighbourhood.</p>

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67	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary as it divides the Honor Oak Park community in two. It excludes key assets (including Honor Oak Recreation Ground, One Tree Hill and St Augustine's), and alienates a large number of residents who live outside the boundary who identify as being part of the Honor Oak Park community.</p> <p>The constitution excludes anyone living outside the boundary. This will entrench the issue of Honor Oak Park being split between different wards and boroughs.</p> <p>A key stage of the Localism Act - identifying the area - has not been properly presented to the local community. The applicants have merely chosen to define Crofton Park as a neighbourhood, which is not acceptable.</p>
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Rep ID	Categorisation	Summary
73	Qualified Support	<p>The Honor Oak Park Residents Association (HOPRA) fully supports the principle of a neighbourhood forum and neighbourhood area. We believe the concept of a forum drawing up a plan for a neighbourhood will strengthen cohesion and protect from poor quality planning.</p> <p>However we would be remiss to not report local resident's concerns about the western boundary of the proposed area. Residents point out the boundary cuts Honor Oak Park in two, perpetuating the current boundary split, which they hoped could have been overcome through the proposed forum and area.</p> <p>It is understandable that the area has been drawn on ward lines, as it will be easier to administer. There are valid concerns that a cross-border forum might in practice result in little being achieved because of continual disagreements between too great a number of partners.</p> <p>Nevertheless, it is likely that Honor Oak Park residents will be disgruntled if the current boundary is agreed as people will not be able to influence decisions west of the boundary. This includes St Augustine's Church, the Recreation Ground and the immediate roads west of the road Honor Oak Park beyond the proposed boundary. Nor can those west of the boundary influence what happens at the local parade, which they see as their high street. They will not be able to stand for office in the forum.</p> <p>HOPRA's committee feels the forum and area should go ahead, but that the Council needs to take the concerns of excluded citizens into consideration.</p>

Rep ID	Categorisation	Summary
74	Object	<p>Neighbourhood planning is intended to be people based. However, a local ward assembly to which we do not belong intends to define an area which would include our neighbourhood (Honor Oak Park).</p> <p>The proposed boundary divides Honor Oak Park in two. Half of Honor Oak Park would be excluded, including One Tree Hill, St Augustine's, Honor Oak Rec and Allotments. The constitution ensures that those outside of the ward boundary cannot contribute.</p> <p>The local assembly has not sought local views on this, and those in Forest Hill ward were excluded from giving their views at the local assembly, against the stated social cohesion objectives.</p> <p>A neighbourhood forum would be good for Honor Oak Park, however the boundary should be based on the neighbourhood not the ward.</p> <p>Additionally, a survey has been conducted by the consultee - this found that the majority of respondents both within and outside of the proposed boundary identify themselves as part of 'Honor Oak' / 'Honor Oak Park', and that 50% of respondents identify One Tree Hill as the most prominent landmark in their area.</p>
75	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary as it divides the Honor Oak Park community in two. It excludes key assets (including Honor Oak Recreation Ground, One Tree Hill and St Augustine's), and alienates a large number of residents who live outside the boundary who identify as being part of the Honor Oak Park community.</p> <p>The constitution excludes anyone living outside the boundary. This will entrench the issue of Honor Oak Park being split between different wards and boroughs.</p> <p>A key stage of the Localism Act - identifying the area - has not been properly presented to the local community. The applicants have merely chosen to define Crofton Park as a neighbourhood, which is not acceptable.</p>
76	Object	<p>I object to the boundary as it does not cover the Honor Oak Park neighbourhood. It excludes a large proportion of residents and businesses in the neighbourhood.</p>

Rep ID	Categorisation	Summary
77	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary as it divides the Honor Oak Park community in two. It excludes key assets (including Honor Oak Recreation Ground, One Tree Hill and St Augustine's), and alienates a large number of residents who live outside the boundary who identify as being part of the Honor Oak Park community.</p> <p>The constitution excludes anyone living outside the boundary. This will entrench the issue of Honor Oak Park being split between different wards and boroughs.</p> <p>A key stage of the Localism Act - identifying the area - has not been properly presented to the local community. The applicants have merely chosen to define Crofton Park as a neighbourhood, which is not acceptable.</p>
78	Object	<p>I object to the proposal because it does not geographically represent the residents of Honor Oak Park, specifically those on Devonshire Road and One Tree Hill that are served by the amenities at the parade. These residents will be excluded from the forum and from having an influence. The aims of the constitution can therefore not be achieved.</p> <p>Also, if granted, it prohibits the excluded people referred to above from establishing their own forum to promote their amenities.</p> <p>I also object because a forum covering two neighbourhoods (Crofton Park and Honor Oak Park) with competing needs may result in confused policy.</p> <p>The application boundary could be reduced to only include Crofton Park.</p>
79	Support	The neighbourhood forum is a good idea. I agree with the constitution and boundary.
80	Comment	If we are to have a neighbourhood forum, wouldn't it be democratic to include all those who live within the area?

Rep ID	Categorisation	Summary
81	Object	<p>A neighbourhood forum is a good idea in principle, but I disagree with the proposed boundary as it divides the Honor Oak Park community in two. It excludes key assets (including Honor Oak Recreation Ground, One Tree Hill and St Augustine's), and alienates a large number of residents who live outside the boundary who identify as being part of the Honor Oak Park community.</p> <p>The constitution excludes anyone living outside the boundary. This will entrench the issue of Honor Oak Park being split between different wards and boroughs.</p> <p>A key stage of the Localism Act - identifying the area - has not been properly presented to the local community. The applicants have merely chosen to define Crofton Park as a neighbourhood, which is not acceptable.</p>
82	Comment	I am supportive of the plans except for the boundary. I live in Boveney Road, which is outside the boundary, but I am definitely in Honor Oak Park. Those in our street associate with Honor Oak Park, not Forest Hill. I'm not sure how this decision was made.
83	Comment	Is my property included in the boundary?
84	Support	I support the formation of the forum.

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"/>

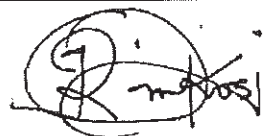
Date of Meeting	16 July 2014
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Title of Report	Energy Policy
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Originator of Report	Martin O'Brien	Ext 46605
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At the time of submission for the Agenda, I confirm that the report has:

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



Signed: _____ Executive Member

Date: 04/07/14



Signed: _____ Director/Head of Service

Date 8/7/14

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	Energy Policy		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Resources and Regeneration, Head of Law		
Class	Part 1	Date:	16 July 2014

1. Purpose

- 1.1 This report seeks agreement to a corporate Energy Policy and new targets of a 20% reduction in carbon emissions from the operational estate and a 20% reduction in carbon emissions per pupil in schools over the next 5 years.

2. Recommendation

- 2.1 That the Mayor approves the draft corporate Energy Policy.

3. Policy Context

- 3.1 The content of this report is consistent with the Council's policy framework and in particular the corporate priority *Clean, green and liveable*: improving environmental management, the cleanliness and care for roads and pavements and promoting a sustainable environment. The report also supports the achievements of the Sustainable Community Strategy policy objectives *Clean, green and liveable*: where people live in affordable, high quality and adaptable housing, have access to green spaces and take responsibility for their impact on the environment.
- 3.2 Lewisham's Carbon Reduction and Climate Change Strategy was published in 2008. In 2013 the Council set a new target of a 44% reduction in the borough's carbon emissions by 2020.
- 3.3 The report also supports delivery of the corporate priority 'Inspiring efficiency, effectiveness and equity'. Gas and electricity consumption across the operational estate, schools and streetlighting cost £4.5m in 2013/14. Delivery of the actions and targets within the Energy Policy will reduce the Council's exposure to rising energy costs and would be expected to play an important part in enabling the Council to respond to pressures on public finances.

- 3.4 The Energy Policy will be part of the suite of documents within the Council's Strategic Asset Management Plan due to be agreed for 2015.

4. Background

- 4.1 The Energy Policy consists of three documents.
- A public facing document setting out the principles, targets and an overview of the workstreams delivering energy efficiency and carbon reduction.
 - An operational action plan setting out workstreams in more detail and allocating responsibility within the Council.
 - A heating protocol
- 4.2 Carbon targets have been proposed as the primary measure as they reflect the environmental implications of energy use and because they are a better proxy for energy spend than separate energy and gas consumption data.
- 4.3 The Energy Policy covers corporate operational sites and schools. The Schools Forum discussed the content of the Energy Policy at its meeting on 20th March and endorsed the proposed target for schools of a 20% reduction in carbon emissions per pupil by the end of 2017/18. A report is scheduled for discussion at the September Schools Forum setting out data for 2013/14.
- 4.4 A key strand of the work to achieve the target of a 20% reduction in carbon for operational estate will be an enhanced monitoring and targeting programme. In recent years the Council has significantly improved the quality of data on energy consumption, which has enabled officers to identify and respond to unexplained energy consumption and align investment in the corporate estate to improve efficiency. This understanding of energy consumption will be used to help shape decisions on optimising the corporate estate going forward.

5. Financial implications

- 5.1 Gas and electricity consumption across the operational estate (£1.6m), schools (£1.9m) and street-lighting (£1m) cost £4.5m in 2013/14. Delivery of the actions and targets within the Energy Policy will reduce the Council's exposure to rising energy costs and would be expected to play an important part in enabling the Council to respond to pressures on public finances.

6. Legal implications

- 6.1 The Climate Change Act 2008 is the legal framework for ensuring that Government meets its commitments to tackle climate change requiring an emissions reduction of at least 80% by 2050, compared to 1990 levels. The role of local delivery in helping to reach these targets is not

set out in statute but competence powers given to local authorities under the Localism Act 2011 and powers under various planning and environmental legislation enables it to set targets for reducing energy consumption.

7. Crime and Disorder Implications

- 7.1 There are no crime and disorder implications arising as a result of this decision.

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 There are no direct implications for equalities as a result of this Energy Policy.

9. Environmental Implications

- 9.1 The contents of this report support the achievement of the Sustainable Community Strategy policy objectives Clean, green and liveable: where people live in affordable, high quality and adaptable housing, have access to green spaces and take responsibility for their impact on the environment. Delivering on the recommendations proposed in this report would be expected to further reduce Lewisham's carbon emissions and improve energy efficiency.

10. Conclusion

- 10.1 It is recommended that the Mayor approves the draft corporate Energy Policy.

11. Background Documents

- 11.1 No background documents relating to this report.

If there are any queries on this report please contact Martin O'Brien,
Sustainable Resources Group Manager, 020 8314 6605

LEWISHAM COUNCIL ENERGY POLICY 2014-2018

July 2014

Lewisham Council is committed to creating a borough that is clean, green and liveable. The use of energy is fundamental to the way the council works, and a proactive and efficient approach to energy management one of the most important ways the Council can cut its costs and lead the way in promoting a sustainable environment.

The Council needs to reduce its net general fund budget by £95m over the next four years. With a growing population and services already under pressure achieving this is going to be very challenging, particularly in relation to energy where costs have been rising significantly over a long period. Ensuring we understand and manage our energy use is an essential part of minimising our exposure to energy markets. The generation and supply of energy also offer potential opportunities for generating income.

This Energy Policy sets a new target of a 20% reduction in carbon emissions over 5 years across the Council's operational sites and identifies how the Council's management of energy will contribute to the Council's corporate priorities through:

- Reducing exposure to rising energy costs and achieving value for money energy contracts
- Cutting waste and driving efficiency across operational buildings
- Enabling schools to meet increased pupil numbers while controlling energy costs
- Reducing the Council's carbon footprint and contributing to wider environmental objectives
- Minimising the risk of energy supply disruption and maintaining acceptable temperatures in buildings delivering services to service users and staff
- Ensuring the Council complies with legislation and statutory functions relating to energy supply and use in corporate buildings

The Council will also seek to take a strategic approach in the use of its assets across the borough, being ambitious in using our estate as a tool to unlock new opportunities for the generation and supply of energy. This includes work in partnership with others to promote district heating; the use of photovoltaics and other renewables to cut carbon emissions as well as create opportunities for further investment; and exploring the scope for energy supply as a means to deliver against wider social and environmental objectives and generate economic benefits.

Delivering on our commitment

Lewisham Council commits to delivering a 20% reduction in annual carbon emissions from energy use in buildings across the Council's operational estate by March 2018 from a baseline of 2012/13.

The baseline for 2012/13 is 8,548 tonnes per year. Achieving the reduction will result in annual carbon emissions of 6,838 tonnes in 2017/18. Based on 2012/13 energy prices this would be expected to translate into an annual financial saving of approximately £360,000 in 2017/18 compared to the energy spend in 2012/13.

The Council also commits to achieving a 20% reduction in carbon emissions per pupil averaged across our school's estate with a target of 260 kg CO₂ per pupil per year for primary schools and 540 kg CO₂ per pupil for secondary schools by March 2018.

We will achieve our commitments through improvements in

1) Monitoring and targeting

- Establishing an evidenced based approach to improving energy efficiency
- Benchmarking against best practice
- Identifying and responding to high consuming buildings

2) Staff engagement and better use of buildings and equipment

- Establish clear roles and responsibilities and support staff and others to reduce energy use
- Updated protocols for heating standards

3) Investment in more energy efficient buildings

- Design for new build
- Standardised specifications for equipment across buildings
- Targeted maintenance programmes ensuring equipment runs efficiently
- Upgrading heating systems and plant where there is an economically viable case to do so

4) Delivery of a fit for purpose operational estate

- Taking a strategic approach to operational

Data and target setting explained

The Council's operational estate covers 106 buildings that provide council services and are covered by corporate energy and maintenance contracts

Lewisham Council reports annually against the Government's Carbon Reduction Commitment (CRC) scheme and, separately, on greenhouse gas emissions using the Department of Energy and Climate Change methodology. The targets and baseline data used within Lewisham's Energy Policy draws on this data, with the following adjustments

- Energy use in schools is likely to be under greater pressure due to increased pupil places and achieving a 20% reduction in total emissions would be impractical so a per pupil target has been substituted
- The operational estate does not include hostels although these are covered by the council's greenhouse gas reporting
- There are a small number of other buildings not included in the operational estate which are very small and significant reductions in energy use are likely to be difficult to achieve

The data used for the baseline is based on data submitted for the Council's Carbon Reduction Commitment report for the financial year 2012-13, which is the most accurate data available.

The Council's energy spend in 2012/13 on the operational sites covered by the target was £1.8m.

<p>sites; getting more out of the buildings we use</p> <ul style="list-style-type: none">• Enabling schools to meet the demands of today and the future while managing energy consumption	<p>Details of Lewisham Council's reporting on Greenhouse Gas Emissions can be found in our annual use of resources statement</p> <p>http://www.lewisham.gov.uk/getinvolved/environment/energyefficiency/taking-the-lead/Pages/default.aspx</p>
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Roles and responsibility

- All Council services are responsible for ensuring the effective use of resources in the delivery of their functions
- Corporate Asset Services has overall responsibility for delivering the Energy Policy and achieving the target of a 20% reduction in energy consumption
- The Corporate Asset Services Energy Forum will lead on development and delivery of the action plan underpinning the Energy Policy
- Building managers and staff in posts that involves management of sites are responsible for conforming with corporate policies and procedures in relation to energy use and the maintenance of plant and equipment
- All staff should take responsibility for the energy they use including switching off unnecessary equipment

Energy Policy monitoring and reporting

- Lewisham Council's Energy Policy was agreed in July 2014 and forms part of the Council's Strategic Asset Management Plan
- The Energy Policy will be monitored and delivered through Corporate Asset Services Energy Forum working closely with a range of Council services.
- An annual report on progress will be provided to the lead Cabinet Member for sustainable energy and published on the Council's website.

This Energy Policy is part of the Council's wider commitment to delivering services as efficiently as possible and targeting our resources where they are needed most.

Through this Energy Policy the Council is setting itself a new target of a 20% reduction in carbon emissions across our operational estate over 5 years. This will protect the Council against the continuing rise in costs of gas and electricity and ensure we get value for money from the services we run.

Improving efficiency in Council buildings and schools will be an important priority, but this Energy Policy will also be used to drive energy efficiency across the Council's vehicle fleet, street-lighting and the services we deliver with and through other organisations including leisure centres, the management of parks and open spaces and community centres.

With local authorities continuing to face rising financial pressures there is no time to lose or energy to waste in getting this Energy Policy implemented and I look forward to seeing the results.

Cllr Rachel Onikosi
Cabinet Member for Public Realm

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Annex A - Lewisham Council Energy Policy Action Plan

	Ref	Action	Milestone	CAS Lead
Monitoring and targeting	1.1	Set benchmarks and KPIs	March 2014	SRG
	1.2	Implement data management procedures	July 2014	SRG
	1.3	Conduct audits based on targeted information / follow up on high consumption sites	Oct-Apr annually	SRG
	1.4	Monitor meter data / follow up out-of-hours use and other unnecessary consumption	Oct-Apr annually	FM/SRG
	1.5	Conduct controls checks based on targeted information / follow up on high consumption sites	Oct-Apr annually	FM/SRG
	1.6	Set year on year 5% targets in CAS work programmes	April 2014	SRG
	1.7	Carry out annual review of monitoring and targeting scheme, highlighting areas where potential savings exist and reporting progress against targets	August 2014	SRG
	1.8	Develop 'bottom up' set of projects against 25% target	September 2014	SRG
	1.9	Report 13/14 data to Schools Forum and agree offer to schools	September 2014	SRG
Staff engagement and better use of buildings and equipment	2.1	Agreed heating season protocol / temperature settings	July 2014	FM
	2.2	Agreed roles and responsibilities for building managers	September 2014	FM
	2.3	Communications plan and staff motivation	January 2015	SRG
	2.4	Improved PPM standards agreed with contractors and active monitoring of them (e.g. boiler efficiency, energy saving control systems, low energy replacement lamps, etc.)	September 2014	FM/SRG
Investment in more energy efficient buildings	3.1	Identify and deliver cost-effective programme of investment in CAS buildings to improve energy efficiency. To include bid for new £50k Energy Fund for minor energy efficiency works not covered by	June 2014	SRG

		maintenance		
	3.2	Agree energy and environmental standards for products (e.g. boilers, roof insulation, etc.)	September 2014	FM
	3.3	Capital programme for renewal works re: boilers, roofs, controls	June 2014	FM
	3.4	Ensure whole life costing including within decision making on new sites, expansion of existing sites	September 2014	SRG/FM
	3.5	Develop business case for investment in renewables on CAS properties	July 2014	FM/SRG
	3.6	Change project management processes to ensure energy and maintenance officers consulted on design and specification decisions for buildings	September 2014	FM/SRG
	3.7	Change project management processes to ensure energy issues resolved by end of defects period e.g. snagging and commissioning of heating systems	September 2014	FM/SRG
Delivery of a cost efficient and fit for purpose corporate estate	4.1	Ensure energy procurement strategy follows best practice to ensure best value	Ongoing	SRG
	4.2	Ensuring contract administration procedures for energy contracts are as cost-efficient as possible	May 2014	SRG
	4.3	Identification of buildings for disposal including consideration of energy costs and carbon emissions	December 2014	SRG
	4.4	Deliver against CRC requirements and GHG reporting responsibilities	July 2014	SRG

CAS – Corporate Asset Services

SRG – Sustainable Resources Group (Martin O'Brien; Peter Gibbs; Suzanne Wallis; Paul Bailey; Taulant Mucaj)

FM – FM Buildings and Contracts team (Paul Shipley; Frank Crossley; Mark Johnson)

Document revised 2 July 2014

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Annex B - Workplace Heating Protocol for Lewisham Council July 2014

Key Points for Facility Management Staff

- When maintenance staff set room temperatures using heating controls they must use the following settings:
 - > Offices 21^oC (maximum)
 - > Reception areas, libraries, corridors and toilets 19^oC (maximum)
 - > Kitchens 18^oC (maximum)
- For cooling systems the temperatures must be set to:
 - > Offices 24^oC (minimum)
 - > Reception areas, libraries and corridors and toilets 23^oC (minimum)
 - > Kitchens 21^oC (minimum)
- The heating and cooling hours for each building will be set for the times that staff occupy the building. An early morning warm up period should be allowed for. There should be no overnight or weekend heating when the building is closed.
- The controls settings for air-conditioning systems and heating systems must be set up so that cooling and heating of rooms can not happen at the same time.
- Dates at which heating systems are shut down for the summer and switched on again in the autumn will be set by Principal Building Services Engineer and the Energy and Sustainability Engineer. These are currently Frank Crossley (x46815) and Paul Bailey (x48978).
- Some sites are used by people that are vulnerable to cold temperatures such as people with health problems and young children. The summer shut-down date will be later and the autumn start-up date will be earlier for these sites. They will be provided by Principal Building Services Engineer and the Energy and Sustainability Engineer. A list of the sites is shown in the Appendix of this document.
- Where the staff in a building are concerned about temperatures being too hot or too cold, facilities management staff should check if the control settings are correct and they the right temperatures are actually being achieved. Where the problem cannot be resolved to the satisfaction of the occupants, it should be referred to the Energy and Sustainability Engineer and the Energy Manager. These are currently Paul Bailey (x48978) and Peter Gibbs (x48375).
- Where temperature or time controls have to be overridden in an emergency to ensure a heating service can be provided, a record must be kept. Engineers must return to make the required repair as a matter of

Workplace Heating Protocol for Lewisham Council

1. Introduction

This protocol sets out the limits that will be set to the heating and cooling services used in Council buildings. It covers space temperatures, daily heating periods and the length of the winter heating season.

The protocol has been developed by the Council's Energy Forum within Corporate Asset Services (CAS) and forms part of the Council's over-arching Energy Policy which covers all aspects of energy saving and carbon reduction. The workplace heating protocol concentrates specifically on reducing energy waste by heating and cooling services in Council buildings.

2. Temperature Levels

2.1 Heating

The CIBSE (Chartered Institute of Building Services Engineers) Design Guide A: Environmental Design is the most authoritative source for recommended temperatures. All designers routinely use the CIBSE standards. They were developed for each type of working space through independent research, and take into account:

- The level of activity (or metabolic rate) of the occupants
- The type of clothing the occupants should be wearing
- The air flow through the space, i.e. the "wind-chill effect"

For heating purposes during the recommended "winter" temperatures are:

Office Space	21-23 ⁰ C
Reception Areas / Entrance Halls	19-21 ⁰ C
School Classrooms	19-21 ⁰ C
Kitchens (commercial)	15-18 ⁰ C
Toilets	19-21 ⁰ C
Corridors	19-21 ⁰ C
Libraries (main areas)	19-21 ⁰ C
Libraries (store rooms)	15 ⁰ C
Museums and Art Galleries	19-21 ⁰ C
Sports Halls (halls)	13-16 ⁰ C
Sports Halls (changing rooms)	22-24 ⁰ C

Temperatures within sites managed by Lewisham Council should not exceed these figures.

2.2 Cooling

For cooling the lower limit rather than the upper limit is important. For cooling purposes the recommended "summer" temperatures are:

Office Space	22-24 ⁰ C
Reception Areas / Entrance Halls	21-23 ⁰ C
School Classrooms	21-23 ⁰ C

Kitchens (commercial)	18-21 ⁰ C
Toilets	21-23 ⁰ C
Corridors	21-23 ⁰ C
Libraries (main areas)	21-23 ⁰ C
Museums and Art Galleries	21-23 ⁰ C
Sports Halls (halls)	14-16 ⁰ C
Sports Halls (changing rooms)	24-25 ⁰ C

Temperatures within sites managed by Lewisham Council should not be lower than these figures.

3. Length of Heating Season

3.1 Switching On Heating

The heating systems in centrally managed sites are switched on by the Council's maintenance contractor under the instructions of the appropriate officer in Corporate Asset Services. This is currently the Energy and Sustainability Engineer.

The earliest date for switching on each year is mid-September. If the outside air temperatures are mild and the forecast is for fine weather, then there will be a delay until there is a sustained period of cooler temperatures. The judgement on whether or not to delay switching on will be taken by the Principal Building Services Engineer and the Energy and Sustainability Engineer.

Those CAS sites that provide services to people that are vulnerable to cool temperatures are treated differently from the rest. The heating in these sites will be switched on while outside temperatures are at a higher level. Vulnerable persons are defined as:

- a) Persons with existing health problems
- b) Persons vulnerable to illnesses or infections
- c) Persons with a low level of physical activity
- d) Very young or old persons

Examples of these sites would be day centres used by elderly people, young children or people with disabilities. A list is shown in the Appendix.

The Council also has local managed sites such as schools. They have autonomy over their site management procedures. This policy should be used as guidance by school managers and their premises officers. It is recommended that schools consider switching on their heating on mid-September each year but delay doing so if the outside temperatures are mild.

3.2 Switching Off Heating

A similar process takes place for switching off heating as for switching on. From the beginning of May onwards the Principal Building Services Engineer and the Energy and Sustainability Engineer will consider whether it is possible to switch off heating bearing in mind the current and forecast outside air temperatures. The switching off of vulnerable sites is delayed until after the rest.

4. Control of Heating

The heating hours for every site should be matched to the needs of the service occupying it. Centrally managed sites should have their heating programmes set by CAS officers or the Council's maintenance contractor. Locally managed sites are expected to have their staff set their programmers correctly by premises officers or call in a qualified person to do so.

Buildings need to have reached the minimum required temperature by the normal starting time for the working day. Modern heating controls are sophisticated and are able to pre-heat buildings just long enough to ensure the correct temperature is reached. It is not necessary for members of staff to interfere with control settings.

Similarly, modern controls are sophisticated enough to provide frost protection for buildings. It is not necessary for members of staff to leave heating on all night to prevent burst pipes.

Controls should only be adjusted by CAS officers or the Council's maintenance contractor. As a general rule no member of staff should alter heating control settings unless trained to do so by a CAS officer and adhering to the settings given to them during the training. Also, no unauthorised persons should be entering boiler-rooms or plantrooms without the appropriate Health and Safety training.

5. Control of Cooling

There is a widespread use of small air conditioning units in many of the Council's buildings. These are usually controlled by local controls or programmers. Staff are able to adjust control settings to their own personal preferences. This often results in buildings being over-cooled, or cooling being used at the same time as heating, cooling being left on 24 hours a day or cooling being left on while windows are open.

Cooling should be only used to achieve reasonable temperatures, i.e. no lower than those shown above. Cooling should only be used during working hours.

Where a building has separate heating and cooling systems, all staff should be reminded to turn off heating before switching on air conditioning to prevent simultaneous operation.

6. Unauthorised Electric Heating Appliances

No unauthorised portable electric heaters should be used on Council's premises. If they are owned by members of staff they will not have undergone electrical testing in line with the Council's Health and Safety Policy. These should be removed by the building manager.

Some buildings have Council owned portable heaters for use in emergencies. These should not be used unless the building's main heating system has failed. Any problems with underheating in a building should be reported to the Council's maintenance contractor.

7. Implementation of Heating Protocol

7.1 Identifying Non-Compliance with Protocol

CAS officers will identify sites where sites are not complying with this policy and tackle issues on a site-by-site basis. This will be achieved by:

- a) Monitoring out-of-hours consumption using remote reading of meters
- b) Analysing consumption data to identify high energy users

- c) Visiting sites to make inspections
- d) Reacting to reports of overheating by staff or visitors using the sites

CAS officers will take action to ensure heating controls are set correctly.

7.2 Tackling Non-Compliance with the Protocol

The protocol will not be imposed unilaterally on sites. A process of negotiation will take place where staff are opposed to reductions in their comfort levels or heating hours. Given the financial implications of unmanaged energy consumption staff altering control settings to over-ride the heating policy or ordering the Council's maintenance contractor to do so will be asked to justify their actions.

Various reasons are given by staff for over-riding heating policies. For example, needing to leave heating on all night to prevent burst pipes or to prevent damp, turning heating on in the summer because of a cold spell, or needing high temperatures because of a personal sensitivity to cold.

In the case of cooling, staff have other reasons for rejecting good practice. For example, needing to leave the air conditioning systems on all night to cool the building down.

CAS officers will negotiate to achieve adherence to the policy. Where staff are behaving unreasonably they will be challenged. The appropriate line managers and budget holders will be contacted as appropriate. A reasonable level of comfort appropriate to the needs of staff and their level of activity will be agreed as a result of negotiation and persuasion.

Staff at each site will be able to report overheating to the Council facilities management and maintenance contractor directly to get it rectified. This facility should be publicised to all staff.

7.3 Automated Control Systems

Heating and air conditioning services are controlled by automated controls which have a variety of energy saving functions. If they are set up correctly the plant runs as efficiently as possible. Owing to the sophistication of these systems, a great deal of knowledge and experience is required in order to set them correctly. All controls should be adjusted to the correct settings regardless of their complexity.

Control settings and the operation of control equipment will be monitored regularly by CAS officers and action taken wherever possible to ensure the systems are operating correctly. A range of actions will be necessary, for example:

- a) Ordering repairs and adjustments by maintenance contractor
- b) Arranging for specialist controls contractor to carry out repairs where maintenance contractor does not have sufficient expertise
- c) Requiring maintenance contractor to train personnel to the level that enables them to carry out control repairs competently
- d) Ensuring the maintenance contractor adopts the Council's preferred settings for functions such as weather compensation, optimum start, etc. Also, the Council's preference of gas over electricity for heating and hot water services
- e) Where the maintenance contractor over-rides a control system on a temporary basis to ensure continuity of service they will report the need for a repair so that control can be reinstated
- f) Providing training to premises officers and building occupants on setting controls correctly

Appendix: List of Sites with Vulnerable Occupants

5 Steps Community Nursery, 15 Lambourne Grove, Rotherhithe London SE16 2TA
Bellingham Childrens Centre Area 4, R/O 109 Randlesdown Rd., Bellingham
London SE6 3HB
Bellingham Gateway Youth & Community, 185 Brookhouse Road, Bellingham
London SE6 3TT
Evelyn Childrens Centre, 231 Grove Street, London SE8 3PZ
Hatcham Oak Childrens Centre, 29 Wallbutton Rd, Brockley London SE4 2HL
Honor Oak Early Years Centre, Brockley Way, Brockley London SE4 2LW
Ladywell Childrens Centre, 30 Rushey Mead, London SE4 1JJ
Ladywell Day Centre, 148 Dressington Avenue, Brockley London SE4 1LF
Leemore Resource Centre, 29/39 Clarendon Rise, Lewisham London SE13 5ES
Meliot Road 50 (Meliot Family Care Centre), 50 Meliot Road, Catford London SE6
1RY

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

Date of Meeting	16 th July 2014
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Title of Report	Fostering Statement of Purpose 2013-2014 and Children's Guides - My Guide to Foster Care
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Originator of Report	Ian Smith	Ext. 48140
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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



Date: 4th July 2014

Signed: _____ Executive Director

 Date 8th July 2014

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	Fostering Statement of Purpose 2014-2015 and Children's Guides - My Guide to Foster Care.	
Key decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Children and Young People	
Class	Open	Date: 16 July 2014

1. Summary of the Report

This report presents to the Mayor, the Lewisham Fostering Statement of Purpose for 2014 – 2015 as required by the Fostering Regulations 2011. The Lewisham Fostering Statement of Purpose and the Children's Guides are reviewed on an annual basis, in line with statutory requirements. The Fostering Statement of Purpose focuses on the desired outcomes for Looked After Children in line with the Every Child Matters 5 objectives. Fostering is undergoing fundamental improvement nationally and in this regard, legislation is imminent.

2. Purpose and Structure of the Report

The purpose of this report is to present for approval the updated Lewisham Fostering Statement of Purpose for 2014-2015 and Children's Guides – My Guide to Foster Care.

3. Recommendation

That the Mayor approves the Statement of Purpose for the Fostering Service for 2014-2015 and Children's Guides – My Guide to Foster Care.

4. Policy Context

- 4.1 The Fostering Services Regulations 2011 and National Minimum Standards 2011 require all Fostering Services to provide and review annually a written Statement of Purpose setting out the aims and objectives of the service and facilities provided.
- 4.2 The Fostering Services Regulations and National Minimum Standards 2011 require Fostering Services to produce and regularly review a Children's Guide. In January 2013, we produced more age appropriate Children's Guides one for children up to age of 11 and the other for teenagers, which have been updated.
- 4.3 The Lewisham Fostering Service Statement of Purpose is in line with the Council's corporate priorities and contributes particularly to: Community

leadership and empowerment, young people's achievement and involvement, safety, security and a visible presence, protection of children and active, healthy citizens.

4.4 The Statement of Purpose continues to contribute to five of the key priority outcomes of Lewisham's Sustainable Community Strategy 2008-2020:

- **Ambitious and achieving** – where people are inspired and supported to fulfil their potential.
- **Safer** – where people feel safe and live free from crime, antisocial behaviour and abuse.
- **Empowered and responsible** – where people are actively involved in their local area and contribute to supportive communities.
- **Healthy, active and enjoyable** – where people can actively participate in maintaining and improving their health and well-being.
- **Dynamic and prosperous** – where people are part of vibrant communities and town centres, well connected to London and beyond.

5. Background

5.1 The Fostering Service primarily provides a service for Looked After Children. The service is committed to identifying and supporting stable placements for children where foster care is the identified plan.

5.2 Currently, there are 503 Lewisham Looked After Children. The Fostering Service has 239 individuals approved as Lewisham foster carers, this comprises 162 Fostering Households with approximately 196 Looked After Children in placement and 198 are placed with Independent Fostering Agencies. The rest of Lewisham Looked After children are in supporting lodging, hostels, secure units, placed at home with parents or adopters, residential schools, or in prison. In addition, there are approximately 31 households in the pipeline and a creative recruitment campaign continues which involves use of YouTube, bus adverts and leafleting. This is a significant increase in foster carers, which we are determined to sustain over time.

5.3 In Lewisham our lowest fostering rate is £315.85 and our highest is £473.45, therefore our average rate is £394.15. Independent Fostering Agencies lowest rate is £693.00 and the highest rate is £835.00 with an average rate of £764.00. Every placement with an Independent Fostering Agencies costs Lewisham an additional average of £369.25.

5.4 At present, only 40% of Looked After Children are placed with Lewisham foster carers and our aim is to place 50% of the Looked After Children population of 500 with Lewisham foster carers within the next year. To achieve this we are recruiting more foster carers and we hope to recruit 50 fostering households within the year. The table in 5.5 shows our progress in recruiting foster carers.

5.5 In 2013/ 2014, we had a successful recruitment:

Fostering Households	38
Individual Foster Carers	56

	Households	Placements
1	19	19
1 or 2 if sibs	8	8
2	9	18
2 or 3 if sibs	1	2
3	1	3
Total	38	50

- 5.6 The Fostering Service is required through Fostering Regulations and National Minimum Standards 2011 to undertake appropriate recruitment of Foster Carers and provide training, support and development for foster carers. We are confident that by December 2014, we will have approved 200 Fostering Households. The current number of foster carers has increased and to achieve 200 will be a major achievement. But even more important, this will mean that the majority of Lewisham Looked After Children appropriate for foster care, will be placed with Lewisham Foster Carers. Over the next 12 months, the Council would be in a position to reduce reliance on the Independent Fostering Agencies, especially as we are recruiting more foster carers, who can take siblings and parent and child placements.
- 5.7 Fostering Regulations and National Minimum Standards 2011 require that Supervising Social Workers from the Fostering Service provide advice and support to foster carers and work in partnership with the Looked After Child's Social Worker to deliver the best possible outcomes for the child in placement. Lewisham Foster Carers are highly positive about the support they receive from Supervising Social Workers and managers at every level of the Council.
- 5.8 The Lewisham Fostering Panel exercises its role fully as laid out in the Fostering Services Regulations and National Minimum Standards, 2011. The Fostering Panel is chaired by an independent person who is also a qualified social worker, and is not employed by Lewisham Council. The current chair is an international highly regarded expert in fostering currently also working in Sweden and Japan as well as throughout the UK in Children's Social Care. The vice-chair is similarly an independent senior health professional who leads on several national health initiatives.
- 5.9 The Fostering Panel Adviser holds a key role and this is fulfilled by a Senior practitioner in the Fostering Service.

- 5.10 The Foster Panel considers all new applications to foster and reviews every foster carer on an annual basis. The panel then makes a recommendation to the Agency Decision Maker who has the final decision.
- 5.11 The Statutory Agency Decision Maker, is the Director of Children's Social Care who consults the Service Manager - Fostering; Panel Chair and the Fostering Panel Professional Advisor as and when necessary.
- 5.12 The Lewisham Fostering Panel was meeting monthly on dates agreed in advance but it has been necessary for the Fostering Panel to meet twice a month due to the high numbers of applicants which need to be considered. There is the flexibility to call meetings over and above the pre-arranged dates by agreement with the Fostering Panel Members.

5.13 De-Registrations & Resignations

- 5.13.1 During 2013-2014 only 1 foster carer was de-registered and 4 foster carers households resigned in August 2012.

