

Public Document Pack

Lewisham Council Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 24 June 2015.



Barry Quirk, Chief Executive
June 16 2015

Councillor Obajimi Adefiranye

Councillor Abdeslam Amrani

Councillor Chris Barnham

Councillor Paul Bell

Councillor Peter Bernards

Councillor Chris Best

Councillor Kevin Bonavia

Councillor Andre Bourne

Councillor David Britton

Councillor Bill Brown

Mayor Sir Steve Bullock

Councillor Suzannah Clarke

Councillor John Coughlin

Councillor Liam Curran

Councillor Janet Daby

Councillor Brenda Dacres

Councillor Amanda De Ryk
Councillor Joe Dromey
Councillor Damien Egan
Councillor Colin Elliott
Councillor Alan Hall
Councillor Carl Handley
Councillor Maja Hilton
Councillor Simon Hooks
Councillor Ami Ibitson
Councillor Mark Ingleby
Councillor Stella Jeffrey
Councillor Liz Johnston-Franklin
Councillor Alicia Kennedy
Councillor Roy Kennedy
Councillor Helen Klier
Councillor Jim Mallory
Councillor Paul Maslin
Councillor David Michael
Councillor Joan Millbank
Councillor Jamie Milne
Councillor Hilary Moore
Councillor Pauline Morrison
Councillor John Muldoon
Councillor Olurotimi Ogunbadewa
Councillor Rachel Onikosi
Councillor Crada Onuegbu
Councillor Jacq Paschoud
Councillor John Paschoud

Councillor Pat Raven	
Councillor Joan Reid	
Councillor Gareth Siddorn	
Councillor Jonathan Slater	
Councillor Alan Smith	
Councillor Luke Sorba	
Councillor Eva Stamirowski	
Councillor Alan Till	
Councillor Paul Upex	
Councillor James-J Walsh	
Councillor Susan Wise	

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- tell the clerk to the meeting before the meeting starts
- only focus cameras/recordings on councillors, Council officers, and those members of the public who are participating in the conduct of the meeting and avoid other areas of the room, particularly where non-participating members of the public may be sitting.
- ensure that you never leave your recording equipment unattended in the meeting room.

If recording causes a disturbance or undermines the proper conduct of the meeting, then the Chair of the meeting may decide to stop the recording. In such circumstances, the decision of the Chair shall be final.

Council Agenda

Wednesday, 24 June 2015
7.30 pm, Council Chamber - Civic Suite
Civic Suite
Lewisham Town Hall
London SE6 4RU

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

Part 1

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

Agenda Item 1

COUNCIL		
Report Title	Declarations of Interests	
Key Decision		Item No. 1
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: June 24 2015

Declaration of interests

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

1 Personal interests

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

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

2 Disclosable pecuniary interests are defined by regulation as:-

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

- (a) that body to the member's knowledge has a place of business or land in the borough; and
- (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine**

of up to £5000

- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

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

(7) Exempt categories

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

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

Agenda Item 2

COUNCIL		
Report Title	Minutes	
Key Decision		Item No.2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: June 24 2015

Recommendation

It is recommended that the minutes of the meeting of the Council which was open to the press and public, held on March 26 2015 be confirmed and signed (copy previously circulated but subsequently amended by the inclusion of Cllr Amrani to the attendance list).

Agenda Item 3

COUNCIL		
Report Title	Petitions	
Key Decision	no	Item No.
Ward	n/a	
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 24 2015

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

Governance Support, Town Hall, Catford, SE6 4RU

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

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

Agenda Item 4

COUNCIL		
Report Title	Announcements or Communications	
Key Decision		Item No.
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: June 24 2015

Recommendation

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

(A) Queens Birthday Honours 2015

The following persons with a Lewisham connection have been honoured in the latest Honours list:

Frankie Sulke, our Executive Director for Children & Young People was awarded the CBE for services to Education.

Duwayne Brooks, a former Councillor, was awarded the OBE for Public and Political service.

Frances Rodgers from the Lewisham Pre School Alliance was awarded an MBE for services to Children and Early Education.

Anthony Kendall, the former chair of London Youth Games (and the son in law of deceased Honourary Freeman Les Eytel) was awarded the OBE for services to Youth Sport.

Agenda Item 5

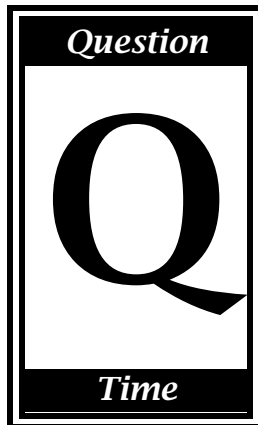
COUNCIL		
Report Title	Public Questions	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 24 2015

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

Question **Questioner**

1.	Julia Fletcher
2.	David Edgerton
3.	Nick O'Shea
4.	Ray Woolford
5.	Martin Allen
6.	Andrea Carey Fuller
7.	Peter Richrdson
8.	Patricia Richardson
9.	Peter Richardson
10.	Mr.Hirsch
11.	Bob de Groot
12.	Carole Hope
13.	Caroline Bray
14.	Julie Reason
15.	Diana Stevenson
16.	Kenneth Maxton
17.	Gordana Lazic-Duffy
18.	Julie Williams
19.	Emma Warren
20.	Marietta Stankova
21.	Roger Hurn
22.	Andy Tonge
23.	David Hansom
24.	Imogen Solly
25.	John Keidan
26.	Sarah McMichael
27.	Paul Phoenix
28.	David Edgerton
29.	Ray Woolford

30.	Patricia Richardson
31.	Mr.Hirsch
32.	Bob de Groot
33.	Caroline Bray
34.	Julie Reason
35.	Kenneth Maxton
36.	Andy Tonge
37.	David Hansom
38.	Imogen Solly
39.	John Keidan
40.	Paul Phoenix
41.	Ray Woolford
42.	Patricia Richardson
43.	Mr.Hirsch
44.	Kenneth Maxton
45.	Andy Tonge
46.	David Hansom
47.	Imogen Solly
48.	John Keidan
49.	Paul Phoenix
50.	Ray Woolford
51.	Andy Tonge
52.	David Hansom
53.	David Hansom



PUBLIC QUESTION NO 1.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Julia Fletcher

Member to reply: Councillor Onikosi

Question

Latest figures show there were 40,680 metals thefts in England and Wales in 2013/14 – down from 59,788 in the previous 12 months.

The decline in metal thefts – which cost the economy around £770 million a year – follows the new Scrap Metal Dealers Act which came into force in October 2013 alongside a range of other measures to tackle the crime.

Under the law, every scrap metal dealer had to obtain a licence to trade from their local council. Town halls have been able to refuse or revoke licences, have new powers of entry and inspection and the ability to shut down rogue dealers.

It is also now illegal for anyone to buy or sell scrap metal with cash while traders have to keep records of names and addresses of scrap metal suppliers. This is increasing traceability for all transactions and making it more difficult for thieves to sell stolen metal to scrapyards.

Other figures include:

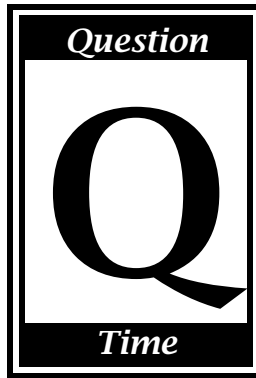
- Infrastructure-related metal thefts – including from railway lines, church roofs and machinery – dropped by 41% in the past year;
- The number of metal theft offences recorded each month more than halved from 6,609 in April 2012 to under 3,000 in March 2014;
- Metal thefts in London fell 44 per cent from 3,536 in 2012/13 to 1,966 in 2013/14;

What has Lewisham Council been doing to enforce the new law and how will this be taken forward in the future to reduce metal theft still further?

Reply

Council Officers have been involved in carrying out a number of initiatives with Police colleagues to tackle metal theft, mainly through compliance checks on scrap metal dealers in the borough following the introduction of the Scrap Metal Dealers Act 2013. This includes work on the Metropolitan Polices' *Operation Ferrous* – a coordinated multi-agency day of action to tackle metal theft.

The Council issues both Collector and Site licenses and monitors any problem premises or individuals; however there have been very few complaints recently. The Council will continue to undertake visits and initiatives with Police colleagues to ensure compliance across all our sites.



PUBLIC QUESTION NO . 2

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: David Edgerton

Member to reply: Deputy Mayor

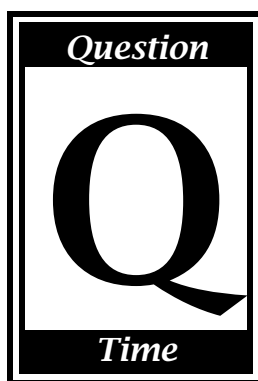
Question

I note that the new road layout at the junction of Courthill Road and Lewisham High Street is almost completed. How many accidents have there been from 2006 to date and how many were fatal? Has there been any traffic congestion due to the new layout as first predicted by Labour Councillors.

Reply

The junction of Courthill Road and Lewisham High Street is a busy junction on the A21. Over the past 9 years (up to December 2014) there have been 67 road traffic collisions resulting in 89 casualties. Of these casualties, 77 were classed as slight, 12 were serious, and none were fatal. Of the 12 serious casualties, 7 were pedestrians.

The current scheme responds to this record of collisions, and aims to improve pedestrian crossing facilities at the junction. It is too soon to assess the impact of the scheme on congestion. However, when re-prioritising road space or capacity to benefit pedestrians, there is usually some degree of impact to journey times for general traffic, but in designing the scheme Transport for London have sought an appropriate balance between the two competing objectives.



PUBLIC QUESTION NO 3.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Nick O'Shea

Member to reply: Cabinet Member for Resources

Question

I recently read in the NewsShopper that Lewisham Council has debts of £450m

I would like to know

- What the current debt figure is
- When these debts were accumulated (specific years)
- The purpose of those loans - what did they purchase?
- The rate of interest on those debts - if they are consolidated, then one figure is fine. If they are in separate accounts, then each rate separately please.

Reply

What the current debt figure is

In the financial year 2013/14 the Council had debt totalling £444 million. In 2014/15 the debt reduced to £440 million. This figure can be found in the draft 2014/15 Statement of Accounts on page 34 by adding long term and short term creditors.

When these debts were accumulated (specific years)

A list of the Council's outstanding debt and the date of inception at 31 March 2015 is presented in the table below:

Counterparty	Starting Year	Ending Year	Liability £000
Market Loans:			
Bayerische Landesbank Girozentrale	1992	2018	10,000
Bayerische Landesbank Girozentrale	2001	2036	15,000
Bayerische Landesbank Girozentrale	2001	2041	10,000
Depfa-Acs Bank	2004	2049	10,000
Dexia Municipal Agency	2004	2054	5,000
Dexia Municipal Agency	2005	2065	10,000
Dexia Municipal Agency	2006	2066	25,000
Dexia Municipal Agency	2006	2066	7,500
FMS Wertmangement	2008	2058	19,873
Accrued Interest			1,227
Sub total			113,600
PWLB Loans:			
Public Works Loan Board	1983	2043	561
Public Works Loan Board	1995	2020	1,581
Public Works Loan Board	1995	2020	2,245
Public Works Loan Board	1995	2045	412
Public Works Loan Board	1995	2016	1,057
Public Works Loan Board	1995	2016	206
Public Works Loan Board	1996	2046	4,676
Public Works Loan Board	1997	2057	38
Public Works Loan Board	1997	2027	468
Public Works Loan Board	1997	2027	2,338
Public Works Loan Board	1997	2022	935
Public Works Loan Board	1999	2025	1,871
Public Works Loan Board	1999	2029	1,684
Public Works Loan Board	1999	2028	3,741
Public Works Loan Board	1999	2026	1,496
Public Works Loan Board	1999	2031	3,741
Public Works Loan Board	1999	2030	935
Public Works Loan Board	1999	2032	3,741
Public Works Loan Board	2000	2023	935
Public Works Loan Board	2000	2023	561
Public Works Loan Board	2004	2034	748
Public Works Loan Board	2005	2035	935
Public Works Loan Board	2005	2035	935
Public Works Loan Board	2008	2048	2,932
Public Works Loan Board	2008	2037	7,330
Public Works Loan Board	2008	2057	2,932
Public Works Loan Board	2008	2057	4,691
Public Works Loan Board	2008	2058	6,388
Public Works Loan Board	2008	2057	3,194
Public Works Loan Board	2008	2056	4,791
Public Works Loan Board	2009	2054	1,651
Public Works Loan Board	2009	2054	4,952
Public Works Loan Board	2009	2052	3,301
Accrued Interest			855
Sub total			78,858

Public Finance Initiatives (PFIs)*			
Brockley PFI	2007	2027	44,292
Downham Lifestyles PFI	2007	2039	10,173
Grouped Schools	2007	2036	36,545
Building Schools for the Future (BSF1)	2009	2035	48,641
Building Schools for the Future (BSF2)	2011	2037	17,493
Building Schools for the Future (BSF3)	2012	2037	26,950
Building Schools for the Future (BSF4)	2012	2038	49,993
Street lighting PFI	2011	2036	13,666
Sub total			247,753
Total debt			440,211

The purpose of those loans - what did they purchase?