5.14 Table of Allegations

	Allegations	Complaints	Serious Cause for Concern
2008-09	8	1	0
2009 -10	6	0	0
2010-11	7	1	5
2011-12	4	0	3
2012-13	7	0	5
2013-14	14	1	6

- 5.14.1 There were 14 allegations made against Lewisham Foster Carers, 4 of these resulted in Section 47 investigations. Two of the Section 47 allegations were non accidental injuries, which resulted in no further action taken by the Police. One was about rough handling of a baby and one was of an alleged physical assault, both were concluded to be unsubstantiated.
- 5.14.2 1 complaint was made by a Team Manager because a young person was left unsupervised at an fostering event. This was unsubstantiated, with no further action.
- 5.14.3 We had a higher number of allegations from the previous years. This could partially be a result of the fact that we have 36.5% more carers. However, we have audited every allegation and only 1 of the 14 has resulted in our needing to take further action. Most of the allegations were resolved within stage 1 timescale of 20 working days.

6. Financial implications

6.1 There are no financial implications arising from this report.

7. Legal Implications

7.1 Local Authorities exercise Social Services functions as required by the Local Authority Social Services Act 1970. Local Authorities have a statutory responsibility to provide appropriate services for children whom they look after.

8. Equalities Legislation

8.1 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.

8.2 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.

8.3 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.

8.4 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-act-codes-of-practice-and-technical-guidance/>

- 8.5 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
- 8.6 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-sector-equality-duty/guidance-on-the-equality-duty/>

9. Crime and Disorder Implications

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

10. Equalities Implications

- 10.1 The work of the Fostering Service contributes to the achievement of the Council's priority relating to the 'protection of children.' Equality & Diversity has been incorporated into the Statement of Purpose and is updated as part of the regular review of the Statement of Purpose.

11. Environmental Implications

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

12. Conclusion

- 12.1 The Statement of Purpose and Children's Guides – My Guide to Foster Care inform children, young people, Lewisham foster carers and prospective foster carers of what they can expect from the Lewisham Fostering Service. For adults, this supplements the Foster Carer Handbook, which gives more detail of expectations, policies and procedures governing the direct care of Looked After Children.
- 12.2 These documents ensure that children, their parents, foster carers, professionals are clear about the aims and objectives of the Fostering Service and what services and facilities it provides. The Fostering Service is required to meet the aims and objectives in the Statement of Purpose.
- 12.3 The Lewisham Statement of Purpose and Children's Guides are reviewed and updated annually.

Background Papers

None.

Appendix 1 - Fostering Statement of Purpose

Appendix 2 - Children's Guide for under 11 years old.

Appendix 3 - Lewisham Young People's Guide for over 11 years old.

If there are any queries on this report, please contact Ian Smith on 0208 3148140.

Lewisham Fostering Service

Statement of Purpose 2014 - 2015



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Policy Context.

The Fostering Services (England) Regulations 2011 requires all fostering services to provide a written Statement of Purpose setting out the aims and objectives of the service and the facilities and services provided. This document is made available to foster carers, Fostering Panel members, staff, prospective foster carers, any child placed by the service and the parent of any child placed.

The Fostering Service ensures that Equal Opportunities are integrated into all aspects of service delivery and that all foster carers are effectively assessed and supported, taking into account the needs of the individual child/young person.

Statement of Purpose.

The Statement of Purpose relates to the Fostering Service provided by the London Borough of Lewisham, under the requirements of the Fostering Services (England) Regulations 2011. This Statement of Purpose will be subject to a review on at least an annual basis.

The Statement of Purpose is reviewed and approved by the Mayor of Lewisham Council on an annual basis.

A copy of this Statement of Purpose will be provided to OFSTED and will be available to:

- All staff working for the Fostering Service
- All staff involved with the welfare of children Looked After within the auspices of the Fostering Service
- Any child and young person living with foster carers
- Any parent or significant other of a child or young person placed with foster carers
- Members of the public

The Fostering Services Provider responsible for the recruitment of foster carers will ensure that the service is at all times conducted in a manner that is consistent with this statement.

The overall aims and objectives of the Fostering Service

To provide a safe and secure family environment for children and young people Looked After by Lewisham Council.

All Foster placements must meet the identified emotional and physical needs of the individual child and young person. These developmental needs will include their racial, cultural, ethnic, linguistic, religious, dietary and any specific needs.

When appropriate, the Fostering Service will seek to identify placements that will enable siblings to be placed together.

Wherever practicable, the Fostering Service will seek to avoid multiple placement moves for children and young people.

We will always seek to identify placements that can accommodate contact (where appropriate) with relatives and significant others in the child's and young person's network.

Consideration will be given to the child's and young person's educational needs when deciding upon a placement and every effort will be made to ensure that wherever possible the child or young person can remain in their current educational establishment.

The Fostering Service will, actively work in partnership with children, young people, their family and other relevant professionals/agencies involved in promoting positive outcomes for

Lewisham Fostering Service – statement of purpose

Looked After Children by the London Borough of Lewisham. The primary aim of the partnership work will be to meet the need of the individual children and young people, and wherever possible support family reunification.

Management.

Claire Moatti is the Interim Service Manager for Fostering. Claire started in Lewisham in April 2014, she has B.A Sociology from Essex University, a Master of Applied Social Studies from Oxford University, a CQSW and Diploma in Social Work from Southampton University. She is a qualified Play Therapist and has a Diploma in Management. She has 30 years Social work and management experience within London boroughs.

Olaitan Aregbesola (Ola) Fostering (Support and Development) Team Manager, has a Bachelor of Arts (Hons); Degree in Health and Social Care Practice and a Postgraduate Diploma in Social Work. Ola has had experience of working in Independent and Private Fostering Agencies. Ola joined Lewisham in April 2010 as a Supervising Social Worker before her recent promotion to Fostering Team Manager and is currently undergoing her management training. Ola manages one of the two teams of Social Workers who supervise and support Lewisham Foster Carers.

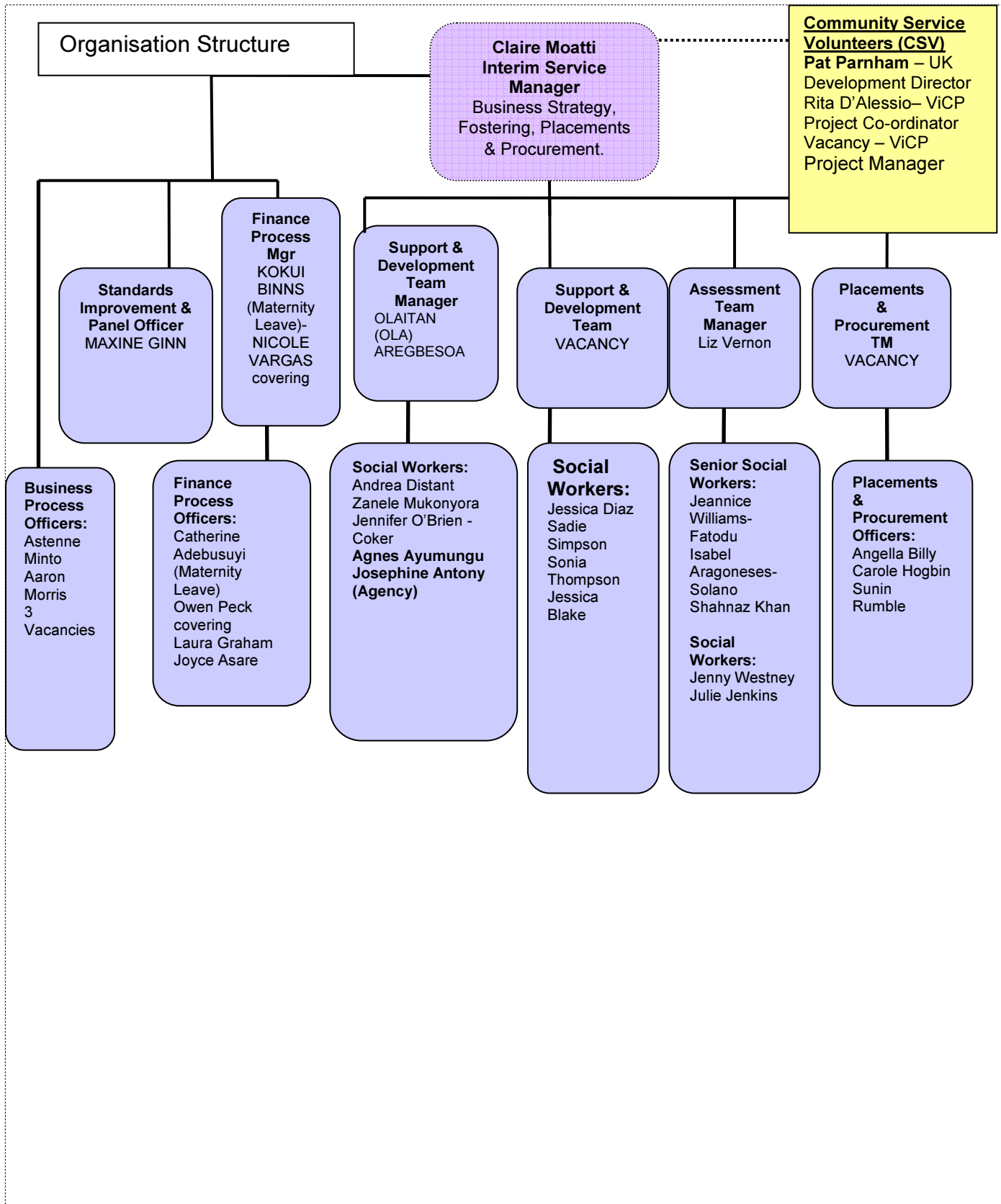
Elizabeth Vernon (Liz), Fostering Assessment and Kinship Team Manager has a masters in Social Work and a Graduate Diploma in Work with Children and Families (with Specialist Award in Social Work). Liz was an experienced Senior Social Worker in Lewisham's Family Social Work Service prior to her joining the Fostering Service's management team in July 2013. Liz

currently manages the Assessment and Kinship Team who undertake family, friends and connected persons assessments.

All social work managers, senior practitioners and social workers hold a social work qualification and have relevant child care experience. Managers and all qualified social workers are registered with the Health and Care Professions Council (HCPC).

The teams are culturally and racially diverse, consisting both of workers with extensive experience in fostering and workers who have joined fostering more recently but bring with them vast experience from other areas of children's social work.

Lewisham Fostering Service – statement of purpose



Services Provided

Mainstream Foster Carers – Foster carers provide placements for children and young people aged 0-18, whose care plan is either to return to their birth family or move to a permanent placement. Placements with mainstream carers can vary between one day to several years in the placement.

Permanence or Long-Term Foster Carers

- make a commitment to care for a child or young person, until they reach independence.

Short Break Carers (Family Based Respite Care) - where carers are 'linked' to families with children with a disability to enable them to have regular, planned breaks during the year.

Family and Friends Foster Carers (Kinship) - are approved to look after a specific child or children. These are family members or friends who already know the child or children before they moved to live with them.

Emergency Placements - There are 9 Lewisham approved Foster Carers who offer emergency care and accept unplanned placements and provide 24 hour, 7 days a week crisis care for children who require an immediate placement outside of normal office working hours. This Foster Care Scheme has been running for 6 months and is already making a real difference as children no longer have to hang around police stations for several hours waiting for a foster carer to be identified. The Emergency Duty Team is made up of Social Workers who work between 5 pm and 9 am during the normal working week, and over weekends and Bank Holidays throughout the year. This team responds to children in need of

safeguarding and as necessary places them with approved and experienced foster carers as Emergency Placements.

Parent and Child arrangements with Foster Carers

As required under the Fostering Services (England) Regulations 2011, a written policy was produced which is intended to safeguard children placed with foster carers from abuse or neglect. This policy includes a statement of measures to be taken to safeguard children placed with foster carers including if a parent is also placed in a foster home with a child.

Foster carers who may wish to offer such placements should ordinarily have discussed the matter with their Supervising Social Worker and this should be considered as part of the Foster Carer's Annual Review. The Foster Care Agreement entered into by the foster carer with the Fostering Service should show that the foster carer is approved for this type of arrangement.

Matters considered when making a proposed parent and child arrangement include:

- Is the parent an adult or below the age of 18 years.
- If below 18 years of age, is the parent looked after themselves?
- Is the child to be considered a Looked After Child?
- Purpose of the parent and child placement.
- Likely duration of the placement.
- Does the parent have a criminal history?
- Risk assessment of the parent.

Staying Put

Lewisham has a Staying Put Policy which sets out the arrangements whereby the authority will promote the extension of foster care placements beyond a young person's eighteenth birthday. The intention being to ensure young people can remain with their former foster carers until they

are prepared for adulthood, and experience a transition akin to their peers, avoid social exclusion and are better placed to avert a subsequent housing and tenancy breakdown.

This procedure sets out the conditions required to extend a former fostering arrangement beyond a young person's eighteenth birthday, the associated financial implications, the social care requirements associated with extending former fostering arrangements and the consequential Income Tax, National Insurance and Welfare Benefit issues.

Young people are legally no longer in care from the age of eighteen and therefore, fostering arrangements no longer apply. The legal basis on which they occupy the former foster care home changes and they become an 'excluded licensee' who is effectively lodging in the Staying Put carer/s home. However, this should not mean that the young person is treated differently than as if they were a fostered child. The placement should be carefully planned to ensure that the young person and the carer/s understand the nature of the arrangement and the positive aspects of being in foster care are not diminished.

Staying Put Procedure is applicable to all young people looked after by Lewisham who are living with foster carers on their eighteenth birthday, whether they are with Lewisham carers or with Independent Fostering Agency carers (IFA).

The policy also applies to Unaccompanied Asylum Seeking Children (UASC) who reach the age of 18. However, in circumstances where the young person is awaiting a 'Removal Notice' continued financial support must be reviewed on a case by case basis.

Young people in kinship care who are eligible children and looked after up to the age of 18 may continue to remain where they are under a Staying Put arrangement.

Young people who are in residential placements are not covered by the Staying Put Procedure, but early transition planning will be essential for these young people to help them achieve good outcomes in the future.

Principles

Each child is unique and their welfare paramount.

The child's family is the preferred place for children to live wherever possible.

Where a child needs to be looked after outside their family there is no compromise to the provision of high quality individualised care.

Children have a right to feel safe, be protected, be treated with respect and dignity. They should be encouraged, nurtured, supported, helped, looked after and their heritage valued. We will consult with them in order to develop a personal sense of worth, well-being and independence.

The parents, carers and relatives of looked after children have a right to be kept informed, involved and consulted as appropriate. They have the right to be treated as individuals with respect and without being judged.

Individual planning is imperative from the outset of each placement followed by regular reviews to ensure all the needs of the child are met.

Children are entitled to receive education which will promote their general culture and enable them to develop their abilities, individual judgement, and a sense of moral and social

Lewisham Fostering Service – statement of purpose

responsibility to become useful members of society.

The best interests of the child shall be the guiding principle of those responsible for their education and guidance; that responsibility lies in the first place with the parents and/or with the Local Authority as Corporate Parents.

Each Looked After Child is an active, informed participant in the process of their own health care, incorporating confidentiality and choice appropriate to her or his age and understanding. A full health assessment is carried out for each Looked After Child over the age of 5 years once a year and twice a year for those under the age of 5. A health plan is drawn up in consultation with health professionals and this is kept under review in light of the regular health assessment. The Lewisham Children and Young People's plan incorporates strategies to reduce health inequalities and improve the health of Looked After Children.

Children have the right to expect the very best professional care from foster carers. Therefore, Lewisham is committed to the provision of quality support, supervision, advice, consultation and training to enable foster carers to meet the child's needs. In addition there is 24-hour telephone support available to foster carers provided by the Service Manager and Team Managers and the Emergency Duty Team where social work input is required outside of normal office hours.

Staff make a major contribution to the service and receive an excellent standard of structured supervision, support and training in order to facilitate best practice in all of their activities.

Lewisham Fostering Service is committed to working in partnership with everyone involved in children's lives.

Lewisham Fostering Service promotes the Council's Equal Opportunities Policy and the service is anti-discriminatory in practice. The Fostering Service ensures that celebrating diversity is integral in all aspects of service delivery. All foster carers are effectively assessed and supported, taking into account the needs of the individual child/young person, including specifically their culture, ethnicity, race, religion, class, sexual orientation and disability.

Lewisham Fostering Service actively self-regulates its performance and maintains openness to ongoing critical evaluation. The Fostering Service welcomes comments and ideas for improvement from the children, young people, parents, carers, staff, independent workers, Fostering Panel members and any who have a contribution to make.

Lewisham Fostering Service has a commitment to keeping abreast of developments in Fostering and is committed to change and delivers continuous improvement in service provision.

Foster Carers and Approvals

All foster carers are approved for a specific number of children or sibling groups, or a particular child, or the approval is specific to the age and/or gender of the Looked After Child, or a parent and child arrangement.

As at April 2014, the total number of individual foster carers is 239 in 162 fostering households.

De-Registrations & Resignations

During 2013-2014 1 foster carers (1 household) were de-registered and 4 foster carers (4 fostering households) resigned.

Number of children in placement

As at 31st March 2014, there were approximately 200 Looked After Children placed with Lewisham foster carers or family and friends foster carers.

Complaints and Outcomes

A booklet titled Allegations, Complaints, Serious Cause for Concern - A Guide for Lewisham Foster Carers is available and was specifically produced and designed to guide carers through the process of the investigation of an allegation, complaint or serious cause for concern.

This booklet ensures compliance with: London Child Protection Procedures, Fostering Services Regulations and the National Minimum Standards 2011. Lewisham Council complaints procedure sets out the processes in relation to Stage One, Stage Two and Stage Three complaints.

Allegations, Complaints & Serious Cause for Concern

Lewisham Council provides a range of support to foster carers in particular at times when they have had an allegation, complaint or serious cause for concern made against them. The main support is from the Supervising Social Worker, the Fostering Team Manager and the Service Manager. The Lewisham Foster Care Association in particular the Chair and members of the committee are also available to foster carers who find themselves in this situation. Lewisham Council pays for Fostering Network membership for the Fostering Service. This means that every foster carer is entitled to advice and support from Fostering Network including unlimited Fosterline telephone support. How allegations, complaints and serious cause for concern are dealt with is outlined in the

Fostering Service policy and procedure booklet called Allegations, Complaints and Serious Cause for Concern which is made available to each foster carer at the time of approval.

In 2013-2014 there were 14 allegations made against Lewisham Foster Carers, 1 complaint and 6 serious cause for concern. These were all satisfactorily resolved and quickly. Furthermore, considering that we have over 200 individual foster carers these numbers are very low especially compared to what was the case historically and also compared to other fostering providers – Local Authority and Independent Fostering Agencies (IFAs).

Procedures & Processes for Foster Carer Recruitment & Approval

The recruitment and assessment of applicants to become foster carers was outsourced externally in 2009 and continues to be innovative hence the significant increase in foster carers.

The recruitment and assessment process is led by the Lewisham Service Manager whilst Team Managers quality assure the assessments of the foster carers. Applicants are invited to attend the “Skills to Foster” training as part of their assessment and introduction to fostering.

If applicants are successful in completing the “Skills to Foster” training, a qualified Social Worker will complete a full assessment based upon the British Association for Adoption and Fostering (BAAF) Form F. This will involve a series of home visits to collect information regarding household members and their experience and skills relating to looked after children.

Statutory checks and required references are undertaken.

On completion of the assessment, the assessing social worker will prepare a report detailing the

applicant's suitability, including the Form F and present this to the Lewisham's Fostering Panel.

The content of the Form F report (excluding references) are shared with the applicant, who signs the report to acknowledge that they have read the report. Applicants must attend the Fostering Panel.

Following the Fostering Panel recommendations, a decision is taken by the Director of Children's Social Care as Agency Decision-Maker. Decisions are formally communicated to the applicant verbally by telephone and in writing.

Within 1 month of approval as a Lewisham foster carer, individuals are required to attend an Induction Programme which is delivered by the Service Manager. This informs the newly approved foster carers about the world of Lewisham Fostering Service, Children's Social Care and Lewisham Council. The Induction also explains the fostering task, their role and they meet their mentors and Supervising Social Workers.

Foster Carer Training & Development

A comprehensive training programme is in place and distributed to all foster carers. The programme covers a wide variety of subjects from basic to advanced level, including the opportunity to study for NVQ Level 3 Caring for Children & Young People, and meets the requirements of the Training Support Development Standards (TSDS). Training is an effective opportunity to meet other foster carers, social workers, and to develop skills and learning at the same time.

We encourage foster carers to participate in training courses alongside social workers and Fostering Panel members. The Service

Manager Fostering runs regular development events specifically for foster carers.

Since April 2008, all new foster carers are required to achieve the Training, Support and Development Standards (TSDS) for Foster Care within 12 months of their approval. Every foster carer has a Personal Development Plan and is expected to keep a portfolio where they record evidence of their learning against the TSDS. Since the beginning of 2010, the Service Manager personally delivers the TSD Standards working directly with the foster carers. There is an ongoing programme of workshops for the completion of TSDS for new foster carers and attendance is compulsory. Following approval all new foster carers are expected to start work on the TSDS within 1 month of a Looked After Child being placed with them. Once a foster carer has successfully achieved the TSDS they are required to continue their development and to keep the skills they have up to date through the Lewisham Foster Carers rolling programme of training and development.

All new foster carers are required to complete the Foster Carer Core Training Programme, which aims to provide the basic skills and information that new foster carers need to perform their fostering tasks. Basic training is a requirement under the National Minimum Standards and the TSDS Framework. Foster Carers should complete the core training within 12 months of approval.

Lewisham involves foster carers in co-facilitating training events, and to enable them to do this we also offer a Training the Trainers Qualification. This is an important way of learning from each other, promoting partnership working between foster carers and social workers.

The KEEP Programme is a new and exciting project jointly sponsored by the Department of Education (DfE) that focuses on "What Works in

Foster Care”. This is an evidence based 20 session training programme that empowers foster carers to meet the needs of the children in their care. The Programme focuses on providing parenting tools for foster carers caring for children 12 to 18 years old. The KEEP training programme aims to increase placement stability.

In addition, specialist training is also provided, for example Fire Safety; Managing Childhood Illnesses; First Aid; Positive Discipline & De-Escalation Techniques; Digital Life Story Work etc.

Supporting and Reviewing Foster Carers.

Foster Carers are provided with a range of support to promote placement stability and improve the outcomes of Looked After Children, for example:

- An allocated Supervising Social Worker.
- Regular home visits, minimum 1 per month.
- 24-hour telephone support (out-of-hours) support and advice from Service.
- Manager and Team Managers and social work input available from Emergency Duty Team.
- Access to Therapeutic Support via Children and Adolescent Mental Health Service (CAMHS).
- Reflective practice sessions for foster carers run by CAMHS Therapists.
- Application of the Secure Base Support Model for foster carers provided in partnership with the LAC Service.
- Themed Support Groups: Mainstream, Male Foster Carers Group and New Foster Carers Group.

- Lewisham Mentoring Scheme: support and advice from an experienced carer.
- Lewisham Carers Supporting Carers Scheme (LCSC): practical support e.g. looking after Looked After Children whilst carer attends training.
- Rolling programme of training.
- Financial Support.
- Membership of the Fostering Network.
- Mentoring Scheme – all newly approved foster carers are required to work with a Foster Carer Mentor as part of their induction.
- Fostering Service Development Days for foster carers, Panel Members and staff.
- Dedicated Lewisham fostering website- Fosternets for use by all foster carers.

Foster Carer Annual Reviews

Lewisham reviews foster carers at least once every 12 months to ensure Looked After Children are safeguarded and are developing appropriately and foster carers remain supported to provide high-quality care. Additional Foster Carer reviews can also be held if there has been a significant change in circumstances or if concerns arise.

The foster carer Annual Review considers the following:

The foster carer's previous 12 months of fostering.

Training attended and training needs.

Looked After Children's views and the views of the Independent Reviewing Officers (IROs) and Child's Social Worker.

Foster Carer's views regarding the Fostering Service.

Statutory checks i.e. Disclosure, Barring & Service (DBS), medical, Police check and health & safety.

Progress and/or completion of TSD Standards.

Foster Carer Annual Review are generally carried out in the foster carer's home by the Supervising Social Worker. A competence-based model is used in relation to Annual Reviews, and foster carers are expected to give examples of how they have met the competencies in their practice and training attended, and reflection on learning and development needs.

All Foster Carer Annual Review are presented to and considered by the Fostering Team Managers. If there are any concerns then these are brought to the attention of the Service Manager.

All Foster Carer Annual Reviews of the first 12 months following foster carer approval are presented to the Fostering Panel and the carer is required to attend.

All subsequent foster carer Annual Reviews are also presented to the Fostering Panel and where a significant matter is proposed, such as a change of approval or serious concern, the foster carers are invited to attend. Where there are no issues then these reviews receive Quality Assurance by the Fostering Team Manager and Overview Scrutiny from the Fostering Panel. Foster Carer Agreements are also considered and signed off annually.

Guidance for Children & Young People.

Age appropriate Children's Guides and Young People's Guides have been produced for Looked After Children: My Guide To Foster Care.

The Work of the Fostering Service

Lewisham Fostering Service continually strives to improve outcomes for Looked After Children. Lewisham Fostering Service is

committed to continuous improvement in order to promote and achieve the desired outcomes for Looked After Children in line with the Every Child Matters Framework.

Lewisham Fostering Service – statement of purpose

We welcome and encourage expressions of interest to foster from all walks of life, because Lewisham is a great place to live, work and play!

How to Contact Lewisham Fostering Service.

Lewisham Fostering Service
1st Floor
Laurence House
1 Catford Road
London
SE6 4RU

Email:
CSCP&PbusinessSup@lewisham.gov.uk

Telephone: 020 8314 3663

For other formats, including Braille, large print, audio tape or computer disc please contact us.

Visit www.lewisham.gov.uk for all the latest news and information about your Council's services, and the range of job opportunities we currently have on offer.

Regulation and Inspection.

Details of the Office for Standards in Education & Skills (Ofsted):
Ofsted
Aviation House
125 Kingsway
London
WC2B 6SE

Telephone Number: 0300 123 1231

Contact Details for the Children's Rights Commissioner

Telephone Number: 0800 528 0731



Lewisham Fostering Service

Guide

for

**Children Under 11 years
old.**

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LEWISHAM FOSTERING SERVICE



A big welcome to Lewisham Fostering Service. We are pleased to have found a foster family for you. Together with your foster family we promise to do everything we can to give you a safe and happy home.

- We will always make sure you are safe and look after you. We will make sure that your foster carers listen to you and help you, so that enjoy being in foster care.
- You can expect plenty of help from your foster carer to think over your past and plan for your future. Your foster carer is there to help you do and learn new things. We will all take the time to listen to what you want for the future.

What being fostered means?



Being fostered means going to live with another family because you can not live with your own family.



Has my social worker and Lewisham Fostering Service found the right family for me?

- We want to find a safe foster home for you where the foster carers try very hard to give you the best care.
- The foster carers will try to get to know you, and your wishes and what you need.
- We will treat every child with respect.
- We expect you to treat your foster family, foster home and your social worker with respect.

YOUR FOSTER FAMILY

Going to live with a foster family.

A social worker will take you to your foster carer's home, where you can meet everybody who lives there. If possible, your social worker will help you to pack a bag to take with you. Apart from the things that you need, you can take your best toys and books as well as photos and anything else that you feel is special to you.

Who and where your foster family are.

Your foster family is made up of

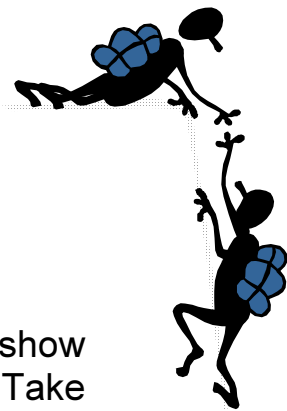
Your new address and contact telephone number is

Your foster carer will help you move in and talk with you about how you feel and anything you might worry about. We will try to help you if you are sad about what has happened to you.

Your foster carers will tell you the truth if you are wrong about some things, as we all need to be told when we get things wrong.

What will happen when you get there.

When you move, in your foster carer will show you around the house, show you where you will sleep and you will meet everyone who lives there. Take some time to unpack and make your room your own. The house may seem a little strange but everyone will help you settle in. Your foster carer will need to make a list of the things you have brought with you, so that we can we can make sure you have all you need.



What Your Foster Carer will do



Your foster carer will treat you as part of the family and will look after you, make sure you have enough food to eat, make sure you are clean, safe and warm. They will get your breakfast and help you get ready for school. They will wash and iron your clothes or if you are old enough to do this. They will make sure you have your lunch or lunch money on school days. They will make sure there is someone there to meet you from school or an adult waiting for you when you get home from school. When you are home they will be there to talk to you, watch TV, and play with you.

What You need to do in your new Foster Home.

Every family has rules and your foster carer will talk to you about these. The rules might be about, watching TV, playing computer games, doing schoolwork, what time is dinner and many other things. They will tell you what these rules are and you will need to learn them as you are part of the family.



Money you get.



Your foster carer will get some money for you each week, so that you have pocket money, clothes and things you need in the home, for school or clubs.

You may be able to get more pocket money for doing jobs or for something that you have done well.

Your foster carer will also help you to save some money each week.

You will be told how much money you will get, and on what day you will get this, in the first week in your foster home.

Confidentiality

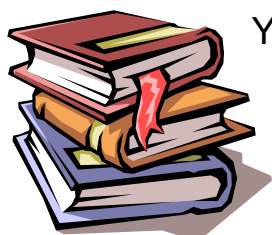


Confidentiality means that we will not talk about you, and why you are in care, to people who do not need to know.

Your foster carer must write down in their diary what happens in your life in the time you stay with them. This diary will only be seen by you, our foster carers, your social worker, ourselves and a few others involved in your care. You will be able to read what has been written about you by your foster carer and social worker, but you will need to let us know before, so this can be ready for you.

Foster carers are **not allowed** to keep any secrets that you may tell them. Such secrets need to be shared with other people who are helping you.

School



Your foster carer and teachers will help you with your school work. Meetings will be held at your school to make sure that you have all that you need to do well in school.

Family and Friends



When you are ready, your social worker will talk to you about seeing or writing to your family. If it is agreed that you can see your family, your social worker will plan this visit with you.

If it is not possible to see your family, or if you do not want to, your foster carer will listen to you about your feelings and help you decide who you want to see.

If there are some special people, say friends, teachers and other family that you want to see or phone, you can talk to your foster carer about this. Also, if there are some people that you feel frightened of seeing and don't want to see, again tell your foster carer.

Healthy and Safe



Eating good food, keeping our bodies, clothes and home clean; getting some exercise are part of being healthy.

When you move in, your foster carer will go with you to see a doctor to check that you are healthy. If you have to take any medicines, or have any special injections, your foster carer will make sure that this happens. You will have a visit to the doctor every year, if you stay in care.

Your foster carer and social worker will also need to make sure that the house is safe for all who live in it.

Meetings



Placement Plan Meeting.

When you move into foster care, there will be a meeting to look at how you will be looked after.

Everything will be talked about: the food you like, any medicine you take, your school, how and when you see your family. Everyone will want to hear from you about the things you like and dislike. In fact, the more you tell everyone the better, so that a care plan can be made about how you should be cared for and to plan for your future.

Review meeting



Meetings will happen from time to time to look at the plan for you, to be sure it is right for you. Please make sure you speak up for yourself. The first meeting will be when you have been in foster care for four weeks. The next meeting will be three months from that date. After that, review meetings will take place every six months.

Faiths



your religion.

Your foster carer will help you to follow whatever faith or religion you wish and will help you to find places to worship.

Your foster carer will also celebrate any special days with you, arrange special food and try to get whatever you need to follow





What happens if you are not happy with your foster family?

If, after living with your new foster carer for a while, you feel you are not happy to live with them, you should tell your social worker, or Lewisham Fostering Service or someone else you trust. Both your social worker and Lewisham Fostering Service will listen to your feelings and work with you to make new plans.

You can also contact your Independent Reviewing Officer (IRO), who you will have met at your first LAC Review and he or she should have given you their phone number when they met you for the first time. But if you do not know who your IRO is please **Telephone 0208 314 6647. (Quality Assurance - Business Support in Lewisham Children's Social Care, 1st Floor Laurence House, 1 Catford Road, Catford, London. SE6 4RU.)**

Someone will tell you the name of your IRO and pass on any message you leave for the IRO.

If you have a problem or want to complain



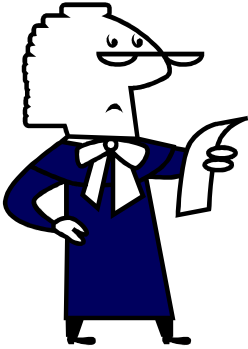
If you have any problems talk to your foster carer, your social worker, your family or supervising social worker at Lewisham Fostering Service. These problems might be in the home or at school, about being bullied, or being scared about something.

If you are unhappy about where you are living or with about someone who is not helping you with your care, you can complain. We will then look into what you are unhappy about.

We have a leaflet about how to make a complaint, which you will be given when you go to live with your foster family.

Someone from Lewisham Fostering Service or your foster carer will write down what you are unhappy about. You will then need to sign this. We will then go away, look into this and see if there is anything that can be done to make things better.

Independent Person/Advocate



An *independent person or advocate* is someone who does not work with your social worker, Lewisham Fostering Service or your foster family. They are there just for you, to make sure that you are being treated well.

An Advocate will speak up for you if you need to complain and do not feel your foster carer or your social worker can help you.

They are also there if you just want someone- not from Lewisham Fostering Service or your foster family, to talk to.

If you feel you need to talk to an advocate or independent person please call one of these phone numbers, free of charge:

- Croham Services for Children: 0800 093 2012
- Children's Legal Centre: 08088 020 008
- National Youth Advocacy Service 0300 330 3131

Who checks that Lewisham Fostering Service and your social workers are doing their job properly?

Ofsted checks that all foster care homes and social workers are doing their jobs properly.

You can also take your complaint to Ofsted whose address is below.

Ofsted's details are:

Ofsted,
Piccadilly Gate, Store Street
Manchester. M1 2WD
Telephone: 0300 123 1231

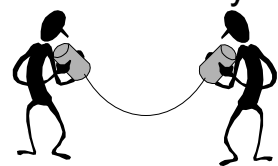
Email: enquiries@ofsted.gov.uk



Some other free phone numbers, which may be useful.

Childline: 0800 1111. or www.childline.co.uk

Children & Young People who are deaf or find using a phone difficult can try the new text service on 0800 400 222.



NSPCC Child Protection Helpline: 0800 800 5000 (Free phone).
www.nspcc.org.uk

Finally

Well that's pretty much what we do and what you can expect from us. We hope you enjoy your new family life.

We also thank you for taking the time to read this Children's Guide. If you have any questions, please ask your foster carer or social worker.





Lewisham
Fostering Service
Guide
for
Children over 11 years old

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 - **Who and where your foster family are**
 - **What you can expect on arrival**
 - **What you can expect from (Name of foster carer)**
 - **What your foster family expects of you.**
 - **Allowances**
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- **Some other free phone numbers, which may be useful.**

LEWISHAM FOSTERING SERVICE



A big welcome to Lewisham. We are pleased to have arranged a foster family for you. Together with your foster family we promise to do everything we can to give you a safe and happy home.

We will always put your safety and needs first and will do what we can to ensure that our foster carers provide you with a stable home where you are listened to and encouraged.

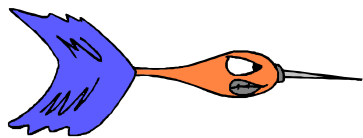
You can expect plenty of help and support from your foster carer in talking about your past and planning for your future. Your foster carer is there to help you develop your skills and talents and together we will all take the time to listen to your wishes, especially when it is time to make decisions affecting your future.

What being fostered means?

Being fostered means going to live with another family because for some reason you cannot live with your birth family. There can be loads of reasons why this may have happened. Some of them could be that you did not feel that your family were looking after you as well as you may have wished or maybe your family realised that they were not able to give you the best care or maybe a neighbour or a teacher noticed that you were not being looked after well enough.

Whatever the reason social workers will have been involved to find, even for short time, a foster family who will not take the place of your birth family. Foster carers may also have certain responsibilities to ensure that some things that are essential for your well being happen.

How has my social worker and Lewisham Fostering Service found the right family for me?



We both aim to provide a safe foster home for you where the foster carers are committed to providing you with the best possible care. We have both got to know you, your needs and your wishes well and tried our best to find a family where you will fit in well and settle down easily. You will be able to explore who you are (your *identity*), develop your skills and work towards achieving your goals in life.

No matter what culture, race, gender, beliefs, sexuality or religion you have, you will be treated equally and with *respect*.

In turn, we expect you to treat your foster family, foster home and our staff with respect.

Our aim is for our foster carers to keep you safe and to support you in developing your life skills so that you can take care of yourself when the time comes to leave care.

YOUR FOSTER FAMILY

Going to live with a foster family.