More than half of the debt - £247,753 or 56% - relates to Private Finance Initiatives (Schools, Housing, Street-lighting and Leisure Centre). These purchased the following:

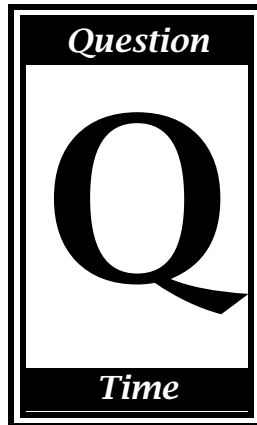
- refurbishment and maintenance of the 1,800 properties in the Brockley PFI scheme;
- rebuilding and maintenance of Downham Leisure Centre;
- replacement of street lighting with more energy efficient equipment; and
- rebuilding and maintenance of all the Council's secondary school estate.

The remaining debt was not for any specific project. The debt is part of a rolling programme of borrowing to finance a range of projects within the Council's Capital Programme. Debt is only committed to where there are not sufficient funds available for the schemes through government grants, third party funding or capital receipts and prudential borrowing requirements are met. The Capital Programme is approved by Council annually as part of the budget setting process and lists the main schemes, split between the general fund and housing revenue account. The latest list is set out in the budget agreed by Council on the 25 February 2015.

The rate of interest on those debts

The average interest rate for the market loans and PWLB are 4.7% and 5.6% respectively. These figures were published in the Financial Outturn report for Mayor and Cabinet on 3rd June 2015.

The average interest rate for Private Finance Initiatives is 10.3%.



PUBLIC QUESTION NO 4

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Ray Woolford

Member to reply: Deputy Mayor

Question

In November 2013, I raised the Question as to when the Council will be enforcing its own planning regulations concerning the reinstatement of a public park on the former site of Deptford green school in New Cross ward.

Planning permission (DC/10/73438)

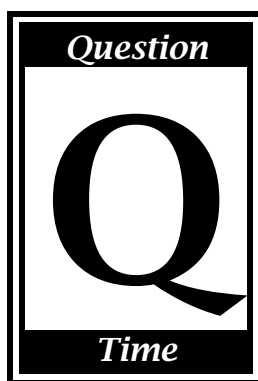
We are now in 2015, can the Council confirm what is the cause of the hold up, and when will the Park be returned as per planning consent to New Cross community?.

Reply

The Council has been working on a procurement exercise to select developers for the Amersham Grove site. Unfortunately this process has met with delays which have prevented works from going ahead as planned however is now nearing completion. The site includes the public park which has detailed Planning approval and residential development on the remainder. As part of the procurement process the Council stipulated that early delivery of the park within the overall programme is essential and works are expected to start on the park towards the end of this year. The developers will be building out 90% of the park before the residential development commences ready for use from Mid 2016 (subject to planting seasons

etc). The final part will be used as a site compound and opened on completion of the new homes.

Once the precise timescales are firmed up local people will be informed and kept up to date.



PUBLIC QUESTION NO 5

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Martin Allen

Member to reply: The Mayor

Question

Is the Mayor and Councillors aware of the deep concern in the country and across Europe and the US about the implications of the Transatlantic Trade Investment Partnership (TTIP) trade deal if implemented? And the fact that many local authorities across Europe have debated TTIP and come out against it, some declaring themselves TTIP Free Zones.

Has the Mayor and relevant Council Head of Services and Councillors considered the likely impact of TTIP on the Council's freedom to meet the needs of local business, environmental initiatives, initiatives to support local employment and on procurement decisions?

If so, what is the Council's view on TTIP.

Reply

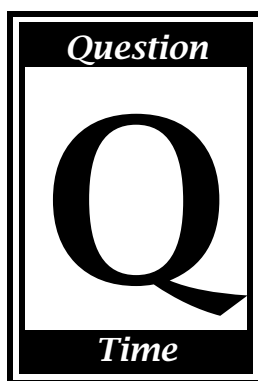
The Council does not yet have a view as an organisation on Transatlantic Trade Investment Partnership (TTIP), but my own view, and that of many Members of the

Council, is that there are legitimate concerns around the Investor State Dispute Settlement (ISDS)

I know that my Labour colleagues in the European Parliament, most notably Jude Kirton-Darling MEP, have been working hard to ensure that the public concern around this issue is addressed properly, and have also been making the case to the government, the European Commission and US negotiators, that having ISDS in TTIP is not a good idea.

It is worth noting that any trade deal has to be ratified by the US Congress and all 28 EU member states, and could be vetoed by MEPs if it does not meet their demands.

It would be premature for us to try and consider the impact of a trade agreement which is still in the process of being negotiated and still has a whole range of concerns that need to be addressed. However, I will raise the already growing number of concerns about TTIP directly to the London representatives on the EU's Committee of the Regions, as well as informing the relevant government Minister, MEPs and local MPs, of concerns raised by both Lewisham residents and Members, directly.



PUBLIC QUESTION NO 6.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Andrea Carey Fuller

Member to reply: Chair of Constitution Working Party

Question

Would the Council investigate the possibility of amending its constitution if in accordance with relevant statutory provision(s) to allow motions to be put forward by sole councillors?

Alternatively would the Labour Group agree to give a commitment to automatically second motions of sole councillors on the understanding that this does not give any intention to vote for or speak on behalf of that motion?

Support for either of these options would uphold the public interest for open democracy by ensuring that sole Councillors are given and have the same rights to represent their constituents by bringing forward motions and that democracy is not frustrated by a 53-1 majority position as is currently the case.

Reply

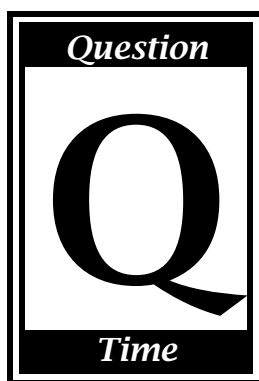
The Council's Constitution has been drafted with a view to ensuring that its decisions are taken openly and in a democratic way. All councillors, irrespective of political

affiliation, are of course entitled to attend its meetings, to ask questions at Council meetings and to take up their constituents' concerns with officers.

In Lewisham, we have arranged the make-up of decision making bodies (save Mayor and Cabinet) to allow the member who is not within the majority group to sit on those bodies.

I suspect that it is not legally possible to allow motions to be discussed without having been formally proposed and seconded as this rule is and has been common across the length and breadth of local government for many years. However I am happy to ask the Head of Law to investigate whether it is legally possible to do so. Even if it is legally possible, whether to support such a move would be a matter for full Council to decide, having first taken the advice of its Constitution Working Party.

However your request that the Labour Group should agree to allow its members to second motions formally without an implication that they will seek to speak or vote in favour of the motion is for the consideration of the political group itself and should not be addressed to a formal Council meeting.



PUBLIC QUESTION NO 7.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Richardson

Member to reply: Councillor Best

Question

It has been proposed that the name of Community Education Lewisham (CEL) be changed to Adult Learning Lewisham (ALL) and that there will be no on-costs to this change. Is this the case?

In view of the fact that the hard copy prospectus vanished and access to CEL for students is through the website, on-site centres and maybe libraries and community centres, does this create a barrier for some sections of our communities who may be side-lined through lack of obvious information?

Is proper training given by CEL to staff at such outlets to deal with those who need help/advice? What is the situation in the community libraries?

Also those taking classes in off-site centres, e.g. Wesley Halls, have the extra barrier of not being able to sign on at such centres. Is there any way round this?

Reply

There will be no additional costs to the change of name from CEL to ALL. The name changes that we need to consider are primarily in the following locations:

- On publicity materials. These are changed each academic year, and throughout the academic year (with fliers and leaflets) to reflect the new courses and focus of the curriculum. Because of this annual change the service is able to change, at no additional costs, the wording of the publicity material including the name change.
- On the LBL website. This is changed at no extra cost.
- On the LBL email. This is changed at no extra cost.
- With external funders. This is changed at no extra cost.
-

All previous leaflets with the previous name have now been utilised so that the service has minimal wastage.

The Adult Learning service aims to overcome, rather than add to, the substantial barriers to learning that already exist for many sections of our communities. The hard copy prospectus was last published in 2012-13. There were three main reasons for no longer publishing it:

- 1) The prospectus was expensive (the shorter course guides are now a fifth of the cost of the full prospectus publication).
- 2) The prospectus did not have the flexibility that the service needs to have, and could not reflect the changes to times, dates, tutors or subjects, and so was out-of-date almost as soon as it was published.
- 3) The prospectus was not comprehensive, as many of the Adult Learning service courses are developed during the year in response to community need and could not go in the prospectus.

In order to reach as many residents as possible we provide telephone advice and guidance, and we encourage residents to come in to one of our centres for an informal discussion with our staff, to identify the right course for them. We also offer, for a large number of our courses, formal pre-course assessment which really helps to ensure that learners are on the right course. In addition to this face-to-face information and advice, all our courses are online, and residents can access these for free at one of our centres or at a library if they do not have a computer at home. We have a responsibility to help all residents to improve their computing skills and have a wide range of courses which we refer people to who need to boost their confidence in using a computer to access our service, or other council or government services.

The service has also worked extremely hard in promoting the courses across the borough at a local level through attending various marketing events and local assembly meetings to reach people who may not have access to on-line information.

The service has monitored enrolments very closely to see if, following the withdrawal of the prospectus, learner numbers went down. Learner numbers have in fact gone

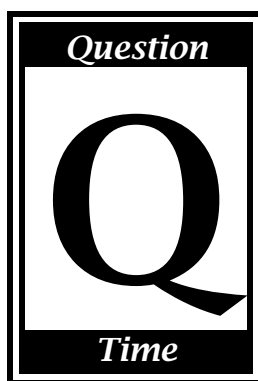
up, suggesting that the new methods of reaching learners have been at least as successful as the prospectus once was.

All staff have customer service training, and training in offering information, advice and guidance. In particular, specialist curriculum staff, managers and tutors give face-to-face advice for the very large proportion of our courses that require a pre-course assessment (including vocational courses, English, Maths, Supported Learning and employment-related courses). We will be offering further training in the new curriculum over the coming year, and we welcome any feedback from learners so that we can improve our customer service.

The Publicity and Communications Officer regularly attends Librarian team meetings where information is disseminated on all aspects of the service in regard to marketing and publicity. Curriculum leaders and tutors have run activities and information sessions in a number of the community libraries. The service has welcomed developing our links with community libraries to further extend the reach of the service and provide further help and advice to staff.

In 2015-16 we are introducing two additional means of enrolments to add to our face-to-face enrolment. Firstly, we will be offering a limited telephone enrolment period, on a regular basis (within our staffing capacity). Secondly, we will be piloting online enrolments for a significant number of courses, which will enable learners to enrol and pay for their courses online.

If the service is made aware of any particular difficulty a curriculum team member would be able to visit the class and provide IT Access through our iPads (where Wi-Fi is available) and provide further information and guidance.



PUBLIC QUESTION NO 8.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mrs Richardson

Member to reply: Councillor Best

Question

It has been proposed that the name of Community Education Lewisham (CEL) be changed to Adult Learning Lewisham (ALL) and that there will be no on-costs to this change. Is this the case?

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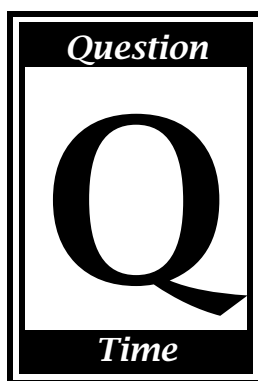
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PUBLIC QUESTION NO 9.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Richardson

Member to reply: Councillor Best

Question

Could Users and Friends of Manor House Library have the issues/visits figures for each of the Lewisham libraries and each of the community libraries in the borough for the years 2013/14 and 2015/16? We have located the borough figures within the CIPFA statistics, but individual library figures are not available by this route.

Reply

The figures for the year 2013/14 and provisional figures for 2014/15 have been published as part of the Safer Stronger Communities Select Committee Meeting report of 10/03/2015 which can be viewed here:

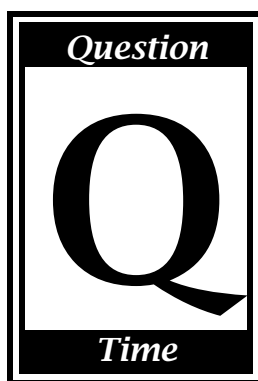
Report:

<http://councilmeetings.lewisham.gov.uk/documents/s34257/05%20Libraries%20100315.pdf>

Figures:

<http://councilmeetings.lewisham.gov.uk/documents/s34258/05%20Libraries%20Appendix%201%20100315.pdf> (also added below)

Please note that these are not the approved figures that will be published following the official CIPFA return for the year 2014/15. The official return is due to be submitted in July 2015. Figures for 2015/16 are not yet available.