A social worker will take you to your foster carer's home, where you can meet everybody who lives there.

Wherever possible, your social worker will make sure that you bring your things and will help you pack a bag to take with you.

Apart from the things that you need, you can take your favourite games and books as well as photographs and anything else that you feel is important to you.

Who and where your foster family are.

Your foster family is made up of

Your new address and contact details are

Your foster carer will help you settle in and talk with you regularly to discuss any problems, talk through some issues that you think are important and help you resolve some difficulties you may be experiencing in your life.



If you need advice or a chat, they will listen. They will also tell you the truth if you are out of order, as sometimes we all need to be told when we get things wrong.

What you can expect on Arrival

When you move in your foster carer will show you around the house, show you where you will sleep and introduce you to everyone who lives there. Take some time to unpack and make your room your own. The house may seem a little strange and different at first but everyone will help you settle in. For your own benefit, your foster carer will need to make a list of your personal belongings so that we can see what other items we need to get for you such as clothes toiletries etc.

What You Can Expect of your Foster Carer



Your foster carer will treat you as part of the family and will look after you, make sure you have enough food to eat, promote a good standard of cleanliness and make sure that you are safe and warm. They will get your breakfast in the morning and help you get ready for school. They will either wash and iron your clothes or teach you how to do this and make sure you have your lunch or lunch money on school days. They will make sure there is someone there to meet you from school or for some young people there will always be an adult waiting for you when you arrive home from school. When you are home they will be there to talk to you, watch television, and play with you.

What Your Foster Family Expects

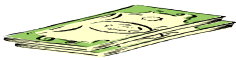
Every family has rules and your foster carer explain to you the rules in your new family. watching TV, staying up late, doing time is dinner and many other things. They will rules are and you will learn them slowly as you become a part of their family.



Of You

will take the time to These will be about, schoolwork, what tell you what these live there and

Allowances



Age related allowances will be there for you, some for Pocket Money and some for clothing and special toiletries.

Additional pocket money can be given as a reward for achieving goals in your care plan or other positive pieces of work you agree in advance with your foster carer. There are also jobs in the house that need doing and you can top up your pocket money by doing some if you wish and if your social worker agrees that this is OK.

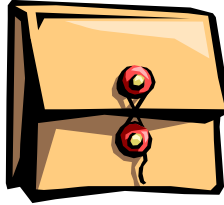
Your foster carer will also help you to save some money each week.

The actual amounts you will receive will be advised to you when you arrive and also the day when you can expect this money.

Confidentiality

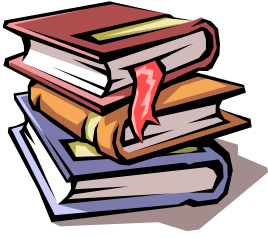
Confidentiality means that we will not talk about you to other people who are not involved in your care. It's like a 'need to know' kind of thing.

Your foster carer is responsible for keeping a record of your life during the time you stay with them. This record is confidential so that only you, our foster carers, your social worker, ourselves and a few others involved in your care may see it. You will be able to read your file whenever you want, provided you have arranged to do so in advance.



It is important that you should know that foster carers are **not allowed** to keep any secrets that you may tell them. Such secrets need to be shared with other people directly involved in your care, so that they can be taken into account when making decisions about your future to make sure they are in your own best interests.

Education and Employment



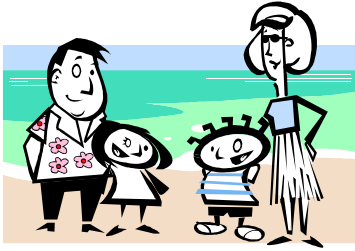
We all need to get ourselves a good job so that we can earn enough money to enjoy life. To get a job though, we need to learn all the skills needed to do the job.

No matter what job you want - DJ, dancer, actor, plumber, lawyer, teacher, bricklayer or social worker – you won't be able to do it without training and skills.

Education and Training therefore is really important for your future and opting out is not an option at Lewisham Fostering Service. Your foster carer will discuss all this with you. If it is possible, your social worker will try to make sure that you stay at the same school. If it isn't possible they will find another school for you.

When you are ready, your foster carer will help you look for a job, prepare you for interviews, accompany you to job centres etc and be there to help you with any problems.

Family and Friends



When you are ready and want to, your Social worker (after speaking with you and your foster carer) will help you to keep in contact with your family. Your Social Worker may also arrange for you to visit them and you may be able to invite them to visit if you want to and your social worker considers this is OK. You just need to tell (him/her) so that they can check if this contact is OK and to plan the visit.

If it is not possible to see your family or if you do not want to, your foster carer will talk to you about this and help you decide who you do want to see.

If there are some special people, say friends teachers and other relatives that you want to see or telephone from time to time, you can talk to your foster carer about it. Also, if there are some people that you feel frightened of seeing and don't want to see, again tell your foster care.

You may be wondering about your parents and whether they have agreed to you being fostered. It may be that the decision has been made by a judge, but remember that the most important thing is that the decision has been made to be sure you are safe and looked after well.

Health and Safety



Eating good food, keeping our bodies, clothes and home clean, getting some regular exercise are all important to being healthy.

When you move in, your foster carer will go with you to see a doctor to be examined so that we all know you are keeping well and healthy. If you have to take any medicines regularly, or have any special injections, your foster carer will make sure that this happens. You will a visit to the doctor for a further examination every year, if you stay in care.

He/she will also need to make sure that the house is safe for all who live in it. If you notice anything you consider dangerous, please tell him/her.

Meetings

Placement Plan Meeting.



Either before you move in or within a week of your move into foster care, you, your foster carer and their supervising social worker, your parents/family and your social worker will have this meeting in your foster home to agree how you will be looked after day to day.

Everything will be talked about, the food you like, any medicine you take, and your school how and when you see your family. Everyone will want to hear from you about the things you like and dislike. In fact, the more you tell everyone the better so that a care plan can be made about how you should be cared for and to plan for your future. This may seem scary; in fact many young people can feel confused or even angry at this time. Whatever you feel do speak about your feelings in order that your foster carer and your social worker can understand what you need to make you feel safe and secure.

Review meeting

These will happen from time to time to review the plan that has been made for you and to be sure it is right for you. Here again you will be able to speak out for yourself. The first meeting will be when you have been in foster care for four weeks. The next meeting will be three months from that date. After that, review meetings will take place every six months. So, you see if your care plan is not quite right at that the start there are plenty of chances to make changes along the way.

Religious Faiths

Your foster carer will encourage you to practice whatever religion or faith you wish and we will help you to find places to worship.

Your foster carer will also observe any special days with you, arrange special food and try to get whatever you need to practice your religion.



Leaving Care and After Care



It maybe that you stay in care for only a short while and that then your social worker thinks it is OK for you to go home to your birth family again. This will then be carefully planned with you first going home for visits, then overnight stays until it is clear that your parents and or people who are significant to you are able to look after you and that you will be safe.

If after a while, things start to go wrong again, you must remember you can always ask for help once again and know that your social worker will still be visiting you regularly.

If your social worker thinks that you will not be able to go back to your family, they may agree with you that you stay with your foster family or that it would be better to look for a family who can care for you on a longer term basis.

If you stay with your foster family, then probably between your sixteenth and seventeenth birthdays, you may be able to move into your own flat or lodgings where we will continue to support you as much as we can. This will only happen after full consultation and agreement with you, your social worker and relevant family members.

Such a move is meant to help you prepare for the day when you leave care to live independently. After moving, either your foster carer or one of our your key workers will visit you at least once per week and offer you support in things like filling in forms, finding places to study or work, local information, paying bills or just changing light bulbs.

Both your key worker and foster carer will be someone to talk you have problems or are just a bit lonely. It is likely that you be able to visit the foster home, just give them a call beforehand.



to if
will

For some young people it may be agreed that they stay with their foster carers after their 18th birthday. This is called 'Staying Put' and the foster carer, yourself and social worker will need to agree this is the best plan for you and how long you will continue to stay with your foster carers.

What happens if you are not happy with your foster family?

If, after living with your new family for a while, you feel unhappy about your care, you should tell your social worker, one of the staff in the Lewisham Fostering Service or someone else you trust for example, your teacher. Both your social worker and Lewisham Fostering Service will listen to your worries and wishes and work with you to make new plans, and to help with what is making you unhappy.

If you have a problem or want to complain

If you have any problems talk to your foster carer, your social worker, or Lewisham Fostering Service. These problems might be in the home or at school. For instance, you might be being bullied or you may feel you are not being heard. There may be a long list of reasons why you may want to get help.

If whatever is making you unhappy is to do with where you are living or with anyone involved with your care, then you have the right to make a complaint and also the right for us to take that complaint seriously.

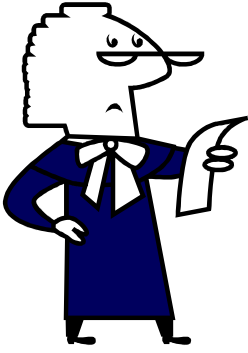
Our complaints procedure takes a little time but hopefully you will eventually be satisfied with the result. The procedure is explained fully in the *Complaints Booklet* and you will be given a copy when you become looked after.

Basically, this is what happens:-

Either someone from Lewisham Fostering Service or your foster carer will write your complaint down and if you agree that it is what you said, you then sign it. We will tell your social worker of your complaint, as it may need to be dealt with through their own complaints procedures. A more senior member of Lewisham Fostering Service will then discuss it with you and any others involved, to see if your complaint could be sorted out by talking about it. The result will be written down and you can say if you are happy with this. This should take a week at most. If you are not satisfied, we go to stage two:

Lewisham Fostering Service will ensure your complaint is investigated by an Independent Person. He/She will write down what they have found, what they have done about it and will check with you that you are happy with the result.

Independent Person/Advocate



An *independent person or advocate* is some one who is not from social care, Lewisham Fostering Service or your foster family. They are independent and are there for you, to make sure that you are being treated well.

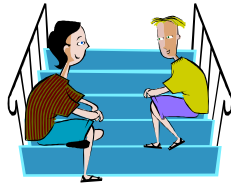
They will represent you if you have a complaint or are involved in some kind of legal process where you feel that your foster carer, your social worker or ourselves are not the best people to support

you.

They are also there if you just want someone not from Lewisham Fostering Service or your foster family to talk to, or to talk for you if you do not feel able to do so yourself.

If you feel you need to talk to or get advice from someone completely independent of Lewisham Fostering Service, you should call any of these organisations free of charge:

- Croham Services for Children:
- 0800 093 2012
- Children's Legal Centre:
- 08088 020 008
- National Youth Advocacy Service
0300 330 3131



You can also take your complaint to Ofsted whose address is on the next page.

Who checks that Lewisham Fostering Service and your social care team do their job properly?



Ofsted is a government organisation that ensures that all of foster care homes and fostering agencies, like Lewisham Fostering Service, in the country keep to an agreed standard of care. They inspect the foster care homes and our offices to make sure that this is the case. the of

Ofsted's contact details are:

Ofsted,
Piccadilly Gate, Store Street
Manchester. M1 2WD

Telephone: 0300 123 1231

Email: enquiries@ofsted.gov.uk

Finally

Well that's pretty much what we do and what you can expect from us. We hope you soon settle and enjoy your new family life.

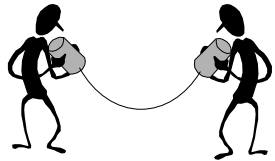
We also thank you for taking the time to read this book and hope you found it interesting and easily understood. If you have any questions, please ask your foster carer.



Some other free phone numbers/email addresses, which may be useful.

ChildLine: 0800 1111. or www.childline.co.uk

Children & Young People who are deaf or find using a regular phone difficult can try the new text service on 0800 400 222.



NSPCC Child Protection Helpline: 0800 800 5000 www.nspcc.org.uk

This page is for your own notes

Agenda Item 10

Chief Officer Confirmation of Report Submission Cabinet Member Confirmation of Briefing

Report for: Mayor

Mayor and Cabinet

Mayor and Cabinet (Contracts)

Executive Director

Information Part 1 Part 2 Key Decision

Date of Meeting 16th July 2014

Title of Report Developing Post 19 Profound Multiple Learning Difficulties (PMLD) Provision at House on the Hill

Originator of Report Warwick Tomsett Ext. 48362

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

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

Signed: Executive Member



Date: 4th July 2014

Signed: Executive Director



Date: 8th July 2014

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	Developing Post 19 Profound Multiple Learning Difficulties (PMLD) Provision at House on the Hill	
Key Decision	Yes	Item No.
Ward		
Contributors	Executive Director for Children and Young People Head of Regeneration and Resources Head of Law	
Class	Part 1	Date: 16 July 2014

1. Executive Summary

- 1.1 This report sets out the need for more in-borough Post 19 provision for young people with Profound and Multiple Learning Disabilities (PMLD) and sets out a proposal to meet these needs through expanding Greenvale School within the House on the Hill site.
- 1.2 This report informs the Mayor of the agreement by Greenvale's Special Schools Governing Board to undertake consultation to extend the age range of their pupils up to 25 years of age.
- 1.3 This is a split report with a Part 2 report to consider the detailed financial implications.

2. Recommendations

- 2.1 The Mayor is recommended to:
 - 2.1.1 Note the need to develop post 19 provision for PMLD pupils within the borough and the options available to achieve this.
 - 2.1.2 Agree that officers should pursue the option of expanding Greenvale School, noting that the Governors are supportive of proceeding with consultation to extend the age range within the school, subject to finding suitable accommodation and further work on the operation of the financial arrangements.
 - 2.1.3 Agree the financial arrangements set out in Part 2 of the report.
 - 2.1.4 Agree to the Director of Regeneration and Asset Services negotiating and finalising the occupancy arrangements for all occupying parties in consultation with Executive Director for Children and Young People and the Head of Law.

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. 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 Special Educational Needs and Disabilities (SEND) by ensuring that their needs are met.
- 3.3. The Children and Families Act received Royal assent on the 13 March 2014. The Act which becomes Statute on 1st September 2014, makes it clear children and young people with SEND should be supported on a consistent basis across Education, Health and Social Care from 0-25 years of age.
- 3.4. Section 15ZA of the Education Act 1996 places a duty on Local Authorities in England to secure suitable education and training to meet the reasonable needs of:
 - (a) persons in their area who are over compulsory school age but under 19,and
 - (b) persons in their area who are aged 19 or over but under 25 and are subject to learning difficulty assessment.
- 3.5. The Education Funding Agency passes funds to institutions and local authorities in accordance with the commissioning decisions of local authorities, pursuant to the Secretary of State's power under section 14 Education Act 2002.

4. Background

- 4.1. The majority of students with special educational need and disabilities over the age of 19 years can have their education and training provision needs met in a mainstream setting. For a small number of students with high levels of special educational need and disabilities over the age of 19 their education and training needs can only be met within specialist provisions.

- 4.2. Lewisham Council currently has 31 students, aged 19 or over but under 25, who have been assessed as being eligible for Specialist Provision as their assessed needs cannot be met by mainstream provision.
- 4.3. Currently all the Independent Specialist Provision for post 19 students with high levels of need are located outside of Lewisham Borough. Lewisham Council currently sends its high needs students to 12 different Independent Specialist Providers. The nearest Independent Specialist Provider is in Bromley, which is where 12 of Lewisham Council's 31 high needs students attend. The other Independent Specialist Providers are in Hampshire, Hertfordshire, Kent, Somerset, Surrey, Lincolnshire, Sussex, Devon, and Northamptonshire.
- 4.4. Whilst the providers are able to meet these young people's educational needs, it is not the best solution for young people to be placed outside of the borough. For many, this means moving away from their families and their home. This also impacts on the consistency of social care support and if the young person moves to another health trust then their health provision moves also. This could therefore mean for some young people that everyone known to them within the education, health and social care network changes.
- 4.5. Under the current Education Funding Agency funding arrangements, high needs students over the age of 19 years with special educational needs and disabilities, who have been assessed as eligible for Specialist Provision will be entitled to three years education and training provision, which will be reassessed every year.
- 4.6. The High Needs Sub Group report which was presented to the School Forum on the 12th December 2013 reviewed the costs of High Need Students and highlighted the impact that Independent Specialist Provision was placing on the high needs budget which has a significant overspend. The report noted that the ability to manage this financial pressure now and in the future is limited due to not having appropriate provision within the borough to meet the pupils' additional needs.
- 4.7. The report also highlighted that the current forecast shows that this is unlikely to be a short term pressure due to the expanding pupil population and the consequential increase in pupils with high needs.
- 4.8. While a range of action is being taken to address the high needs overspends, securing Post 19 provision in the borough is important both for the young people and the budget.
- 5. Options to achieve Post 19 PMLD provision within the borough**
- 5.1. Three options have been considered to achieve post 19 PMLD provision within the borough. These are:

- **Greenvale Option.** To work in partnership with Greenvale Special School to seek to make changes to its current age range to enable it to make provision for 11-25 year olds and that House on the Hill be adapted to accommodate this provision.
- **LESOCO Option.** To work in partnership with Lewisham and Southwark College (LESOCO) to deliver education and training for high needs students and that House on the Hill be adapted to accommodate this provision.
- **Commissioned Option.** To commission the service out to an existing Independent Specialist Providers and that House on the Hill be adapted to accommodate this provision.

5.2. **Greenvale Option**

- 5.2.1 The majority, if not all of the high needs students will come from Greenvale, and therefore the school has pre-existing relationship with each pupil and a greater understanding of their needs.
- 5.2.2 Officers have an established working partnership with Greenvale Special School. Through this partnership we have been looking at what would be required in terms of the building and in terms of the delivery of a high needs education and training offer to PMLD pupils.
- 5.2.3 Greenvale is a respected and sought after provider within the authority and their latest Ofsted rating is 'Good'. Greenvale have extensive experience of working with PMLD Pupils.
- 5.2.4 There are no current legal restrictions on extending the age range of Greenvale Special School. (see legal implications).

5.3. **LESOCO Option**

- 5.3.1 Lewisham and Southwark College are working with post 19 young people with Special Educational Needs and Disabilities. However, they are not currently working with pupils with PMLD.
- 5.3.2 Officers have an established working partnership with LESOCO. The college has acknowledged that they have not previously worked with PMLD pupils and would therefore require additional resources and training to ensure that they could meet this need.
- 5.3.3 LESOCO's current rating with Ofsted is Inadequate.

5.4. **Commissioned Option**

- 5.4.1 Officers have also explored the option of commissioning the service out to an Independent Specialist Providers (ISP) to run a satellite provision. Officers have had discussions with an ISP, which specialises in providing education and training for high needs young people with special educational needs and disabilities, to run a satellite at House on the Hill There is likely to be interest from ISPs in tendering for this

provision. However, the current issue relating to increased spend on ISPs may not be reduced by this option.

5.5 Preferred Option

- 5.5.1 Taking into account the three options described above, officers' recommendation is to progress the Greenvale option.
- 5.5.2 The LESOCO option is not recommended as the college is currently assessed as being inadequate by Ofsted and officers' judgement is that it will not have the capacity to meet the additional needs of PMLD students
- 5.5.3 The commissioned option is not recommended as this is too expensive and will have a detrimental impact on the high needs budget.
- 5.5.4 The Greenvale option is the preferred option as the school is judged by Ofsted and officers as being of high quality.
- 5.5.5 Greenvale is already working with the majority of PMLD students within the borough and therefore can build transition into the post 19 provision for these students as part of their ongoing work, as well as maintaining consistency for them across education, health and social care.
- 5.5.6 Greenvale School's governing body is happy to proceed with a consultation. However, they will need more clarity on how the revenue financial arrangements will work between the pre -19 and post – 19 elements of the school. If the recommendations are agreed, officers will continue to work closely with the school to give them the reassurances they need. The Schools Forum has considered the proposal and has agreed that it should be recommended to the Mayor.

6 Proposal to achieve Post 19 PMLD provision within the borough

- 6.1. Subject to completion of school organisation requirements, including consultation on making a prescribed alteration extending the age range, it is proposed that Greenvale should provide education and training for up to 20 post -19 pupils with Profound Multiple Learning Difficulties (PMLD), with effect from September 2015.
- 6.2. Greenvale School does not have the space and facilities within its current building to meet the increase in numbers for post 19 and the needs of these pupils. The Local Authority has identified accommodation (House on the Hill) that with appropriate adaptations would facilitate the post - 19 PMLD provision.
- 6.3. House on the Hill is a single storey building arranged around two external courtyards. Lewisham Council converted the building from offices in 2003 to a residential building. House on the Hill is a Lewisham asset that is currently leased to Action for Children to

provide a residential overnight short break service to disabled children and young people with high levels of need.

- 6.4. Plans are in place to renovate House on the Hill to improve the layout of the building and reduce revenue costs of the residential short breaks service. The current layout of the building means that support to the children who attend the service can only be delivered through 1:1 support, even if their needs do not require that level of support. The high usage of 1:1 support contributes to the high revenue costs of operating the service. Current unit costs are approximately £900 per child per night. Market rates are between £300 - £500 per child per night and the majority of the costs of delivering the House on the Hill service come from staffing.
- 6.5. The residential short break service delivered from House on the Hill neither requires nor utilises all the space in the building. The current building design does not allow underutilised space to be used by other organisations or services. The entire building is unoccupied during the day Monday to Friday because it is only needed by the residential short break service evenings, overnight and weekends. It is proposed that the House on the Hill layout is reconfigured through the renovation works to enable the space to be better utilised by the residential short breaks service and Greenvale's post 19 provision.
- 6.6. Having two providers at House on the Hill with similar client groups will enable the whole building to be used flexibly and maximise the potential of the building. It will also allow some of the expensive specialist equipment and specialist rooms, such as sensory and IT rooms to be utilised by both providers at a shared cost. Having two providers with similar client groups will also enable the providers to understand each others' needs and form a working partnership.
- 6.7. Renovating House on the Hill to accommodate a new specialist provision for high needs students with special educational needs and disabilities to have their education and training needs met will provide Lewisham Council with the potential to manage high needs specialist provision more effectively and potentially reduce the spend on the high needs budget. It has been estimated that this proposal could achieve an estimated saving of £12k per place per year on Independent Specialist Provision placement costs. It is proposed that the new specialist provision would accommodate 20 places at full capacity, which would represent a saving of £240k per annum on the high needs budget.
- 6.8. The proposed new specialist provision will also enable the young people and their families to have more choice and opportunity to continue receiving education and training within their home borough. It will also better support the young people's transition into adulthood and enable them to develop friendships and networks of support within their home borough. This will also have the potential to achieve savings in

the adults social care budget if they subsequently stayed within borough. It is also envisaged that some of the young people who have to take residential placements due to the location of Independent Specialist Provisions would be able to stay in their own homes and travel to and from their homes on a daily basis. This would provide the council with the potential to achieve savings by reducing the number of residential placements both within Children's and Adults services.

- 6.9. In addition to the placements savings, there is also the potential to achieve transport savings. The current cost of transporting students to the nearest Independent Specialist Provider in Bromley costs £112k for 12 students, based on the use of 4 taxis. The projected cost for transport for 20 students to the Bromley Independent Specialist Provider would be £172k, this would be based on the use of 6 taxis. If there were specialist provision at House on the Hill, the projected cost for transport for 20 students would be £142k, based on the use of 5 taxis. This would provide a potential savings of £30k on transport. All the above costs are estimates, the cost may change depending on the location of the student's home and their physical and behaviour needs. If the transport were to providers further away than Bromley, the savings could be greater.
- 6.10. It is proposed to achieve the specification of a building that would meet the needs of two providers for high level needs for children and young people with special educational needs and disabilities. The funding for this is available through grant and a DSG-CERA allocation that has the support of the Schools Forum.
- 6.11. To set up high needs provision elsewhere in the borough, a suitable site would need to be found, either from the council's existing stock of land or purchased. The land would need to have water, drainage, electric and gas routed to it, if it didn't have these utilities already. The most cost effective solution would probably be modular buildings and whilst they provide good value for money, they would be significantly more expensive than the proposed refurbishment and would require planning permission. This process could take a number of years and there would be the possibility of not being able to identify land and making this happen.
- 6.12. Renovating House on the Hill to accommodate education and residential use will require an application for change of use from Planning. Advice from initial conversations with Planning suggests that this should be approved.

7. Financial Implications

The full financial implications for this report are contained in the separate Part 2 report as they indicate the financial funding envelope available for the capital works proposed.

7.1. Capital Financial Implications

- 7.1.1 Work has been undertaken to assess the space and facilities required for a specialist provision for high needs young people with special educational needs and disabilities and the scale and cost of adaptations to provide such a facility. The grounds for this work has been identified though capital grant and an allocation from the Dedicated School Grant Provision for capital expenditure.
- 7.1.2 The proposed use of the building would lead to a more intensive use of the site than is currently the case which would be in line with the capital asset strategy. The reduced use of accommodation for short breaks would have an impact upon the current rental income to the Council implicit within the current Action for Children contract.

7.2 Revenue Financial Implications

- 7.2.1 The current short breaks facility at House on the Hill uses the whole building to support a current case load of 33 young people. The annual cost of the contract with Action for Children is £813,757. It is expected that this annual cost would reduce significantly and would use half of the building rather than all of it. This saving would accrue to the General Fund. The final cost of the provision through any tendering process will need to allow for a rental charge to the successful contractor which may reduce the anticipated saving for this project but the rental charge would also accrue to the General Fund of the Council.
- 7.2.2 During the construction period, the short breaks service will be delivered by AfC from the Ravensbourne Centre. Any costs arising from that decant will be met from within the short breaks budget.
- 7.2.3 The use of out of area placements for Post 19 students with Learning Difficulty assessments incurs an annual cost to Lewisham of £2m.
- 7.2.4 It is estimated that Council day provision for PMLD could be delivered with lower unit costs. In a 20 place centre that would represent a saving of £240k per annum on placement costs.
- 7.2.5 The current cost of transporting students to the nearest Independent Specialist Provider in Bromley costs £112k for 12 students, based on the use of 4 taxis. The projected cost for transport for 20 students to the Bromley Independent Specialist Provider would be £172k, this would be based on the use of 6 taxis. If there were specialist provision at House on the Hill, the projected cost for transport for 20 students would be £142k, based on the use of 5 taxis. This would provide a potential saving of £30k on transport. All the above costs are estimates, the cost may change depending on the location of the student's home and their physical and behaviour needs. If the transport were to establishments more distant than Bromley, the savings could be potentially greater. This saving would accrue to the General Fund of

the Council as home to school transport is a local authority responsibility rather than one funded from the DSG.

- 7.2.6 Once fully operational this provision of 20 places could produce a revenue saving of up to £240k. This revenue saving would accrue to the Dedicated Schools Grant (DSG). The DSG is forecast to have an overspend of £2m for 2015/16 for high needs pupils which includes Post 19 Learning Difficulty and Disability places. This provision would contribute significantly to reducing the pressure on the high needs block within the DSG.
- 7.2.7 The start up for the provision would be phased so that there is a regular intake of post 19 students from the existing Greenvale Sixth Form provision. The expected phasing is an in-take of 5 in September 2015, 8 in September 2016 and then a further 7 in September 2017 when it would be fully occupied with Lewisham students. The staffing of the provision would be commensurate to the size of intake. It is likely that some transitional support would be needed in the first two years which would be finalised with the school when the actual planned intake is known and funded from the Growth Fund set aside within the central expenditure budgets of the DSG. The LA could, with the school, agree to “sell” some of the unused places in the new provision to reduce transitional costs but this would risk Lewisham students being unable to secure places in September 2016 and 2017. This in turn could reduce the savings achieved by the DSG in 2016 and 2017 on such placements.
- 7.2.8 The High Needs Block of the DSG would be funded for these places through the EFA by the inclusion of the students on the December funding return which generates the place funding allocation and the top up funds for these places.
- 7.2.9 As the Local Authority is obliged to make premises available for the use of a maintained school then the Local Authority is not required to seek best consideration in the transfer of the asset. There is therefore a potential rental loss to the Council subject to the amount received for the short breaks provision. Overall the General Fund position on the proposal is positive in that the transport savings should exceed any reduced rental income.
- 7.2.10 The estimated General Fund savings from the implementation of this project are estimated at £362k, the savings to the DSG are estimated at £240k; an aggregate total of £620k.

8. Corporate Asset Services Implications

- 8.1 The House on the Hill property is held within the Property General Fund, effectively within the ‘commercial estate’.

- 8.2 The Property is currently under a rolling annual service agreement, with Action for Children. Action for Children provide short break services to children and young people with disabilities on behalf of Lewisham Council (as described in Section 6 of this report).
- 8.3 The Service Agreement was originally made in 2003 and was due to expire 31st March 2014, the agreement was extended to 31st January 2015.
- 8.4 The investment in this asset will provide a specific specialist accommodation not yet found elsewhere in the existing property portfolio.
- 8.5 The proposed intensified use may lead to increased “wear and tear” of the property, which needs to be factored into the operational budgets of the users and the occupancy arrangements.
- 8.6 The Corporate Asset Services Team are currently undergoing a full asset review of all of the council’s holdings with a view to regularising and optimising how the estate is deployed. As a result of this work there will be greater transparency as to the cost of various service provisions and the exact allocation of income and costs for all assets.
- 8.7 As a function of the new arrangements described in the recommendations of this report, CAS will negotiate and put in place appropriate leasehold occupancy arrangements.. These will reflect the obligations on the Council to achieve best consideration and best value for its property assets where appropriate.

9. Legal Implications

- 9.1 The Human Rights Act 1998 safeguards the rights of children and where relevant young persons in the borough to educational provision which the local authority is empowered to provide in compliance with its duties under domestic legislation.
- 9.2 Section 14 of the Education Act 1996 places a general duty on local authorities to secure that there are sufficient schools for providing primary and secondary school education and requires them in particular to have regard to the need to secure that special educational provision is made for pupils with special educational needs. Section 315 of the Education Act 1996 requires local authorities to keep their arrangements for special educational needs provision under review.
- 9.3 Section 15ZA requires local authorities to secure enough suitable, full and part time, education and training opportunities to meet the reasonable needs of the following people in its area:
- young people who are over compulsory school age but under 19; and

- learners aged 19 and over, but under 25 who have (or should have had) a learning difficulty assessment under section 139A or 140 of the Learning and Skills Act 2000 but the duty does not extend to, persons subject to a detention order.
- 9.4 In securing education and training opportunities, local authorities must take account of people's ages, abilities and aptitudes; any learning difficulties they may have; the quality of the education or training; and the locations and times at which those opportunities are provided. In performing these functions local authorities also act with a view to encouraging diversity (in both type of provider and provision) and increasing opportunities for young people to exercise choice.
- 9.5 Under provisions contained in the recently enacted Children and Families Act 2014 and which come into force on 1st September 2014 and will be subject to transitional arrangements, the statutory assessment process for assessing special educational needs will continue. However, it will in future need to be co-ordinated across education, health and care. Statements of special educational needs for children and young people will cease and be replaced in due course by a new single multi-agency assessment and care plan, to be referred to as an Education, Health and Care Plan.(EHC Plan) The age range for children and young people who might be eligible for a EHC Plan will extend from 19 to 25 years. Consequently the new EHC Plan will span from 0 -25 years.
- 9.6 With the additional prospective responsibilities in relation to SEN provision as required by the Children and Families Act 2014 the governing body of Greenvale Special School propose to make a prescribed alteration to change the upper age limit to 25 years old. The expansion of the school onto an additional site no longer requires a formal statutory process to be followed.; however the usual principles of public law requiring the need to act rationally, taking into account all relevant considerations and following a fair procedure must be adhered to. The governing body will also need to ensure that the additional new provision is genuinely a change to the existing school and is not a new school.
- 9.7 Section 80 of the School Standards and Framework Act 1998 provides that a Governing Body of a maintained school is responsible for deciding whether or not to provide part time education for pupils over compulsory school age or full time education suitable to the requirements of persons who have attained the age of 19; but the governing body of a community or foundation special school shall not determine to provide or cease to provide, such education without the consent of the local authority.
- 9.8 Section 166 of the Education and Inspections Act 2006 and Collaboration Arrangements (Maintained Schools and Further Education Bodies) (England) Regulations 2007 SI2007/1321 enable

the governing bodies of maintained schools to make collaborative arrangements with further education bodies. This will provide a sufficient basis for discussions with LeSoCo.

- 9.9 Under Section 22(3) of the School Standards and Framework Act 1998, in the case of a community special school the local authority's duty to maintain the school includes the duty of defraying all the expenses of maintaining it, and the duty of making premises available to be used for the purposes of the school.
- 9.10 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.
- 9.11 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.
- 9.12 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.
- 9.13 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/>
- 9.14 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

9.15 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 specific crime and disorder implications arising from this report.

11. Equalities Implications

11.1 The initial equality analysis assessment indicates that the proposals in this report would not unlawfully discriminate against any protected characteristics but would positively promote equality of opportunity for children and young people with special educational needs and disabilities.

11.2 As the project develops an Equality Analysis Assessment will be done alongside the work to ensure that 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.

12. Environmental Implications

12.1 There are no specific environmental implications arising from this report.

BACKGROUND PAPERS

none

If there are any queries on this report please contact Keith Martin,
keith.martin@lewisham.gov.uk, 0208 314 3892.

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 checked="" type="checkbox"/> Key Decision

Date of Meeting	16 th July 2014
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Title of Report	Planning Obligations Supplementary Planning Document 2014 (the SPD) - draft for public consultation
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Originator of Report	Matthew Pullen	Ext.	46235
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 4th July 2014

Signed:  Director/Head of Service

Date: 1/7/2014

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	Planning Obligations Supplementary Planning Document 2014 (the SPD) - draft for public consultation	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Head of Planning & Head of Law	
Class	Part 1	Date: 16 July 2014

1. Summary

- 1.1. The report seeks approval to consult on the draft Planning Obligations Supplementary Planning Document 2014 (the SPD), which is proposed to replace the existing Planning Obligations SPD 2011. When adopted the 2014 SPD will replace the 2011 SPD and form part of the Local Development Framework, providing guidance on how planning obligations are used to promote sustainable development and deliver the infrastructure necessary to support the growth of residential, business and visitor populations. This report explains why there is a need for a replacement SPD and summary detail of the guidance provided.

2. Purpose

- 2.1 To provide Mayor and Cabinet and subsequently the full Council with the information needed to approve the draft Planning Obligations SPD for public consultation.

3. Recommendations

- 3.1 The Mayor is recommended to agree the draft Planning Obligations SPD for public consultation in accordance with the Statement of Community Involvement, and recommend that the full Council do the same.
- 3.2 The Mayor is also recommended to delegate power to the Director of Resources and Regeneration to make any minor changes to the text and format of the documents prior to the document going to public consultation.

4. Policy Context

- 4.1. The SPD will form part of the Council's Local Development Framework (LDF).
- 4.2. The role of the SPD is to explain and elaborate on the policies in the Lewisham Core Strategy (part of the LDF) in relation to planning obligations. The LDF forms part of the Council's policy framework.
- 4.3. In addition to implementing planning policy the SPD will assist and aid the implementation of other documents in the Council's policy framework.
- 4.4. In particular the SPD, will contribute to the implementation of Council's priorities:
 - community leadership and empowerment – developing opportunities for the active participation and engagement of people in the life of the community
 - young people's achievement and involvement – raising educational attainment and improving facilities for young people through partnership working
 - clean, green and liveable – improving environmental management, the cleanliness and care for roads and pavements and promoting a sustainable environment
 - safety, security and a visible presence – partnership working with the police and others and using the Council's powers to combat anti-social behaviour
 - strengthening the local economy – gaining resources to regenerate key localities, strengthen employment skills and promote public transport
 - decent homes for all – investment in social and affordable housing to achieve the Decent Homes Standard, tackle homelessness and supply key worker housing
 - active, healthy citizens – leisure, sporting, learning and creative activities for everyone
 - inspiring efficiency, effectiveness and equity – ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community.
- 4.5. The SPD will also play an important role in the implementation of the Sustainable Community Strategy vision 'Together we will make Lewisham the best place to live, work and learn' and all of the six strategic priorities, which are:

- 4.6. Ambitious and achieving – where people are inspired and supported to fulfil their potential
- Safer – where people feel safe and live free from crime, antisocial behaviour and abuse
 - Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities
 - Clean, green and liveable – where people live in high quality housing and can care for their environment
 - Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being
 - Dynamic and prosperous – where people are part of vibrant

5. Background

- 5.1. Planning obligations are used to mitigate specified negative impacts of development. They should not be seen as a way for the Council to share in the profits from a development or as an inducement offered by a developer as a way to gain planning permission. Unrelated or unnecessary planning obligations are not a means to secure planning permission for unacceptable development. Planning obligations should always be relevant to the development and contribute to achieving the planning aims of the Council.
- 5.2. The SPD is used to explain and elaborate on the implementation of policy in a development plan document. It does not set out any new policy. It must be consistent with the policies in the Development Plan including the Core Strategy and the London Plan. The relevant local, regional and national policies are listed in the SPD under the individual topic areas.
- 5.3. The existing Planning Obligations SPD was adopted in 2011. Since then, the policy context has changed especially with the introduction of the National Planning Policy Framework, and changes to the London Plan 2011 and the development of the Council's own Local Development Framework - the Core Strategy that sets the Councils policy on planning obligations.
- 5.4. The Community Infrastructure Levy (CIL) was introduced by the Government in April 2010 and has since been amended by further regulations in 2011, 2012 and 2014. The CIL is a levy that local authorities can choose to charge on new developments in their area. The money generated is to be spent upon infrastructure that is required in the local authority which may include roads and other transport needs, parks, schools, sports centres, emergency services and community facilities.
- 5.5. The Council has developed a CIL charging schedule that has been placed before Mayor and Cabinet and Full Council at each stage of it's development

over the past 3 years. In January 2014 the charging schedule was approved without changes at an independent Examination in Public. The charging schedule will be put before Mayor and Cabinet and Full Council in September 2014 seeking approval to adopt CIL as of 1st October 2014.

- 5.6. The adoption of a CIL charging schedule has an impact on Planning Obligations. The Council are not allowed to charge developers for the same infrastructure through both CIL and Planning Obligations, therefore the adoption of a CIL charging schedule will result in a reduction in the scope and application of Planning Obligations.
- 5.7. Given the changing policy context and the introduction of CIL, amendments are required to the SPD. The intention is to adopt an amended SPD to work in conjunction with the Council's CIL before the end of 2014.
- 5.8. The SPD has been developed with the input and assistance of key internal and external stakeholders representing each of the topic areas covered in the SPD (and those amended or removed to reflect the proposed adoption of CIL). Stakeholder meetings were held at key stages of the process culminating in a number of detailed review sessions for each topic area.
- 5.9. The SPD has also been developed in accordance with the Statement of Community Involvement.

6. Planning Obligations SPD summary

- 6.1. The SPD sets out how planning obligations will be used to promote sustainable development and deliver the infrastructure necessary to support the growth of the residential, business and visitor populations in accordance with infrastructure supported through CIL. The SPD takes into account the overall, cumulative impact of development on the borough, and explains how this will be dealt with through the use of planning obligations to mitigate the direct and cumulative impacts of developments.
- 6.2. In particular, the SPD seeks to:
 - Identify the range, scale and form of planning obligations likely to be sought;
 - Identify the types of development likely to require planning obligations;
 - Identify the protocols for negotiating contributions;
 - Identify how planning obligations are secured and monitored;
 - Minimise the need for detailed negotiations for each planning application;
 - Streamline the process by which planning obligations are secured and implemented; and

- Ensure an efficient, consistent, accountable and transparent process
- 6.3. The first section of the SPD provides an introduction to the SPD itself an outline of the policy context for seeking planning obligations and an overview of the Council's approach to securing planning obligations.
- 6.4. The following sections of the SPD set out in detail the justification and policy basis for requiring each type of planning obligation for each of the following topic areas and the form in which they should be provided:
- Affordable housing
 - Non-strategic transport
 - Public realm
 - Environmental protection
 - Local labour and business
 - Employment floorspace
 - Carbon offsetting
 - Flood alleviation
 - Professional, legal and monitoring fees
- 6.5. For clarity, please note that the following topics are not included in the SPD as they are subject to the CIL charge:
- State education facilities
 - Public health care facilities
 - Strategic transport enhancements (excluding site-specific, highways and public transport matters needed to make developments acceptable in planning terms, which may include matters on site, regarding access to the site or off site where the need for such works is identified in a transport assessment or travel plan)
 - Publicly accessible open space, allotments and biodiversity
 - Strategic flood management infrastructure
 - Publicly owned leisure facilities
 - Local community facilities (including (but not limited to) community centres and halls and libraries, but excluding places of worship).

- 6.6. The final section of the SPD sets out the general principles for securing planning obligations and frequently asked questions about planning obligations.
- 6.7. The SPD, whilst setting out formula based approaches for some of the topic areas covered, has been developed in a way that provides some flexibility in decision making. This will allow planning officers to consider the site specific impacts of proposed developments and the on-site or in-kind provision of facilities, before considering the need to secure off-site provision or financial obligations. The SPD clearly states that obligations will only be secured for those items that cannot be addressed as part of the development itself or through planning conditions.
- 6.8. A copy of the SPD is included as Appendix 1.

7. Sustainability Appraisal and Strategic Environmental Assessment

- 7.1. It is not necessary to undertake a Sustainability Appraisal to accompany the production of a SPD. It is however necessary to assess the need to undertake a Strategic Environmental Assessment (SEA).
- 7.2. In order to assess the need to undertake an SEA of an SPD, it is necessary to produce a SEA Screening Opinion. Pro Vision Projects were appointed as independent consultants to produce the screening opinion and they concluded that there was no requirement for a full SEA to be undertaken. The SEA Screening Opinion for the SPD is included as Appendix 2.

8. Consultation process for the draft SPD

- 8.1. The consultation process for Local Development Framework documents such as this SPD is set out in the Statement of Community Involvement. It is a legal requirement to undertake the consultation stated in the SCI. It runs for six weeks and will involve:
- Advertising the draft SPD in a local newspaper
 - Notifying by letter all those who have been involved in the consultation process
 - Make paper or CD copies available to all who want them
 - Publishing the SPD and any associated documents on the Council website, and making them available in the Planning Information Office and at the local library
- 8.2. After the 6 week consultation period, all representations received will be taken into consideration and a final SPD will be reported for adoption to Mayor and Cabinet and Full Council.

9. Legal implications

- 9.1. The Council has adopted its Statement of Community Involvement (SCI) which sets out the minimum consultation that will take place. It is a requirement of a 'sound' plan that the standards in the SCI are met.
- 9.2. The power of a Local Planning Authority to enter into a planning obligation with the those parties who have a legal interest in the land within its area is contained within Section 106 of the Town and Country Planning Act 1990 (The Act). Planning obligations made under Section 106 are secured as either planning agreements or unilateral undertakings.
- 9.3. In accordance with the Act, planning obligations may:
- Restrict the development or use of land;
 - Require specified operations or activities to be carried out;
 - Require land to be used in any specified way;
 - Require cash payments to be made;
 - May be either positive, i.e. requiring a person to carry out a specified action, or negative, i.e. restricting the person from developing or using the land in a specified way;
 - May be entered into either by agreement with the Local Planning Authority or by an undertaking by the developer to which the Local Planning Authority is not a party (e.g. unilateral undertakings in appeal cases);
 - Must be entered into by means of a Deed (which can be varied later if necessary by 'Deed of Variation');
 - Must be registered as a local land charge (for the Purposes of the Local Land Charges Act 1975);
 - Run with the land and may be enforced against the person entering into it and against any successors in title; and
 - Can be enforced by means of injunction.
- 9.5. Regulation 122 of the Community Infrastructure Levy Regulations 2010 places additional limitations on the use of planning obligations. A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 9.6. 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.

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.

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.

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:

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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

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. Financial Implications

- 10.1. The SPD aims to ensure the Council does not suffer financial burden from any major development, by imposing in-kind provisions, or financial obligations to provide or contribute to the necessary infrastructure.
- 10.2. There are no capital costs to the Council arising from the SPD. The costs associated with the printing, publishing and consulting on the report will be met from existing revenue budgets.

11. Equalities Implications

- 11.1. The Equality Act 2010 became law in October 2010. The Act aims to streamline all previous anti-discrimination laws within a Single Act. The new public sector Equality Duty, which is part of the Equality Act 2010, came into effect on the 5 April 2011.
- 11.2. The Equality Duty has three aims. It requires public bodies (including local authorities) when making decisions to have due regard to the need to
 - eliminate unlawful discrimination, harassment, victimisation and any conduct prohibited by the Equality Act 2010
 - advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - foster good relations between people who share a protected characteristic and people who do not share it.
- 11.3 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.
- 11.4 New development within the borough will be subject to the provisions set out in the SPD will improve the general accessibility of the public realm, facilitate the provision of new residential and commercial units which are fully accessible to people with disabilities, while the regeneration opportunities generally will provide scope to implement equal opportunities policies.
- 11.5 It is not necessary to undertake an Equalities Analysis Assessment (EAA) of the SPD. The Core Strategy has been subject to EAA and the SPD is guidance that will assist in the implementation of the already assessed Core Strategy. It does not create new policy.

Environmental implications

- 12.1 Environmental issues are at the heart of the SPD. The SEA Screening Opinion found no environmental matters of concern in reviewing the SPD, to the contrary it found a number of positive impacts that are likely to be delivered.

13. Conclusion

- 13.1. The Council is required to review and refresh it's approach towards Planning Obligations in the light of changes to the wider planning policy context and the introduction of CIL.
- 13.2. Alongside the CIL, which has been approved at Examination in Public, officers consider that the revised approach to Planning Obligations detailed in the SPD will enable the Council to continue to secure appropriate support for the delivery of local and strategic infrastructure in the borough. It is therefore recommended that the draft SPD is approved to go out to public consultation.

Background documents

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Town and Country Planning Act (as amended)	1990	Laurence House	Planning	Matthew Pullen	No
Planning & Compulsory Purchase Act 2004	2004	Laurence House	Planning	Matthew Pullen	No
Localism Act	2011	Laurence House	Planning	Matthew Pullen	No

If you have any queries on this report, please contact Matthew Pullen, S106 & CIL Officer, 3rd floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 6235.

Annex 1: draft Planning Obligations SPD 2014

Annex 2: SEA Screening Opinion

Lewisham Planning Obligations Supplementary Planning Document

Draft Planning Obligation Supplementary Planning Document – Consultation Version

July 2014

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1 Introduction

Background to this Document

- 1.1 The London Borough of Lewisham will be subject to a significant amount of development up to 2026, with around 14,000 new residential units planned for the borough, as well as new employment, retail and leisure provision. This level of development is expected to continue beyond 2026 to support London's growth.
- 1.2 New development plays an important role in the vitality of any locality. Whether it is the provision of new homes, employment or recreational facilities, development is essential to provide for our current and future needs. The planned level of growth within the borough, however, will result in increased pressure on local infrastructure, services and facilities and will also create a need for additional provision within the borough.
- 1.3 The purpose of the Planning Obligations Supplementary Planning Document (SPD) is to provide detailed guidance on the likely type and scale of planning obligations for development proposals in the London Borough of Lewisham to ensure that the impact of development on infrastructure and services can be adequately mitigated. It also seeks to establish a transparent, fair and consistent process for negotiating, securing and monitoring planning obligations.
- 1.4 In order to fund the infrastructure necessary to support development across the borough the Council is planning to adopt a Community Infrastructure Levy (CIL) in accordance with the CIL Regulations (2010) (as amended). The CIL regulations limit the use of planning obligations.
- 1.5 It should be noted from the outset that the SPD does not attempt to specify all of the planning obligations that may be necessary to mitigate the impacts of every development. Other planning obligations may be required that are not set out in this SPD due to site specific or local circumstances. The exact type and range of planning obligations, which may be sought for an individual site, will depend upon the particular circumstances and development proposed and its impacts upon the local environment, local services and facilities and in accordance with the NPPF and the Community Infrastructure Levy Regulations (2010), (as amended).
- 1.6 When adopted this SPD will replace the Council's adopted Planning Obligations SPD (2011). The SPD will be a material planning consideration for use in guiding and determining planning obligations.

What are Planning Obligations?

- 1.7 Planning obligations (made under Section 106 of the Town and Country Planning Act 1990, as amended), are Legal Agreements between local planning authorities and developers, or unilateral undertakings made by developers, in the context of the grant of planning permission. They can be both financial and non-financial and they are used when there is a requirement to address the impact of a development and the impact itself cannot be dealt with through a planning condition on the permission.

- 1.8 Planning obligations can be used to prescribe the nature of development (e.g. by requiring that a given portion of housing is affordable); or to secure a contribution from a developer to compensate for loss or damage (e.g. enhancements to open space); or to mitigate a development's impact (e.g. through increased or improved public transport provision). The use of planning obligations is an effective tool through which the Council will seek to ensure that growth and development, whether individually or cumulatively, meets the objectives of sustainable development as promoted in local, regional and national policies.
- 1.9 The Community Infrastructure Levy Regulations (Regulation 122) set out that from 6th April 2010 it will be unlawful for a planning obligation to be taken into account when determining a planning application for a development or any part of a development that is capable of being charged CIL if the obligation does not meet the following tests:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 1.10 Planning obligations are local land charges and run with the land. This means that they are intended to be enforceable against the original parties who entered into the agreement or undertaking and in most cases, anyone acquiring an interest in the land after it has been sold or transferred.
- 1.11 Used properly, planning obligations can significantly increase the quality of development. They can secure benefits capable of mitigating the adverse impacts of a development. However, they cannot be used to make a bad application good where, for example, a scheme does not comply with the development plan.

What is the Community Infrastructure Levy?

Introduction

- 1.12 The Community Infrastructure Levy (CIL) came into force in April 2010. It allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of local and strategic infrastructure that is needed to support growth and development in the borough. This includes transport facilities, flood defences, schools and other education facilities, medical facilities, sporting and recreational facilities and open spaces.
- 1.13 CIL is intended to provide developers more certainty up front about how much money they will be expected to contribute towards borough infrastructure needs. CIL takes the form of a charge per square metre of floorspace applied to most new developments that involve an increase of 100 square metres or more of gross internal floorspace or that involve the creation of a dwelling even where this is below 100 square meters. The CIL charges are based on the size and type of the new development. Some developments are exempt from paying the levy such as affordable housing, self build and developments of buildings by charities that are used for charitable purposes.
- 1.14 The CIL charges are set out in a formal document called a 'charging schedule' and charges are index linked and inflated over time.

Lewisham Community Infrastructure Levy

- 1.15 The Council's CIL is expected to become effective on the 1st October 2014. The Lewisham CIL will provide funding to help deliver a wide range of infrastructure projects to support new housing and economic growth and benefit local communities. It allows Lewisham to work with infrastructure providers and communities to set priorities for what the funds collected under the levy should be spent on and provides a funding stream so that the delivery of infrastructure projects can be planned more effectively.
- 1.16 The list of projects to be funded by CIL is set out in the Council's Regulation 123 list and the Council will allocate funds to projects to be supported through CIL as part of its capital programme.
- 1.17 Further information on the Lewisham CIL can be found on the Council's website¹.

Mayor of London Community Infrastructure Levy

- 1.18 In addition to the Lewisham CIL, the Greater London Authority is also a charging authority and the Mayor can charge a CIL to help ensure the delivery of local and sub-regional large scale infrastructure. As of 1 April 2012, the Mayor charges CIL to fund strategic transport which is currently the Crossrail project.
- 1.19 The Mayor's levy is £35 per square metre of new development in Lewisham. There is a nil charge for education and health uses.
- 1.20 The Council is required to collect CIL on behalf of the Mayor and give it priority in calculating the viability of its own CIL and other planning obligations. The Mayor is responsible for spending the Mayoral CIL.
- 1.21 Further information on the Mayoral CIL can be found on the Greater London Authority website.

How will the Community Infrastructure Levy and Planning Obligations work together?

- 1.22 The CIL will largely replace planning obligations as the way in which developments contribute towards providing the new infrastructure necessary to support new development. Once a Local CIL has been adopted or by April 2015 (whichever is the sooner) the Council will not be able to pool more than five separate planning obligations to pay for one item of infrastructure.
- 1.23 When the Lewisham CIL has been adopted the key principle of our approach will be that planning obligations will be used to address site specific impacts of developments such as local access road or public realm improvements near the site. They may also be used in situations where a developer does not meet planning policy requirements to provide infrastructure on the development site. Planning obligations will be negotiated where items sought are clearly linked to the development site and are needed to make that particular development acceptable. CIL on the other hand will be used to fund local and strategic infrastructure required to support growth across the borough.

¹ <http://www.lewisham.gov.uk/myservices/planning/applications/community-infrastructure-levy/Pages/default.aspx>

- 1.24 CIL payments and planning obligations will be used to fund different infrastructure items and developments will not be charged for the same items of infrastructure through both planning obligations and CIL. To help clarify this we will publish a list of those infrastructure types for which we will not seek to negotiate planning obligations after Lewisham's CIL has been adopted. This is called a Regulation 123 list and it will contain projects which may be funded partly or wholly by CIL. The list will be based upon the infrastructure projects set out in the boroughs infrastructure plan which are required to support growth over the Core Strategy period (2011-2016). It will be kept up to date to take into account any changes in circumstances and/or infrastructure needs identified in future.
- 1.25 Affordable housing falls outside of CIL and will continue to be required through planning obligations.
- 1.26 The CIL regulations allow authorities to offer CIL exceptional circumstances relief subject to specific circumstances. To qualify for the CIL relief the financial cost of complying with the planning obligations must be greater than the CIL charge cost and meeting the cost of CIL and the planning obligations would have to be proven to make the development economically unviable. The Council has decided not to introduce a CIL Exceptional Relief Policy at the current time but the impact of the introduction of the CIL and the potential benefits of introducing such a policy will be kept under review.

2 Legislative and Policy Context

Statutory Framework

- 2.1 The legislative basis for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 (as amended), which provides local authorities with the opportunity to enter into Section 106 agreements to secure planning obligations in connection with the development and use of land and for applicants / land owners to give unilateral undertakings when making a planning application.
- 2.2 Further statutory provisions are set out in Regulations 122 and 123 of the Community Infrastructure Regulations 2010 (as amended) (“CIL Regulations”).
- 2.3 The CIL Regulations place into Law for the first time, the Government’s Policy tests on the use of planning obligations. As of 6 April 2010 it became unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following tests:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development
- 2.4 The above requirement seeks to clearly delineate the different roles that both CIL and planning obligations have when used together, to secure the delivery of social and physical improvements and infrastructure required of and to support new development.

The National Planning Policy Framework (NPPF)

- 2.5 At the national level the National Planning Policy Framework (2012) (NPPF) sets out the Government’s economic, environmental and social planning policies for England. Paragraphs 203 to 206 of the NPPF, deal with the use of planning conditions and planning obligations. The NPPF reiterates the three tests governing the use of planning obligations as set out in the CIL Regulations and upholds the long standing principal that planning conditions are preferable to planning obligations. The NPPF also requires local planning authorities to ensure that policies on planning obligations take account of changes in market conditions over time and, wherever appropriate, are sufficiently flexible to prevent planned development being stalled.

The London Plan (July 2011)

- 2.6 The London Plan (July 2011) provides the strategic context for planning obligations in London and together with the Council’s Adopted Core Strategy (June 2011), is the primary consideration in determining planning applications.
- 2.7 London Plan Policy 8.1 outlines that in enabling development, the Mayor of London will work with boroughs and other key stakeholders across sectors to ensure the effective development and implementation of the Community Infrastructure Levy.

- 2.8 Policy 8.2 specifically deals with planning obligations and sets out that the Mayor of London will provide guidance on the preparation of frameworks for negotiating obligations in DPDs and the aspiration that there is a voluntary system of pooling contributions for the provision of facilities related to proposed developments. The policy also sets out that development proposals should address strategic as well as local priorities through planning obligations and that affordable housing and the funding of Crossrail and other public transport improvements should be given the highest priority. Climate change, learning and skills, health facilities and services, childcare provision and the provision of small shops should also be given priority.
- 2.9 Policy 8.3 (Community Infrastructure Levy) sets out that the Mayor of London will work with Government and other stakeholders to ensure effective development and implementation of CIL and will prepare guidance for boroughs setting out a clear framework for its application. The focus of this is to ensure that the necessary infrastructure to deliver the policies of the plan, such as Crossrail, can be delivered.

The Consultation Draft Further Alterations to the London Plan

- 2.10 The Mayor of London published a consultation draft further alterations to the London Plan in January 2014. The proposed amendments to Policy 8.2 (Planning Obligations) include the inclusion of air quality and social infrastructure as matters which should be given priority in the consideration of planning obligations.

Mayor of London's Powers

- 2.11 It should also be noted that the Mayor has the discretion to determine planning applications of strategic significance. This includes consideration of any planning obligations relating to those strategic applications the Mayor decides as Planning Authority. On strategic applications that the Mayor decides, boroughs are statutory consultees and conversely, for those strategic applications that boroughs decide, the Mayor is a statutory consultee.

Lewisham Sustainable Community Strategy

- 2.12 The Sustainable Community Strategy (2008 – 2020) focuses on key challenges to reduce inequality and social exclusion within Lewisham's communities and between Lewisham and the rest of the country. It sets out objectives under the following themes:
- Ambitious and achieving – where people are inspired and supported to fulfil their potential
 - Safer – where people feel safe and live free from crime, antisocial behaviour and abuse
 - Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities
 - Clean, green and liveable – where people live in high quality housing and can care for and enjoy their environment

- Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being
 - Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond
- 2.13 All of the Council’s activities and policies are guided by, and should be consistent with, the objectives and priorities set out in the Lewisham Community Strategy.

Local Development Framework

- 2.14 Lewisham Council’s Local Plan currently comprises the Core Strategy (adopted June 2011), Site Allocations (adopted June 2013) and the Lewisham Town Centre Local Plan (adopted February 2014). The Council are also developing two further documents to complete the Local Plan. The Development Management Local Plan (DMLP) is due to be adopted in late 2014, while the Catford Town Centre Local Plan is awaiting submission to the inspectorate.
- 2.15 The Core Strategy sets out the spatial planning framework for the long term development of the borough over the next 15 years. It is a strategic document that provides the broad strategy for the scale and distribution of development and the provision of supporting infrastructure.
- 2.16 The Development Management Policies, Site Allocations and Lewisham and Catford Town Centre Local Plans, are aimed at achieving development that delivers the vision and objectives set out in the Core Strategy to bring forward sustainable development.
- 2.17 Core Strategy Policy 21 sets out the following in relation to planning obligations:
- “The need to provide infrastructure, services and/or facilities to address the impact of new development will be considered by the local planning authority from the outset of the planning application process.
 - The Council will seek planning obligations in accordance with Circular 05/05 to ensure effective implementation of the Core Strategy.
 - The Council will prepare a Planning Obligations Supplementary Planning Document to provide further guidance on the likely type, scale and priority of planning obligations and the methodology for calculating formula based obligations, where it is appropriate to do so.”
- 2.18 A number of DMLP policies refer to the use and application of planning obligations in relation to issues such as town centres, wheelchair housing, air quality management and community facilities. The town centre local plans contain details of planning obligation priorities for the key development sites and each town centre.

Infrastructure Planning

- 2.19 The Council has produced an Infrastructure Delivery Plan (IDP) to assess the requirements for a range of physical, social and green infrastructure that may be needed over the plan period of 15 years to 2025/26. The IDP looks at the current and planned supply and the likely demand for such infrastructure if the forecast for population growth is achieved. The use of planning obligations will assist in the delivery of that infrastructure.

3 Topic Areas

3.1 Affordable Housing

Introduction

- 3.1.1 The provision of housing is a key priority and pressure for the borough. The Council is seeking to create socially mixed communities with a greater choice of housing, in order to meet the needs of Lewisham's diverse community. The provision of affordable housing to meet the existing and future housing needs of residents who cannot afford market housing is particularly important in Lewisham, given the high levels of deprivation, the lower than average household incomes and the high market housing prices experienced in the borough.
- 3.1.2 This appendix provides guidance on securing affordable housing as an integral part of development in Lewisham.

Definition

- 3.1.3 The main types of affordable housing promoted by the Council can be found within the method section. For the purposes of this document, the definition of 'affordable housing' as contained in Annex 2 of the National Planning Policy Framework (NPPF) will apply:

"Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

- *Social rented housing is owned by local authorities and Private Registered Providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.*
- *Affordable rented housing is let by local authorities or Private Registered Providers of social housing to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require no more than 80% of the local market rent (including service charges, where applicable).*
- *Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can be shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.*

Homes that do not meet the above definitions such as low cost market housing may not be considered as affordable housing for planning purposes".

- 3.1.4 Definitions, consistent with the NPPF, are also provided in regional and local policy.
- ⇒ Policy 3.10 and paragraph 3.61 of the London Plan
 - ⇒ Appendix 6 of the Core Strategy
 - ⇒ Appendix 5 of the Development Management Local Plan (DMLP).

Policy Pointers

- 3.1.5 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Justification

- 3.1.6 When dealing with affordable housing it is important to recognise from the outset the unique nature of the borough in terms of its population, deprivation, housing stock, incomes, house prices and housing affordability. An overview of each of these characteristics is provided below, using data taken from:

- ⇒ 2011 Census
- ⇒ 2012 ONS Mid Year Population Estimate
- ⇒ ONS 2011 Neighbourhood Statistics
- ⇒ 2012 Ethnic Group Projections
- ⇒ 2010 Index of Multiple Deprivation
- ⇒ 2012 GLA Population Projections
- ⇒ 2012 GLA Ward Profiles
- ⇒ 2012 Land Registry Data
- ⇒ 2012 NOMIS Official Labour Market Statistics
- ⇒ 2013 London Labour Market Indicators
- ⇒ 2014 Lewisham Affordable Rent Study

- 3.1.7 **Population** In 2011 Lewisham had 275,900 residents, representing an 11% increase since 2001. This level of growth reflects London's growth as a whole and is greater than previously anticipated. The borough's population is projected to grow by 23% to 339,776 residents by 2041. Lewisham has a younger population than London as a whole with approximately 20% of residents aged 0-14, 70% aged 15-64 and 10% aged 65 and over in 2012. Lewisham also has a highly diverse and vibrant community both ethnically and culturally. In 2012 48.5% of residents were of black and ethnic origin and this will rise to 57.7% by 2041.

- 3.1.8 **Deprivation** Some of the borough's most successful communities are also some of its most deprived. In 2010 Lewisham was ranked as the 31st most deprived local authority in England. 38% of Lewisham's Lower Super Output Areas (LSOAs) were in the 20% most deprived. There are a range of indicators that point towards Lewisham having high levels of deprivation. In 2011 life expectancy at birth for males (78 years) and females (83 years) were slightly lower in Lewisham than England (79.2 and 83). Conversely, in 2012 childhood obesity levels (11.2% of 4-5 year olds and 24.4% of 10-11 year olds) in Lewisham were higher than England (9.4% and 19%). Deprivation relating to crime is widespread, with 60% of the LSOAs within the 20% most deprived in 2010. In 2013 Lewisham's unemployment rate was 9.9% and the rate of claimants for Job Seekers Allowance exceeds the London average. In particular there is a disproportionate impact of unemployment on young people (16 – 24 years), with some wards experiencing 22.6% compared to London's 6.9% in 2012.
- 3.1.9 **Housing stock** Lewisham's existing housing stock consisted of 116,091 households in 2011, of which 26% were single people living on their own. Purpose built flats are most common (35.7%) followed by terraced properties (28.2%). 43.6% are owner occupied or in shared ownership, 31.1% are social rented and 24.4% are private rented compared to London (56.5%, 26.2% and 15.5%). Private renting has almost doubled from 13.1% in 2001 to 24.3% in 2011. There is also significantly more housing in the lower Council Tax bands A-C and significantly less in the higher bands.
- 3.1.10 **Incomes** In 2012 the average gross earnings by residence in Lewisham was £594 per week. Lewisham's gross average annual pay, at £26,000, was lower than London's average of £30,000. Importantly, a quarter of Lewisham's residents earn £15,349 or lower.
- 3.1.11 **House prices** Despite being lower than London as a whole, house prices in Lewisham have recovered well since the recession and have once again reached the peak seen in 2008. By August 2013, average house prices rose to £296,559 and the house price index increased to 400. Average house prices also vary across the borough, ranging from £194,236 in the south to £415,757 in the north.
- 3.1.12 **Housing affordability** The average house price to income ratio is 7.91, making it difficult for local residents to buy a home in the borough. Barriers to housing are apparent. In 2010 89.2% of the LSOAs (encompassing areas within every ward) fell within the 20% most deprived and 19.9% of the LSOAs fell within the 10% most deprived. With average house private rents of £415 per week, renting takes up a significant proportion of residents' incomes. The monthly average rental value in 2014 varies from £927 for a 1 bed flat to £1,995 for a 4 bed house and values differ between postcodes. If 33% of residents' gross incomes were used to pay for rents, the percentage of residents who would be able to afford 80% market rent varies from 48% for a 1 bed flat to 12% for a 4 bed house. Conversely, for families consisting of 4 children in a 4 bed house that are reliant upon benefits, rents at 80% of market rent level would comprise 73% of their gross income.
- 3.1.13 To summarise, population growth coupled with lower than average earnings and an under-supply in both market and affordable housing has led to high housing costs beyond the reach of many residents. Furthermore, the benefits of inward investment do not always reach existing residents and often private housing developments are not accessible to local residents in housing need. The Lewisham Affordable Rent Study emphasised that affordability will be an increasing concern for larger households including those in work and those who are affected by the benefit cap. Consequently there is a need to ensure that Lewisham contributes to the overall London Plan affordable housing targets, but by doing so in a manner that responds

to the significant and high level of need for affordable housing in the borough, especially social rented units and affordable family homes. This section provides local level guidance on the provision of affordable housing that is tailored towards addressing this local level need.

- 3.1.14 The guidance in this section also takes into account the established and robust evidence base that already exists. At the regional level the London Strategic Housing Market Assessment (SHMA) (2013) identified a net requirement for around 49,000 new homes per year in London, of which 48% is needed as market housing, 20% as intermediate housing and 32% as social/affordable rented housing. In terms of unit sizes, 34% is needed as 1 bed units, 18% as 2 bed units, 26% as 3 bed units and 22% as 4 bed units. The Homes for London: London Housing Strategy 2014 and the Mayor's Housing Covenant 2015-18 Programme seek a mix of 60 rented homes and 40% intermediate. For the affordable rented units that are supported by the Mayor of London, half of the units should be lower capped rents of no more than 50% of local market rents inclusive of service charges and targeted at those most in need. Half should be discounted rents of no more than 80% of the market rent, prioritised for working households.
- 3.1.15 At the sub-regional level the South East London SHMA (2010), prepared on behalf of the London Boroughs of Southwark, Lewisham, Greenwich, Bexley and Bromley, identified a net requirement for 23,100 additional dwellings over the next five years, with a high requirement for 4+ bedrooms and the need for 71% to be provided as social rented housing. The initial findings for the 2014 South East London SHMA show that housing prices and population growth in Lewisham have increased the most compared to the other South East London Boroughs. To meet newly arising and backlog need, approximately 1,144 affordable housing units will be needed in Lewisham each year, half of which should be provided as intermediate housing. Whilst a full mix of unit sizes will be needed, the largest demand will be for 2 bed intermediate units and family sized 3 bed social/affordable rented units. However, to address the current levels of under-occupation and over-crowding, largest demand will be for 2 bed intermediate units and 1 bed social/affordable rented units.
- 3.1.16 At the local level the Lewisham Housing Market Assessment (2009) identified a net requirement of 6,775 dwellings over a five year period, with approximately 80% required as affordable housing. The Lewisham Affordable Housing Viability Study (2009) concluded that an affordable housing target of 50% is justified, based on medium term projections of a recovery in the local housing market.
- 3.1.17 The Lewisham Annual Monitoring Report 2012-2013 identified that 564 net new affordable units were completed in 2012-13 and that they were mostly concentrated in the north of the borough. They provide a mix of unit sizes and types with 27% 1 bed units, 48% 2 bed units, 25% 3 or more bed units, 96% new build units and 89% flats. However, the affordable housing completions form only 31% of the total completed housing and fall short of the 50% target. The social/affordable rent to intermediate ratio of 57:43 also falls short of the target ratio of 70:30.
- 3.1.18 The Lewisham Affordable Rent Study (2014) found that rent values vary across different postcodes and that target rent levels currently equate to 50% or less of the market rent. Only 25% of the postcodes fall within the desired affordability threshold (i.e. no more than 33% of gross income spent on housing) for 2 bed units at 80% market rent, whilst for 3 bed units 65% market rent is needed to meet affordability threshold and 50% for 4 bed units. Affordability will be an increasing concern for larger households including those in work and those affected by the benefit cap. In particular, there will be a significant reduction in residual income for unemployed families with three or more children, if they move from target rent to affordable rent at 80% of market rent.

- 3.1.19 The evidence identified above, when considered alongside the unique context of the borough, strongly emphasizes the need for affordable housing in the borough. The Council will be looking at development schemes to ensure that the affordable housing proposals do not exacerbate the inability of local residents in housing need to be able to access new homes.
- 3.1.20 Affordable housing also sits within a regional and local policy framework, namely the National Planning Policy Framework, London Plan policies 3.9-3.13, London Housing Strategy, Funding Prospectus: Mayors Housing Covenant, Core Strategy Policy 1, DM Policy 7 in the Development Management Local Plan and the Lewisham Housing Strategy. A number of overarching principles arise from this policy framework, including:
1. Helping to significantly boost the supply of high quality affordable housing and contribute to an average of 13,200 net new affordable homes per year in London. The FALP is proposing to increase this to 17,000.
 2. Providing affordable housing to meet the objectively assessed current and future needs for the area, as identified in the SHMA, having regard to local incomes, land and house prices, population trends and the strategic and local needs of different groups within the local community.
 3. Providing affordable housing where the site is capable of providing 10 or more homes, with a preference for providing affordable units on site.
 4. Seeking the maximum provision of affordable housing on a case by case basis, taking into account individual site circumstances. The starting point should be 50% affordable homes that will in turn contribute to an overall strategic target of 50% across the borough.
 5. Providing the right mix of housing to underpin successful and vibrant neighbourhoods, with a mixed and balanced tenure and a wide choice of housing options. In areas with high existing concentrations of social rented housing, introduce a more balanced social mix by providing a higher percentage of intermediate housing.
 6. Providing a mixed tenure with 70% social/affordable rented units and 30% intermediate units, thereby helping people on low or middle incomes to move into home ownership.
 7. Giving priority to affordable family housing, with a target of 42% of the units provided as family dwellings (3 or more bedrooms). Delivering family sized affordable homes, as well as increasing the supply of small affordable homes will help to tackle overcrowding and enable people to downsize.
 8. Providing affordable units that take account of viability and are subject to a financial viability assessment. A balance needs to be demonstrated between providing affordable housing that is genuinely affordable to local residents in housing need whilst ensuring schemes are viable and can be delivered.
 9. Ensuring affordable housing is effectively managed in a cost efficient way and that units remain at an affordable price for future eligible households.
- 3.1.21 The guidance in this section builds upon these overarching principles. The Council will expect development schemes to incorporate affordable housing in a manner that is compatible with the overarching principles listed above.

Development types from which obligations will be sought

General

- 3.1.22 In accordance with the London Plan, the Council will implement the affordable housing requirements set out in this SPD on sites of 10 units or more.
- 3.1.23 In order to prevent the underdevelopment of sites, the affordable housing requirement will be sought on sites that are capable of yielding the 10 unit threshold, whether or not the 10 unit threshold has been triggered. Where the Council considers that a site has been artificially subdivided in order to avoid the application of the affordable housing policy, the Council will investigate the ownership of each site to determine whether the ultimate holding company or owners are the same. Where possible, the Council will apply the affordable housing policy across the entire site.
- 3.1.24 Where there is an increase in the number of residential units on a site at a later date, then the affordable housing policy will be applicable if the increase in the number of units takes the total to 10 or more units and the guidance within this document will be applicable to all affordable dwellings.
- 3.1.25 In the event that planning permission is granted for a mixed-use scheme, and a subsequent application seeks to vary a use from a non-residential element to residential use, this will trigger a reassessment of the requirement for affordable housing to be provided on the site.

Specialist housing

- 3.1.26 The London Plan requires that specialist housing for people with specific housing needs, including sheltered housing for the elderly, should be provided for, in line with local needs. The Council's Local Plan also supports proposals for special needs housing to meet the needs of specific groups across all tenures and income groups.

Specialist housing for older people

- 3.1.27 Proposals for sheltered housing and extra care homes are subject to other residential policies. This means that the affordable housing policies will be applied to schemes that fall over the threshold. Where the Council receives a planning application for a market sheltered housing scheme or extra care scheme the Council will confirm whether or not there is a need for affordable accommodation of this type. If there is, the required amount of affordable housing will be sought as sheltered or extra care accommodation on-site. If there is no identified need for affordable housing of this type, the applicant will be required to provide general needs or other forms of affordable supported housing on site, through re-design exercises if necessary.

Student housing

- 3.1.28 Genuine student housing will not be required to provide a proportion as affordable housing. In accordance with the London Plan (paragraph 3.53) the Council will secure student housing through the planning agreement or a condition to be robustly secured for students in perpetuity, otherwise it will be subject to the requirements of the affordable housing policy. Proposed future changes to student housing provision will be subject to the same requirements.

Hotels

- 3.1.29 The Lewisham Development Management Local Plan states that *“Proposals for hotels will need to demonstrate that a hotel operator will be identified and secured prior to the commencement of the development.”* The Council consider that genuine hotel development is not required to provide additional affordable housing, whilst speculative development that is not considered as deliverable as a hotel by the Council may be subject to affordable housing.