PUBLIC QUESTION NO 10.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Hirsch

Member to reply: Deputy Mayor

Question

Are you aware of Core Strategy Policy 15: 'Ensure development is flexible and adaptable to change'?

The use of a supermarket anchor in Leegate was negotiated 5 years ago, when supermarket trading conditions were very different. Since then:

2014 Distressed High Street Taskforce's 'Beyond Retail' report '..... there is too much retail in our urban centres.....town centres need to evolve urgently to meet the broader needs of the communities that they serve for the next 50 years....means a smaller retail core, supplemented by the introduction of a wider range of uses such as food and leisure, civic functions'

Bloomberg 29th August 2014: 'within five years sales from traditional supermarkets will be lower than those from discount stores, online supermarkets and convenience stores. This is an extra-ordinary shift in the market and one that is going to cause damage to not only to Tesco, but to Sainsburys, Asda and Morrisons'.

Guardian February 19th 2015. 'Asda is to invest £600m opening 17 new supermarkets and revamping 62 more, despite undergoing a tough 12 months of flat lining sales and profits'.

Asda is alone in continuing to build large stores.

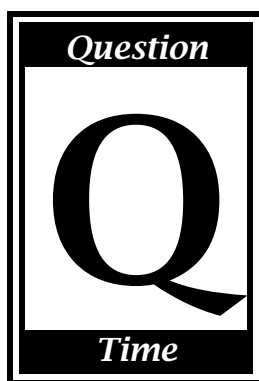
Is the proposed Leegate development sustainable whilst dominated so heavily by a large superstore, directly opposite another, in these straightened times for supermarkets? I have heard it suggested that if it failed it would be hidden since the supermarket is wrapped in housing, or could become a dark storage centre.

Question:

- a. Does Lewisham consider that either being empty or dark storage would satisfy the planning policies of a District Centre or create footfall for small shops?
- b. Communities around the country are currently blighted by empty supermarket sites as they pull out of their larger stores. What appropriate usages of Asda's space in Leegate does Lewisham have in mind if Asda pulls out?

Reply

A planning application is currently being considered for the redevelopment of the Leegate Centre. The questions raised relate to the specifics of that application and it is therefore not appropriate to respond to these points outside of the formal planning process. However, the questions raised have been passed to planning officers and will be considered as part of the formal planning process and fully addressed in a report to planning committee. A copy of this report will be made publically available and published on the Council's website in advance of the committee. Regarding question 21 specifically, the Council will respond to any FOI or EIR requests on a case by case basis as any such application arises.



PUBLIC QUESTION NO 11.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Bob de Groot

Member to reply: Deputy Mayor

Question

In a letter to St Modwen dated 31st July 2014, planning officers said 'Proposals involving change of use should not compromise existing retail provision' (pg 5) and that St Modwen should "protect local shopping facilities where there is an economic demand for such service' (pg 6).

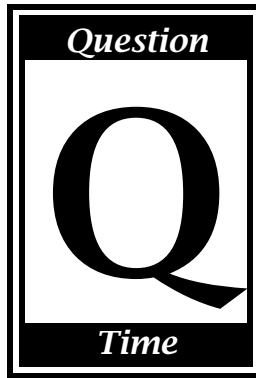
In 2015 traders of Leegate sent a petition to St Modwen saying 'continuing deterioration in trading conditions largely caused by St Modwen's actions'

St Modwen's neglect of the Leegate Centre over a long period is a story repeated in many communities where St Modwen hold properties such as such as Hatfield, Walthamstow, Catford and Elephant and Castle. It seems that St Modwens strategy is calculated: To drive small traders out so that it can be claimed that there is no economic demand for them, and make communities so desperate they will accept anything.

There was an average of 25 active units in Leegate 2009-2014. Does Lewisham, therefore, consider that there is economic demand for 25 small traders in Leegate?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 12.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Carole Hope

Member to reply: Councillor Onikosi

Question

1) Why were there no notices displayed in Beckenham Place Park to advise regular users, such as myself (I use the park daily), about a consultation process in January 2014? Also, why were no notices displayed in August 2013 to advise that park users were under video surveillance?

2) Why does the proposed new scheme make no provision for a supervised voluntary youth hub at the Eastern (Downham) end of the park as requested by local youth workers, yet there will be such a hub at Western side and a tremendous amount of money is being earmarked for an artificial lake? In addition, out of borough Greenwich Tritons Club have been consulted about using a proposed lake, yet Downham Youth Workers have been ignored.

3) Is a strategy of driving out an existing (paying) set of users (golfers) economically and ethically effective solution to increasing general park use?

4) I believe that a decision about Stage 2 Heritage Lottery Fund grant will not be made until the middle of next year, what happens to the golf course in the meantime?

5) My Freedom of Information requests are not being responded to within the statutory timescale; who should I complain to?

Reply

Thanks for your questions on this scheme. Our ambition for Beckenham Place Park is to see it restored with help from The Heritage Lottery Fund as one of South East London's best parks, providing opportunities for the whole community to enjoy and appreciate the natural environment, heritage and a wide range of activities and events throughout the year.

1) Prior to submitting our proposals to the HLF, we consulted with local stakeholders in a number of ways. Two day long events were held at the Green Man (Phoenix Housing's new community building) to which the following were invited:

- current park users including golfers, the Friends group and working party members
- community groups
- sports groups
- heritage and conservation organisations
- Key parties, e.g. English Heritage, Heritage Lottery Fund and the Environment Agency etc.
- local children and young people including the Young Mayor and his advisers and local schools
- local residents whom we endeavoured to reach through the local Ward Assemblies and Phoenix Community Housing's contact lists

Presentations were also given to Whitefoot and Downham Local Assemblies, a drop-in session was held at Downham Leisure Centre, and a workshop arranged for Conisborough College pupils.

In total, an estimated 300 people were spoken to during the period in which the proposals were being developed.

Current users of the park and the wider public will continue to be consulted as more detailed plans for future use are developed and to ensure users not affiliated to any group are aware of these events notices will be placed in the park.

Cameras

A survey of visitor numbers was conducted in August 2013 and over a period of four days cameras were affixed at high level near entrances to the park to allow a count of entry and exits from the park and providing quantitative data on park usage. This is an efficient technique often used to understand pedestrian and traffic movements so that highways and public realm can be redesigned effectively.

In June 2013 two months before the survey took place the Home Office issued a new code of practice for use of surveillance cameras which provides guidance on how those operating CCTV can comply with the Data Protection Act and Protection of Freedoms Act. These guidelines include erecting notices informing people that CCTV recording is taking place, this is because where such recordings would allow

individuals to be personally identified this is considered personal information under the Data Protection Act.

The cameras used in the 2013 survey are not of the same standard as normal CCTV as they are usually used to record traffic movement. The recordings do not allow the identification of individuals, hence the recordings do not constitute personal data under the Data Protection Act and notices are not required.

2) The scheme proposed at round 1 includes a number of elements aimed at improving the park for young people including:

Under 5s play near the homesteads

New playground near the Old Bromley Road entrance

Adventure play for older children

New concrete skate park

BMX/MTB track

Education centre that will also act as a centre for outward bound activities in the park run by Wide Horizons

Training and apprenticeship opportunities

There is a finite amount of money to deliver a package of improvements through the Parks for People scheme but this does not prevent subsequent development of further youth focussed ideas. On this occasion the building proposed for conversion by Downham Community Project was one earmarked for removal to enable the development of a boroughwide flood storage scheme in the east side of the park.

3) The number of people playing golf in the park has declined by approximately two thirds over the last 20 years and the cost of providing the service now greatly exceeds the income received. With only 45-50 people per day on average playing a course of approximately 100 acres (that's twice the size of Hilly Fields), it is likely that opening this space for other non-paying uses will lead to an increase in use of a space which is perceived by many to be a golf course rather than a public park. It will also create a more viable environment for a range of new uses in the restored buildings, which will in turn generate new revenue streams that can support the considerable running costs of the park in the long term.

4) A report on the golf course will be prepared for consideration by Mayor and Cabinet in the Autumn of 2015. The report will include options for the future of the Golf operation as well as the Café. It is too early to provide information on what these may be as the implications of any options need to be considered carefully.

5) A complaint should be made in writing to the manager for Freedom of Information to

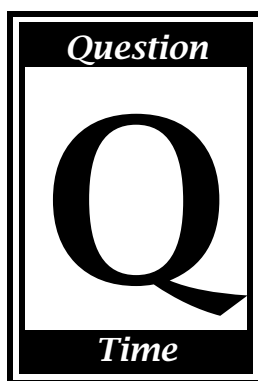
Freedom of Information Team Manager

2nd Floor Lewisham Town Hall

Catford Road

SE6 4RU

Or emailed to : freedom.information@lewisham.gov.uk



PUBLIC QUESTION NO 13.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Caroline Bray

Member to reply: Deputy Mayor

Question

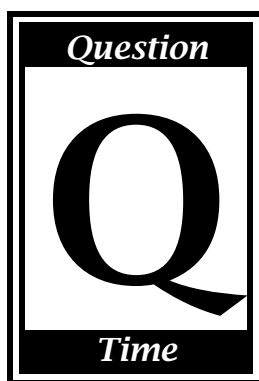
Under District Centres (6.101) Lewisham's Core Strategy states that 'The emphasis within the District town centres will be to protect the existing open spaces.' St Modwen's Leegate planning application suggests that 1400 m2 of existing public space will be replaced with 1400 m2 of new public space. On closer examination, St Modwen's illustrations show that they have omitted to measure around half of the existing public space that currently runs through the centre of Leegate; Moreover, the proposed public space included in their calculations includes existing pavement, which are excluded from the 1400m of existing space. St Modwen's calculation of public space also includes a covered walkway that will be locked at night.

- a. What does the Core Strategy mean by 'protect from development'? 'Prevent from being built over' would seem to be a reasonable assumption: is this correct?
- b. Is the covered walkway is considered 'public space'?
- c. St Modwen are proposing a pedestrianised area along the re-vamped Carston Close, away from retail frontage. How will a wide pathway through a residential area fit with Lewisham's definition of 'town centre public space'?

d. Does Lewisham intend to commission an independent body to measure existing public realm and compare that proposed by St Modwen, and make these figures public?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 14.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Julie Reason

Member to reply: Deputy Mayor

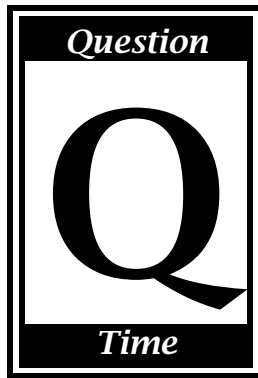
Question

What arrangements have/will be made to re-house the current residents of the Leegate flats, whilst the redevelopment work is going on?

After redevelopment, will the original residents be re-housed in the new development, as they have been part of the Lee Green community for many years and surely should be given privileged access to the new flats or houses as appropriate? By 'privileged access' I mean that if the accommodation is too costly for them that St Modwen and the Council should subsidise them according to their financial needs.'

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 15

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Diana Stevenson

Member to reply: Deputy Mayor

Question

Has Lewisham Council or its associates carried out a thorough survey of the drainage and sewer capacity at the northern end of Burnt Ash Road, to ascertain whether there is enough capacity for an additional large development of shops and homes? If so, what was the conclusion, and where are the findings? Some local councils carry out such surveys when new developments are planned and decide to enlarge the sewers prior to the commencement of development - this was done by the Vale of White Horse District Council in the Elms Rise area of Botley outside Oxford City in 2013, for example, since they felt the 1930s sewers would not be able to cope with extra development. Is Lewisham Council under any obligation to conduct a survey of sewer and drainage capacity prior to considering planning permission for the development of the Leegate centre? In 2014 there were some problems with blocked drains and foul-smelling water at the top of Burnt Ash Road, suggesting the presence of an old, overloaded system of drains and sewers, which might need to be renewed prior to development.

Reply

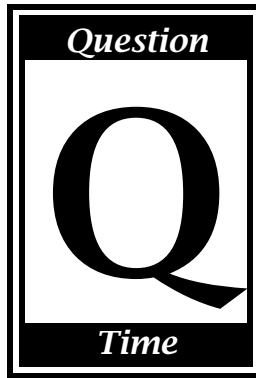
Sewers in the Lewisham are owned and managed by Thames Water Utilities plc. All developers are required to seek permission from the water authority to discharge

their drains. The Company would carry out its own assessments and surveys as they feel necessary to carry the extra capacity. They would also carry out any additional works that may be necessary. They may also impose additional conditions on the developer before the effluent is allowed to discharge in to their sewer.

Lewisham Council are neither obliged nor have a right to carry out a survey of sewers that are not under their ownership or control.

Any question in relation to the sewers should be addressed to:

Thames Water
Developer Services
Clearwater Court
Vastern Road
Reading RG1 8DB



PUBLIC QUESTION NO 16

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Kenneth Maxton

Member to reply: Deputy Mayor

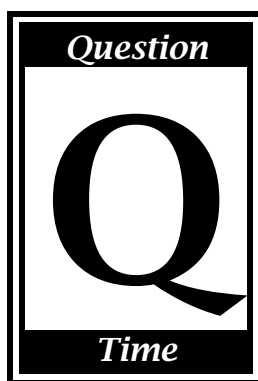
Question

- a. What it has done to attract a developer for the Catford Town Centre in the past twelve months and what interest has been shown.
- b. What is the present state of negotiations with Tesco and the proposed redevelopment of the Catford Centre giving prospective time schedules.

Reply

The Council has not been attempting to attract a developer and has not been negotiating with Tesco over redevelopment of the shopping centre site over the last 12 months.

Officers are currently reappraising the development possibilities in Catford taking into account that certain circumstances have changed. The implications for rerouting the south circular, the potential arrival of the Bakerloo Line and the need for new housing are all currently being reviewed and remodelled so that when the Council starts the process to attract a developer we can be very clear about our aspirations and requirements for the area. The Mayor will receive an update report in the autumn, setting out next steps including a timetable for redevelopment of Catford.



PUBLIC QUESTION NO 17

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Gordana Lazic-Duffy

Member to reply: Deputy Mayor

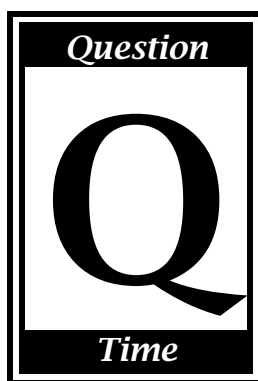
Question

In the executive summary of the Leegate sustainability statement, the applicant says 'it is recommended that a central combined heat and power plant, air source heat pumps and a photovoltaic array should be incorporated in the scheme'. There was nowhere in the application that mentioned where these features would be discharged (no illustration on the drawings either) or noise & air pollution as measurements of their effects on the neighbouring residents' homes and gardens and public spaces.

Will Lewisham require St Modwen to submit further details of these plants, pumps and airway pipes and outlets array for consideration before the Leegate application is considered?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 18

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Julie Williams

Member to reply: Deputy Mayor

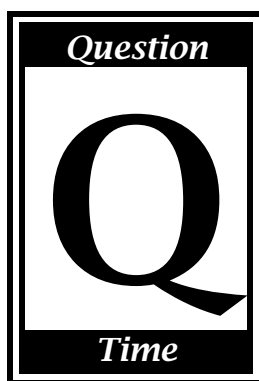
Question

Chapter 9 of St Modwen's Leegate environmental statement volume 1 states that the area most affected by supermarket noises will be Leybridge court (9.140), and concludes that noise levels there will be acceptable. However, new Leegate residents and those in existing Carston Close will be much closer to noise pollution in their gardens and homes and yet there is no mention or measurement of the levels of noise pollution that they will be exposed to. If Asda remains open 24 hours the noise element would be of further concern.

Will Lewisham require St Modwen to submit further evidence of the noise impact on both Leegate and Carston Close residents in the redeveloped Leegate before considering St Modwen's planning application?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 19

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Emma Warren

Member to reply: Deputy Mayor

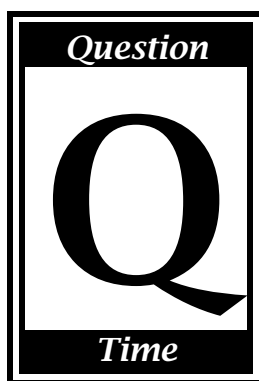
Question

In November 2014 St Modwen supplied A Better Lee Green with Design Panel reports on Leegate. The Design Panel report stated 'cars within the central courtyard would not produce an acceptable living environment or appropriate communal amenity aspect to the development for the residents. The proposals for a planted deck including large trees, whilst desirable, were not yet convincing, given the weight of the trees and the material needed to sustain them. The panel noted this as potentially failing the scheme'. To add further doubt, St Modwen is to enter a five year agreement for maintenance of the planting. St Modwen has a poor record of maintenance of its properties, so it is likely that the planted deck will quickly deteriorate after five years.

How can this potential failing of the Leegate scheme be addressed to ensure acceptable living environment and communal amenity?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 20

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Marietta Stankova

Member to reply: Deputy Mayor

Question

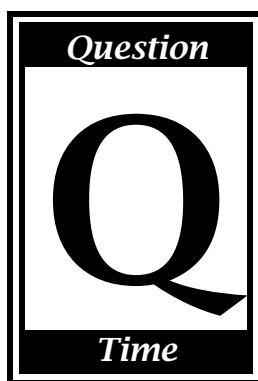
In their planning application for redevelopment of the Leegate centre, St Modwen claim endorsement of their proposals by the Greater London Authority (GLA) by quoting selectively a short excerpt from a pre-application response by the GLA Planning Unit. It appears that as a statutory consultee, the GLA were given figures that show the public space in the proposed scheme increasing in size by 21%, from 3774 sqm (according to the applicant's July 2014 Screening and Scoping Request Report) to 4571 sqm (according to the applicant's Screening and Scoping Request Report, GLA pre-application response and Lewisham Design Panel Review Panel).

As it is clear from simple scrutiny of the plans that the open public space is being significantly reduced, is it the case that the GLA, and other consultees, were supplied with inaccurate figures? Would this call the GLA's response and St Modwen's reliance on it into question?

Lewisham's Planning Department, Deputy Mayor and Lee Green councillors have been made aware of the discrepancy at community meetings and at the public discussion of the proposals last March. Whose responsibility is it to inform the GLA, Lewisham's Design Review Panel and Lewisham's Strategic Committee of the incorrect measurements of public space in the Leegate Centre and has this been done yet?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 21

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Roger Hurn

Member to reply: Deputy Mayor

Question

Core Strategy Policy 1: 'The Council will seek the maximum provision of affordable housing with a strategic target for 50% affordable housing from all sources'

In Leegate, St Modwen proposes 12 affordable and 24 shared ownership properties which represent just 16% of the proposed housing. St Modwen defends this reduction with their viability assessment: This assessment is not made public, leading to public scepticism.

St Modwen may claim that the viability assessment is confidential due to trade secrets and prejudice to commercial interests, however, the decision to publish is not St Modwen's but Lewisham Council's, and there is substantial precedent that the viability assessment should be made public.

Recently, in a first-tier tribunal review, Greenwich Council lost an appeal against a decision by the Information Commissioner to make public an economic viability report that related to the Greenwich peninsula development. The tribunal report said in its cover that using FOIA exemption Sections 41 and 43(2) Private and Confidential is an obvious attempt to circumvent the report being made public in a FOIA request and that Companies can ask for exemptions or exceptions to be

considered; but they are not decision makers in relation to freedom of information. That task falls to the Public Authority, the ICO and, sometimes, the Tribunal.

In response to the above tribunal decision, Greenwich Council recently confirmed its intention to make all financial viability reports public.

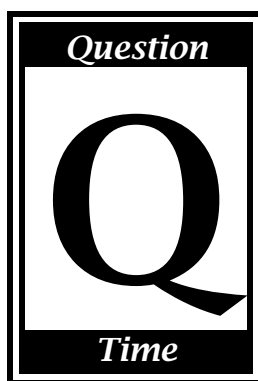
Further, the BBC recently lost an appeal to keep private two contracts relating to licence fee collection. The Commissioner accepted that some of the information in the contracts was commercially sensitive and it was likely that it would prejudice the BBC's commercial interests. However, in this case, even though the information was commercially sensitive, the public interest overrode confidentiality.

Question: Given the above precedents, will Lewisham made immediately available;

- a. St Modwen's financial viability assessment regarding Leegate;
- b. Like Greenwich, future financial viability statements relating to development in the borough?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 22

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Andy Tonge

Member to reply: Councillor Onikosi

Question

Please explain how the closure of the golf course as a part of the proposed regeneration of Beckenham Place Park is cost effective for the tax payers of the borough. Whilst it is accepted that the golf course currently is a loss making venture (as a result of an inept sub-contract with Glendale) analysis suggests that a sustainable income of at least £0.25M per annum could be generated by the golf course if competently managed. (Based upon a pessimistic view in a three point estimate).

Reply

If the decision to close the Golf Course was made it would allow for the re direction of current resources to manage and maintain the new facilities planned for the park.

It is not possible to comment on the financial analysis mentioned,

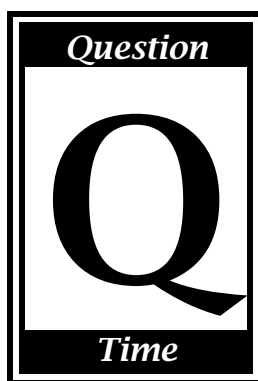
If the Council were to seek a new service partner to manage the Golf Course it would be required to go through a formal competitive procurement process.

It would be the outcome of this process that would determine if the cost of providing a Golf Course within the park was affordable.

It should be noted that the cost of providing the course greatly exceeds the income that the Council derive from it. The expected running costs for the course in the 2015/16 financial year are £225,000 and the Council would receive an estimated £90,000 of income from it, making a net loss of £135,000 for the year. Prior to the current contractual arrangements with Glendale the course was making a greater loss, with the Council bearing additional staff costs for course management and considerable risks in relation to adverse weather conditions.

The reduction of golf dominance in the park will make it more useable by the general public and greatly enhances the chances of securing Heritage Lottery Fund investment of £4.9million allocated under the Parks for People programme and subsequent investment to restore the mansion. Such significant capital funding is unlikely to be forthcoming unless the Council can demonstrate to the HLF that a significant uplift in visitor numbers is possible.

Buildings like the new café restored through HLF funding will provide new revenue streams to support the running costs of the park in the long term.



PUBLIC QUESTION NO 23

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: David Hansom.

Member to reply: Councillor Onikosi

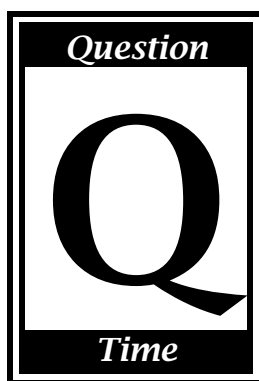
Question

Has the Council considered outsourcing the maintenance and management of the golf course (in 18 hole format) to a not-for-profit organisation? Either an existing organisation, such as MyTimeActive, or a consortium formed especially for this purpose;

Reply

The Council has no current plans to seek a new service partner for the management of an 18 Hole Golf Course within the park.

If the decision is made to retain the Golf Course the Council will require officers to identify sustainable options for its future management and bring a report back to the Council for consideration and approval.



PUBLIC QUESTION NO 24

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Imogen Solly

Member to reply: Deputy Mayor

Question

St Modwen relies on Lewisham's 2009 Retail Capacity Study (RCS) to show that a second superstore in Lee Green is economically sustainable in their Leegate planning application. However, the study actually states that:

- Lee Green is strong on convenience offer but weak on comparison offer (SWOT analysis RCS 3.1)
- Lee Green has national average convenience offer but only 50% national average comparison offer (RCS Appendix A table A.20)
- Forecast need/capacity for retail floor space is not sufficient justification to support new retail floor space (RCS 5.52)
- Beyond 2014 capacity figures should be treated 'with a high degree of caution' due to changes such as increases in internet shopping (RCS 5.52);
- It is essential that the need/capacity for retail floor space is assessed at regular intervals and at least once every five years (RCS 5.52)
- Lee Green's surplus convenience spending and over trading figures are likely to be overstated (RCS 5.34 and RCS 5.46);
- By 2025 estimate borough need new 5,164 m2 convenience floor space and 22,897 m2 comparison floor space (RCS 6.24)

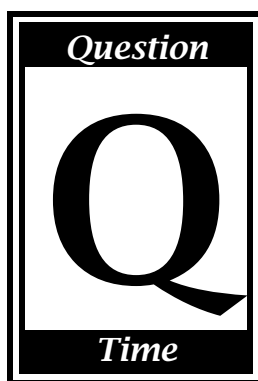
- Post 2014 Leegate specifically proposed as a comparison, not a convenience shopping site (RCS 7.25)

In summary, the RCS states that its forecast capacity figures should not be relied on past 2014 (RCS5.52); that in any case comparison, rather than convenience, is what Leegate needs and should be developed for (RCS 3.1, RCS Appendix A table A.20, RCS 7.25); and that Lewisham as a borough is in need of more comparison floor space than convenience floor space (RCS 6.24).