Method for delivering affordable obligations

Affordable housing targets

- 3.1.30 The London Plan (2011), the Mayor’s Housing Supplementary Planning Guidance (2012) and the Lewisham Core Strategy (2011) state a strategic affordable housing target of 50%. That target is supported by the Council’s Local Housing Market Assessment and Affordable Housing Viability Assessment. In order to achieve the 50% strategic target the Council will use this as a starting point for negotiations subject to any site specific issues including financial viability.
- 3.1.31 The proportion of affordable housing will be calculated on the total number of units provided and rounded to the nearest whole number (with 0.5 being rounded up). However if the scheme proposes to provide a high proportion of affordable family units on site (defined as units with three or more bedrooms), the affordable housing requirement can be measured using habitable rooms, in accordance with the Mayor’s Housing SPG (2012).
- 3.1.32 Ultimately the proportion of affordable housing will be determined by the Council:
- On a site by site basis;
 - On identified evidence of local need; and,
 - Taking into consideration the financial viability of the development.
- 3.1.33 Where the quantum or type of affordable housing for delivery requires negotiation due to the influence of the three factors identified above, the Council will expect such negotiations to be undertaken early in the pre-application planning process, in particular in relation to the potential receipt of grant funding (from the Government, the Mayor of London, or other sources). Where discussions would be assisted by the inclusion of a Registered Provider, applicants should speak to the Council, who have a good relationship with many local Registered Providers and may therefore be able to assist in identifying a suitable partner. Further advice on Registered Providers can be found later in this section.
- 3.1.34 The Council understands that financial viability can affect the ability of a development to deliver affordable housing to meet policy targets. Guidance regarding Financial Viability Appraisal is available in Section 4.

Securing affordable housing

- 3.1.35 Planning obligations and affordable housing will be secured through a Legal Agreement under Section 106 of the Town and Country Planning Act 1990. Applicants are advised to agree heads of terms for a Section 106 Agreement with the Council. The following details will usually be referred to within the Legal Agreement:

- Number, location, size and tenure of the affordable units;
 - Standards which the affordable housing will meet;
 - Availability of units in perpetuity; and
 - Completion timing and availability of affordable units in relation to market units
- 3.1.36 Whenever possible any Registered Provider associated with the delivery of the affordable units will be expected to be party to the Section 106 Agreement.
- 3.1.37 Applicants are required to submit a 'Planning Obligations Statement' with their planning application. The Planning Obligations Statement should include the timing of the expected delivery of the affordable housing units, the mix of affordable housing tenures, how the affordable housing will be delivered and managed and the levels of affordable rent.

Dwelling size and mix

- 3.1.38 Providing housing of appropriate sizes to meet the needs of the borough is important in creating better and healthier places. The borough's needs will not be served through the provision of a large number of units designed to cater for single people or couples, as this will result in an under supply of much needed family housing. Conversely, the provision of predominantly family housing would make it more difficult for young and single people to stay in the borough and for those impacted by Welfare Reform to down size.
- 3.1.39 The dwelling size and mix should link directly to the London Housing Strategy, the Lewisham Core Strategy, the Strategic Housing Market Assessment and the Lewisham Housing Strategy.
- 3.1.40 Studio units are not suitable for affordable housing as they do not meet the borough's needs for this type of housing. Because of this, developments that provide solely studio units will not be accepted as affordable housing provision. However, studio units do generate a requirement for affordable housing, just like any other size of unit if they are part of a development of 10 or more residential units.
- 3.1.41 The Council recognises that different sites may pose different design challenges in terms of providing larger family accommodation. However, even in blocks of flats the Council considers that good quality family housing can be provided particularly at ground floor and 1st floor level with access to private gardens, balconies, terraces or other communal amenity space. In accordance with Core Strategy, the Council will ensure that 42% of the affordable housing provided within developments have three bedrooms or more. The need for family accommodation in Lewisham is greatest within the social rented sector and therefore the Council will ensure that 16% of any intermediate housing provided has three or more bedrooms and the remainder (to meet the 42% overall) should be provided within the social rented accommodation.
- 3.1.42 Some proposed developments may have too few affordable housing units to allow for a mix of unit sizes. In these circumstances, the size of the affordable housing units required should have one more unit than the majority of the units in the development. For example, if the majority of units have two bedrooms then the affordable housing units should have three bedrooms.

Tenure mix

- 3.1.43 A key characteristic of a mixed and balanced community is the variety of housing particularly in terms of tenure and price, and a mix of different households such as families with children, single person households and older people.
- 3.1.44 As a starting point for negotiations, social/affordable rented units will be the main tenure required and will account for up to 70% of the affordable housing provision with the remaining 30% provided through intermediate tenures. These targets are considered appropriate as they:
- Conform to the needs identified in the Strategic Housing Market Assessment;
 - Respond to the greatest amount of need (rented housing) whilst still enabling balanced and sustainable developments; and
 - Reflect the historic and current policy position in the Council's Local Plan which has been shown to be viable and deliverable since it was adopted.
- 3.1.45 In areas where there is a high concentration of social/affordable rented housing, for instance in the south of the borough, the Council may, at its absolute discretion, accept a slightly higher percentage of intermediate housing than the borough wide target of 30%. The Council will advise applicants if such a departure from policy is appropriate and it will be at the Council's absolute discretion.
- 3.1.46 Ultimately, the Council will determine tenure mix:
- On a site by site basis.
 - By the area of the borough in which the site is located; and
 - By evidence of need in the housing market assessment.
- 3.1.47 On some schemes, it may be impractical to split the affordable housing into social/affordable and intermediate tenures and it may be more practical to provide the affordable housing as a single tenure. On such sites, the Council will require that all of the affordable housing is provided as social/affordable rented housing to address the significant need for this type of housing in the borough.

Affordable rent

- 3.1.48 DM Policy 7 provides guidance on affordable rented housing in the Development Management Local Plan. Evidence has shown that affordable rent levels that are set at 80% of market rent will be unaffordable for many local residents in need of, and eligible for, affordable housing. In reality individual schemes usually contain homes at a range of affordable rent levels, including some at or around the Council's target rent level. Hence, DM Policy 7 and its justification text does not prescribe rigid rent levels but instead seeks that they be set on a case by case basis, taking into account:
- maximising affordable housing output whilst complying with other Core Strategy policies
 - meeting the full objectively assessed affordable housing needs
 - ensuring provision remains affordable for future eligible households
 - the location within the borough, the area's tenure mix and site characteristics.
- 3.1.49 Development schemes that provide affordable rent will be supported by the Council where they:

- comply with Core Strategy Policy 1 and DM Policy 7 of the Development Management Local Plan
 - create a balance between maximising affordable housing delivery whilst meeting the full range of housing needs. This includes giving first priority to people on the Common Housing Register and providing homes that they can genuinely afford (with no more than 33% of household income spent on housing costs)
 - can demonstrate that ownership of affordable rented homes will be transferred on completion to an approved Registered Provider or other Council approved body.
- 3.1.50 The Lewisham Affordable Rent Study (2014)² looked at local market rents across the borough, average incomes and benefit levels of different sized families and the ability of local residents in housing need to meet affordable rents up to 80% of the market value. It found that there are issues regarding the affordability of larger properties in the borough, especially for those people who are affected by the benefits cap as only people in employment are able to claim Housing Benefit to support higher affordable rent levels. It also found a disproportionate impact on larger unemployed families, given the benefit cap of £500 per week regardless of family size. It recommends that affordable rent levels be tailored to meet the needs of local residents in housing need including ensuring that larger unemployed families have some affordable housing options. Specifically, the study identified the appropriate levels of affordable rent in Lewisham that can be considered as affordable to local eligible people and recommended the following range of affordable rent levels:
- 1 bed units should be provided at 80% of the market rent or local housing allowance (LHA)
 - 2 bed units should be provided at 70-80% of the market rent or LHA
 - 3 bed units should be provided at 65% of the market rent or LHA to cater for larger working families. Furthermore, a proportion of the 3 bed units should be provided at 50% of the market rent (capped rent) in order to cater for families in most housing need
 - 4 bed units should be provided at 50% of the market rent (capped rent).
- 3.1.51 The Council's website will be regularly updated to show current estimates of market rent, target rent levels and the LHA.
- 3.1.52 The Council agrees that without constraining the ability of development schemes to provide affordable housing, rent levels should reflect the range of rent levels listed above. Furthermore, these rent levels should be applied across the borough, without differentiating between different postcodes, as market value will vary on a site by site basis with pockets of high value in most areas.
- 3.1.53 The Council will use this range of rent levels as the starting point in individual scheme negotiations and development schemes should strive to comply with the rent levels identified above. The exact mix of rent levels should be determined as part of an independent financial viability assessment (with the costs borne by the applicant). If site circumstances dictate that a development scheme should deviate away from these rent levels, reasons as to why such a mix of rents is not possible and/or viable should be provided as part of the planning application.

² <http://www.lewisham.gov.uk/my services/planning/policy/LDF/evidence-base/Pages/housing.aspx>

- 3.1.54 The rent levels assessed as appropriate in the financial viability assessment will be secured in the Legal Agreements signed as part of the planning permission and the Council will seek to ensure that the rent levels determined at the time of planning approval are retained at those levels on occupation.
- 3.1.55 In some circumstances rents will need to be at levels that enable movement for decant households or downsizers, therefore rent levels should always be agreed with a Registered Provider and the Council at the earliest opportunity (preferably at pre-application stage) and in accordance with any other housing strategy or policies.

Affordability thresholds for intermediate housing

- 3.1.56 The London Plan sets income limits for intermediate housing. These are based on average household incomes and average house prices across the whole of London. The Council has undertaken a SHMA and HMA and considers that it is appropriate to provide income thresholds that reflect local circumstances. The SHMA has been updated in 2014 and these figures incorporate its findings.
- 3.1.57 The maximum income levels that would allow households to qualify for intermediate housing are detailed in row 2 in Table A.1 below. These are upper thresholds.
- 3.1.58 Intermediate accommodation should be affordable for rent or purchase by households where the average total gross household annual income does not exceed £36,795 in respect of all 1 bed dwellings, £42,663 in respect of all 2 bed dwellings, £59,810 in respect of all 3 bed or larger dwellings (i.e. row 4 in Table 3.1.1).

Table 3.1.1 – Household Income Thresholds

	1 bed	2 bed	3 bed or larger
1. Cost of private housing in lowest quartile ³	180,480	237,047	357,074
2. Annual household income required to purchase private housing ⁴	51,565	67,727	102,021
3. Annual household income range for affordable rental housing ⁵	Up to 22,026	Up to 22,026	Up to 22,026
4. Annual household income range mid-point for intermediate housing (mid point of 2 and 3).	36,795	42,663	59,810

- 3.1.59 These figures will be increased (or decreased) annually in accordance with changes in income levels and house prices in the borough.
- 3.1.60 Affordability for shared ownership units should be established according to current HCA guidance. Total housing costs (including mortgage, rent and service charges) should not exceed 40% of net household income. Net household income is assumed to be 74% of gross household income.

³ SELHP Housing Market Bulletin Table 5d – Lower Quartile prices in South East London (and Lambeth) by ward, housing type and size, October 2013

⁴ Assumes 3.5 x gross income multiplier (in line with HCA calculator).

⁵ SHMA 2014

Key worker

- 3.1.61 A key worker is someone with a job in an essential public service. Key workers are usually considered to be national health staff, teachers, police, social workers, occupational therapists, educational psychologists, planners and military personnel. These workers are needed to provide key services to the public whether in the public or the private sector.
- 3.1.62 Key worker housing is usually provided as intermediate housing, however the definition of intermediate housing relates primarily to affordability and not to the employment status of the individual members of a household. Key workers may be eligible for either social housing or intermediate housing depending on their household income and circumstances. An appropriate amount of affordable housing should be made accessible to key workers to ensure that they are able to live and work within the borough.
- 3.1.63 In some cases the Council may seek to secure a specific percentage of key worker housing within the overall tenure mix of the affordable housing units. The Council will use the Government definition of 'key worker' unless there are specific shortages of key workers within the borough which the Council would make publicly known via its website.

Wheelchair housing

- 3.1.64 The Council will expect a minimum of 10% of all housing including the affordable housing to be capable of easy adaptation to the South East London Housing Partnership Wheelchair Homes Design Guidelines (October 2011) or any successor version of this document.
- 3.1.65 For further details regarding the provision of wheelchair housing see Section 3.2.

Completion and Availability of Affordable Units

- 3.1.66 The Council expects to see the affordable housing delivered as quickly as possible. On development sites the Council will therefore seek to secure the completion and transfer of the affordable housing units prior to the first sale or occupation of dwellings to be sold on the open market or rented privately. The market dwellings to be occupied in advance of completed affordable housing being transferred to an RP will be a maximum of 50% of the units. For phased development this will be 50% of the units per phase.

Service and management charges

- 3.1.67 Affordability of service charges is important on all affordable tenures and some may be ineligible for housing benefit. The Mayor of London's Supplementary Planning Guidance sets out that 'housing is affordable in that rents are no greater than target rents as set by Government for local authority and housing association and co-operative tenants. Service Charges should not be so great as to make a tenancy unaffordable for a household with an income of less than £16,900 on the basis of rents and service charges not exceeding 30% of net household income.' The new Affordable Rent tenure, as introduced in the 2011-15 GLA Investment period includes service charges in the total rent figure as a percentage of the market rent.

- 3.1.68 This may not be achievable on all schemes, however, where it is not achievable, charges should be kept to a minimum and discussed in detail with the Council.
- 3.1.69 The imposition of high maintenance costs and high services charges could affect the overall affordability of affordable units. Therefore the developer should aim to ensure that the services and management charges of the affordable units are affordable and to keep costs down where possible, without compromising high quality design.
- 3.1.70 The RP partner will be able to provide advice on acceptable levels of service charge and whether there is scope to reduce charges through design. Consideration can also be given to the services the charge will cover and whether it is appropriate for some of the services to be made available to occupiers of the market housing only.
- 3.1.71 If service charges exceed the affordable amount for tenants in social rented housing, the developer should reduce them to affordable levels through the provision of an endowment to subsidise charges on an on-going basis. The Council may consider other methods of reducing service charges, at its own discretion.

Public subsidy

- 3.1.72 Only affordable housing providers that are accredited by the Homes and Communities Agency (HCA) and GLA are able to apply for public subsidy. The Council's role is to inform the GLA whether it supports an application for public subsidy based on it meeting strategic priorities.
- 3.1.73 The Council will support the use of Social Housing Grant to maximise the provision of affordable housing in the borough. The Council will use the GLA Development Control Toolkit (or another suitable appraisal model) to determine whether a scheme requires grant and to demonstrate 'additionality'. If grant funding is required although not secured from the GLA, the Council may consider the inclusion of a Cascade Mechanism on either the level or the tenure mix of affordable housing required, to ensure the overall viability of the scheme. Cascade Mechanisms will only be used in exceptional circumstances and only where the need for grant is supported by a financial viability appraisal.
- 3.1.74 On occasion the Council might not support grant funding to schemes. The Council will only support schemes that meet the current and future GLA and Council's standards for residential development standards.
- 3.1.75 As the Council cannot guarantee that RPs will be able to secure grant funding on schemes coming forward for development, this should be taken into consideration in viability appraisals at the early stages of the planning application process. Thus the onus is on the developer to ensure that a scheme is economically viable without the need for securing grant funding. Grant funding, if available, will be used to provide additional affordable housing, that cannot be provided through development value alone.

Selecting and working with Registered Providers

- 3.1.76 The Council has established good relationships and working arrangements with a number of Registered Providers (known as 'Preferred RPs') that operate effectively in partnership with the Council to provide affordable housing that meets local housing need. The Council encourage developers to meet their affordable housing obligations by forming partnerships with the Council's Preferred RPs following discussions with the Council. Early dialogue between applicants, the Council and any potential RP can help to ensure that the RP is acceptable to all parties.

- 3.1.77 Early involvement of an RP can also help to provide clarity on the prospects for grant funding as programmes vary from partner to partner according to their agreement with the GLA. The Council will not support grant funding for schemes if applicants choose an RP that is not one of the Council's preferred partners and has not been discussed with the Council.
- 3.1.78 If Registered Providers (RPs) come forward as the 'lead' applicants for the development of schemes, RPs will be treated in the same way as other applicants in relation to the quality of the scheme required, meeting the relevant policies and any necessary planning obligations.

Perpetuity of provision and affordability

- 3.1.79 The Council requires affordable housing delivered through planning obligations to be kept available for initial and subsequent occupiers. In practice, this means that the affordable housing will be required to be retained as affordable in perpetuity.
- 3.1.80 In order to ensure that the affordable housing is retained as affordable in perpetuity, applicants will be required to grant a freehold or long lease of the units to an RP. A long lease is defined for this purpose as having a minimum of 125 years.
- 3.1.81 The only exception to this requirement is shared ownership units where the owner has 'staircased' to 100% of the property value. In these cases, the Council will ensure the provision of new affordable housing by requiring the RP to ring-fence the proceeds of any staircasing for use within the borough or the South East London sub region (i.e. The London Boroughs of Bexley, Bromley, Greenwich, Lewisham and Southwark).

Nominations for Affordable Housing

- 3.1.82 The Council will require nomination rights to all housing secured through Planning Obligations. A standard form of nomination agreement is available from the Council on request and the applicant will be responsible for ensuring that any Registered Provider acquiring the completed affordable housing units enter into an agreement with the Council. The standard form shall be amended as necessary to comply with any requirements of the South East London Regional Housing Strategy (for further details go to www.selondonhousing.org).
- 3.1.83 The applicant will be required in the Section 106 agreement to ensure that an RP enters into a nomination agreement with the Council, in the form prescribed above. The Council will require that any agreement it enters into will conform with the requirements of its choice-based lettings scheme.

Other Priorities

- 3.1.84 In very special circumstances, the Council may review levels of affordable housing and/or the tenure mix of the affordable housing. These special circumstances include occasions when achieving other Council priorities are considered to outweigh the full quantum of affordable housing or the 70/30 tenure split of social rent to intermediate. There may be circumstances where a scheme delivers exceptional community benefits over and above the standard planning obligations required. In these exceptional circumstances, the Council may (at its own discretion) review the levels of affordable housing required on the site if it is satisfactorily demonstrated

that there is a need for such facilities. A financial appraisal will also be required to demonstrate the required levels of affordable housing can not be provided.

- 3.1.85 Applicants are strongly encouraged to discuss such proposals with the Council at an early stage. To inform these discussions the Council will require evidence that demonstrates the need for such facilities and that their provision does not have a significant adverse impact on the financial viability of the development.

Financial Review Mechanisms

- 3.1.86 Major sites that are delivered through a series of phases over a period of several years may be able to make a greater contributions to the borough's affordable housing requirements as market values increase over time. The borough will therefore seek to secure delivery of these sites by negotiating flexible Section 106 agreements that will require the applicant to review the economic viability of their developments periodically. On outline schemes to be delivered over a number of phases, it is likely that the Council will require the applicant to update their financial appraisal upon the submission of each successive reserved matters application. If sales values have increased to an extent that the quantum of affordable housing can increase above the agreed minimum contribution, additional units will be provided in that phase.

Overage and 'Clawback' Mechanisms

- 3.1.87 The Council may also secure an 'overage clause' within the associated Section 106 agreement in circumstances where the full provision of affordable housing in line with the relevant policy is not possible due to financial viability.
- 3.1.88 The overage clause will require the applicant to make additional payments to the Council to represent any uplift in value between the date of the financial appraisal and the date of the completion of the development or the disposal of the completed development.
- 3.1.89 The maximum sum sought by the Council will be the cash equivalent to the percentage of affordable housing not provided as part of the development raised in line with inflation. Any payment due under an overage clause will be made to the Council in order to provide additional affordable housing within the borough.

Development of Affordable Housing by developers and non-Registered Providers

- 3.1.90 The Council's preference is for affordable housing to be owned and managed by Registered Providers. However, it recognises that some applicants are investment partners of the GLA, and the Council may consider the provision of affordable housing by such bodies. The Council would expect any housing not developed by an RP to be managed by an RP on the Council's preferred list, or another RP agreed in consultation with the Council.
- 3.1.91 The Council generally discourages the provision of shared equity housing by applicants who are not investment partners or the inclusion as affordable housing of any shared equity schemes not funded by the GLA.

Off-site Provision

- 3.1.92 The Council's preference is for affordable housing to be provided on-site. Off-site provision misses the opportunity for creating mixed and balanced communities and will only be considered in exceptional circumstances where the Council is satisfied that the preferred unit mix and tenure of affordable housing could not be provided on-site.
- 3.1.93 If off-site provision of affordable housing is acceptable to the Council, the applicant would be required to identify suitable sites within the borough area. 'Suitable sites' are those sites that are:
- located in areas where there is not a pre-existing high level of social rented housing;
 - within the same geographical area as the principal site; and
 - either owned by the developer or under some form of option to purchase, so that the Council can be assured that the site is available for development.
- 3.1.94 The Council would require the applicant to demonstrate either that the other site has planning permission; or they could submit an application for the off-site affordable at the same time as the main site. The provision of affordable housing off-site should not result in being economically advantageous for the developer. In line with the London Plan, applicants should demonstrate that they could provide a greater contribution towards affordable housing off-site and/or benefit the community more than what could have been provided on-site. For example, the provision of family sized units off-site that could not otherwise have being provided on site.
- 3.1.95 The Council will ultimately determine whether provision of affordable housing units off-site is the most appropriate solution, on a site-by-site basis.
- 3.1.96 Off-site provision may be acceptable if it would enable affordable housing provision that is more appropriate to identified needs to be met, and where the project is deliverable prior to the on-site market development being completed. In cases where it is appropriate for a developer to provide units on an alternative site, the Council will expect to see the required level of affordable housing across all sites concerned. This will usually result in a higher percentage of affordable housing provision on the alternative site. The Council will expect the affordable housing to be delivered prior to the occupation of the private housing. This will be secured through an appropriate clause in the Legal Agreement.

Hierarchy of affordable delivery

- 3.1.97 For all types of affordable housing it is preferable to the Council for developers to, wherever possible, make direct provision without the need for financial contributions to the Council. In the first instance this provision should be on-site and integrated in to the development. Where the Council deem that it is not possible to appropriately deliver affordable housing requirements on-site, the developer will be required to provide the necessary provision off-site. In exceptional circumstances and entirely at the discretion of the Council, a financial contribution may be considered appropriate as a payment in lieu. This matter is detailed further in the following paragraphs.

Payments in lieu

- 3.1.98 Payments in lieu of on-site affordable housing provision may be considered in exceptional circumstances and at the Council's absolute discretion. Payments may be considered if there is a concentration of a particular size and type of units on the proposed site, for instance:
- if there is a high concentration of 1 and 2 bed units on-site and there is a need to provide more family sized units; or,
 - to mix tenures to ensure that the Council are creating balanced and mixed communities.
- 3.1.99 In order for the Council to accept a commuted sum payment, they need to be certain that the developer subsidy towards affordable housing could fund the required proportion, type and tenure of affordable housing units required elsewhere in Lewisham. It will also need to include the cost to the Council of acquiring a suitable site on which to build the affordable housing and making the land capable of hosting development. This may mean that the cost per unit of a commuted sum is higher than the on-site cost per unit would be for the developer.
- 3.1.100 The Council will normally use the GLA Development Control Toolkit as a basis in calculating the commuted sum payments and to assess the economic feasibility of sites to provide affordable housing. The principle concern with using this method for the calculation of commuted sum payments is that in some circumstances, it does not produce enough money to deliver the same target and mix of affordable units off-site. Therefore, the Council may make adjustments to the calculation to account for local and site specific circumstances.
- 3.1.101 When the Council deem it necessary it may seek independent financial viability advice to inform its decision regarding the suitability of payments in lieu. The Council requires applicants to agree to meet the cost of an independent valuer to critically analyse the proposal to ensure it accurately represents the ability of the scheme to provide affordable housing off-site. If the applicant is unwilling to meet the Council's costs in procuring such advice, the Council may be unable to determine whether the affordable housing provision is appropriate and may refuse the application.
- 3.1.102 The calculation of a payment in lieu must include the following essential components:
- The cost of acquiring a suitable site in the same area as the application site;
 - PLUS the cost of building suitability sized affordable housing units;
 - LESS the price an RSL may pay for the completed units.
- 3.1.103 The Council will require payments in lieu to be made on commencement or prior to first occupation.

3.2 Wheelchair Housing

Background and justification

- 3.2.1 Many Londoners require accessible housing to lead independent and dignified lives. Lifetime Homes are suitable for most occupiers but are not a substitute for purpose-designed wheelchair standard housing. Many wheelchair users will require purpose-designed wheelchair housing and will find a lifetime standard home inadequate for their space requirements.
- 3.2.2 Wheelchair housing is designed to specifically meet the diverse and changing needs of wheelchair users and the multiplicity of impairments that some wheelchair users experience. Greater spatial demands and increased flexibility and specification in a property designed to wheelchair housing standards aims to ensure that not only does a wheelchair user have access to every facility inside and outside of the dwelling, but also has choice on how best to approach (and sometimes adjust) that facility to suit their particular needs.
- 3.2.3 The Council will expect a minimum of 10% of all housing, including the affordable housing, to be adapted or easily adaptable to the South East London Housing Partnership Wheelchair Homes Design Guidelines (October 2011) or any successor version of this document. A copy of the South East London Housing Partnership Wheelchair Homes Design Guidelines (SELHP Guidelines) can be found on the Council's website (www.lewisham.gov.uk).
- 3.2.4 The Council will secure the timely provision, and retention in perpetuity, of wheelchair units (both affordable and private) provided as part of a development through a planning obligation (or condition where appropriate). This will include fit out requirements for affordable units and details of the developer's marketing responsibilities for both affordable and private units. Where wheelchair units are not provided (or cannot be provided to the required standard) the Council will seek a financial contribution towards provision of wheelchair housing elsewhere in the borough.

Policy pointers

- 3.3.1 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Types of obligation and when they are required

- 3.2.5 The Council will secure the timely provision, and retention in perpetuity, of wheelchair units (both affordable and private) provided as part of a development through planning obligations. This will include the fit out requirements for affordable units and details of the developer's marketing responsibilities for both affordable and private units.

Required form of obligations

- 3.2.6 Provision of wheelchair housing units within the development
- 3.2.7 The Council will expect a minimum of 10% of all housing, including the affordable housing, to be adapted or easily adaptable to the South East London Housing Partnership Wheelchair Homes Design Guidelines (October 2011) or any successor version of this document.
- 3.2.8 The 10% requirement will be calculated based on the total number of units within the development rounded to the nearest whole number (with 0.5 being rounded up) and must be provided in equal proportions across each tenure type within the development, unless otherwise agreed with the Council.
- 3.2.9 The wheelchair units provided as part of any development must be designed to meet all of the requirements set out in the SELHP Guidelines (including communal access doors and corridors and on-site parking) for them to be considered acceptable as wheelchair units. Any communal areas of the development including but not limited to any open space, leisure facilities and refuse storage must also be fully accessible for wheelchair users.
- 3.2.10 The Council requires a mix of sizes of wheelchair units across tenures and where possible wheelchair units should be located on the ground floor or where this is not possible below 3rd floor level. It is important to consider the distribution, location, number and size of wheelchair units at the beginning of the design process in consultation with the Council who can advise further on current wheelchair housing needs in terms of unit sizes.
- 3.2.11 The Council requires that all of the social rented or affordable rented wheelchair units provided as part of a development are fully fitted out for wheelchair occupiers, unless otherwise agreed by the Council. In relation to the intermediate and private wheelchair units, where the first occupants are likely to be unknown, the home should be designed to be easily adaptable for future occupation by a wheelchair user
- 3.2.12 'Easily adaptable' for the purposes of this SPD means that the home is designed from the outset with suitable accessibility, storage capacity, refuse storage, approach space to facilities and furniture, and circulation as defined by the SELHP Wheelchair Homes Design Guidelines, that enables later minor alterations to be easily undertaken to suit individual needs. Easily adaptable units should not require structural alterations (such as removing walls or widening doorways) or alterations to services to make it suitable for wheelchair users, but it might require minor alterations such as installing grab rails, replacing a bath with a shower or changing the kitchen bench and cabinets.
- 3.2.13 The Council requires that all wheelchair units are provided with on site car parking unless otherwise agreed by the Council. No additional cost should be charged by the developer for the affordable wheelchair housing parking provision.
- 3.2.14 The provision of both the affordable and private wheelchair housing units (including the number, mix, location, fit-out and associated parking spaces) will be secured through planning obligations.

Marketing of units

- 3.2.15 Developments that include shared ownership and/or private wheelchair units will be required to market wheelchair units for a minimum period of 6 months before any of the homes, if still unsold, are released onto the open market.
- 3.2.16 Shared ownership wheelchair units should be marketed in accordance with the 'SELHP Guidelines for developing & marketing wheelchair accessible shared ownership properties' document (available from the SELHP website). Private wheelchair units should be advertised on specialist websites/publications catering for people with disabilities.
- 3.2.17 In the case of larger developments the Council may secure the submission of a 'Wheelchair Housing Marketing Plan' through planning obligations to ensure that every effort is made to target people with disabilities. The Council may also require the submission of monitoring information such as the number of wheelchair units sold to wheelchair users.

Payment for provision of off-site wheelchair units

- 3.2.18 In exceptional circumstances, where site constraints such as topography prevent the SELHP Guidelines from being met, the Council will require detailed justification setting out why the guidelines cannot be met. Where wheelchair units cannot be provided on-site the Council will seek a financial contribution towards the provision of or fit-out of wheelchair housing elsewhere in the borough.
- 3.2.19 Any shortfall in the required provision of on-site wheelchair housing will be charged at £25,000 per unit. The level of payment is based on the average cost of adapting properties in Lewisham over the past 5 years. These changes include installing accessible kitchens, bathrooms, doors and providing level access and ramps.
- 3.2.20 The Council will work with Lewisham residents who have a disability and their current home is in need of adaption to provide the off-site provision. This will help more disabled people to stay in their homes and provide accessible units to those who can not move into new units.

3.3 Local Labour and Business

Background and justification

- 3.3.2 As London's economy grows the number of jobs and careers available to Lewisham's citizens will increase. The London Plan, developed by the Greater London Authority, predicts a minimum of 249,000 more jobs between now and 2016 for east and south-east London.
- 3.3.3 Many of these jobs will require specific skills. Lewisham's citizens should feel equipped to compete for the best jobs and fulfil their aspirations. Everyone, regardless of their background or experience, will be able to develop their skills through lifelong learning and access these opportunities. New skills can be learnt in a variety of situations, whether it be caring for a relative, starting an adult education course or training to advance or change a career.
- 3.3.4 The GLA Local Enterprise Panel identified, in the Jobs & Growth Plan for London, April 2013, that one of its four priorities is 'skills and employment' - to ensure Londoners have the skills to compete for and sustain London's jobs.
- 3.3.5 Some 30,000 adults in Lewisham require help with basic literacy and numeracy. With access to the right training, development opportunities and support, all our citizens can benefit from London's dynamism and transform their prospects.
- 3.3.6 High levels of unemployment, low incomes and deprivation persist in the borough because of certain barriers to employment that people experience, most notably the lack of skills that are required in the jobs market. Reducing deprivation is an essential part of developing socially sustainable communities, especially in growing and intensifying communities.
- 3.3.7 Improving the skills of the local population is important in promoting a vibrant labour market and local economy that provides jobs for local people and a full range of goods and services for residents and visitors.
- 3.3.8 The Council has the Local Labour and Business Scheme, which has objectives around securing and raising awareness of opportunities in employment, training and business within the borough. This is a coordinated scheme working with developers, contractors, suppliers and service providers which makes available bespoke support and guidance. This is designed to ensure that local people and businesses are best positioned to take advantage of new employment, training and business opportunities through the development and regeneration taking place in the borough and in the wider Thames Gateway and London areas.
- 3.3.9 The Lewisham Local Labour and Business Scheme also provides the opportunity for local small and medium sized enterprises (SMEs) to obtain support in the form of workshops, Lewisham business procurement directory, 1:1 business growth advice, prequalification questionnaire completion and tender submissions assistance. The Local Labour and Business Co-ordinator promotes Lewisham businesses by brokering opportunities and intelligence regarding Lewisham businesses to developers.
- 3.3.10 The use of local labour and businesses can also limit the environmental impact of new development as it will reduce the need for commuting to work and training locations and will require materials being transported shorter distances.

- 3.3.11 As previously described, Lewisham contains some of the most deprived locations in the country, where there is high unemployment. The addition of further population from new development has the potential to exacerbate the rate of unemployment as competition for a limited number of local jobs rises.
- 3.3.12 For the reasons above, financial support for the Local Labour and Business Scheme is vital in mitigating the impact of new development. Most development will have an impact and therefore obligations will be required.

Policy pointers

- 3.3.13 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Key Document - Lewisham Business Growth Strategy

The Business Growth Strategy sets out how the Council and partners will work together to maximise business growth in the borough in the next ten years (2013 to 2023). The vision of the strategy is that in ten year's time Lewisham will be one of the fastest growing parts of the London economy.

Three aims have been developed to underpin this vision. These aims have been developed through an examination of the Lewisham economy and by considering how its unique mix of characteristics can be exploited to harness the potential that already exists in the borough to boost economic growth.

Aim 1: To boost Lewisham's contribution to the London economy by enhancing the ability of new and existing business to thrive and grow.

Aim 2: To accelerate the expansion of the Lewisham economy by capitalising on major physical regeneration in the borough to create the right environment for business growth

Aim 3: To diversify and expand the Lewisham economy by inspiring, nurturing and promoting the creativity and entrepreneurship of Lewisham residents.

Types of obligation and when they are required

- 3.3.14 The Council will use planning obligations to secure financial contributions towards the training, support and recruitment of local people.
- 3.3.15 The Council will also use planning obligations to secure the commitment of developers, contractors and end users to use local labour by providing apprenticeships, graduate placements/jobs, work experience, work placements, advertising jobs locally and seeking to recruit Lewisham residents into job vacancies.
- 3.3.16 The Council will use planning obligations to secure the commitment of developers, contractors and end users to upskill their local workforce with specific focus on Lewisham residents.
- 3.3.17 The Council will use the planning obligations to secure the commitment of developers to engaging with local businesses to ensure that they are best positioned to access contract opportunities through development, regeneration and other end users routes.

Required form of obligations

Financial contribution

- 3.3.18 Financial contributions will support both capital and revenue costs of a range of services provided by the Local Labour and Business Scheme for residents and small and medium sized businesses in the borough.
- 3.3.19 The contribution sought reflects the current training and operation costs of running the programme to the end of the Local Plan period (2025). Based on the Council's experience and forecasting, it is estimated that the combined cost of operating the programme is approximately £1,000,000 per year.
- 3.3.20 The approach to the contribution sought seeks to split the contribution between residential and commercial development. This is because both the local residential population and the local economy stand to gain from the Local Labour and Business Scheme. Residential development will therefore be expected to contribute to half of the annual £1,000,000 required to operate the Local Labour and Business Scheme, with commercial development contributing to the remaining half.
- 3.3.21 The approach seeks an equal amount for each job and dwelling proposed. The contribution for each dwelling and job generated by commercial development is therefore derived by dividing the amount required to operate the scheme by the total number of jobs and dwellings that will be created within the borough to 2025. Based upon the estimated number of new dwellings (1,385) to be created annually as required by the London Plan (draft FALP 2014) and the number of new jobs required annually (500) as estimated by the Lewisham Business Growth Strategy, each new job and dwelling will require a contribution of £530 towards employment training.