Given that it is incumbent on St Modwen to show that the Leegate development will be economically sustainable, and that depending on the 2009 Retail Capacity Study in its application fails to do this, what further requirements is Lewisham making of St Modwen to prove the economic sustainability of its plans?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 25

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: John Keidan

Member to reply: Councillor Best

Question

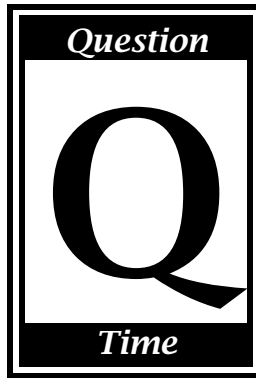
Will Lewisham follow the lead of other Councils by signing up to Unison's Ethical Care Charter, ensuring all home care workers in Lewisham receive the London Living Wage and are given enough time and training to provide higher standards of care for the thousands of Lewisham residents who rely on them?

Reply

The Council is currently re-commissioning domiciliary care services with new contracts scheduled for October 2015.

The Council pays the London Living Wage in the current contract price and with some travel time built in. Training requirements have always been specified and are monitored. However, the new contracts will be organised very differently. Service users will have more flexibility as to how they use their allocated care provision on a week by week basis, although many will still require morning and evening daily visits.

Although the contracts themselves will allow for more flexibility in how a carer's time is deployed, the Council remains committed to paying the London Living Wage, travel time and training time as appropriate. It is envisaged that as these new contractual relationships develop the Council will give due consideration to Unison's Ethical Care Charter.



PUBLIC QUESTION NO 26

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Sarah McMichael

Member to reply: Deputy Mayor

Question

Amongst the published 'in support' responses to Lewisham's consultation on St Modwen's Leegate proposals are:

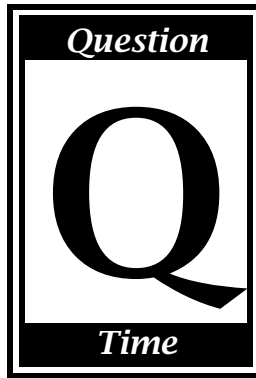
One from an Edmondton-based private tuition company which would benefit financially from the proposals.

One from Hyde Housing, who are based in London Bridge.

Lewisham's Statement of Community Involvement (SCI) lists specifically who are stakeholders in section two. Which subsections of SCI section 2 do the tuition company and Hyde Housing fall in to (if any)?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO 27

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Paul Phoenix

Member to reply: Councillor Millbank

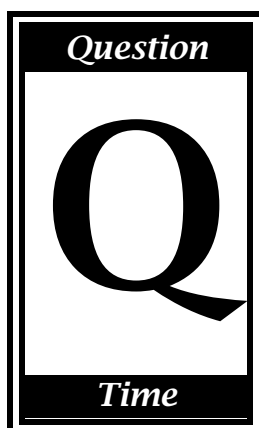
Question

I requested a copy of monitoring reports regarding the Council's individually funded projects. I was informed that the information was subject to a Freedom of information request. I feel this information is of public interest and should be available on request. Why is this not the case?

Reply

We do not routinely share detailed monitoring information as it could be considered to be commercially sensitive information relating to financial operations, staff performance and other personnel matters.

If you have specific concerns about a funded organisation please let us know and officers will investigate the issues.



PUBLIC QUESTION NO.28

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: David Edgerton

Member to reply: Councillor Egan

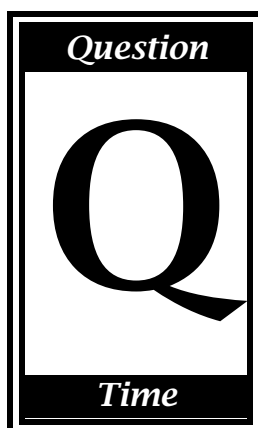
Question

I received a letter from Lewisham Homes in October 2013 informing me that scaffolding would be erected at my block (Argosy House Windlass Place SE8 3QZ) and that the scaffolding would be in place for 20 weeks. It is now almost a quarter into 2015, the scaffolding is still here blocking out light to a degree. I have received no updates although there are some notices on the notice boards inside the block. I do not have access to these. I have asked the housing manager and Mite the contractor but have not been given a date.

When is the work to the block going to be completed? When will the Scaffolding be dismantled?

Reply

Firstly Lewisham Homes have asked me to convey their apologies for the delay in removing the scaffolding from your building; the structural works have taken them longer than they expected. I have been informed that this delay was caused by the need for additional structural repairs which were discovered during the course of the project. I understand that all outstanding issues have now been resolved and that the latest anticipated completion date for the project is 10th August 2015.



PUBLIC QUESTION NO.29

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Woolford

Member to reply: Councillor Best

Question

Lewisham borough has amongst the highest number of residents coping with Mental health, and yet has seen a 68% cut in funding. With 1 in 4 people set to face mental health and increasing number seeking Lewisham councils help, what measures are Lewisham council taking to secure long term funding from EU , Foundations etc to be able to continue and cope with rising demand?

Reply

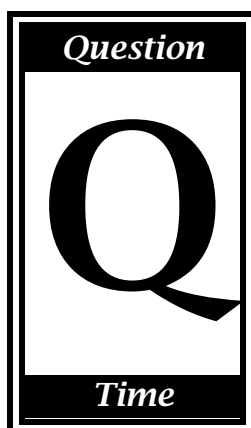
Lewisham Council and the Clinical Commissioning Group (CCG) work together to support the joint planning and development of mental health services. This joint arrangement is based on the long standing principle that support for mental health service users requires collaborative working between health and social care services. Following long standing joint arrangements spanning several years, from April 2013 the Council and newly formed CCG agreed that the Council will lead the commissioning of mental health services on behalf of both organisations. Local Mental Health service funding is regarded as a total investment of £70.38m and has in fact received an increase in Health funding of 3.97% which is £2.405m in the 2015/16 financial year. However, social care funding for mental health in line with

other local authority spending has been reduced in 2015/16 by 3.2% (£250,000) which is significantly less than other service areas and the 68% mentioned in the question above.

Lewisham Council and the CCG recognise and have assessed the local level of need for mental health via the Joint Strategic Needs Assessment. Mental health and wellbeing is a priority within the Health and Wellbeing Strategy and we will continue to focus on improving awareness, service user experience and general wellbeing of the local population.

Lewisham Council and the CCG support applications for additional investment to the borough from all sources. Officers have attended briefing sessions for London's European Social Fund Mental Health Employment Support Programme for people with common mental illness aimed at the independent sector. Officers have committed to support the roll out of this initiative, ensuring that the successful applicant for this fund in Lewisham works collaboratively with our existing community based mental health services.

The Council and other relevant stakeholders will review a range of information, data and service user feedback to understand the current and future demand for services annually. This process is used to establish local investment priorities and the final amount of funding for all contracts. We continue to see an annual rise in the use of mental health services and we will ensure that we prioritise the right services to achieve the best value for money we can for our patients, residents and overall population.



PUBLIC QUESTION NO.30
Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mrs Richardson

Member to reply: Councillor Best

Question

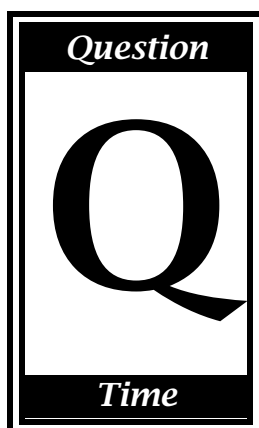
What revenue did the Manor House, Old Road Lewisham SE13, accrue from its various rentals, events and other sources from 1/4/2014 - 31/3/2015? What is the breakdown of each source of revenue? How did this balance against outgoings of running expenses, upkeep, mortgage payment etc?

Reply

A breakdown of income for the year 2014-2015 is available below.

Fines	£3,740.31
Holds	£478.85
Lost Books	£330.14
Lost Tickets	£937.68
Photocopies	£3,395.92
Room Hire	£26,917.70
DVDs	£1,436.55
Music CDs	£396.56
Total	£37,633.71

The Library and Information Service has an income target for the service as a whole which this income contributes to and this is offset against the overall expenditure of the service.



PUBLIC QUESTION NO.31

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Hirsch

Member to reply: Deputy Mayor

Question

Table 9.2 of St Modwen's traffic assessment shows that six locations around the Tiger's Head junction will be above full saturation traffic flow levels (up to 135.6%) in the proposed Leegate development.

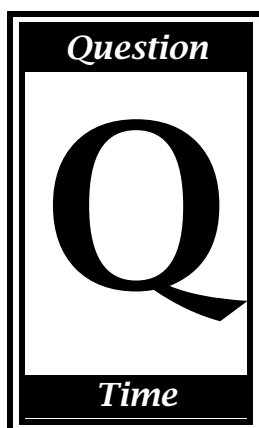
The applicant has, therefore, chosen to recalculate their figures at Table 9.1 excluding traffic created by the 1815 new properties that are being built in Kidbrooke and Huntsman developments.

The applicant has also omitted to include traffic that will be produced by the development of the large London and Quadrant buildings, Vauxhall Garage and Greek Taverna sites at the Tiger's Head junction.

Given that traffic from all these developments will drive through the Tiger's Head junction, will Lewisham Council insist that the applicant re-instate the traffic from these developments in their traffic calculations?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO.32

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Bob de Groot

Member to reply: Deputy Mayor

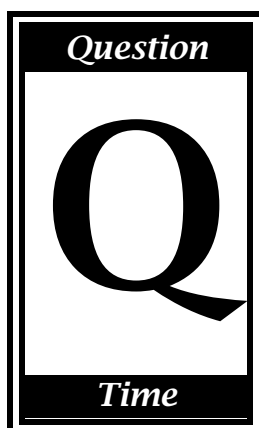
Question

It has been said that St Modwen could turn Leegate into 100% private low quality residential housing under permitted development rules. The fear of this could affect reactions to St Modwen's current Leegate proposals. However, there is confusion in this area given that in their letter to St Modwen of 31st July, planning officers said 'For A1 units, permitted development rights would be withdrawn' (page 8) Does Permitted Development apply in Leegate and are Officers able to uphold a decision to withdraw permitted developments in court if St Modwen appeal it?

Reply

As a planning application is being considered for the Leegate Centre, it not appropriate to respond to these points outside of the formal planning process. However, on the general enquiry relating to permitted development rights, the government introduced permitted development rights for existing shops to change to residential accommodation in 2013 subject to certain criteria. This includes consideration as to whether a building is located in a key shopping area and if the

change would affect the sustainability of that shopping area as well as certain size restrictions. In this case officers would consider that given the size of the existing units coupled with their location in a District Centre, a change of use to residential would be unlikely to be considered as permitted development.



PUBLIC QUESTION NO. 33

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Caroline Bray

Member to reply: Deputy Mayor

Question

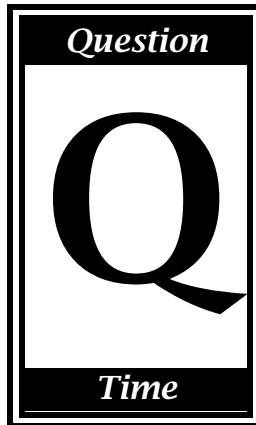
National Planning Policy Framework states that the 'planning system should prevent new development from contributing to unacceptable levels of air pollution' (section 11)

Evidence has been submitted to Lewisham that pollution at the Tigers Head Junction is already up to 75% above legal limits. Plans for Leegate's development will increase traffic and so pollution levels. They will also move public space closer to a busy road, so increasing exposure to pollution.

- a. Is the council aware of sustainable developments such as Bermondsey square which have been developed without major increases to congestion or exposure to pollution, thereby showing this is possible?
- b. When negotiating and considering development does Lewisham make the protection of people against high levels of pollution one of its priorities?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO.34

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Julie Reason

Member to reply: Deputy Mayor

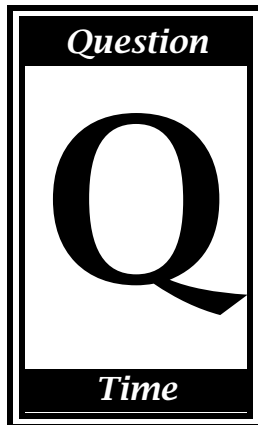
Question

With regard to the Leegate development what has been done to achieve:

- 1) A coordinated mechanism between TFL and Lewisham Highways, which have been cut and are very understaffed, to ensure traffic is not just shifted from one road to another?; and
- 2) That enquiries have been made to bus and rail companies to ensure that they have capacity to absorb additional travellers?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO.35

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Kenneth Maxton

Member to reply: Councillor Onikosi

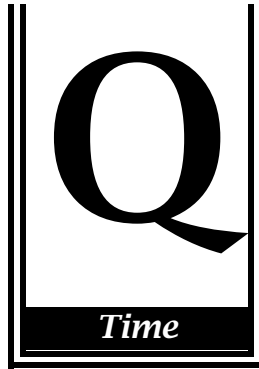
Question

Is the Council aware that weeds are growing through the laid paving at the pedestrianized end of Holbeach Road where it meets Rushey Green. Who is responsible for this street's upkeep in this respect and when is it likely to receive attention?