Table 3.3.1 – Total Contribution Required per Dwelling/Job

	No. planned annually to 2025	Total cost of running employment training schemes annually	Total cost per dwelling/job
Dwellings	1,385	£735,000	£530
Jobs	500	£265,000	£530
Total	1,835	£1,000,000	£530

- 3.3.22 In order to estimate the number of jobs that will be generated from employment floorspace, the Council will use the employment densities identified in the HCA Employment Densities Guide (2nd ed.) or subsequent guidance.

e.g. High Street Retail = 1 job per 19sqm.
190sqm of new High Street Retail development = 10 jobs
Cost per job = £530
Cost for 10 jobs = £5,300

Non financial obligations

3.3.23 The Council will secure both financial and non-financial obligations as required. Non-financial obligations could include:

- A Local Labour and Business Strategy
- Monitoring on a monthly basis

3.3.24 A Local Labour and Business Strategy will be required to:

- Support local people into work by providing employment opportunity linked training. It is envisaged that the employment opportunities will not only be construction related eg trades, construction professionals, administration, security, catering etc but will also be secured through the wide range of end users eg leisure, facilities management, warehouse operative etc. A commitment from developers, contractors and end users to use reasonable endeavours to obtain 50% of the on site workforce from residents within the borough;
- Advertise job opportunities locally 7 days prior to general advertisement
- Raise awareness of the vast, varied and rewarding career opportunities available in the construction industry and other sectors to local young people in full time education and leading from apprenticeships;
- Detail participation in community events eg job fairs, youth engagement, careers fairs, engagement with groups supporting residents furthest away from the job market
- Provide support for local businesses to access developer, contractor and supply chain subcontract and supplier contract opportunities through workshops and events;
- Commit to including suitable local businesses in all project related procurement processes;
- Commit the developer/contractor to use reasonable endeavours to place 50% (in terms of value) of the available supply and service contracts with businesses from the borough;
- Detail job opportunity linked training places and associated costs (e.g. licenses, PPE, certification etc).
- Provide construction phasing information and labour forecasting data to the Council, to maximise the job matching process.
- Provide a named contact who is responsible for the delivery of the Local Labour and Business Strategy.
- Make a commitment to include anticipated achievements, on the project, in the following areas (all targets are related to local residents and businesses, where 'local' refers to the location of permanent operation of business or location of resident's home being within the London Borough of Lewisham):
 - a) New apprenticeship places
 - b) Continued apprenticeship places (safeguarded)
 - c) Finished apprenticeships
 - d) Graduates
 - e) Community Involvement Activities

- f) 16+ Work Experience
 - g) 14-16 Work Experience
 - h) Jobs Advertised through the Local Labour and Business Scheme
 - i) Job Starts
 - j) Accredited training places
 - k) Businesses completing prequalification process
 - l) Businesses receiving project related invitations to tender
 - m) Value of contracts secured by local business
- 3.3.25 Monitoring will expected to be undertaken in accordance with the requirements as detailed on the Council's website and using the monitoring form, available at the website link below:
- <http://www.lewisham.gov.uk/mayorandcouncil/counciljobs/employmentadvice/default/Pages/Local-Labour-and-Business-Scheme.aspx>

3.4 Employment floorspace

Background and justification

- 3.4.1 The borough of Lewisham has seen a reduction in the amount of employment land in recent times. The table below shows how the amount of commercial space in the borough has shrunk over the past decade at a faster rate than for both London and London East.

Percentage Change in Commercial Space 2002-2012			
	Lewisham	London	London East
All	-16.33	-2.98	1.65
Industrial	-30.2	-17.31	-19.68
Retail	-5.79	3.72	7.42
Office	7.35	4.2	21.03
Source : Local Futures 2013			

- 3.4.2 Once employment land is redeveloped for alternative uses it is unlikely it will ever revert back to an employment generating use.
- 3.4.3 The Council has a range of planning policies to protect existing employment floorspace, require positive redevelopment of employment floorspace where possible and encourage new floorspace to be brought forward. Additionally, the Business Growth Strategy⁶ sets out how the Council and partners will work together to maximise business growth in the borough in the next ten years, 2013 to 2023.
- 3.4.4 The vision of the strategy is that in ten year's time Lewisham will be one of the fastest growing parts of the London economy, backed up by three aims, as follows:
- Aim 1: To boost Lewisham's contribution to the London economy by enhancing the ability of new and existing business to thrive and grow.
 - Aim 2: To accelerate the expansion of the Lewisham economy by capitalising on major physical regeneration in the borough to create the right environment for business growth.
 - Aim 3: To diversify and expand the Lewisham economy by inspiring, nurturing and promoting the creativity and entrepreneurship of Lewisham residents
- 3.4.5 Most development will have the opportunity to bring forward employment floorspace, while many schemes will have a policy requirement to deliver it. In these circumstances the Council will seek to ensure that the provision is of a sufficient quality, accessibility and affordability that makes certain it has the highest possible chance of being deliverable and becoming sustainable and resilient employment floorspace. Obligations may be sought from all developments.

⁶<http://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/strategies/Documents/LewishamBusinessGrowthStrategy2013-2023.pdf>

- 3.4.6 This section sets out examples of those matters that will, when appropriate, need to be mitigated through a planning obligation in order to ensure high quality deliverable employment floorspace is provided. This may include both permanent matters as well as temporary measures, such as incentives to encourage initial momentum in occupation.
- 3.4.7 In order to maintain a diverse and sustainable local economy it is important for a range of commercial property to be available to support the small and medium-sized enterprises (SME) sector and accordingly the Council will work with developers to encourage the provision of flexible and affordable office floorspace in office development and small and affordable shop units in major retail developments.
- 3.4.8 In some cases, local regeneration and improvement projects may include enhancement of employment floorspace in conjunction with many other improvements, such as town centre improvements, transport improvements and/or public realm enhancements. This is particularly likely in the Council's Regeneration and Growth Area, or where a development is located in one of the town centres identified in the Core Strategy as a Major, District, or Local Town Centre. A financial contribution towards such over-arching projects may mitigate against multiple impacts. In such circumstances reference should be made to other relevant sections of this SPD regarding these matters, including the specific guidance in section 4 regarding improvement projects in areas of high growth.

Policy pointers

- 3.4.9 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Types of obligations and when they are required

Delivering sustainable new floorspace

- 3.4.10 In order for the Council to ensure that deliverable, sustainable and resilient floorspace is provided in the right locations, applicants proposing new employment floorspace will, when appropriate, be required to provide details for approval regarding a number of matters, including:
- The level of fit out of commercial units. Micro business should not have to meet the costs of fitting out small units. Small units should be fitted out or if left as shell and core the costs of fitting out should be met by the developer.
 - Market research that provides evidence of demand for the type of premises being delivered.
 - Evidence that consideration has been given to workspace models such as co-working space, incubators and accelerators, which can support growth in new and micro businesses.
 - Affordable rent (in perpetuity or as a temporary incentive)
 - Commercial rates
 - Service / additional charges
 - Provision of business incubator space and/or co-working space
 - Size of floorspace

- Flexibility of floorspace
- Length and terms of lease. Terms that provide flexibility for small businesses are preferable. Include details of break clauses and notice periods
- Provision of high speed broadband

The Council may use a Legal Agreement to manage the proposed use of employment floorspace, including appropriate rent levels and to control the size, location and nature of the occupant.

Loss of existing floorspace

- 3.4.11 The Council will resist the loss of employment floorspace in accordance with the policy framework in place. However, in exceptional circumstances and entirely at the Council's discretion, it may find certain occasions where the loss of employment floorspace is acceptable.
- 3.4.12 Where this is the case, the Council will seek a financial contribution as detailed in the following section.

Required form of obligations

- 3.4.13 New employment floorspace (as required by policy), taking account of the matters outlined above, should be delivered on-site whenever possible and only off-site when the Council deem it necessary. The proposed approach, detail and delivery of such provision (whether on-site or off-site) will need to be approved by the Council.
- 3.4.14 Where the Council deem that direct provision by the developer is not achievable a financial contribution may be necessary. A financial contribution may also be necessary if there has been a loss of employment floorspace under the circumstances described in paragraph I.1.10.
- 3.4.15 In order to estimate the number of jobs that have been lost or failed to be generated from missed opportunities for employment floorspace, the Council will use the employment densities identified in the HCA Employment Densities Guide (2nd ed.) or subsequent guidance.
- 3.4.16 The cost of a job has been calculated as the equivalent of the cost of supporting a trainee for one year, in order to provide an opportunity to secure long term employment, which is £10,000.
- e.g. High Street Retail = 1 job per 19sqm.
 190sqm of new High Street Retail development = 10 jobs
 Annual cost for a trainee = £10,000
 Cost for 10 jobs = £100,000
- 3.4.17 The Council will use this funding to bring forward flexible and affordable business space.

3.5 Transport

Background and justification

- 3.5.1 Securing an accessible, effective and appropriately sized public transport system is integral to the creation of sustainable and cohesive communities and plays an important role in enhancing quality of life for all residents and combating social exclusion for disadvantaged individuals and groups.
- 3.5.2 Most forms of development will result in increased pressure on existing transport infrastructure across the Borough and will therefore be required to minimise, eliminate or mitigate against the impacts of the development. This includes improvements in the quality, capacity and safety of the road network as a result of residential and commercial vehicle movements; improvements to cater for increased walking and cycling trips, and enhancements to public transport, such as bus and rail services and supporting infrastructure.
- 3.5.3 Obligations will be sought from all impact generating development to provide for appropriate infrastructure to cater for proposed increases in the residential population and demand generated through increased employment opportunities.
- 3.5.4 Funding for strategic transport enhancements that are required as a result of incremental growth will normally be provided by the Council using CIL funding.
- 3.5.5 Where developments are required to deliver infrastructure matters needed to make developments acceptable in planning terms, these matters may be secured through planning obligations. Other transport matters may be dealt with through planning conditions and S278 transport agreements.
- 3.5.6 This section sets out examples of those matters that may be required to be mitigated through planning obligations, including transport assessments and travel plans, site delivery infrastructure, local network impacts, parking and car sharing.
- 3.5.7 In some cases, regeneration projects may include enhancement of the local transport network in conjunction with other improvements, including to the economic development and/or public realm in the locality. This is particularly likely in the Council's Regeneration and Growth Area, or where a development is located in one of the town centres identified in the Core Strategy as a Major, District, or Local Town Centre. A financial contribution towards such over-arching projects may mitigate against multiple impacts. In such circumstances reference should be made to other relevant sections of this SPD regarding economic and public realm matters and the specific guidance in section 4 regarding regeneration.

Policy pointers

- 3.5.8 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Types of obligation and when they are required

- 3.5.9 The following are types of obligation that may be required to mitigate against the impact of a development. This is not an exhaustive list, but a guide for developers to the types of transport matters that should be considered.

Plans

- 3.5.10 On the most part, travel plans, servicing and delivery plans, temporary traffic management plans and other transport related plans should be submitted up front in the application process in line with the Council's Local Information Requirements⁷ In exceptional circumstances and in particular for very large schemes, it may be necessary to secure on-going matters, including monitoring and review mechanisms as a planning obligation.

Site delivery infrastructure and specific network impacts

- 3.5.11 A proposed development may require specific works in order to make the scheme acceptable in planning terms. Necessary infrastructure may be secured on site, regarding access to the site or off site in the locality of the development.
- 3.5.12 On-site matters and those regarding access to the site could include the movement of bus stops, trees and street furniture, kerbing matters, road crossings and minor junction works. The delivery of these works should be secured through the most appropriate course, be it a S106 obligation or through a S278 agreement.
- 3.5.13 Improvements to the strategic transport network required as a result of development will normally be provided by the Council using CIL and other funding. However, there may be occasions where a development may be required to fund other transport infrastructure where:
- 3.5.14 the development will have an impact on the local transport network that requires mitigation.
- 3.5.15 In these circumstances, there may be the need for local changes and improvements, such as (but not exclusively) enhancements to local highway and freight capacity and quality, the public transport infrastructure, cycling and walking routes and vehicle management matters (inc. parking controls and management and car and cycling clubs).
- 3.5.16 a specific transport improvement is necessary to make a proposed development acceptable.
- 3.5.17 The Council consider that this is most likely for large developments that require enhancement of the transport network in order to ensure the acceptability and effective delivery of the proposals for the site. For example, the provision of transport infrastructure that will improve the development's PTAL to a point which will make the proposed quantum of residential development acceptable. For the majority of developments the Council consider that on-site and local improvements will normally be sufficient to mitigate impacts.

⁷ <http://www.lewisham.gov.uk/my services/planning/applications/Pages/Validation-requirements.aspx>

Required form of obligations

- 3.5.18 The level of contributions for this topic cannot be determined through use of a standard formula as the level of any contribution needs to reflect the particular characteristics of the proposed development and the local context.
- 3.5.19 It is preferable to the Council for developers to directly provide necessary improvements and mitigation without the need for financial contributions to the Council. This should be delivered on-site whenever possible and only off-site when necessary. The proposed approach, detail and delivery of such mitigation (whether on-site or off-site) will need to be approved by the Council. Where direct provision by the developer is not achievable a financial contribution may be necessary. This should be based on the cost to the Council to undertake the necessary works or to charge a third party with delivering the works. The level of cost should be evidenced by the developer and then submitted for agreement with the Council in advance.
- 3.5.20 Applicants should note that Transport for London may require contributions over and above those sought by the Council in order to address the impacts of the development. TfL operates a pre-application process and for further details please see www.tfl.gov.uk.

3.6 Public Realm

Background and justification

- 3.6.1 Public realm is considered to be those sections of an urban area (whether publicly or privately owned) located between, surrounding and within buildings that are publicly accessible, including streets, squares, forecourts and open spaces. The public realm is an important aspect of any development and ensures that the development is integrated into and enhances the existing character and use of the area.
- 3.6.2 All residential and commercial development is required by policy to contribute towards good design (in particular through Core Strategy Policy 15), which extends to the consideration of the public realm. Most forms of development will place the surrounding public realm under increased strain and will therefore be required to minimise, eliminate or mitigate against the negative impacts of the development. Such mitigation may be required to cover aspects such as quality and durability, access and connectivity, community safety and other matters integral to its use. Contributions to public realm may also add towards refurbishment or new provision of civic space and other projects aimed at improving the quality for users of these areas. Applicants will be encouraged to engage artists and urban designers at an early stage.
- 3.6.3 Planning obligations for public realm improvements may be sought from any development that is required to mitigate its impact and will be sought from qualifying residential and commercial development proposals within major and district town centres and employment locations (as shown on the Local Plan Policies Map), those developments impacting on key public transport locations and those developments that generate high visitor numbers.
- 3.6.4 Any public realm contributions will be separate and additional to CIL. They will be required to address the localised impacts of a development and not for those strategic infrastructure matters listed in the Council's Regulation 123 list. Most green open space infrastructure will be dealt with by CIL.
- 3.6.5 In some cases, regeneration projects may include enhancement of the public realm in conjunction with other improvements, including to the economic development and/or transport sustainability of the locality. This is particularly likely in the Council's Regeneration and Growth Area, or where a development is located in one of the town centres identified in the Core Strategy as a Major, District, or Local Town Centre. A financial contribution towards such over-arching projects may mitigate against multiple impacts. In such circumstances reference should be made to other relevant sections of this SPD regarding economic and transport matters and the specific guidance in section 4 regarding regeneration.

Policy pointers

- 3.6.6 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Types of obligation and when they are required

Providing high quality public realm

- 3.6.7 Provision of new or improved public realm may be required on site, in accessing the site or in the locality of the development and will be expected to be delivered to the highest quality level.
- 3.6.8 Public realm environments should be delivered to a high standard of design and using high quality materials. The Council has a number of documents that offer guidance on delivering high quality public realm, including the Streetscape Guide⁸, the North Lewisham Links⁹ strategy and the River Corridor Improvement Plan SPD¹⁰. The Council will also seek independent design advice when it is deemed necessary to ensure the delivery of high quality public realm. It may be necessary for the applicant to fund the independent advice required to enable the Council to assess the acceptability of proposals. Applicants should seek advice from the Council at an early stage as to the appropriate design guidelines to be followed, dependent on the public realm works proposed.

Public art

- 3.6.9 The provision of public art and artistic features should form an integral part of any Major Development in prominent locations and/or making a significant impact on it's physical environment.
- 3.6.10 The provision of public art should be in accordance with the Council's latest cultural strategy and should be discussed with the Council (including the Council's Officer responsible for public art) at an early stage, i.e. at concept stage rather than approval stage. The Council will insist that any public art is developed through a transparent process that should involve community engagement and consultation at an early stage in the process, where appropriate.
- 3.6.11 The use of local artists will be encouraged, where it is appropriate to do so and the integration of successful existing or newly planned public hard and green open spaces will be supported.
- 3.6.12 Where necessary, the Council will use planning obligations to secure the delivery of a public art proposal. Applicants may be required to submit a public art plan for approval detailing matters including engagement and consultation, form and design, funding, delivery, on-going management and maintenance.

Access and connectivity

- 3.6.13 New developments should be connected with the surrounding environment and provide easy access to the most sustainable forms of movement, including cycling and walking. Developments may need to link in to and maintain existing publicly accessible routes on to and off of the site, through the site and in the surrounding

⁸ <http://www.lewisham.gov.uk/myservices/transport/roads-and-pavements/Pages/Lewisham-Streetscape-Guide.aspx>

⁹ <http://www.lewisham.gov.uk/inmyarea/regeneration/deptford/north-lewisham-links/Pages/default.aspx>

¹⁰ <http://www.lewisham.gov.uk/myservices/planning/policy/LDF/SPDs/Pages/River-corridor-improvement-plan.aspx>

locality and ensure that new links and/or routes are provided as necessary. Reference should again be made when appropriate to the North Lewisham Links strategy and the River Corridor Improvement Plan SPD for further guidance on this matter.

- 3.6.14 The Council will use planning to ensure that hard open spaces and routes are publicly accessible and will remain so in perpetuity (whether publicly or privately owned) and will resist the inclusion of gates that can be closed and locked.
- 3.6.15 Applicants may be required to submit public realm and public access management plans to support their proposed approach. Such plans will be required to detail matters including public access route funding, delivery, management and maintenance and providing a clear purpose of the function of each route.
- 3.6.16 Further obligations may be necessary to secure rights of way and to ensure they are provided or upgraded to a suitable quality and maintained as such over time.

Community safety

- 3.6.17 Developments must provide a safe environment for the local community and visitors. The primary means of addressing community safety will be good design. In some circumstances there may be specific safety concerns arising from a scheme requiring further mitigatory measures to be taken to tackle safety risks either on-site or in the locality of the development. In particular, development that generates high visitor numbers may generate public safety concerns that require additional mitigation.
- 3.6.18 Measures to improve community and visitor safety in the vicinity of developments that may be required could include: improved lighting; CCTV camera installation, enhancements to the Council's CCTV system capacity, linkages and monitoring arrangements; and design measures including actions to improve lines of sight and over looking.

Impact on surrounding public realm

- 3.6.19 The introduction of most forms of new development will place an extra strain on public realm in the locality of the development. In particular large scale development in town centre or employment centre locations or developments that generate a high number of visitors can have a significant impact on the local public realm. In these circumstances there may be the need for mitigation in the form of an off-site project or financial contribution to the Council to provide local improvements, ensuring that the public realm can accommodate the increased strain. Such mitigation may include enhancement of the public realm in the shape of public conveniences and benches, space accessibility, management, function and maintenance improvements and waste management schemes.

Required form of obligations

- 3.6.20 The level of contributions for this topic cannot be determined through use of a standard formula as the level of any contribution needs to reflect the particular characteristics of the proposed development and the local context.
- 3.6.21 For all the types of obligation detailed in this section, it is preferable to the Council for developers to, wherever possible, directly provide necessary improvements and mitigation without the need for financial contributions to the Council. The Council

acknowledge that this may not be possible when it comes to offsite locations, particularly civic spaces. Should the developer intend to undertake direct provision, the proposed approach, detail and delivery of works will need to be approved by the Council and may be secured through a S106 agreement. Where a financial contribution is necessary, this should be based on the cost to the Council to undertake the necessary works or to charge a third party with delivering the works. The level of cost should be evidenced by the developer and then submitted for agreement with the Council.

- 3.6.22 Where a financial contribution may be appropriate to support wider regeneration projects, the quantum of contribution will be agreed between the developer and the Council based on the cost of works required and the amount of development expected to support the project. Where possible the Council will justify the amount of contribution required with reference to a local plan or strategy.
- 3.6.23 Applicants should note that Transport for London may require contributions over and above those sought by the Council in order to address the impacts of the development. TfL operates a pre-application process and for further details please see www.tfl.gov.uk.

3.7 Childrens Play Space

Background and justification

- 3.7.1 The provision of facilities for children and young people is important in facilitating opportunities for play and physical activity and the development of movement and social skills.
- 3.7.2 London Plan Policy 3.6 and Core Strategy Policy 12 require that residential and mixed use development make provision for children's play and informal recreation space. The London Plan states that the amount of provision should be proportionally based on the number of children expected to occupy the development and an assessment of future needs. Summarily, the Mayor concludes that new development that creates a child yield is expected to provide 10m² of play and recreation space for every child.
- 3.7.3 The Lewisham Leisure and Open Space Study (2010) details the existing ratio of children's play space to the child population in the borough. Currently there is 1.51m² of play space per child in Lewisham, equating to 8.49m² less than the figure recommended by the Mayor of London. Planning obligations will not be used to fix existing deficiencies in provision, rather this information is provided to emphasise the importance of delivering an acceptable level of play space alongside new development. The Council will expect all new Major Development to provide children's play space provision in line with London Plan Policy 3.6.

Policy pointers

- 3.7.4 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Required form of obligations

- 3.7.5 It is preferable to the Council for developers to, wherever possible, directly provide well designed children's play space on-site in accordance with the policy requirements. Where the Council deem that there are exceptional circumstances and it is not possible for a development to meet children's play space requirements on-site, a financial contribution will be necessary.
- 3.7.6 The financial contribution will be based on the policy requirement (10m² per child) minus any space delivered on-site. The undelivered play space will then be multiplied by £300 per sqm, which represents the estimated cost for the Council to deliver off-site children's play space on behalf of the developer. This rate is based on evidence of the costs to provide actual recent play space schemes in Lewisham and is a pro-rata cost of 1000sqm split into one third play, one third grass and one third safety measures, plus 20% for additional design, surveys, project management, fees and delivery.
- 3.7.7 For both on-site and off-site provision of children's play space, the Council will require commitment from the developer to meeting the maintenance costs in perpetuity to an agreed standard. This will be required whether the play space is to be transferred to the Council or retained by the developer.

- 3.7.8 Any children's play space contributions will be separate and additional to CIL. Whilst children's play space is often located in open spaces, it will not be considered to be covered by any CIL payment.

3.8 Carbon offsetting

Background and justification

- 3.8.1 Tackling climate change is a key policy at all levels of government. Local Planning Authorities are expected to help deliver considerable reductions in CO2 emissions from new buildings. As a result and in line with the London Plan, Lewisham Council require all major applications to deliver a 35% reduction in carbon dioxide emissions compared to the 2013 Building Regulations. This requirement is set out in Policy 5.2 of the London Plan 2011.
- 3.8.2 Major applications are those for 10 dwellings or more, or applications for over 1,000 sqm of floorspace.
- 3.8.3 The policy will also be applied to any minor material amendment applications (made under s73 of the Town and Country Planning Act 1990) which may impact on the CO2 emissions of previously granted major permissions.
- 3.8.4 Where the policy can be met on-site, there is no need for a S106 agreement in relation to carbon reduction. However, if the circumstances as described further in this section occur and require a financial contribution to be made in lieu of on-site delivery, a 'carbon offset' payment will be secured using a S106 agreement.
- 3.8.5 Any money collected through the Carbon Offset fund will contribute towards the cost of reducing carbon emissions across Lewisham. The emphasis will be on using this funding to link in with existing schemes so as to minimise any administration costs and to reduce the overall cost of carbon. The cost of carbon has been tested alongside other Lewisham Council policy requirements and has been found to sit within the required financial viability cost parameters.
- 3.8.6 The domestic sector forms the single biggest element of the carbon footprint of Lewisham, so linking in with existing schemes to deliver more measures is one possibility. Works to reduce the carbon emissions within the public sector – eg schools – are also another mechanism.
- 3.8.7 Further guidance on the Carbon Offset fund is available in the Council's guide at the following web address:

<http://www.lewisham.gov.uk/myservices/planning/applications/Documents/CostofCarbonAdviceforApplicantsUpdatedFeb2014.pdf>

Policy pointers

- 3.8.8 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Required form of obligations

- 3.8.9 The 40% reduction in CO2 emissions should be met on-site whenever possible. In very limited circumstances off-site mitigation measures may be accepted, however this will only be permissible if it is clearly demonstrated by an applicant that it is not possible to meet the reduction target on site. Applications are liable to be refused if the 40% reduction is not met on site, and if evidence is not provided as to why the reduction cannot be met on site.
- 3.8.10 In these circumstances applicants should provide off-site provision within Lewisham themselves whenever possible, or as a last resort agree to pay into Lewisham's Carbon Offset fund. Where applicants are proposing to provide the off-site provision themselves they will have to provide evidence that they have identified a project or projects which will deliver the required level of residual carbon emissions reductions and have all the necessary agreements in place to deliver the project.
- 3.8.11 Lewisham will charge £104 per year for every tonne of carbon required to be offset to meet the target figure.
- 3.8.12 The amount is calculated on the basis of the annual difference in tonnes between the predicted carbon emissions of the development and the target carbon emissions. The figure should be multiplied by £104 to come to the amount to be paid per year, and then multiplied by the assumed 30 year lifespan of the offset measures.
- 3.8.13 The calculation is therefore as follows:
(Target carbon emissions to meet a 40% reduction onsite – Projected onsite contribution to carbon reductions) x 104 x 30 = £offset contribution
- 3.8.14 A worked example to illustrate the above calculation:
Development A has annual CO2 emissions of 100 tonnes. To meet the policy requirement the developer needs to reduce this by 40 tonnes, however the developer is only able to reduce carbon emissions by 30 tonnes onsite, which means 10 tonnes is required to be offset:
$$((40 - 30) \times 104) \times 30 = \text{£}31,200$$
- 3.8.15 The local list validation requirements for energy assessments require applicants to set out the carbon emissions for a baseline building and what they are proposing to deliver on site. If applicants cannot meet this target on site they should be setting this out, with information on what element of the costs they are proposing to meet through a payment into the offset fund. We expect applicants to address any areas where they aren't policy compliant and explain their rationale for the non-compliance.

3.9 Environmental Protection

Background and justification

- 3.9.1 Improving air quality is of importance in maintaining the health and well-being of the residents, workers and visitors to the borough. The Council monitors the air quality in the borough as part of the London Air Quality Network and uses its Air Quality Action Plan to implement measures to improve the local air quality.
- 3.9.2 In accordance with London Plan Policy 7.14 and Core Strategy Policy 9, all developments are required to ensure that they are 'air quality neutral' as a minimum. The London Plan also states that measures to attain this standard should be provided on-site whenever possible and only when this is not the case consider off-site provision or the use of planning obligations. The Council will therefore seek planning obligations from any development that is required to mitigate its impact.
- 3.9.3 Applicants will be required to provide an Air Quality Impact Assessment alongside their application in accordance with the Council's Local Information Requirements.

Policy pointers

- 3.9.4 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Required form of obligations

- 3.9.5 The level of contributions for this topic cannot be determined through use of a standard formula as the level of any contribution needs to reflect the particular characteristics of the proposed development and the local context.
- 3.9.6 Developments will be required to mitigate their impact upon local air quality on-site wherever possible. Where the Council deem that this is not possible, the Council may consider it acceptable for the applicant to deliver equivalent mitigation measures off-site. In appropriate circumstances, the Council may consider a financial contribution where it can be demonstrated that mitigation is best provided through a Council funded scheme. The applicant should therefore liaise with the Council's Environmental Protection Team at an early stage to establish whether such a funded scheme is proposed and to provide justification for this approach.
- 3.9.7 The Council are a member of the London Air Quality Network and undertake air quality monitoring using the associated monitoring network, which also provides the necessary independent validation of the data. Large developments will normally be required to undertake air quality monitoring and are therefore advised to liaise with the Council to establish the best approach. This may be through developer direct provision or through a financial contribution to support monitoring through the Council's monitoring network.

3.9.8 During the demolition and construction of a scheme, there is a risk of a range of negative environmental impacts within the locality of the development (including dust, noise, emissions, land contamination). In such circumstances, there will be a need to monitor and mitigate against impacts and the applicant should look to undertake the monitoring and mitigation themselves. In addition to this the Council may need to implement monitoring using it's own resources and in these circumstances a financial contribution may be required. At all times, applicants should comply with the recommendations in the Council's 'Good Practice Guide, Control of pollution and noise from demolition and construction sites' as the primary means of minimising impacts from demolition and construction.

3.10 Flood and Water Management

Background and justification

- 3.10.1 For the purposes of this document the definition of ‘flood risk reduction’ and ‘water management’ infrastructure include measures that:
- minimise the risk of flooding, both fluvial and surface water flooding, including flood warning systems and flood adaptation measures;
 - facilitate sustainable drainage;
 - minimise water use and secure water supply;
 - maintain or enhance water quality.
- 3.10.2 The Council seeks to reduce flood risk through the appropriate location, design and construction of development and the sustainable management of surface water run-off. Where it is decided that development should be permitted for social or economic reasons, then appropriate flood protection and mitigation measures, including measures to restore the floodplains or provide adequate compensatory storage, will be required to mitigate the impact of development. At sites suspected of being at unacceptable risk from flooding but for which adequate flood risk information is unavailable, developers may be required to carry out at their own expense detailed technical investigations to evaluate the extent of the risk.
- 3.10.3 Funding for strategic flood management infrastructure that is required as a result of incremental growth will normally be provided by the Council using CIL funding.
- 3.10.4 Where developments are required to deliver infrastructure matters needed to make developments acceptable in planning terms, these matters may be secured through a S106 Legal Agreement. Other water management and flooding matters may be dealt with through planning conditions.

Policy pointers

- 3.10.5 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Types of obligation and when they are required

- 3.10.6 The following are types of obligation that may be required to mitigate against the impact of a development. This is not an exhaustive list, but a guide for developers to the types of flood risk and water management matters that should be considered.

Plans

- 3.10.7 Plans relating to flood risk assessment and water management (e.g. landscaping scheme, living roof detail, etc.) will be required to be submitted up front in the application process in line with the Council's Local Information Requirements¹¹ In exceptional circumstances and in particular for very large schemes, it may be necessary to secure on-going matters, including monitoring and review mechanisms as a planning obligation.

Site specific and localised water management and flood risk reduction

- 3.10.8 The provision of strategic flood management infrastructure required as a result of development will normally be provided by the Council using CIL funding. However, developers cannot call on public resources to provide local and site-specific flood defences for their proposed development where they are not already programmed for the protection of the existing built environment.
- 3.10.9 There may be occasions where an applicant may be required to deliver specific flood risk reduction measures, including long term maintenance, where the development will have an impact on the local flood risk that requires mitigation, either on-site or in the environs of the development.

Required form of obligations

- 3.10.10 The level of contributions for this topic cannot be determined through use of a standard formula as the level of any contribution needs to reflect the particular characteristics of the proposed development and the local context.
- 3.10.11 It is preferable to the Council for developers to directly provide necessary improvements and mitigation without the need for financial contributions to the Council. This should be delivered on-site whenever possible and only off-site when necessary. The proposed approach, detail and delivery of such mitigation (whether on-site or off-site) will need to be approved by the Council. Where direct provision by the developer is not achievable a financial contribution may be necessary. This should be based on the cost to the Council to undertake the necessary works or to charge a third party with delivering the works. The level of cost should be evidenced by the developer and then submitted for agreement with the Council in advance.

¹¹ <http://www.lewisham.gov.uk/myservices/planning/applications/Pages/Validation-requirements.aspx>

3.11 Biodiversity

Background and justification

- 3.11.1 For the purposes of this document, the definition of 'biodiversity' infrastructure includes all private natural greenspace, links between public open spaces, living roofs and spaces within public open space that have a specific ecology or biodiversity role, sites of importance for nature conservation (SINCs).
- 3.11.2 In a densely populated urban area such as Lewisham, promoting and encouraging habitats for biodiversity is very important, both for wildlife itself and in promoting quality of life for those who live and work in the borough. Most forms of new development will result in additional pressure on Lewisham's limited supply of biodiversity resources and will therefore be required to minimise, eliminate or mitigate against the impacts of the development. This includes enhancing urban wildlife through planting principles such as 'right tree, right place', habitat creation and wildlife areas and the integration of features such as living roofs and walls.
- 3.11.3 Obligations will be sought from all impact generating development to provide for appropriate biodiversity infrastructure to cater for proposed increases in the residential and/or employment population.
- 3.11.4 Funding for strategic biodiversity works that are required as a result of incremental growth will normally be provided by the Council using CIL funding.
- 3.11.5 Where developments are required to deliver biodiversity matters needed to make the development acceptable in planning terms, these matters may be secured through planning obligations. Other biodiversity matters may be dealt with through planning conditions.
- 3.11.6 This section sets out examples of those matters that may be required to be mitigated through planning obligations, including the provision of biodiversity plans and the protection, and enhancement and creation of new networks of natural habitats, maximising opportunities to incorporate biodiversity within development and safeguard protected species from the adverse impact of development.

Policy pointers

- 3.11.7 For a summary of the national, regional and local planning policy context, please see Appendix 1.

Types of obligation and when they are required

- 3.11.8 The following are types of obligation that may be required to mitigate against the impact of a development. This is not an exhaustive list, but a guide for developers to the types of transport matters that should be considered.

Plans

- 3.11.9 On the most part, travel plans, servicing and delivery plans, temporary traffic management plans and other transport related plans should be submitted up front in the application process in line with the Council's Local Information Requirements. In exceptional circumstances and in particular for very large schemes, it may be necessary to secure on-going matters, including monitoring and review mechanisms as a planning obligation.

Site specific and localised biodiversity

- 3.11.10 A proposed development may require specific works in order to make the scheme acceptable in planning terms. Planning obligations may be used to secure:
- reinstatement of existing habitat features,
 - protection and enhancement of existing features,
 - creation of new features,
 - new habitat creation schemes,
 - monitoring or survey work to confirm that relevant environmental measures have been implemented successfully as part of a scheme.

Required form of obligations

- 3.11.11 The level of contributions for this topic cannot be determined through use of a standard formula as the level of any contribution needs to reflect the particular characteristics of the proposed development and the local context.
- 3.11.12 It is preferable to the Council for developers to directly provide necessary improvements and mitigation without the need for financial contributions to the Council. This should be delivered on-site whenever possible and only off-site when necessary. The proposed approach, detail and delivery of such mitigation (whether on-site or off-site) will need to be approved by the Council. Where direct provision by the developer is not achievable a financial contribution may be necessary. This should be based on the cost to the Council to undertake the necessary works or to charge a third party with delivering the works. The level of cost should be evidenced by the developer and then submitted for agreement with the Council in advance.

4 General Principles for Securing Planning Obligations

Overview of Lewisham's Approach to Planning Obligations

- 4.1 Lewisham's approach to securing planning obligations is set within the framework of national legislation and guidance; regional and local strategy and guidance; and any other material considerations relevant in each particular case. When a planning application is considered, planning obligations will only be sought where they are material to a planning decision, mitigate against a particular impact and comply with the CIL Regulations (2010) (as amended).
- 4.2 The Council will not seek planning obligations unrelated to a proposal or grant of planning permission for unacceptable development. Similarly, unrelated or unnecessary planning obligations offered by an applicant are not a means to secure planning permission for unacceptable development. Planning obligations are unlikely to overcome fundamental objections and will only be sought to address issues that prevent permission being granted for generally acceptable proposals. Planning permission will not be granted for unacceptable development.
- 4.3 Where there is a choice between imposing conditions and entering into a planning obligation, the imposition of a condition is preferable. The Council will therefore consider if an issue can be satisfactorily addressed through a condition before negotiating planning obligations. Planning obligations will be the preferred method of ensuring the provision of complex arrangements, such as affordable housing, local labour and financial obligations.

Drafting of Legal Agreements

- 4.4 In most cases, Section 106 agreements will be drafted by the Council's Legal Services Team, or by solicitors acting on the Council's behalf. The applicant will be required to pay the Council's reasonable legal and professional costs incurred in the preparation and completion of the agreement and/or, where appropriate, in the negotiation of any related third party agreements.
- 4.5 The Council has prepared a model Section 106 agreement which is available on the Council's website. Additionally the Council is seeking to provide template sections of Unilateral Undertakings. These are intended to assist applicants in understanding how the arrangements will work in detail (particularly for complex issues such as affordable housing) and will help with the timely consideration of planning applications.

Timing of Payments

- 4.6 It is important that planning obligations take effect in time to meet the additional demands from developments as they arise. There are two main ways in which the Council receives financial obligations: either upon completion of the Legal Agreement, or via specified 'triggers'. Each case will need to be reasonably considered on its merits and in relation to the administrative costs to monitor and administer the agreement.
- 4.7 Generally the Council will always seek to receive the payment of contributions upon either signing of the Legal Agreement or commencement of development in order that projects to mitigate the impact of a development can be delivered in tandem with the construction of the development.
- 4.8 In exceptional cases, particularly very large phased developments, the Council may, where appropriate, agree specific triggers for when the payments are to be made such as commencement of the above ground works or prior to completion of a specified phase of the development.

Unilateral Undertakings

- 4.9 Unilateral undertakings are Legal Agreements which bind only one party, usually the applicant, to undertake planning obligations. A unilateral undertaking can sometimes be used as an alternative to a negotiated Section 106 agreement as part of the process of determining a planning application. Instead of negotiating planning obligations between the Council and the applicant, the applicant may submit their proposals for planning obligations without consultation. The undertaking is usually submitted alongside the planning application, or with planning appeal submissions.
- 4.10 The Council would like to encourage the use of unilateral undertakings, particularly in the following circumstances:
- Small developments; and
 - Developments that only require financial obligations.
- 4.11 Draft unilateral undertaking template sections will be made available on the Council's website to assist applicants.

Indexation of Financial Obligations

- 4.12 Financial obligations will be index linked (on an upwards basis only) in order to maintain the value of the obligation, from the date of the committee resolution to grant planning permission until the date that the full payment is received.
- 4.13 In most cases the Retail Price Index (RPI) will be used for non-capital financial contributions (e.g. employment and training contributions) and the Building Cost Information Service (BCIS) index will be used for financial contributions towards a specific building or facility as it relates more closely to the cost of delivering a scheme (e.g. monies secured to build or extend a school).
- 4.14 All financial obligation indexation will be rounded up to the nearest pound.

Interest on Late Payments

- 4.15 It is the developers responsibility to ensure that any financial contributions or in-kind obligations are paid or addressed by the required trigger point. Failure to make any payment due will incur a penalty rate of interest at 4% above the Bank of England Base Rate from the date any payment was due until the day it is received. Such a penalty rate will be above and beyond any indexation that is applied to the sum.
- 4.16 All interest charges will be rounded up to the nearest pound.

On-Site vs Off-Site Provision

- 4.17 The issue of whether the required measures or facilities are to be provided on or off-site will be considered by the Council on a case by case basis, although the Council's policies and good planning practice require that provision should normally be made on site for measures required to support a particular development.
- 4.18 In cases where it is neither practicable nor appropriate to provide the measures on-site, the Council will require a financial contribution towards providing the measures off-site. Where a financial contribution is considered acceptable in lieu of on-site provision, the financial contribution will include the cost of designing and implementing the measures and the Council's project management costs.

Outline Applications

- 4.19 Planning obligations are determined for all outline planning applications, and where details are not available at the time of submission (such as the exact number of units) agreement to the formula for Standard Charges will be set out within the Section 106 agreement. Outline applications are generally only suitable in certain circumstances, and the Council would seek to ensure that applicants submit a full rather than an outline application.

Use of Financial Viability Appraisals

- 4.20 The Council recognises that there may be circumstances where a developer may consider that it is not feasible for the proposed development to meet all the requirements set out in local, regional and national planning policies and still be economically viable. This is not intended to include developers who acquire sites without planning permission at unrealistically high prices and then seek reductions in affordable housing or other requirements. Viability concerns may arise genuinely, for example where site remediation costs are exceptionally high.
- 4.21 The Council will usually require detailed financial appraisal utilising a recognised cash flow model such as Argus Developer, although in some cases the GLA Toolkit may be accepted by the Council. The appraisal will need to be submitted to the Council as part of the application (or at pre-application stage) and both a hard copy and an electronic copy should be provided.
- 4.22 Analysis should be based on land values as set by the application of planning policy in determining the permissible scope of development rather than the price actually paid for the land. For this reason valuations should usually be undertaken on a residual basis where the value of land is an output of the process. Arguably no allowance should be made for the original cost of purchasing the land or for payments that are contracted to be made to the landowner or third party under an

existing option, conditional land sale agreement, profit share (overage) or clawback arrangement. If it is suggested that the viability of the development is compromised as a result of an allowance for these items then it will be at the discretion of the Council as to what extent, if any, obligations are amended in recognition of them.

- 4.23 The general requirements for open book appraisals are:
- Identify and justify (with comparable evidence where appropriate) all development value and cost variables;
 - Specify any 'exceptional' cost items with supporting evidence in writing from reputable cost consultants;
 - Adhere to the standard conventions in terms of appraisal calculations not least regarding developer's profit;
 - Specify all assumptions made concerning the provision of affordable housing and planning obligations;
 - Provide Red Book, or other appropriate valuations to support Existing Use Values where they arise; and
 - Identify in cash flow terms the effect of deferred contributions.
- 4.24 The Council expects all financial viability appraisals to be provided with both 'no grant' and 'with grant' scenario's in relation to affordable housing provision and different tenure mixes, where the Council considers that it may be appropriate.
- 4.25 In cases where a dispute relates to the viability of a proposal, and in any case, where the Council considers it appropriate, a 'verification' of the applicant's financial viability appraisal will be carried out by an independent assessor. The applicant will be required to provide any financial information to support the viability appraisal to the Council and/or independent assessor on a strictly confidential basis. In such cases the assessor will be commissioned by the Council and the costs are to be met by the applicant. The independent financial assessor's report shall be provided to the Council.
- 4.26 In order to address any issues of economic uncertainty which may arise over the lifetime of the proposal the Council will give consideration to put in place provisions for re-appraising the viability of schemes prior to implementation and/or prior to 100% occupation. These are also known as 'contingent obligations' and may also be known as 'overage'. These will obligate the applicant to resubmit a financial appraisal and if the margins of viability/profitability have increased since determination, further obligations may be payable. If the situation has not improved, the approved obligations will stand. This allows for development to be carried out when it may otherwise not be viable to do so or to do so would be at increased levels of risk. It may also serve to encourage development sooner rather than later.
- 4.27 Proven impact on viability will be a material consideration in the assessment of a planning application and failure to comply with this SPD will be considered on a case-by-case basis in accordance with the relevant government guidance. However, it should be noted that where development proposals are unable to satisfactorily mitigate their impacts the Council will refuse planning permission.

Dispute Resolution

- 4.28 Where appropriate, Section 106 agreements contain dispute resolution clauses which set out how disagreements between the parties to the agreement will be resolved. In the event of any dispute arising between the parties in respect of the agreement it will be referred to an independent expert. The expert will have at least ten years relevant experience. The role of the independent expert is to facilitate or contribute to the negotiation process. It is the responsibility however, of the parties involved to agree on the outcome of the planning obligation negotiations. The final determination of the planning application remains with the Council.

Monitoring of Planning Obligations

- 4.29 The Council has a defined officer responsible for monitoring and managing planning obligations and the details of agreed planning obligations are held on an electronic database in order to track compliance as the development proceeds. The Council will liaise with developers (and applicants) and use other means of monitoring including site inspections, to ensure that planning obligations are completed by the agreed date or trigger. Large developments are also required to submit an annual update report until the development is complete outlining progress on the development to date.
- 4.30 The Council will report the results of monitoring and compliance with Section 106 agreements annually, including the total value of financial contributions received and spent.

Wider Regeneration/Improvement Projects

- 4.31 In some cases, wider regeneration or improvement projects across the borough may include enhancement of a number of factors, such as the public realm, economic health and transport accessibility of the locality. This is particularly likely in the Council's Regeneration and Growth Area or where a development is located in one of the town centres identified in the Core Strategy as a Major, District, or local Town Centre. In such cases, a financial contribution towards such overarching projects may be secured by the Council to mitigate against multiple impacts. Any financial contributions secured will be based on negotiations across the individual topic areas in this SPD and any other site specific issues.

100% or Mostly Affordable Housing Schemes

- 4.32 The Council acknowledges that schemes that incorporate affordable housing provide an important social benefit and that its provision can in some instances impact upon the financial viability of a development. Despite this, affordable housing like other forms of residential development, does have an impact on social infrastructure and surrounding services. Mitigating the impacts of all types of development is critical to establishing sustainable and balanced communities.

- 4.33 Census studies are able to demonstrate that occupation levels per unit of floorspace in affordable housing are often greater than other forms of accommodation. For that reason the basis for negotiations with applicants on these schemes will be similar to all other schemes, however the Council does understand that the comparative profitability of affordable housing schemes is lower and to some extent affordable housing schemes are already providing a community benefit.
- 4.34 Striking a balance between facilitating the provision of affordable housing whilst providing an appropriate level of social infrastructure and supporting services is required to achieve truly sustainable communities and meet the Council's strategic aims.

5 Procedure for Securing Planning Obligations

- 5.1 The Council's objective is to make the handling of planning obligations more efficient, speed up decision-making and provide clear guidance to applicants seeking planning permission. The Council, working closely with applicants and other stakeholders, will seek to ensure a high standard of service and that applications subject to planning obligations are determined within the Department of Communities and Local Government (DCLG) target periods for decisions where possible.
- 5.2 The Council expects the extent of planning obligations to be determined at pre-application stage (based on the information in this SPD and discussions with Council Officers and other relevant agencies) and explicit reference to the proposed planning obligation types and quantum's to be submitted as supporting information with any planning application, recognising that the scope of proposed obligations may occasionally change in response to comments made by organisations and individuals during consultation on the planning application.
- 5.3 In cases where issues of financial viability arise, negotiations will be undertaken by the Planning Officer and assisted where appropriate by officers representing the various Council service areas.
- 5.4 Where the Planning Officer is minded to recommend an application for approval, the agreed 'Heads of Terms' outlining the planning obligations required will be reported to Councillors along with all other material considerations as part of the planning committee report. The Planning Officers recommendation for approval will usually set out the grant of planning permission subject to any appropriate conditions and the signing of a Section 106 agreement.
- 5.5 All finalised Section 106 agreements (or unilateral undertakings) will be placed on the Statutory Planning Register and Local Land Charges Register.
- 5.6 Table 5.1 below summarises the process by which planning obligations are negotiated and secured in the borough.

Table 5.1 Process for negotiating and securing planning obligations

PRE-APPLICATION STAGE	
Prior to initiating pre-application discussions with the Council	Applicant needs to consider the relevant policies, legislation and all material considerations in relation to their development proposal including the information in this SPD.
Pre-application discussions	Applicant provides initial proposals for discussion with the Case Officer. Applicants should provide their own initial assessment of the impact of the development and suggest any likely required planning obligations (both in-kind and financial)
	<p>Case Officer will provide advice, without prejudice, on:</p> <p>Their initial assessment of the impacts of the proposal and whether it is acceptable</p> <p>Indicative planning obligation heads of terms likely to be required to mitigate likely impacts, and the nature and scale of the obligations</p> <p>The information that will be required to be submitted in order to make the application valid, including whether or not a financial viability assessment is required</p>
Prior to submitting a planning application	<p>Case Officer and Applicant discuss and agree the Heads of Terms for the development.</p> <p>Applicants should prepare their planning application for submission, in accordance with the Council's Local List including a CIL Form and Planning Obligations Statement summarising the Heads of Terms.</p>
PLANNING APPLICATION STAGE	
Planning application submission	<p>Once an application is submitted it will be checked by the Case Officer to ensure that it contains all of the necessary information, and if so, it will be validated. The Case Officer may contact the applicant (or their agent) to discuss the likely timescales to prepare the draft agreement if this has not been discussed at pre-application stage.</p> <p>Council's solicitor will begin drafting the agreement if this has not already started at pre application stage.</p>
Consultation and Assessment of the application	<p>Consultation on the planning application will be carried out in line with the Council's Statement of Community Involvement. The public can comment on any aspect of a scheme including planning obligations and the case officer will consider any representations made on the application in the context of the submitted 'Planning Obligations Statement' (Heads of Terms).</p> <p>Case Officer assesses the application and the possible planning obligations resulting from the heads of terms, application documents, internal and external consultation, giving consideration to material considerations including this SPD and a financial viability assessment (where applicable).</p>

Officers Recommendation	<p>If the impacts cannot be mitigated by obligations (and/or conditions) at an appropriate level, the application is recommended for refusal.</p> <p>If the Case Officer considers the proposal to be acceptable and agreement has been reached with the Applicant on the necessary planning obligations, the Officer will draft a report including a recommendation to grant planning permission subject to completion of a Section 106 agreement by the statutory end date or within 1 month of the committee meeting, whichever is sooner.</p>
Decision	<p>The Council's planning committee considers the application including the planning obligations heads of terms. The decision to grant planning permission would normally be a decision in principle subject to the completion of a Section 106 agreement within a specified period of time within the statutory timeframe. The Council aims to have the Section 106 agreement draft ready prior to the planning committee.</p>
POST DECISION RESOLUTION	
Following the decision to grant planning permission	<p>Legal Services and the Case Officer, in liaison with the applicant's solicitors or other representatives, will issue a final draft for approval (Engrossments) and signature by all parties.</p>
Completion of Legal Agreement	<p>On completion and signing of the Section 106 agreement, planning permission will be formally issued.</p> <p>The completed agreement will be registered as a Local Land Charge against the land and a copy placed on the Local Land Charges Register and Planning Register.</p> <p>A copy of the agreement will be scanned and available to view on the Council's website.</p>
If the applicant is aggrieved by the decision of the Council	<p>Applicant's may appeal to the Secretary of State, unless the Secretary of State agrees to an extension of time the applicant should give notice of appeal within 6 months of the decision.</p>
Modification of obligations	<p>The terms of a planning obligation may not be modified or discharged except by Legal Agreement between the Council and the applicant, or, after 5 years there is a right of appeal to the Secretary of State.</p>
MONITORING	
	<p>Details of agreed planning obligations are held on an electronic database in order to track compliance. and ensure that the obligations are met.</p> <p>Section 106 Officers monitor agreements to ensure that payments and obligations are received and completed in accordance with the agreement and that payments received by the Council are spent on appropriate projects within the required timeframes.</p> <p>Copies of the Councils Section 106 agreements are available on line via the Council's website.</p> <p>Applicants are required to submit annual update reports summarising the number of units completed and other key milestones.</p>

6 Review and Monitoring

- 6.1 The Council will assess the performance of Planning Obligations, as part of its LDF Annual Monitoring Report, however, it is also appropriate to ensure the effectiveness of this SPD is monitored and reported on. The Council has therefore established the following set of monitoring requirements in respect of this SPD:
- The level of contributions being achieved and compliance with the requirements of this SPD;
 - Monitoring time taken for decisions where a planning obligation has been agreed as part of the application; and
 - Monitoring of delivery (i.e. the completion of obligations including those to be undertaken by delivery agents other than the developer).
- 6.2 To take into account significant changes in circumstances that would affect the appropriateness of the requirements in this SPD, the document will be reviewed periodically. The review will take account of:
- The changing needs for facilities and services;
 - The adoption of emerging LDF documents;
 - Further alterations or reviews of the London Plan (2011);
 - Changes to Central Government Guidance;
 - Indexation of contributions; and
 - Changes to CIL that impact on how planning obligations can be used and secured.

7 Professional, Legal and Monitoring Fees

- 7.1 The Council incurs substantial costs in assessing the requirement for planning obligations in relation to individual planning applications. This includes reviewing financial viability assessments and the negotiation and the drafting of individual Section 106 agreements. These are over and above the normal costs of dealing with planning applications, for which applicants already pay a fee. Following completion of a Section 106 agreement, the applicant or the Council may find it necessary to modify an agreement. The Council incurs further costs in negotiating and drafting variations to the agreement.
- 7.2 The Council maintains a database of all current agreements and monitors compliance against set targets and triggers. This includes maintaining contact with developers before and during construction, site inspections, legal advice and in the collection and accounting for financial contributions. In certain instances, agreements allow for the subsequent submission of detailed proposals for the provision or payment for infrastructure. These necessitate further technical and legal advice, negotiations and approvals.
- 7.3 For the purposes of this SPD the Council will secure professional, legal and monitoring fees. Applicants are expected to fully reimburse the Council's legal, professional and monitoring costs associated with drafting, checking and monitoring Section 106 agreements and checking and monitoring unilateral undertakings.

Professional Fees

- 7.4 For all applications where the Council expects that significant professional time or the use of external consultants will be necessary, fees will be charged. Applicants will normally be given an estimate of the expected cost of professional fees, particularly in cases where external consultants are used.
- 7.5 In the event that external consultants are required, such as in the case of providing independent expert advice on financial viability assessments submitted as part of an application to the Council, quotes will be provided to the applicant and payment will be required on signing of the agreement.
- 7.6 The Council's full professional fees will also have to be paid in the event of the agreement or undertaking not being completed where planning permission is refused or where the developer does not proceed with the development or proposal.

Legal Fees

- 7.7 Applicant's will be expected to meet all legal costs associated with the drafting, negotiating, checking and agreeing a Section 106 agreement or checking and agreeing a unilateral undertaking.
- 7.8 The Council will require an undertaking from the solicitor acting on behalf of the applicant to pay the Council's reasonable legal and professional costs associated with the preparation of the Section 106 agreement or approving a unilateral undertaking at the beginning of the process. Where a solicitor or other professional advisor is not acting on behalf of the applicant, the Council may ask for the deposit of a reasonable sum having regard to the likely complexity of the matter.

- 7.9 The Council's solicitor will charge applicants for work undertaken at an hourly rate. The Council will, where requested, provide applicants with an estimate of the costs at the outset of a new case.
- 7.10 The legal fees (or balance of legal fees where a payment on account of costs has been made) will be payable at the time of completing the Section 106 agreement or unilateral undertaking. The Council's full legal fees will also have to be paid in the event of the agreement or undertaking not being completed where planning permission is refused or where the developer does not proceed with the development or proposal.

Monitoring Fees

- 7.11 The cost of administration and the monitoring of planning obligations once entered into will be financed through monitoring fees applied to individual Section 106 agreements and unilateral undertakings. The total monitoring charge will vary depending on the number and complexity of the clauses in the Section 106 agreement or undertaking and will be based on the Council's reasonable assessment of the likely time required to monitor the Section 106 agreement or undertaking.
- 7.12 The total value of any planning obligation will exclude the monitoring fees set out in this section. The monitoring fees are additional and will be added to the final cost. The basis for the monitoring fees charged are set out below and will be reviewed and updated annually to reflect inflation and increases in the costs incurred by the Council.

Table 7.1 – Monitoring Charges*

7.13 Number of affordable housing units	7.14 1-10 Units	7.15 £250 per unit
	7.16 11-30 Units	7.17 £3,000
	7.18 31-60 Units	7.19 £6,000
	7.20 61-150 Units	7.21 £10,000
	7.22 151-300 Units	7.23 £15,000
	7.24 301+ Units	7.25 £25,000
7.26 Type I clause	7.27 Non-financial clauses that involve the approval of a standard document and financial clauses for small payments with a single trigger and spend project.	7.28 £500
7.29 Type II clause	7.30 Financial clauses involving large payments, multiple trigger points, and/or multiple spend projects, approval of a non-standard document or complex non-financial clause.	7.31 £750
7.32 Type III clause	7.33 Non standard complex clauses.	7.34 Case by case

* Subject to a total minimum fee of £500 per Section 106 agreement or unilateral undertaking.

- 7.35 If an agreement is exceptionally complicated and difficult to monitor (e.g. possibly in the case of large strategic applications or phased developments over long periods of time) the Council may seek a monitoring fee over and above the standard 'Type 1' and 'Type II' clauses. Similarly, the Council will also apply a discount to the standard monitoring fee where 'economies of scale' would streamline monitoring requirements and reduce the monitoring time required.
- 7.36 Planning obligations will be monitored to ensure that they are undertaken or paid at the agreed trigger points. The spending of received contributions will also be closely monitored to ensure that they are spent by the Council or other agencies on what was agreed and within the required time period set out in the agreement. Where contributions have not been spent by the Council within the required time period, they will be returned.
- 7.37 The details of agreed planning obligations will be held on an electronic database in order to track compliance as the development proceeds. The Council will liaise with applicants and use other means of monitoring including site inspections, to ensure that applicants discharge their obligations at the agreed date or trigger. Where financial obligations are due to the Council these become payable on the date or at the trigger point specified in the agreement. In the event that payments are not received by the due date, a late penalty payment will be applied at 4% above the base rate and the Council may take formal action to secure compliance with obligations through civil recovery procedures.
- 7.38 The Council will report the results of monitoring and compliance with Section 106 agreements and unilateral undertakings annually. The report will provide details of the Section 106 agreements entered into, unilateral undertakings made to the Council, payments received, and the completion of schemes funded or part funded by Section 106 contributions.
- 7.39 The monitoring payment, like legal and professional costs, will be required on signing of the agreement, however, in the event that the agreement or undertaking is not completed where planning permission is refused or where the developer does not proceed with the development or proposal, monitoring fees will not be required.

Variations of Planning Obligations

- 7.40 Where a Section 106 agreement contains the requirement to review or submit later detailed proposals for facilities or services, or where the applicant is seeking to modify the Section 106 agreement, the same arrangements will apply for professional and legal fees as applied to the original Section 106 agreement and further monitoring costs may also be incurred.

8 Glossary

Affordable Housing

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Affordable Rent

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require no more than 80% of the local market rent (including service charges, where applicable).

Cascade Mechanism

A cascade is a mechanism that enables the form and/or quantum of affordable housing to be varied if a certain event happens. Cascades respond to rises or decreases in the site development costs and incomes that may render certain levels of provision financially either viable or unviable.

Common Housing Register

The common housing register is a list of people who have applied for housing in Lewisham.

Community Infrastructure Levy (CIL)

A levy that local authorities can choose to charge on new developments in their area. Part 11 of the Planning Act 2008 sets out the legislative framework and regulations introduced it in April 2010. It has since been amended by further regulations in 2011, 2012 and 2014. The money secured by the local authority is to be spent upon local and strategic infrastructure which may include roads and other transport needs, parks, schools, sports centres, emergency services and community facilities.

Conditions / Planning Conditions

Planning permission is usually subject to certain conditions. These conditions need to be met in order for development to be allowed to proceed. They will generally deal with less complex issues than those dealt with by way of Planning Obligations (e.g. time limits for implementation, the submission and approval of further details, restrictions on the use). What can and cannot be the subject of planning conditions is the subject of extensive legal and government policy tests.

Development Plan Document (DPD)

A Local Plan that has been drawn up by the local planning authority in consultation with the community, has been subject to independent testing and has the weight of development plan status. The terminology 'Development Plan Document' has been replaced with 'Local Plan' for new documents, but remains for pre-existing documents (i.e. Lewisham Core Strategy DPD, 2011).

Habitable Room

A room within a dwelling, the main purpose of which is for sleeping, living or dining. It is any room with a window that could be used to sleep in, regardless of what it is actually used for. This excludes toilets, bathrooms, landings, halls and lobbies, and also excludes kitchens with an overall floor area of less than 13m². This excludes rooms which cannot function for the purposes for which they are intended by reason of an inadequate size, height, shape or daylight.

Heads of Terms

A document setting out the particular items of a Section 106 agreement (including in-kind works, financial contributions and any restrictions on the land that may be relevant) as agreed in principle between the Council and applicant.

Homes and Communities Agency

A statutory public body whose role is to fund and regulate Registered Providers in England.

Housing Association

Independent societies, bodies of trustees or companies established for the purpose of providing low-cost social housing for people in housing need on a non-profit-making basis. Any trading surplus is used to maintain existing homes and to help finance new ones. They are now the United Kingdom's major providers of new homes for rent, while many also run shared ownership schemes to help people who cannot afford to buy their own homes outright.

Intermediate Housing

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can be shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Key Worker Housing

Housing that is reserved or allocated for people who are given priority by virtue of their employment to ensure that employees are retained in essential public services. This includes those who work in health, education, police and emergency services.

Lifetime Homes

Lifetime Homes are ordinary homes incorporating [16 Design Criteria](#) that can be universally applied to new homes to add to the comfort and convenience of the home and support the changing needs of individuals and families at different stages of life.

Local Development Framework (LDF)

The Local Development Framework is a portfolio, or a 'folder', of Local Development Documents which will provide the local planning authority's policies for meeting the community's economic, environmental and social aims for the future of their area where this affects the development and use of land.

Local Plan

A Local Development Document that has been drawn up by the local planning authority in consultation with the community, has been subject to independent testing and has the weight of development plan status.

Major Development

Any residential or mixed use development creating 10 or more dwellings, if that is not known, where the site area is 0.5 hectares or more. For other types of development, a major site is one where the floorspace to be built is 1, 000 square metres or more, or the site area is 1 hectare or more.

Material Consideration

A legal term describing a matter or subject which is relevant (material) for a local authority to consider when using its powers under planning law.

Planning Obligation

Planning obligations secured through Section 106 agreements or unilateral undertakings are Legal Agreements in the context of the grant of planning permission. Planning obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.

Public Transport Accessibility Level (PTAL)

Provides a methodology for assessing the relative ease of access of a location to the public transport network. PTAL 1 is 'very poor' with PTAL 6 being 'excellent'.

Registered Provider

Registered Provider (RP) is the technical name for social landlords that are registered with the Tenant Services Authority. Most are housing associations, but there are also trusts, co-operatives and companies.

Social Rented (Social Housing)

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Standard charges

Standard charges are a set of general formulae that are used to estimate the amount of contributions that are likely to be sought for a particular type of development, based on a local planning authority's policies and evidence of the common impacts of development. These will then be enforced through a planning obligation.

Supplementary Planning Document (SPD)

Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Transport for London (TfL)

A statutory body appointed by the Mayor of London for the purpose of providing public transport within London and for delivering an integrated and sustainable transport strategy for London.

Unilateral Undertakings

Instead of agreeing obligations through the standard process of negotiation and Agreement between the council and developer, developers may prepare the terms of a planning obligation on their own, without prior discussion with the council. These will then be submitted to the council. If the terms are acceptable the fact that the document has not been negotiated should not in itself be seen as a bar to the grant of permission. Where a Unilateral Undertaking does not meet the Council's objective's, planning permission should be refused.

Vicinity

In this document means nearby and within the surrounding area so as to ensure a geographical relationship between the planning obligation and the development.

Wheelchair Accessible Housing

This refers to homes built to meet the standards set out in the South East London Housing Partnership Wheelchair Housing Design Guidelines (August 2011).

Note: References made to any existing organisation, body or guidance will apply to successor arrangements as changes may occur over time.

Abbreviations

CIL – Community Infrastructure Levy

DCLG - Department for Communities and Local Government

DMLP – Development Management Plan

DPD - Development Plan Document

LDF - Local Development Framework

S106 - Section 106

SCI - Statement of Community Involvement

SPD - Supplementary Planning Document

TfL – Transport for London

Appendix 1

Appendix 1 – Policy pointers

Topics	Core Strategy (June 2011)	Development Management Local Plan	London Plan (July 2011)	National and Other Regional	Other Relevant Guidance
Affordable Housing	<p>Core Strategy Policy 1: Housing provision, mix and affordability</p>	<p>DM Policy 7: Affordable rented housing</p>	<p>Policy 3.2 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes. Policy 3.8 Housing Choice Policy 3.9 Mixed and Balanced Communities Policy 3.10 Definition of affordable housing Policy 3.11 Affordable housing targets Policy 3.12 Negotiating affordable housing on individual private residential and mixed-use schemes Policy 3.13 Affordable housing thresholds Policy 8.2 Planning Obligations</p>	<p>NPPF – Paragraphs 47-55 Funding Prospectus: Mayor’s Housing Covenant 2015-18 Programme (2013) London Housing Strategy (2010) Draft London Housing Strategy (2013) Draft Further Alterations to the London Plan (FALP) (2014) Revised Early Minor Alterations (REMA) to the London Plan (2013) Mayor of London’s Housing Supplementary Planning Guidance (2012)</p>	<p>Lewisham Housing Strategy (2009-2014) Affordable Housing Viability Study (2009) Lewisham Housing Conversions Study (2012) Lewisham Housing Market Assessment 2007-2008 (2009) Lewisham Housing Strategy South East London Strategic Housing Market Assessment 2009</p>

Topics	Core Strategy (June 2011)	Development Management Local Plan	London Plan (July 2011)	National and Other Regional	Other Relevant Guidance
Wheelchair Housing	Core Strategy Policy 1: Housing provision, mix and affordability	DM Policy 7: Affordable rented housing	Policy 3.8 Housing Choice Policy 8.2 Planning Obligations	NPPF – Paragraphs 50 Mayor of London’s Housing Supplementary Planning Guidance (2012) Homes for London The London Housing Strategy: Draft for London Assembly (2014) Funding Prospectus: Mayor’s Housing Covenant 2015-18 Programme (2013)	Lewisham Housing Strategy: Homes for the future: raising aspirations, creating choice and meeting need (2009-2014) South East London Housing Partnership Wheelchair Homes Design Guidelines (2012)
Local Labour and Business	Policy 3 Strategic Industrial Locations and Local Employment Locations Policy 4 Mixed Use Employment Locations Policy 5 Other employment locations	Policy 4 Conversions of office space Policy 9 Mixed use employment locations Policy 10 Local employment locations Policy 11 Other Employment Locations Policy 13 Location of Main Town Centre Uses	Policy 4.1 Developing London’s Economy Policy 4.2 Offices Policy 4.3 Mixed Use Development and Offices Policy 4.4 Managing Industrial Land and Premises Policy 4.7 Retail and Town Centre Development Policy 4.8 Supporting a Successful and Diverse Retail Sector Policy 4.10 New and Emerging Economic Sectors Policy 4.11 Encouraging a Connected Economy Policy 4.12 Improving Opportunity for All	NPPF – Paragraphs 18-21	Lewisham Employment Land Study (2009) Shaping our future: Lewisham’s Sustainable Community Strategy 2008-2020 Lewisham Employment Study 2008 Lewisham Local Cultural Strategy Lewisham Economic Development Business Plan 2004 Retail Capacity Study (2009)

Topics	Core Strategy (June 2011)	Development Management Local Plan	London Plan (July 2011)	National and Other Regional	Other Relevant Guidance
			<p>Policy 8.2 Planning Obligations</p>		<p>Pubs in Lewisham evidence base study (2013)</p> <p>Hot Food Take-away shops: and evidence base study (2013)</p>
<p>Employment Floorspace</p>	<p>Policy 3 Strategic Industrial Locations and Local Employment Locations</p> <p>Policy 4 Mixed Use Employment Locations</p> <p>Policy 5 Other employment locations</p> <p>Policy 6 Retail hierarchy and location of retail development</p>	<p>Policy 4 Conversions of office space</p> <p>Policy 9 Mixed use employment locations</p> <p>Policy 10 Local employment locations</p> <p>Policy 11 Other Employment Locations</p> <p>Policy 13 Location of Main Town Centre Uses</p> <p>Policy 14 District Centres Shopping Frontages</p> <p>Policy 15 Neighbourhood Local Centres</p> <p>Policy 16 Local Shopping Parades and Corner Shops</p>	<p>Policy 4.1 Developing London's Economy</p> <p>Policy 4.2 Offices</p> <p>Policy 4.3 Mixed Use Development and Offices</p> <p>Policy 4.4 Managing Industrial Land and Premises</p> <p>Policy 4.7 Retail and Town Centre Development</p> <p>Policy 4.8 Supporting a Successful and Diverse Retail Sector</p> <p>Policy 4.10 New and Emerging Economic Sectors</p> <p>Policy 4.11 Encouraging a Connected Economy</p> <p>Policy 4.12 Improving Opportunity for All</p> <p>Policy 8.2 Planning Obligations</p>	<p>NPPF – Paragraphs 18-21</p>	<p>Lewisham Employment Land Study (2009)</p> <p>Shaping our future: Lewisham's Sustainable Community Strategy 2008-2020</p> <p>Lewisham Employment Study 2008</p> <p>Lewisham Local Cultural Strategy</p> <p>Lewisham Economic Development Business Plan 2004</p> <p>Retail Capacity Study (2009)</p> <p>Pubs in Lewisham evidence base study (2013)</p> <p>Hot Food Take-away shops: and evidence base study (2013)</p>

Topics	Core Strategy (June 2011)	Development Management Local Plan	London Plan (July 2011)	National and Other Regional	Other Relevant Guidance
Transport	<p>Policy 14 – Sustainable Movement and Transport</p>	<p>Policy 21 Mini cabs and taxi offices Policy 29 Car Parking</p>	<p>Policy 6.1 Strategic approach Policy 6.3 Assessing effects of development on transport capacity Policy 6.5 Funding Crossrail and other strategically important infrastructure (CIL prob not relevant) Policy 6.7 Better streets and surface transport Policy 6.9 Cycling Policy 6.10 Walking Policy 6.11 Smoothing Traffic Flow and Tackling Congestion Policy 6.12 Road Network Capacity Policy 6.13 Parking Policy 8.2 Planning Obligations</p>	<p>NPPF – Paragraphs 29-41</p>	<p>The Infrastructure Delivery Plan (2011) Deptford and New Cross Transport Infrastructure Study (2007) North Lewisham Links Strategy (2007) Deptford and New Cross Masterplan (2007) Lewisham Town Centre Transport Study (2010) Lewisham Town Centre Transport Study Report Addendum (2012) Lewisham Borough Wide Transport Study (2010) Lewisham Local Implementation Plan (2011)</p>
Public Realm	<p>Policy 12 Open Space and Environmental Assets Policy 15 High Quality Design for Lewisham</p>	<p>Policy 19 Shopfronts, Signs and Hoardings Policy 25 Landscaping and Trees Policy 27 Lighting Policy 30 Urban Design and Local</p>	<p>Policy 6.9 – Cycling Policy 6.10 – Walking Policy 7.3 – Designing out Crime Policy 7.4 – Local Character Policy 7.5 – Public Realm Policy 7.6 – Architecture</p>	<p>NPPF – Paragraphs 35, 57 and 58</p>	<p>Lewisham’s Control of pollution and noise from demolition sites Code of practice (2008) Lewisham Noise Mapping Study (2012)</p>

Topics	Core Strategy (June 2011)	Development Management Local Plan	London Plan (July 2011)	National and Other Regional	Other Relevant Guidance
		Character Policy 35 Public Realm and Street Furniture	Policy 7.18 – Protecting Local Open Space and Addressing Local Deficiency Policy 7.19 – Biodiversity and Access to Nature Policy 7.21 – Trees and Woodland Policy 8.2 Planning Obligations		Lewisham Air Quality Action Plan (2008) London Borough of Lewisham Streetscape Guide Lewisham Borough Wide Character Study (2010) North Lewisham Links Strategy (2007) Deptford and New Cross Masterplan (2007)
Childrens Play Space	Policy 12 Open Space and Environmental Assets Policy 15 High Quality Design for Lewisham	Policy 19 Shopfronts, Signs and Hoardings Policy 25 Landscaping and Trees Policy 27 Lighting Policy 30 Urban Design and Local Character Policy 35 Public Realm and Street Furniture	Policy 3.6 Children and young people's play and informal recreation facilities Policy 8.2 Planning Obligations	Recreation Mayor of London Supplementary Planning Guidance (2012)	Children & Young People's Plan 2012-2015
Carbon Offsetting	Policy 7 Climate Change and Adapting to the Effects Policy 8 Sustainable Design and Construction	DM Policy 22 Sustainable Design and Construction	Policy 5.2 Minimising Carbon Dioxide Emissions Policy 5.3 Sustainable Design and Construction Policy 5.4 Retrofitting Policy 8.2 Planning Obligations	NPPF – Paragraphs 94 - 98	Lewisham Renewables Evidence Base Study (2010) Lewisham Town Centre Local Plan Low Carbon and Decentralised Energy Strategy Recommendations

Topics	Core Strategy (June 2011)	Development Management Local Plan	London Plan (July 2011)	National and Other Regional	Other Relevant Guidance
Environmental Protection	Policy 9 Air Quality	Policy 23 Air Quality Policy 26 Noise and Vibration Policy 28 Contaminated Land	Policy 7.14 Improving Air Quality Policy 7.15 Reducing noise and enhancing soundscapes Policy 8.2 Planning Obligations	NPPF – Paragraphs 109, 123 and 124	Lewisham’s Control of pollution and noise from demolition sites Code of practice (2008) Lewisham Noise Mapping Study (2012) Lewisham Air Quality Action Plan (2008) London Borough of Lewisham Streetscape Guide
Flood Risk and Water Management	Policy 10 Managing and Reducing the Risk of Flooding Policy 11 River and Waterways network		Policy 5.3 Sustainable Design and Construction Policy 5.12 Flood Risk Management Policy 5.13 Sustainable Drainage Policy 5.14 Water Quality and Wastewater Infrastructure Policy 5.15 Water Use and Supplies	NPPF Paragraphs 94, 95, 99, 100, 101, 102, 103 and 104 Flood and Water Management Act 2010 London Climate Change Adaptation Strategy (2008) The London Rivers Action Plan Mayor’s Supplementary Guidance: Sustainable Design and Construction Thames Catchment Flood Management Plan and TE2100 Plan	Local Biodiversity Action Plan – A Natural Renaissance for Lewisham Lewisham Strategic Flood Risk Assessment (2008) Lewisham Flood Risk and Development Sequential Test (2009) Ravensbourne River Corridor Improvement Plan (2010)

Topics	Core Strategy (June 2011)	Development Management Local Plan	London Plan (July 2011)	National and Other Regional	Other Relevant Guidance
Biodiversity	Policy 12 Open space and environmental assets	DM Policy 24 Biodiversity, living roofs and artificial playing pitches DM Policy 25 Landscaping and Trees	Policy 5.10 Urban Greening Policy 5.11 Green Roofs and Development Site Environs Policy 7.19 Biodiversity and Access to Nature Policy 7.12 Trees and Woodland Policy 8.2 Planning Obligations	Thames River Basin Management Plan NPPF Paragraphs 7, 99, 109, 113, 114, 118, 119 and 125 East London Green Grid Framework SPG Mayor of London's Biodiversity Strategy (2002)	Local Biodiversity Action Plan – A Natural Renaissance for Lewisham

PLANNING OBLIGATIONS SPD

DRAFT STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING OPINION



PREPARED BY PRO VISION PLANNING & DESIGN ON BEHALF OF THE LONDON BOROUGH
OF LEWISHAM

JUNE 2014

Planning Obligations SPD
Draft Strategic Environmental Assessment Screening Report
Planning 1575
Issue 01

Prepared by: Justin Packman

Date: June 2014

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1.0 INTRODUCTION

- 1.1 This report has been prepared on behalf of the London Borough of Lewisham to determine the need for a Strategic Environmental Assessment (SEA) for the updated Planning Obligations Supplementary Planning Document (SPD).
- 1.2 It has become necessary to revise the 2011 Planning Obligations SPD to reflect changes in the legislative and planning policy framework including the amended Community Infrastructure Levy (CIL) Regulations, the National Planning Policy Framework (2012), expected changes in the forthcoming London Plan and the Lewisham Core Strategy (2011).
- 1.2 For SPDs it is necessary to undertake an SEA in instances where there is potential for significant environmental impacts that have not already been assessed during the preparation of the Development Plan.
- 1.3 This Screening Report has been prepared in accordance with Section 9 (3) of the Assessment of Plans and Programmes Regulations 2004 and is based on the Council's understanding of the current scope of the draft SPD.