Reply

Lewisham Cleansing Services are responsible for the removal of weeds from the public highway. The pedestrian section of Holbeach Road has been inspected and a manual removal of weeds has been scheduled for 17/06/15. In addition there will be a weed spray in July as part of a borough wide treatment.

Question



PUBLIC QUESTION NO.36

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Andy Tonge

Member to reply: Councillor Onikosi

Question

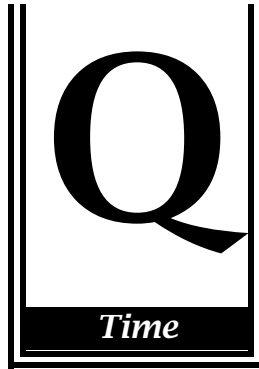
Please confirm that decision making for changes within Beckenham Place Park, such as the mooted closure of the golf course, is based upon fiscal analysis and documented process. Please advise as to what this process is. Please also advise as to what milestone / gate in the process the proposal actually has reached and what the future key decision making dates are.

Reply

The financial implications of any changes within Beckenham Place Park will be considered as part of the decision making process.

As current management arrangements of Glendale Golf draw to a close at the end of the calendar year, officers will provide an update on Beckenham Place Park and present options to Mayor & Cabinet in the autumn. The report to Mayor and Cabinet will contain any relevant information received via public consultation to help ensure that informed decisions are made regarding the future of golf at the park.

Question



PUBLIC QUESTION NO.37

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: David Hansom

Member to reply: Councillor Onikosi

Question

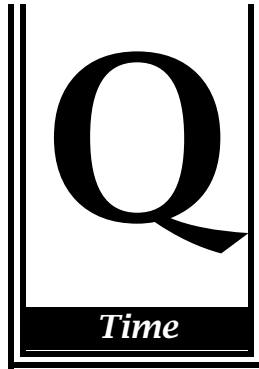
Why has the Council allowed itself to enter into a management contract with Glendale Golf which ensures that golf at Beckenham Place Park is loss-making? Our estimated income and expenditure projections for the golf course suggest that the course should be a profitable on-going enterprise. I should draw attention to the need properly to collect green fees from all those using the course, which is why the costing includes the employment of rangers to 'police' the course;

Reply

The decision to enter into the current arrangement with Glendale Golf was made to protect the Council from the risk of fluctuating revenue streams from the Golf and Café operations and to enable both services to be improved at no cost to the Council.

The collection of Golf fees is the responsibility of Glendale Golf as the contractual payment to the Council is fixed and not dependent on the level of income they receive.

Question



PUBLIC QUESTION NO.38

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Imogen Solly

Member to reply: Deputy Mayor

Question

St Modwen claims that it does not need to make a retail impact or sequential assessment for the proposed Leegate development. Lewisham's Retail Capacity Study says:

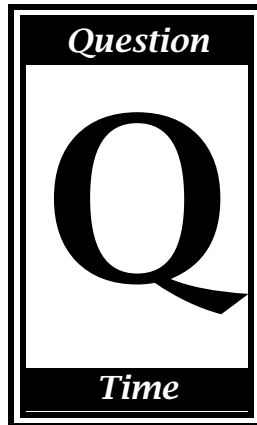
- It would be appropriate for Lee Green's convenience capacity to be absorbed into Lewisham Town Centre to keep the retail hierarchy of the two centres (Core Strategy Policy 6) (RCS 5.47),
- That estimated capacity figures should not be taken as literal interpretations of the amount of additional convenience floor space that should be accommodated in each centre, but should be viewed on the basis of accommodating capacity within the most appropriate centre within the Borough (RCS 5.46).

Given the council has therefore previously stated that any further convenience development at Leegate might affect the retail situation in Lewisham Town Centre and the wider borough, and that any further convenience capacity at Leegate might be more appropriately provided for in Lewisham Town Centre, does Lewisham

Council agree with the applicant that it does not need to supply sequential or impact assessments for its Leegate plans?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO.39
Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: John Keidan

Member to reply: Councillor Best

Question

What actions will the Council be taking to ensure that no harm is suffered by Lewisham residents affected by the planned closures and reductions in service from day centres and early years centres; in particular, what are the Council's plans to ensure that vulnerable users of former day centres are neither overlooked nor put at risk by opening them up as community hubs?

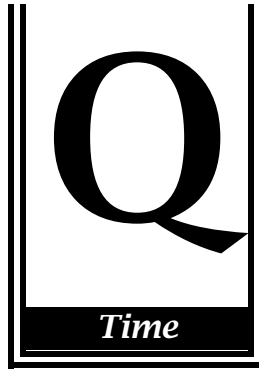
Reply

In developing the vision for day services specific attention has been given to the needs of the current service users by taking account of the information that comes from the individual assessments and support plans.

The proposal for day services does not involve any closures of existing centres, but aims to further develop opportunities for more choice, by expanding the range of provision available. This will be achieved by sharing the space within the centres with other organisations who may provide a relevant service or activity to the existing users of the centres or to other members of our communities. There will be designated areas that are secure for those service users who are vulnerable.

Although there is to be a reduction in funding to Children's Centres in Lewisham, there are no plans to close any of these centres (with the exception of the Centre in the Heathside and Lethbridge estate which is being demolished due to redevelopment). A range of Children's Centre services will still be available across the borough and Children's Centre providers will be working in partnership both with each other and with partner agencies where additional support for a child or family is required to ensure that each family coming into contact with or referred to a Children's Centre receives appropriate services according to their need.

Question



PUBLIC QUESTION NO.40

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Paul Phoenix

Member to reply: Councillor Bonavia

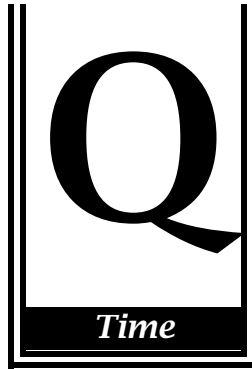
Question

What safe guards are in place to monitor that the freedom of information legislation is not being used as a way of frustrating legitimate requests from members of the public?

Reply

All freedom of information requests are recorded by the corporate information team who gather the requested information from the relevant service areas and provide the responses. We occasionally ask a service area to respond to enquiries directly if the request is not identified as a Freedom of Information request but rather a general service enquiry. Information is only withheld if a legitimate exemption applies as set out by the Freedom of Information Act. All appeals are dealt with by the corporate information team and overseen by the Corporate Information Manager.

Question



PUBLIC QUESTION NO.41

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Woolford

Member to reply: Councillor Bonavia

Question

Lewisham Council cuts are set to have a devastating impact on the borough's most in need. What income producing ideas and cuts to top staff salary and councillor allowance, as proposed by residents as part of the Council local assembly consultations, will the Council be implementing?

Reply

As part of the Council's response in meeting the financial challenge over the coming years, officers have established an income generation programme. Central to this is a review of all the Council's services engaged in fees and charges activity with a view to fully understanding the cost base of such services to ensure that prices can be set at appropriate levels on an annual basis.

As part of the overall income generation programme, a target of some £3m over the lifetime of the programme (2015/16 to 2017/18) has been set. For the current year of 2015/16, options to increase income by £850k have been identified, agreed and are being implemented. These include:

- **Council Tax & Business Rates Review:** working with the Behavioural Insights Team (previously part of the Cabinet Office) to develop a series of interventions aimed at increasing in year collection rates.
- **Schools Service Level Agreements (SLAs):** proposal to undertake a joint piece of work with School Effectiveness to identify areas within Schools SLAs where prices could be increased (e.g. increase cost for the provision of financial services, begin charging for occupational health support to school staff)
- **Investments** – Further anticipated income to be gained via the Council’s treasury management Investment strategy.

Some examples of the other ideas being developed by the officers include, examining options for increasing advertising income for the Council and the re-financing of private finance initiative (PFI) loan agreements with a view to reducing the interest on debt payments.

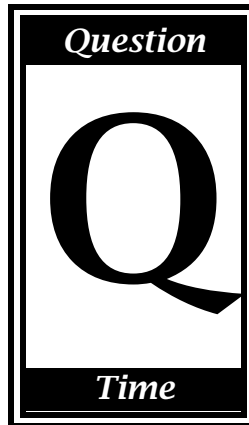
It is also worth noting that the Council’s Public Accounts Select Committee is currently progressing an in-depth review into income generation. Part of this work has sought examples of best practice that have been implemented by other local authorities, which officers at Lewisham will consider as part of the income generation programme.

Councillor allowances

Changes to councillor allowances can arise following the commissioning of an independent review and consideration of the review outcomes at a Council meeting. The Council has set aside the findings of the last two reviews which both recommended increases. Allowances have therefore been frozen at their 2008/09 levels, following a decision taken at Council on 17 September 2014. Taking into account inflation over that period, this represents a substantial cut in real terms.

Senior management pay

Between 2011/12 and 2014/15, no pay award was made to the Council’s chief officers. During the same period, the number of senior manager posts reduced by 20%. The Council reports senior management pay levels to the Independent Executive Remuneration Panel and this conforms to the relevant elements of the Hutton Fair Pay Code.



PUBLIC QUESTION NO.42

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mrs Richardson

Member to reply: Councillor Best

Question

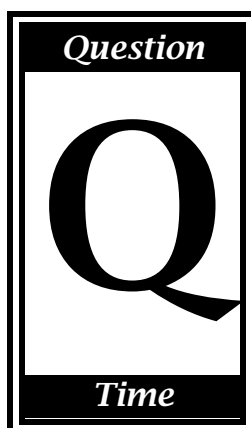
At the Local Assembly meetings in 2014 residents were issued with a net budget sheet for 2014/15 £268m. Libraries and Community Learning were listed together as £4.5m. What amount was allocated to each and how much did each of the budgets work out by the end of the year? What is the library budget for this year?

Reply

In 2014/15 the net budget for libraries was £4.341m and the outturn was £4.170m.

The net budget for Community Education Lewisham was £0.251m and the outturn was £0.239m.

In 2015/16 the net budget for libraries is £4.099m.



PUBLIC QUESTION NO.43

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Hirsch

Member to reply: Deputy Mayor

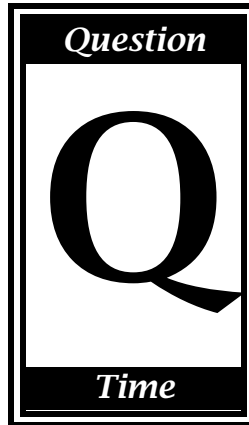
Question

It has been calculated in St Modwen's Leegate planning application that approximately 41 children will be in need of places in local nurseries, primary and secondary schools. Local schools already have to take on bulge classes. One child living on Horn Park Road has been offered a school in Downham and is 66th on the list for a local school for 2015 entrance. Amenities will be further stretched by hundreds more homes being built close by in the Greek Taverna, Huntsman development, London and Quadrant Building and potentially the New Tiger's Head and Vauxhall garage.

Will Lewisham make publicly available details of where school and doctors places will be provided before a decision is reached on St Modwen's planning application to reassure local people?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO.44

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Kenneth Maxton

Member to reply: Deputy Mayor

Question

1. The Catford Centre and the Broadway have recently seen an intensive growth in commercial and charity activity by agents seeking to stop and interest passers-by. In respect of this activity will the Council state:
 - a. Which of these activities require licencing or permission from the Council or CRPLtd ?
 - b. Who determines which company or charity may be active, where and when ?
 - c. Who amongst elected members have any involvement in deciding aspects of this activity?
 - d. Which officer checks that relevant industry/ Institute of Fundraising standards and codes of behaviour for agents are being followed (eg. the 'three-step rule' by observation in the relevant area?
 - e. How it seeks to gauge the local public's attitude to the activity?
 - f. How far in advance permissions are given to the various applicants and on what basis is the intensity of the various independent agents assigned in terms of time, particular days and physical areas of the street or shopping centre ?

Reply

Which of these activities require licensing or permission from the Council or CRPLtd ?

Who determines which company or charity may be active, where and when?

Catford Regeneration Partnership Limited (CRPL) own and run the Catford shopping centre. CRPL is a wholly owned subsidiary of Lewisham Council. Because CRPL own the Catford shopping centre it is responsible for overseeing those trading on its land.

CRPL employ a managing agent DTZ to carry out the daily management activity of the centre and DTZ use a company called the JFR Group to market and manage the pitches used by visiting organisations. As a result of feedback one of the companies that had been allowed a pitch in the shopping centre (Vanquis a credit card company) was refused further permission.

The remaining shops in Catford including in the Broadway are owned individually and for this reason the Council is responsible for controlling and licensing street traders. Catford Broadway Market is a designated 'Street Trading' area.

Who amongst elected members have any involvement in deciding aspects of this activity?

CRPL would take note of comments made by Council officers or elected members and act accordingly. No elected members are directly involved in the licensing although the overarching policy would have been agreed by members.

Which officer checks that relevant industry/ Institute of Fundraising standards and codes of behaviour for agents are being followed (eg. the 'three-step rule) by observation in the relevant area?

CRPL's managing agents DTZ would ensure any traders operating on its land were complying with all necessary regulations. A senior administrator of the Council's markets team would oversee all other areas.

How it seeks to gauge the local public's attitude to the activity?

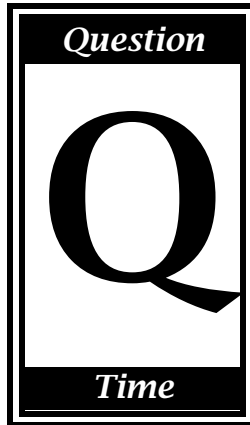
CRPL's managing agent DTZ, who have an on-site officer at all times, would gauge the reaction to various traders and are in constant contact with its tenants and members of the public. DTZ receive very little feedback from those working in or using the Catford shopping centre other than in the case of Vanquis.

In all other areas market officers licence and monitor the activities of the market and all the street traders. All feedback is written on a daily monitoring sheet. Market officers have not received any bad feedback about any of the traders which include Talk Talk, Sky, British Gas and Now TV.

How far in advance permissions are given to the various applicants and on what basis is the intensity of the various independent agents assigned in terms of time, particular days and physical areas of the street or shopping centre?

For the Catford shopping centre bookings are agreed 4-6 weeks in advance. It is generally on the basis that there is one provider for one week at a time to operate within a designated section of the shopping centre. The main organisations on the bookings list are the British Red Cross, Guide Dogs, Virgin Media and Talk Talk.

For all other areas in Catford bookings can be taken several days or months in advance. There are 3 locations where only one operative is allowed at a time (the Broadway, under the Cat and Holbeach near quick silver).



PUBLIC QUESTION NO.45

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Andy Tonge

Member to reply: Councillor Onikosi

Question

Please advise as to why the proposed regeneration of Beckenham Place Park excludes any significant investment or the provision of supervised activities in the Eastern (Downham Ward) side of the park and please advise as to why adequate Public Consultation has not taken place.

Reply

The developing proposals for Beckenham Place Park include significant investment in the east side of the park including:

- Parkland landscaping improvements in partnership with the EA including some river channel rerouting similar to Ladywell Fields
- New playground
- New adventure play
- New concrete skate park
- New BMX/MTB track

- New toilets/café kiosk
- New car park

Supervised activities will be provided as part of the proposals and an activity plan is being developed as part of the continued development of the scheme.

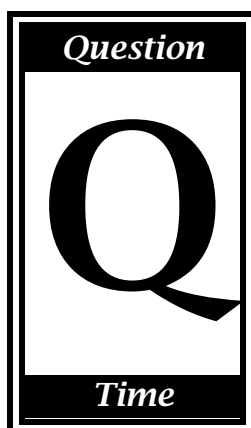
Prior to submitting our proposals to the HLF, we consulted with local stakeholders in a number of ways. Two day long events were held at the Green Man (Phoenix Housing's new community building) to which the following were invited:

- current park users including golfers, the Friends group and working party members
- community groups
- sports groups
- heritage and conservation organisations
- Key parties, e.g. English Heritage, Heritage Lottery Fund and the Environment Agency etc.
- local children and young people including the Young Mayor and his advisers and local schools
- local residents whom we endeavoured to reach through the local Ward Assemblies and Phoenix Community Housing's contact lists

Presentations were also given to Whitefoot and Downham Local Assemblies, a drop-in session was held at Downham Leisure Centre, and a workshop arranged for Conisborough College pupils.

In total, an estimated 300 people were spoken to during the period in which the proposals were being developed.

Current users of the park and the wider public will continue to be consulted as more detailed plans for future use are developed.



PUBLIC QUESTION NO.46

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: David Hansom

Member to reply: Councillor Onikosi

Question

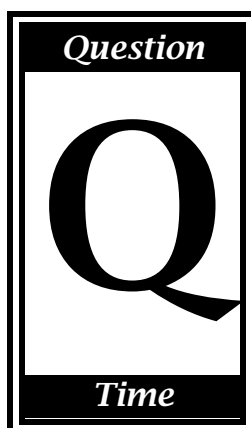
What is the time-scale for the public consultation phase of the Stage 2 Heritage Lottery Fund bid? This is a most important part of the whole process, especially as there is a widely-held belief that the previous 'consultation' in January/February 2014 was seriously flawed. We are aware that the Council is already falling behind its planned programme and need re-assurance both that the public consultation phase will be equitably managed, scrutinised and assessed and also that it will be totally transparent. I would also note that at least part of the process should take place within the park itself - and that a sufficient notice period should be given and that this notice be prominently displayed, including within the park;

Reply

Public consultation will begin following the survey phase which is currently underway. Design consultation will commence this summer and will run through to the end of the year with consultation at key design development stages, a timetable for this work will be published in due course.

Consultation on future activities will also be taking place throughout the same period to inform the development of an activity plan for the park which will seek to maximise use of the park.

Some consultation will take place within the park and notices will be displayed within the park.



PUBLIC QUESTION NO.47

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Imogen Solly

Member to reply: Deputy Mayor

Question

London Plan: 7.6A: 'The Mayor seek to ensure that developments... take account of what different people say they need and want'

The Leegate applicant's 'comprehensive programme of public consultation' has included several meetings with the Lee Green Assembly Leegate working group 2012-2014.

The minutes of the Assembly and working group papers show the nature of the working groups' meetings with the applicant:

'Lack of progress in discussions' (2012 position paper)

'Continued delays of meetings' (2012 position paper)

'Residents and traders not kept informed and uncertainty' (February 2013 motion)

'Promoting consultation before meeting the working group as previously agreed' (June 2014 paper)

'For 2 years saying housing, underground parking and total redevelopment were impractical when they weren't (June 2014 paper)

'St Modwen's seeming reluctance to consider suggestions that would create a genuine quality public space' (November 2014 paper)

'What has disappointed us most about exchanges has been the sense that, following last June's consultation, there has been little in the way of movement from St Modwen, giving a sense of *fait accompli*' (November 2014 paper).

St Modwen have held two public 'consultations':

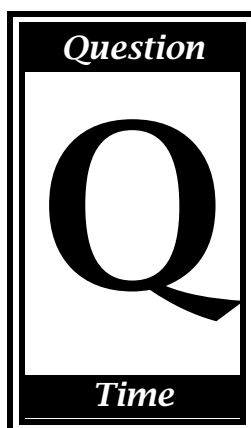
2012 consultation: 4.1.1 Statement of Community Engagement (SCE), 'residents particularly highlighted the size of the superstore and traffic as areas of concern', then at 4.1.2 'as a result of feedback, plans were changed in ways that addressed concerns'. However, neither the size of the superstore nor the traffic issues were addressed.

2014 consultation: Page 17 of the SCE states that, as in 2012, the largest community concern was having a second large superstore and the second most common concern was the traffic impact of the development. Both issues are still unaddressed by the applicant's plans, in which the superstore has in fact been made bigger since both 2012 and the July 2014 consultation, in clear disregard of the issues of concern raised by both events.

The developers have therefore 'held consultations', as they have held displays of their plans that they refer to as consultations, but have not in fact consulted the community, since major concerns have remained both unimproved and unanswered. 'Presentations' would be a better term for the events St Modwen have held. Given this, and their lack of willingness to engage with working group meetings, does Lewisham Council have minimum levels of adequacy in community consultation that they hold either themselves or developers to? If so, what are these minimum levels – how can they be demonstrated to have been achieved in specific cases?

Reply

Please see the response to Public Question 10.



PUBLIC QUESTION NO.48

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: John Keidan

Member to reply: Councillor Maslin

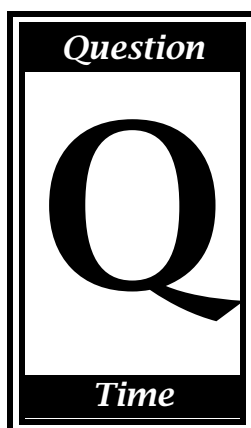
Question

What has Lewisham Council done up to now to support Sedgehill School staff and teachers and what specific steps will it be taking to prevent the School being placed a greater risk of being forced to become an Academy?

Reply

Our priority is for Sedgehill School to succeed, be a popular choice at secondary transfer and offer the very best education for our young people – they deserve nothing less. To ensure this improvement, we have appointed a highly experienced Interim Executive Board comprising two former Headteachers and a former HMI. They in turn, with our support, have appointed a Chief Executive Officer with an excellent track record of school improvement, together with an experienced Head of School. The IEB will be supporting the school leadership team to improve the quality of teaching and learning, and to ensure improvement in pupil progress and attainment. Success in terms of results and Ofsted inspection is vital for our children and the future viability of the school. It is important to recognise that sponsored

Academies can be very successful in the right circumstances where they involve an outstanding sponsor bringing additional capacity to a school at risk of failing. Nevertheless, the support we are giving the school alongside the work of the IEB and the new leadership team is designed to help the school to improve so that it reduces the likelihood of it being targeted by the DfE for forced academisation.



PUBLIC QUESTION NO.49

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Paul Phoenix

Member to reply: Councillor Daby

Question

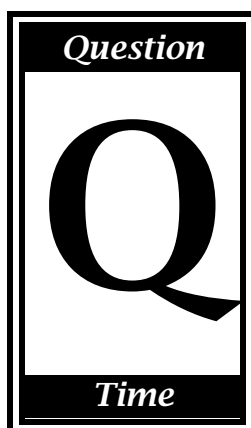
What steps are in place to ensure that unlawful discrimination is not covertly implemented in any decision making process?

Reply

When members make Council decisions they do so on the basis of written reports, which refer to the equality duties and implications as appropriate. Unless there is a compelling need for confidentiality, key decisions are generally taken in public.

Our constitution is drafted throughout to instil the highest standards of good decision making and to minimise the opportunity for any inappropriate factors to be taken into account.

Members and officers receive training in the decision making process and their equality duties. The Council's member code of conduct and disciplinary code are clear that unlawful discrimination is a breach. Under the disciplinary code, a serious breach may result in dismissal. The Council has a whistleblowing policy which enables those who wish to complain of misconduct to do so through a nominated whistleblowing officer, the Monitoring Officer, who will investigate complaints.



PUBLIC QUESTION NO.50

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Woolford

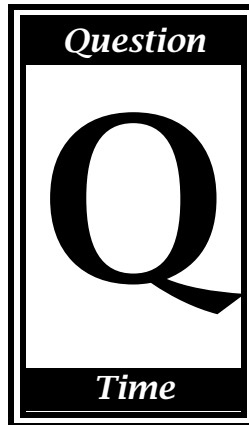
Member to reply: Deputy Mayor

Question

Has the Council been made aware of a start date for the development of Convoy Wharf in light of the fact the developer sort to speed up the planning process bypassing the Council and seeking to go direct to the GLA?

Reply

The GLA took over the planning application for Convoys Wharf in October 2013 and, following a hearing in March 2014, granted outline planning permission with a related Section 106 Agreement in March this year. The next step would be the submission of detailed proposals for the first phase of development. The Council has not currently been advised by the site owners when this submission will be made.



PUBLIC QUESTION NO.51

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: Mr Tonge

Member to reply: Councillor Onikosi

Question

Please explain why the Regeneration Department conducted covert surveillance of the public in Beckenham Place Park in August 2013 in contravention of Home Office Guidelines and please name the responsible senior manager who sanctioned this activity.

Reply

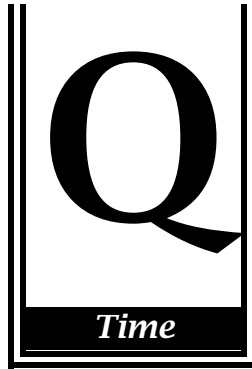
A survey of visitor numbers was conducted in August 2013 and over a period of four days cameras were affixed at high level near entrances to the park to allow a count of entry and exits from the park and providing quantitative data on park usage. This is an efficient technique often used to understand pedestrian and traffic movements so that highways and public realm can be redesigned effectively.

In June 2013 two months before the survey took place the Home Office issued a new code of practice for use of surveillance cameras which provides guidance on how those operating CCTV can comply with the Data Protection Act and Protection of Freedoms Act. These guidelines include erecting notices informing people that CCTV recording is taking place, this is because where such recordings would allow

individuals to be personally identified this is considered personal information under the Data Protection Act.