2.0 SEA SCREENING PROCEDURE

2.1 The SEA screening procedure comprises 6 stages, detailed below:

1. **Preliminary Assessment:** initial tests applied to determine whether screening is necessary;
2. **Assessment of likely Environmental Impacts:** if screening is required the an assessment of the likely environmental impacts will be undertaken in accordance with the 2004 Regulations;
3. **Draft Screening Report:** a draft screening report will be prepared summarising the results of Stage 2 and including a draft determination that provides sufficient information to demonstrate whether the SPD is likely to have significant environmental effects;
4. **Consultation with statutory bodies:** before a final screening report can be published it will be necessary to undertake consultation with the Environment Agency, English Heritage and Natural England. If these statutory bodies consider that the SPD is likely to have significant environmental effects, then a full SEA will be required;
5. **Final Screening Report:** consideration to be given to the responses from the three statutory bodies and then a final version of the screening report prepared confirming:
 - a. The result of the screening;
 - b. Responses from the consultation bodies;
 - c. The final determination, and
 - d. The statement of reasons if no SEA is required
6. **Final Screening Report made publically available:** the Council will issue the Final Screening Report to each of the three statutory consultees and make it public available for inspection on the Council's website and within public libraries.

3.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

3.1 It is necessary to undertake screening of the likely significant environmental effects of the SPD because the SPD meets the following SEA Directive criteria¹:

1. the SPD is subject to preparation and adoption by a Local Authority;
2. the SPD is required by legislative, regulatory or administrative provisions
3. the SPD is prepared for town planning and land use purposes

3.2 The criteria for determining the significance of effects are taken from schedule 1 of the Regulations. The SPD has been judged against each of these criteria and the results are detailed in Table 3.1 below.

Table 3.1

Criterion		Justification
1		
(a)	the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The draft SPD sits at the lowest tier of the development plan hierarchy. The function of the document is to provide amplification to the policies and strategies set out within the Development Plan (specifically Core Strategy Policy 21). The SPD makes no provision for the allocation of resources but it will ensure that resources are available to fund projects to mitigate the impact of new development and to ensure that there is adequate infrastructure to cater for the needs of the Borough.
(b)	the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The draft SPD is a function of the adopted Development Plan, its purpose being to expand upon and clarify the requirements of the Plan. The SPD is required to be in conformity with the Plan and other higher tier policy documents (which have been subject to full Sustainability Appraisals). The SPD does not influence other plans and programmes.
(c)	the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The draft SPD provides advice on how planning obligations will be assessed and sets out procedural guidance on how these will be negotiated and secured in accordance with Core Strategy Policy 21 and other higher tier policies and objectives. This process will assist in mitigating the effects arising from development and thus will help in the further integration of environmental considerations and promotion of sustainable development. However, the SPD does not set out the initial policy requirements for planning obligations and so is of less relevance than the higher tier documents from which these requirements derive.
(d)	environmental problems relevant to the plan or programme;	No environmental problems will be introduced or intensified as a result of the draft SPD. Conversely, the draft SPD will introduce higher standards for CO2 emissions in line with the requirements of the London Plan. These provisions have the potential to generate environmental improvements.

¹ A Practical Guide to the Strategic Environmental Assessment Directive (2005)

(e)	the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	The draft SPD is not relevant to the implementation of Community legislation on the environment but will facilitate the process of securing environmental mitigation and enhancement where necessary.
2		
(a)	the probability, duration, frequency and reversibility of the effects,	Taken as a whole, the impact of the SPD will be positive, with the document having the potential to have general positive impacts in the short, medium and longer term. This may include having a positive effect on climate change through efforts to minimise and off-set CO2 emissions.
(b)	the cumulative nature of the effects	Individual planning obligations will have beneficial effects. When individual obligations are combined and applied to larger mitigation and / or enhancement schemes there is potential for significant positive cumulative effects.
(c)	the trans-boundary nature of the effects of the SPD	The positive effects of the draft SPD will be mostly be felt in areas close to new development as there is a need for planning obligations to be 'directly related to the development'. Notwithstanding this, some mitigation measures can have positive effects that impact upon a much wider area such reductions in CO2 emissions.
(d)	the risks to human health or the environment (for example, due to accidents)	The draft SPD expands upon adopted planning policies that have been subject to a full Sustainability Appraisal and will pose no risk to human health. Planning obligations in some circumstances present the opportunity to mitigate against risks to human health and other negative impacts arising from development.
(e)	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	The draft SPD supplements existing adopted planning policy and therefore will not itself have a significant effect. The implementation of Core Strategy Policy 21 may have a significant effect, although the magnitude and extent will largely depend on the nature and scale of different development proposals and their associated planning obligations.
(f)	the value and vulnerability of the area likely to be affected due to: i) special natural characteristics or cultural heritage ii) exceeded environmental quality standards or limit	The borough is characterised by a range of different and sometimes vulnerable natural and manmade environments. These include SINCS, Local Nature Reserves, 27 Conservation Areas and 540 Listed Buildings. It is the role of development plan policies to protect, conserve and in many instances enhance these areas which set out specific standards for environmental quality and land use. The draft SPD supplements planning policy and will not have any impact on these areas.
(g)	the effects on areas or landscapes which have a recognised national, Community or international protection status	Within the Borough there are a range of areas which have a recognised protection status. These are protected, conserved and enhanced by adopted plan policies and through separate legislation in some instances. The draft SPD will not impact on these areas.

4.0 DRAFT DETERMINATION

- 4.1 The assessment detailed in table 3.1 indicates that that the SPD is unlikely to generate significant environmental effects by itself. Any effects resulting from higher tier planning documents including the 'parent policies' relevant to this SPD have already been assessed by a separate full SEA.
- 4.2 The SPD does not propose any new policies, or the amendment of existing policies, and will not allocate resources or direct other plans and programmes

Next Stage

- 4.3 The draft determination is that a SEA will not be required for the SPD. However, before a final determination is made it will be necessary to:
1. Consult on this draft determination with the three statutory consultees, and
 2. Prepare a final screening report, which is to be made publicly available.

Agenda Item 12

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	16 th July 2014
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Title of Report	Making of Instrument of Government The Governing Body of Dowlerry School
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Originator of Report	Sue Tipler	Ext. 46162
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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		X
Risk Assessment Comments (as appropriate)		X
Reason for Urgency (as appropriate)		X

Signed: _____ Executive Member



Date: 4th July 2014

Signed: _____ Executive Director



Date: 3rd July 2014

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	Making of Instrument of Government The Governing Body of Downderry School.		
Key Decision	Yes	Item No.	
Ward	Downham		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	16.07.14

Reason for urgency

This matter has not been included in the Council's Key Decision Plan. However, the decision must be taken by such a date that it is impracticable to defer it until after it has been included in the next Key Decision Plan and until the start of the period to which the next Key Decision Plan relates. The reason for this is that the governing body wish to have the Instrument of Government effective on the 1 September 2014 which is before the next Mayor and Cabinet meeting scheduled for the 3 September 2014. In accordance with the provisions of Regulation 10 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, written notice has been given to the Chair of the Business Panel and made publicly available by posting at the Town Hall for 5 clear days and being made available on the Council Website.

1. Summary

- 1.1 The report sets out a variation to the Instrument of Government for Downderry Primary School and proposes a nominee for the appointment as Local Authority governor by the governing body.
- 1.2 The Governing Body are reconstituting under the School Governance (Constitution) (England) Regulations 2012. Varying the current Instrument of Government will provide the governing body with the opportunity to appoint co-opted governors based on skills required.

2. Purpose

- 2.1 To seek agreement to the variation of the Instrument of Government for Downderry Primary School

3. Recommendations

The Mayor is recommended to:

- 3.1 Approve that the Instrument of Government for Dowlerry Primary School be made by Local Authority order dated 1st September 2014.
- 3.2 To consider and approve the nomination of John Harrington 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 At a full governing body meeting on the 19th June 2014, the governing body of Dowlerry Primary School made a decision to reconstitute the governing body. Reconstitution supports a review of its current membership and provides the opportunity to bring in additional skills to the governing body.
- 5.2 As a result, the governing body must be constituted in accordance with regulations made by virtue of section 19 of the Education Act 2002 namely 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.
- 5.3 The governing body of a maintained school must include the following:-
 - at least 2 parent governors;
 - the Headteacher unless any such Headteacher resigns the office of governor in accordance with regulation 19 of the Constitution Regulations 2012;
 - one staff governor; and
 - one Local Authority governor.
- 5.4 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.

- 5.5 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.
- 5.6 The regulations now also state that the Local Authority governor is nominated by the Local Authority but appointed by the governing body.
- 5.7 Appendix 1 details the Instrument of Government the Local Authority is proposing to make by order.

6. Governor recommended for Nomination by the Local Authority .

- 6.1 John Harrington, details of whom appear at Appendix 2, is the Local Authority nominee for appointment as the Local Authority governor by the governing body of Donderry Primary School

7. Financial implications

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

8. Legal implications

- 8.1. 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.
- 8.2 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 Regulations.
- 8.3 The Instrument of Government proposed for the governing body of Donderry Primary School conforms to The School Governance (Constitution) (England) Regulations 2012.

Equalities Legislation

- 8.4 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.
- 8.5 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.

- 8.6 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.
- 8.7 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/>
- 8.8 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
- 8.9 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 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.

Background Documents

Short Title of Document	Date	File Location	Contact Officer
The School Governance (Constitution) (England) Regulations 2012	2012	http://www.legislation.gov.uk/uksi/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 **Downderry Primary School**
2. The school is a **community school**.
3. The name of the governing body is **The governing body of Downderry Primary School**
4. The governing body shall consist of:
 - (a) **2** parent governors;
 - (b) **1** Headteacher
 - (c) **1** staff governor;
 - (c) **1** Local Authority governor;
 - (d) **7** co-opted governors.
5. Total number of governors **12**
6. This instrument of government comes into effect: on **1 September 2014**
7. This instrument was made by order of the London Borough of Lewisham Local Education Authority on **16 July 2014**
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

LA Governor Nominee

APPENDIX 2

Name	School	Occupation	Residential Area	Précis of Suitability to be considered as a school governor	Governor Monitoring Information
Mr. John Harrington	Downderry	Retired Head Teacher	BR1	John has 10 years experience of being a governor in two schools in Lewisham and much of that time as Chair of Governors. He has experience of school financial management and an interest in school improvement / effectiveness. John has over 50 years experience in education as a teacher, head - teacher and advisor. He is currently a Local Authority governor at Downderry and the governing body wish to have him nominated.	Male White British

Agenda Item 13

Chief Officer Confirmation of Report Submission Cabinet Member Confirmation of Briefing

Report for: Mayor

Mayor and Cabinet

Mayor and Cabinet (Contracts)

Executive Director

Information Part 1 Part 2 Key Decision

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

Date of Meeting	16 th July 2014
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Title of Report	Making of Instrument of Government The Governing Body of Trinity Church of England School, Lewisham
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Originator of Report	Sue Tipler	Ext. 46162
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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		X
Risk Assessment Comments (as appropriate)		X
Reason for Urgency (as appropriate)		X

Signed: _____ Executive Member



Date: 4th July 2014

Signed: _____ Executive Director



Date: 4th July 2014

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	Making of Instrument of Government: The Governing Body of Trinity Church of England School, Lewisham		
Key Decision	Yes	Item No.	
Ward	Lee Green		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	16 July 2014

This matter has not been included in the Council's Key Decision Plan. However, the decision must be taken by such a date that it is impracticable to defer it until after it has been included in the next Key Decision Plan and until the start of the period to which the next Key Decision Plan relates. The reason for this is that the governing body wish to have the Instrument of Government effective on the 1 September 2014 which is before the next Mayor and Cabinet meeting scheduled for the 3 September 2014. In accordance with the provisions of Regulation 10 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, written notice has been given to the Chair of the Business Panel and made publicly available by posting at the Town Hall for 5 clear days and being made available on the Council Website.

1. Summary

- 1.1 The report sets out a variation to the Instrument of Government for Trinity Church of England School, Lewisham to be known as Trinity, Lewisham.
- 1.2 The Governing Body are reconstituting under the School Governance (Constitution) (England) Regulations 2012. The new Constitution Regulations remove the requirement that were within The School Governance (Constitution) (England) Regulations 2007, that "such number of foundation governors who are eligible for election or appointment as parent governors that, when they are counted with the parent governors, comprise one third or more of the total membership of the governing body". Varying the current Instrument of Government will thus provide the governing body with the opportunity to appoint foundation governors according to need rather than to regulation and to appoint co-opted governors based on skills required.

2. Purpose

- 2.1 To seek agreement to the variation of the Instrument of Government for Trinity Church of England School, Lewisham.

3. Recommendations

The Mayor is recommended to:

- 3.1 Approve that the Instrument of Government for Trinity Church of England School, Lewisham (to be known as Trinity, Lewisham), be made by Local Authority order dated 1st September 2014.
- 3.2 To consider and approve the nomination of Tom Willetts 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 At a full governing body meeting on the 22nd May 2014, the governing body of Trinity Church of England School, Lewisham to be known as Trinity, Lewisham made a decision to reconstitute the governing body. Reconstitution supports a review of its current membership and provides the opportunity to bring in additional skills to the governing body.
- 5.2 As a result, the governing body must be constituted in accordance with regulations made by virtue of section 19 of the Education Act 2002 namely 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.
- 5.3 The governing body of a maintained school must include the following:-
 - at least 2 parent governors;
 - the Headteacher unless any such Headteacher resigns the office of governor in accordance with regulation 19 of the Constitution Regulations 2012;

- one staff governor; and
- one Local Authority governor.

5.4 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.

5.5 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.

5.6 The regulations now also state that the Local Authority governor is nominated by the Local Authority but appointed by the governing body.

5.7 Appendix 1 details the Instrument of Government the Local Authority is proposing to make by order. This has also been agreed by the Southwark Diocesan Board of Education.

6. Governor recommended for Nomination by the Local Authority .

6.1 Tom Willetts, details of whom appear at Appendix 2, is the Local Authority nominee for appointment as the Local Authority governor by the governing body of Trinity Church of England School.

7. Financial implications

7.1 There are no financial implications arising from this report.

8. Legal implications

8.1 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.

8.2 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 Regulations.

8.3 The Instrument of Government proposed for the governing body of Trinity Church of England School, Lewisham to be known as Trinity, Lewisham conforms to The School Governance (Constitution) (England) Regulations 2012.

Equalities Legislation

8.4 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.

8.5 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 8.6 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.
- 8.7 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/>
- 8.8 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
- 8.9 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 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.

Background Documents

Short Title of Document	Date	File Location	Contact Officer
The School Governance (Constitution) (England) Regulations 2012	2012	http://www.legislation.gov.uk/uksi/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
Church of England Voluntary Aided School

- 1 The name of the School is **Trinity Church of England School, Lewisham (to be known as Trinity, Lewisham)**.
- 2 The School is a voluntary aided school.
- 3 The name of the Governing Body is **the Governing Body of Trinity Church of England School, Lewisham**.
- 4 The Governing Body shall comprise:
 - (a) **2** parent governors;
 - (b) **1** LA governor;
 - (c) **1** headteacher;
 - (d) **1** staff governor;
 - (e) **1** co-opted governor;
 - (f) **8** foundation governors.
- 5 The total number of governors is **14**.
- 6 The foundation governors in 4(f) above shall comprise:
 - (a) **2** appointed by the Southwark Diocesan Board of Education;
 - (b) **1** appointed by the Parochial Church Council of the Good Sheppard with St Peter, Lee;
 - (c) **1** appointed by the Parochial Church Council of St Swithun's Hither Green;
 - (d) **3** appointed by East Lewisham Deanery Synod;
 - (e) The person referred to in 7(a) below.
- 7 (a) The holder of the following office shall be a foundation governor ex officio:

The principal officiating minister of the ecclesiastical parish of the Good Sheppard with St Peter, Lee.
- (b) The Archdeacon of Lewisham and Greenwich shall be entitled to appoint a foundation governor to act in place of the ex officio foundation governor whose governorship derives from the office named in (a) above, in the event that the ex officio foundation governor is unable or unwilling to act as a foundation governor, or has been removed from office under regulation 21 (1).

8 The Archdeacon of Lewisham and Greenwich shall be entitled to request the governing body to remove the ex officio governor referred to in 7(a) above and appoint any substitute governor.

9 The School has a trust.

10 Ethos statement:

Recognising its historic foundation, the school will preserve and develop its religious character in accordance with the principles of the Church of England and in partnership with the Church at parish and diocesan level.

The school aims to serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its pupils.

11 This Instrument of Government comes into effect on the **1st September 2014**.

12 This instrument was made by order of Lewisham Local Authority on **16th July 2014**.

13 A copy of the instrument must be supplied to every member of the governing body (and the headteacher if not a governor), the Trustees and the Southwark Diocesan Board of Education

MAYOR AND CABINET

LA Governor Nominee

APPENDIX 2

Name	School	Occupation	Residential Area	Précis of Suitability to be considered as a school governor	Governor Monitoring Information
Mr. Tom Willetts	Trinity Church of England School	Press Officer	SE6	Tom is currently a Chief Press Officer for a National company and has experience of commissioning programmes to tackle bullying in schools. He has also worked in the media and understands the social issues which young people face. The governing body would welcome his experience and skills.	Male Black Caribbean

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

Date of Meeting	16 TH July 2014
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Title of Report	Local Authority Governor Appointment
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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



Date: 4th July 2014

Signed:  Executive Director

Date: 3rd July 2014

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	Local Authority Governor Appointment		
Key Decision	No	Item No.	
Ward	Brockley		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	16 July 2014

1. Summary

- 1.1 The report sets out details of a nominee for appointment as a Local Authority governor.

2. Purpose

- 2.1 To consider and approve the appointment of the Local Authority governor detailed in paragraph 6 below.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 agree to appoint Philip Ratcliff as Local Authority governor to St. Stephens CE Primary School.
- 3.2 note the information concerning the recommended governor in Appendix 1.

4. Policy Context

- 4.1 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.
- 4.2 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.

- 4.3 Two specific corporate priorities that are relevant pertain to “community leadership and empowerment” and “young people’s achievement and involvement”.

5. Background

- 5.1 Every governing body, under Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007, is required to have at least one representative of the Local Authority as part of its membership. Free schools and Academies are exempt from this requirement. A vacancy has arisen on the governing body of the educational establishment listed and a new appointment is required.

- 5.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The person listed in paragraph 6 would serve the normal 4 years.

6. Governor recommended for Appointment as Local Authority governor.

Name	School	New appointment
Philip Ratcliff	St. Stephens CE Primary	Yes

7. Financial implications

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

8. Legal implications

- 8.1 Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007 require every governing body to have at least one representative of the Local Authority as part of its membership. Academies are exempt from this requirement.

- 8.2 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.

- 8.3 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.
- 8.4 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.
- 8.5 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/>
- 8.6 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
- 8.7 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/>

9 Crime and Disorder Implications

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

10. Equalities Implications

- 10.1 Lewisham Council's policy is to encourage all sections of the community to be represented as Local Authority governors. In particular, we would encourage further representation from the black community and minority groups including disabled people, who are currently under-represented as governors. The numbers of governors in these groups is kept under review

11. Environmental Implications

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

12. Conclusion

- 12.1 The individual detailed in Appendix 1 views being a governor as a way of utilising their skills and experience to make a difference to the lives of children and young people in Lewisham schools. Section 19 of the Education Act 2002 and Regulations made under it require every governing body to have at least one representative of the Local Authority as part of its membership. Academies are exempt from this requirement. A vacancy has arisen on the governing body of the educational establishment listed and a new appointment is required.
- 12.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The nominee listed in paragraph 6 would serve the normal 4 years.

Background Documents

There are no background papers.

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

New LA Governor Appointments and Re-appointments					APPENDIX 1
Name	School	Occupation	Residential Area	Précis of Suitability to be considered as a school governor	Governor Monitoring Information

Philip Ratcliff	St Stephens CE Primary School	Organisational Development Consultant	SE4	Philip is currently serving as Chair of Governors at St. Stephens in a parent governor capacity and his term of office ends on the 31 August 2014. The governing body are keen to retain his skills and experience on the governing body. He has skills in leadership and management development, organisation culture, ICT learning and project management. He is also a skilled coach and facilitator.	Male White British
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Chief Officer Confirmation of Report Submission		
Cabinet Member Confirmation of Briefing		
Report for: Mayor		<input type="checkbox"/>
Mayor and Cabinet		<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)		<input type="checkbox"/>
Executive Director		<input type="checkbox"/>
Information <input type="checkbox"/>	Part 1 <input checked="" type="checkbox"/>	Part 2 <input type="checkbox"/>
Key Decision		<input type="checkbox"/>


Date of Meeting	16 th July 2014
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Title of Report	London LGPS Collective Investment Vehicle
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Originator of Report	David Austin
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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: 8th July 2014

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

Date: 8/7/2014

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	London LGPS Collective Investment Vehicle		
KEY DECISION	No	Item No:	
WARD	N/A		
CONTRIBUTORS	Executive Director for Resources & Regeneration		
CLASS	Part 1	Date:	16 July 2014

1. SUMMARY

- 1.1 This report provides Mayor and Cabinet with a background to the London Local Government Pension Scheme (LGPS) Collective Investment Vehicle (CIV). This will be a UK based, Financial Conduct Authority (FCA) Authorised Contractual Scheme (ACS). It will act as an umbrella vehicle for the pension funds of all London boroughs to potentially invest capital alongside one another, in order to benefit from the increased size of the investment portfolio. However, the CIV will be set-up in such a way that Lewisham is under no obligation to make use of it.
- 1.2 The Pensions Investment Committee reviewed and agreed these proposals at their meeting on the 26 June. The Mayor will now need to approve Lewisham's membership into the ACS and present the recommendation to full Council for final decision.

2. RECOMMENDATIONS

- 2.1 The Mayor is asked to recommend to Council that:
- (1) The Council becomes a shareholder in the ACS Operator,
 - (2) The Council appoints an elected Councillor who will have power to act for the local authority in exercising its rights as a shareholder of the ACS Operator, and
 - (3) Councillors from the London Boroughs be appointed as interim directors of the ACS Operator, subject to the consent of their relevant authorities to the appointments. These directors may be replaced once FCA authorisation is formally applied for.

3. BACKGROUND

- 3.1 In June 2013, the Government issued a call for evidence on the future structure of the LGPS, and sought professional advice to consider either Collective Investment Vehicles or merger of funds as potential routes forward.
- 3.2 According to Hymans Robertson; 'A CIV invests the capital supplied by its investors to produce an investment return. The subscribed capital is supplied by investors either as monetary amounts or by transferring existing assets into the

vehicle. The CIV can be set up as a single pool of assets (including multiple asset categories) or as an umbrella arrangement which includes a number of sub-funds, each of which is usually specific to a particular asset class.'

- 3.3 The aim of setting up a CIV for London is to achieve similar financial gains to a merger, but without the disadvantages, such as loss of governance and control.
- 3.4 London Councils Leaders committee set up a small member/officer group, the Pensions Working Group (PWG), to work with London Councils to take forward further exploration of options for greater collaboration across London's 34 Pension Funds. In February 2014, the PWG presented to the Leaders Committee a progress report and business case for the next steps of a London LGPS CIV.
- 3.5 It was agreed at the meeting for the committee to recommend to each local authority which decided to participate that they resolve to agree:
 - 3.5.1 (A) a private company limited by shares be incorporated to be the Authorised Contractual Scheme Operator (the "ACS Operator"), structured and governed as outlined in this report, and that the local authority agrees :-
 - (i) to become a shareholder in the ACS Operator,
 - (ii) to contribute £1 to the ACS Operator as initial capital,
 - (iii) to appoint an elected Councillor who will have power to act for the local authority in exercising its rights as a shareholder of the ACS Operator, and
 - (iv) that Councillors from the London Boroughs are appointed as interim directors of the ACS Operator, subject to the consent of their relevant authorities to the appointments. These directors may be replaced once FCA authorisation is formally applied for.
 - 3.5.2 (B) a representative body, in the form of a new sectoral joint committee (the "Pensions CIV Joint Committee"), is established (pursuant to the existing London Councils Governing Agreement, dated 13 December 2001 (as amended)) to act as a representative body for those local authorities that resolve, in accordance with 2(a) above, to participate in the Arrangement (or in the alternative, should all 33 London authorities resolve to participate, that Leaders' Committee exercise these functions and the Governing Agreement be varied accordingly).
 - 3.5.3 (C) All London local authorities respond in writing to the London Councils Chief Executive, by 14 April 2014, or before the day of the local government elections (22 May 2014), to advise of their decisions regarding the matters set out at paragraphs 3.6.1 and 3.6.2 above.
- 3.6 Lewisham has not yet responded in writing to the London Councils Chief Executive.
- 3.7 A number of the local authorities agreed to contribute £25-£50k towards exploring the proposal. This money is held in a designated fund by London Councils. Lewisham has yet to agree whether to make a contribution. These contributions will fund the professional costs associated with development of the proposed Authorised Contractual Scheme (ACS) and its Operator.

- 3.8 A copy of the full report can be found on the following link:
http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=5562

4. MAIN CONSIDERATIONS FOR THE CIV

- 4.1 The ACS will require an FCA regulated ACS Operator to be established. The board of directors and employees of this company will have overall responsibility for the operation of the ACS.
- 4.2 In broad terms, the proposed structure is that the participating boroughs will own all the share capital of the ACS Operator. Initially this will require minimal share capital (£1 per borough from those who wish to participate) but this capital requirement increase once the operator is authorised and investments are made in the ACS.
- 4.3 A new 'Pensions CIV Joint Committee' will be established to assist in the appointment of key directors of the ACS Operator, such as the Chairman and Chief Executive Officer. The Pensions CIV Joint Committee will comprise elected Councillors nominated by participating boroughs. Information will be provided regularly by the ACS Operator to investors in the ACS and borough Pension Committees and officers, and the Pensions CIV Joint Committee.
- 4.4 The exact mandate of the joint committee will require further consideration. The frequency of meetings of the joint committee also needs to be decided. It is proposed that up to three elected Councillors from the Pensions CIV Joint Committee could be directors of the ACS Operator. The directors have to be approved by the FCA and will have fiduciary duties and responsibilities. The decision as to who could be in these roles is to be decided.
- 4.5 The ACS is expected to be launched in February 2015. The proposed timetable for launch can be found in Appendix A.
- 4.6 At the National Association of Pension Funds (NAPF) Local Authority Conference in May 2014, DCLG minister Brandon Lewis told the conference that the government is keen to learn from local authorities that have achieved value in their funds.

Financial benefits

- 4.7 The 33 London boroughs currently have over £20bn of pension assets under management. Previous work undertaken by PwC estimated savings in the region of £120m per annum from the creation of a CIV, provided there was close to full participation by authorities. Costs of running the ACS were estimated to be between 1 and 5 basis points (0.01% to 0.05%) of assets under management with the estimated costs, for full participation from all 33 London local authorities, estimated to be £4.8m per annum. At lower levels of participation, both the financial benefits and the costs would reduce.
- 4.8 Indicative costs and potential savings are summarised in the table below, for assets under management of £24bn, £10bn, and the minimum target size of £5bn.
- 4.9 For Lewisham, with a largely passive fund the savings will likely be in the respect of management fees rather than in improved performance.

4.10 Summary of potential savings and costs

	Assets under management	Assets under management	Assets under management
	£24bn	£10bn	£5bn
	£ 000's	£000's	£ 000's
Total expected savings	120,000	50,000	25,000
On-going Costs per annum(2)			
Net Custody Cost	(4,800)	(2,500)	(1,750)
Other Costs	(1,300)	(1,150)	(1,000)
Total On-going Costs	(6,100)	(3,650)	(2,750)
Establishment costs (2)(3)			
- Transition advisory including custody selection	(700)	(500)	(400)
- Other misc. fund advisory	(500)	(500)	(500)
- Legal, regulatory, and financial advice (funded already)	(600)	(600)	(600)
Total Establishment Costs	(1,700)	(1,500)	(1,400)

Custody costs

- 4.11 The main cost associated with running the ACS is from the custody of the assets. Custody costs are calculated as a basis point fee on the amount of assets, with the basis point fee reducing on a sliding scale as the amount of assets under custody increases.
- 4.12 In relation to existing segregated mandates, it is likely that savings would be achieved through moving such mandates to an ACS as this would reduce custody costs. This is because most existing segregated mandates are relatively small and accordingly consolidating these mandates in the ACS should increase the amount invested in each mandate which in turn would result in a lower basis point custody charge.

Other costs and benefits

- 4.13 Other on-going costs of the ACS are likely to include staff costs, FCA fees, consultancy fees and administration costs including audit and taxation. These fees would be charged directly to the fund, as they would be now. Consultancy fees might include professional advice on investment manager selection. As this would be performed centrally at the ACS level rather than multiple times at individual borough level, it is likely that savings would be achieved in this regard. Admin costs would not be expected to be significant compared to the benefits identified.

Establishment costs

- 4.14 There will be a number of establishment costs incurred in setting up the fund. These will be one-off costs in the first year. £625,000 has already been contributed to these costs by the boroughs, in order to engage professional advisors to perform the necessary financial and regulatory work. It is currently expected that this work will be performed within this existing budget.

- 4.15 As the project progresses, additional professional fees are likely to be incurred. For example, to assist in training relevant individuals on their regulatory roles and to assist in the development of procedure manuals. It will become clearer in due course where costs may arise in this regard.
- 4.16 The transition of assets into the fund will also need to be considered, as assets are moved from existing managers to new managers appointed to the ACS. To a large extent, boroughs already incur similar costs as they transition assets to different managers in the ordinary course of their pension activities. As such these costs may well simply offset existing costs incurred by boroughs although clearly this depends on the level of fees currently charged and the number of transitions.

5. FINANCIAL IMPLICATIONS

- 5.1 So far 28 boroughs have said that they agree with the principle and that they are willing to pay £25,000 to pay for implementation measures. Lewisham would also make a contribution of £25,000, and the £1 initial share capital. Other than these costs, there are no immediate financial implications from accepting the recommendations of this report. The council will still have its existing freedoms and obligations to invest its pension fund assets as it considers most appropriate, whether via the CIV proposed in this report or elsewhere.
- 5.2 However, there are good grounds for believing that the CIV will be able to deliver small reductions to fund managers' fees and hence that, over time, it will prove an attractive option in which to invest and deliver better net investment returns.

6. LEGAL IMPLICATIONS

- 6.1. London Councils are taking external expert legal advice upon the relevant powers for London Councils to participate in a London LGPS Collective Investment Vehicle (CIV) and on the appropriate structure and governance arrangements for the ACS Operator to ensure compliance with each Administering Authority's Statutory duties in relation to the Fund . Any decision to enter into such an arrangement and the checks and balances which will be required to protect the Fund will be considered in the light of such advice.
- 6.2. The ACS will be subject to the regulatory control of the Financial Conduct Authority.
- 6.3. If the Council does determine to invest in the CIV, then such investment will be subject to the Council's published Statement of Investment Principles, (which itself will need amending to reflect the establishment of the CIV) and the relevant investment thresholds prescribed in the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009, as amended which set limits on the percentage of the fund which can be invested in different types of investment.

7. CRIME AND DISORDER IMPLICATIONS

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

8. EQUALITIES IMPLICATIONS

- 8.1 The Equality Act 2010 became law in October 2010. The Act aims to streamline all previous anti-discrimination laws within a Single Act. The new public sector Equality Duty, which is part of the Equality Act 2010, came into effect on the 5 April 2011.
- 8.2 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. No direct equalities implications have been identified, in terms of adverse impact, with respect to the Council's obligations under the Equality Act 2010.

9. ENVIRONMENTAL IMPLICATIONS

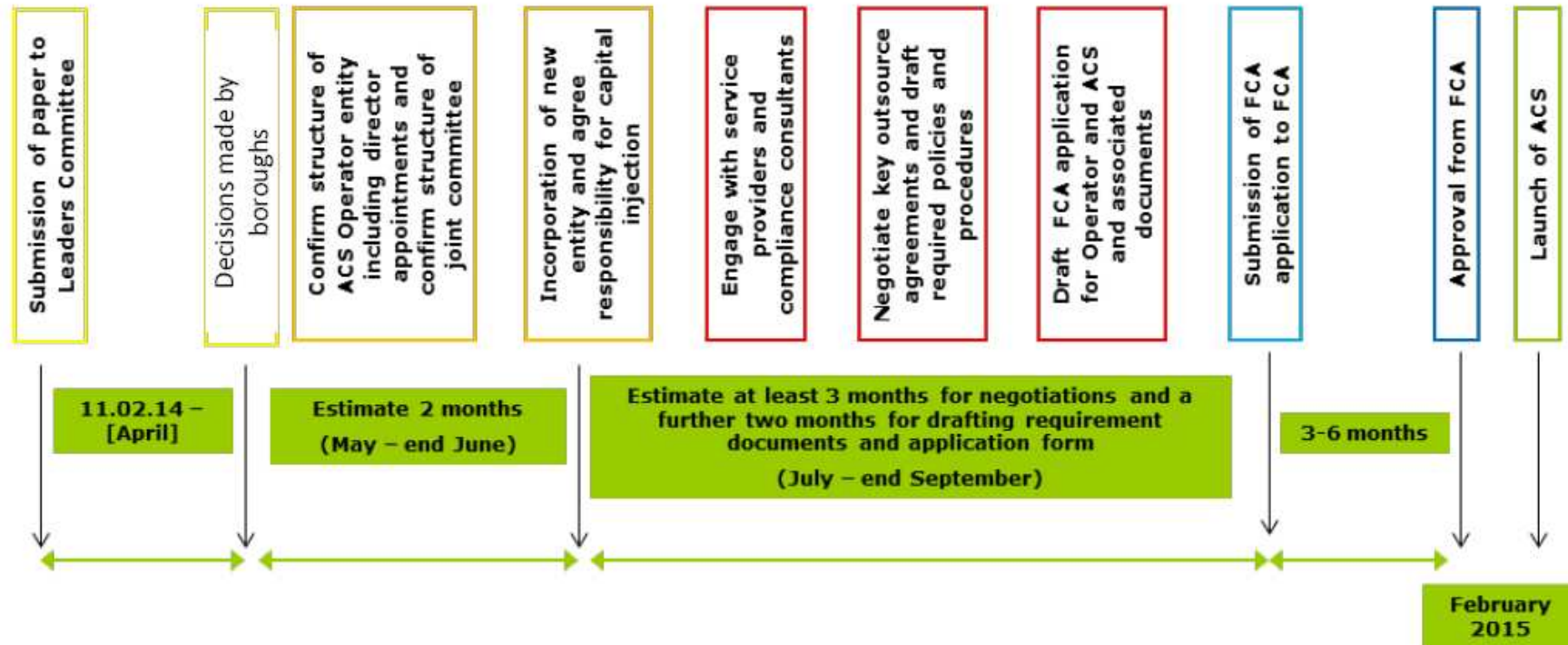
- 9.1 There are no environmental implications directly arising from this report.

FURTHER INFORMATION

If there are any queries on this report or you require further information, please contact:

David Austin, Head of Corporate Resources on 020 8314 9114, or
Adeola Odeneye Principal Accountant Strategic Finance on 020 8314 6147

Proposed timeline for launch of ACS and ACS Operator



Important note: The above timeline is an estimated timeline and assumes that there will be no undue delay in the project. We would suggest that 3 months prepare the FCA applications, to negotiate contracts and prepare documents is a minimum and this is more likely to take up to 6 months. The FCA can take up to 6 months to review the application for the ACS Operator (on the basis the application is complete) and usually an application for an ACS will not be considered by the FCA before the ACS Operator is approved however we would hope that the two applications can be run concurrently and that 6 months would be the maximum period for review, although this cannot be guaranteed.

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: July 16 2014

Recommendation

It is recommended that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and 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, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

- 17. Post 19 PMLD Provision House on Hill Part 2
- 18. Non-Core Housing Asset Register

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.

Document is Restricted

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