The cameras used in the 2013 survey are not of the same standard as normal CCTV as they are usually used to record traffic movement. The recordings do not allow the identification of individuals, hence the recordings do not constitute personal data under the Data Protection Act and notices are not required.

Question



PUBLIC QUESTION NO.52

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: David Hansom

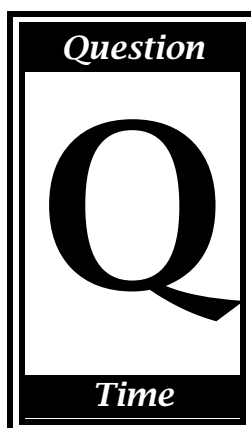
Member to reply: Councillor Onikosi

Question

Since it appears very likely that the Environment Agency will be conducting major flood alleviation works in the River Ravensbourne/Downham section of the park within the next few years (ie. at broadly the same time as the Heritage Lottery Fund regeneration project), can the Council confirm that its plans take full advantage of the opportunities offered by this work? Examples include the potential siting of the 'performance area' within the giant amphitheatre area that will be created as part of the flood retention plan and siting of any 'ornamental/leisure' lake within this area, rather than to the west of the railway (as currently proposed) which will require the destruction of hundreds of mature trees, wholesale destruction of habitat, removal of many thousands of cubic yards of soil - in an area with no natural water source.

Reply

Officers are developing proposals at Beckenham Place Park in tandem with the Environment Agency's plans for creation of the River Ravensbourne flood alleviation scheme. In the current plans it will be possible to hold events in the east side of the park or the west depending on requirements, but there are no plans for creation of a new lake on the east side of the park.



PUBLIC QUESTION NO.53

Priority 5

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question asked by: David Hansom

Member to reply: Councillor Onikosi

Question

Why does the Council persist in claiming that there is insufficient space in the park to accommodate both the golf course and other activities (and quiet contemplation)? The park is some 220 acres in extent and the golf course less than 90 acres! The golf course is enjoyed by thousands of golfers' provides enjoyable views and interest for casual users of the park and re-assurance to the many dog walkers who appreciate the 'security' that the presence of golfers provides to them.

Reply

Officers have been investigating the circumstances that are likely to attract significant numbers of new visitors to the historic core of the park as this is a key requirement of the Heritage Lottery Fund, and would justify the proposed £4.9 million investment in restoration.

The golf course dominates 100 acres of the historic core of the park, with the mansion and the homesteads at its centre, leaving very little space for general public

enjoyment. Only 4 acres of land within this area is not part of the course and is available for unfettered public enjoyment. The other principal areas of useable open space are crab hill field which is some 850 metres from the visitor hub or the east side of the park a 1500 metres walk along park footpaths. It is not that these spaces are unusable, but their remoteness from the listed buildings and visitor facilities means that the park's offer would be significantly compromised for the general public.

Appendix 1

Visits April 2014 – January 2015

Visits last year

2013/2014

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Area 1													
Forest Hill	12,080	11,783	11,216	11,884	11,631	11,712	12,191	11,153	8,247	11,156	10,425	11,510	134,988
Deptford	26,596	26,550	28,789	30,685	29,580	32,517	35,395	32,663	27,770	35,450	35,927	39,685	381,607
Area 2													
Lewisham	31,638	32,175	30,305	31,562	33,282	31,938	33,575	31,427	25,328	31,655	30,322	31,516	374,723
Manor House	13,156	12,761	11,636	12,302	13,040	12,939	13,959	13,282	11,295	13,920	13,317	13,764	155,371
Area 3													
Catford	20,990	20,634	19,403	21,360	21,445	21,811	23,640	20,295	15,436	19,808	18,031	19,953	242,806
Downham	31,699	32,000	31,966	33,590	30,763	29,326	32,101	27,211	23,099	28,503	30,004	32,796	363,058
Torrison Road	4,195	4,105	4,207	4,766	4,340	4,261	4,761	4,537	3,429	4,499	4,684	5,051	52,835
Community Libraries													
Blackheath Village	9,115	10,294	9,942	8,425	8,855	10,514	10,781	12,243	7,793	12,538	10,574	10,245	121,319
Crofton Park	6,841	6,690	6,463	6,675	6,243	7,488	8,349	9,026	4,448	6,054	6,290	7,076	81,643
Grove Park	3,623	2,742	3,066	3,008	4,295	3,219	3,980	3,086	3,109	3,220	3,441	2,843	39,632
New Cross	5,145	5,368	5,157	5,464	6,201	4,485	6,350	4,676	3,088	4,265	4,000	5,324	59,523
Sydenham	0	3,528	3,818	3,470	5,165	5,947	4,778	1,768	5,930	3,842	2,173	4,062	44,481
TOTAL VISITS	165,078	168,630	165,968	173,191	174,840	176,157	189,860	171,367	138,972	174,910	169,188	183,825	2,051,986

Visits this year

2014/2015

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total	
														Estimates
Area 1														
Forest Hill	12,354	13,944	13,894	13,730	14,417	13,741	14,266	12,697	9,956	12,064	10,877	12,009	153,949	14.0%
Deptford	33,101	35,536	35,870	35,309	33,724	37,307	39,561	34,724	28,863	37,102	37,100	40,981	429,178	12.5%
Area 2														
Lewisham	28,817	30,666	28,612	30,673	29,726	29,820	31,756	28,834	24,607	28,204	25,443	26,445	343,604	-8.3%
Manor House	10,849	11,905	10,590	15,605	21,825	18,613	19,533	17,716	13,825	17,774	14,783	15,279	188,297	21.2%
Area 3														
Catford	18,128	18,585	16,879	18,463	17,667	18,645	18,975	16,242	14,343	17,968	13,936	15,422	205,253	-15.5%
Downham	29,577	32,924	32,172	32,234	28,380	29,674	30,692	27,950	22,286	26,384	26,285	28,731	347,290	-4.3%
Torrison Road	3,958	4,260	4,291	4,776	4,621	4,869	5,085	4,819	3,212	4,471	4,339	4,679	53,380	1.0%
Community Libraries														
Blackheath Village	9,875	7,553	9,818	10,688	9,490	10,246	10,548	11,197	8,182	10,145	9,255	8,967	115,965	-4.4%
Crofton Park	7,000	6,697	5,873	7,312	7,328	8,700	8,000	7,851	5,000	6,300	5,809	6,535	82,405	0.9%
Grove Park	2,918	3,478	2,796	5,088	4,311	3,668	3,692	4,007	3,542	2,896	3,380	2,793	42,569	7.4%
New Cross	5,599	4,836	3,976	5,757	5,100	5,191	6,113	5,351	4,101	5,278	3,679	4,897	59,878	0.6%
Sydenham	3,790	3,724	5,590	7,522	4,541	6,280	6,570	6,243	4,132	3,775	2,668	4,986	59,821	34.5%
Pepys	0	285	0	0	0	0	0	0	0	0	0	0	285	
TOTAL	165,966	174,393	170,361	187,157	181,130	186,754	194,791	177,631	142,049	172,361	157,555	171,725	2,081,872	
Variation on previous year	0.5%	3.4%	2.6%	8.1%	3.6%	6.0%	2.6%	3.7%	2.2%	-1.5%	-6.9%	-6.6%	1.5%	

Appendix 1
Issues April 2014 – January 2015

Issues last year

2013 - 2014	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Area 1													
Forest Hill	9,697	9,360	8,672	10,306	10,995	8,963	10,111	8,956	6,535	8,139	8,121	8,439	108,294
Deptford	10,400	10,043	9,611	10,476	10,609	10,565	11,616	11,688	8,960	11,882	10,685	11,843	128,378
Area 2													
Lewisham	17,926	17,071	15,282	18,847	21,131	16,874	18,958	15,948	13,958	16,856	15,113	16,003	203,966
Manor House	6,835	5,939	6,102	7,600	7,882	6,842	7,260	6,283	4,590	6,300	5,804	6,416	77,853
Area 3													
Catford	7,480	6,493	6,303	7,594	9,213	7,053	7,572	6,963	5,785	6,769	6,762	6,799	84,787
Downham	8,181	7,166	7,278	8,967	9,144	7,584	8,500	7,518	5,803	7,165	6,870	7,006	91,182
Torriford Road	4,189	3,511	3,759	3,960	5,038	3,634	4,157	4,364	3,104	3,839	3,637	4,037	47,230
Community Libraries													
Blackheath Village	1,495	1,688	1,502	1,762	1,830	2,150	2,392	1,927	1,453	1,879	1,929	1,892	21,899
Crofton Park	2,678	2,316	2,253	2,633	3,164	2,239	2,614	2,251	1,420	860	2,312	2,014	26,753
Grove Park	611	409	534	655	673	566	610	644	390	401	296	116	5,905
New Cross	943	990	926	772	886	541	874	716	386	844	835	807	9,520
Sydenham	89	975	1,087	1,382	1,379	1,237	1,722	1,299	678	1,013	1,292	1,762	13,914
LRC	27	23	28	46	28	20	26	14	96	51	52	21	432
TOTAL	70,551	65,983	63,338	75,000	81,973	68,268	76,411	68,572	53,158	65,998	63,708	67,154	820,113

77,991

Issues this year

2014 - 2015	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total	
														<i>Estimates</i>
Area 1														
Forest Hill	8,257	8,111	7,760	9,610	10,116	8,729	8,744	7,886	7,382	8,287	8,266	8,589	101,738	-6.1%
Deptford	9,806	10,186	9,239	10,609	11,135	10,480	10,252	9,629	8,610	10,606	11,165	12,375	124,092	-3.3%
Area 2														
Lewisham	15,265	15,913	15,095	17,089	17,809	16,782	17,181	14,582	15,458	17,414	15,637	16,558	194,783	-4.5%
Manor House	6,207	5,927	5,435	7,162	7,840	6,523	5,952	5,240	5,472	6,669	6,072	6,712	75,212	-3.4%
Area 3														
Catford	6,083	5,929	5,195	6,931	7,327	6,453	6,817	5,568	4,929	5,999	6,394	6,430	74,054	-12.7%
Downham	6,236	6,181	6,304	7,512	7,937	7,127	7,214	6,224	4,557	7,232	6,503	6,631	79,659	-12.6%
Torriford Road	3,588	3,720	3,334	3,748	4,255	4,064	4,052	3,797	2,876	3,608	3,747	4,159	44,947	-4.8%
Community Libraries														
Blackheath Village	1,522	1,424	1,386	1,667	1,617	1,607	1,649	1,569	1,246	1,498	1,783	1,748	18,716	-14.5%
Crofton Park	2,269	2,297	1,924	2,113	2,728	2,397	2,391	2,090	1,395	2,028	2,453	2,136	26,221	-2.0%
Grove Park	135	245	484	570	629	520	385	393	296	428	242	95	4,422	-25.1%
New Cross	630	785	739	812	863	660	716	758	379	950	851	822	8,965	-5.8%
Sydenham	1,469	1,405	971	1,425	1,403	1,317	919	982	671	1,079	1,523	2,078	15,242	9.5%
Pepys	48	34	24	42	25	16	2	24	18	42	40	41	356	
LRC	35	48	17	43	29	237	28	56	17	13	83	34	640	48.1%
E-Issues	97	97	112	148	133	113	93	196	180	224	223	232	1,849	
TOTAL	61,646	62,304	58,018	69,481	73,847	67,026	66,396	58,994	53,486	66,077	64,983	68,641	770,898	
Variation on previous year	-12.6%	-5.6%	-8.4%	-7.4%	-9.9%	-1.8%	-13.1%	-14.0%	0.6%	0.1%	2.0%	2.2%	-6.0%	

73,923
-5.2%

Agenda Item 6

COUNCIL		
Report Title	Member Questions	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 24 2015

7. Questions from Members of the Council

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

QUESTION No. 1

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

**Question by Councillor Coughlin
of the Mayor**

Question

Will the Mayor and Cabinet give its support to making Lewisham Council a Transatlantic Trade and Investment Partnership (TTIP)-free zone?

Reply

The Transatlantic Trade and Investment Partnership (TTIP), has the potential to provide real benefits in terms of jobs and growth across Europe, but there are legitimate concerns, which I share, around the Investor State Dispute Settlement (ISDS). I know that my Labour colleagues in the European Parliament, most notably Jude Kirton-Darling MEP, have been working hard to ensure that the public concern around this issue is addressed properly, and have also been making the case to the government, the European Commission and US negotiators, that having ISDS in TTIP is not a good idea.

It is worth noting that any trade deal has to be ratified by the US Congress and all 28 EU member states, and could be vetoed by MEPs if it does not meet their demands.

I am of the opinion that promising to make Lewisham Council a TTIP free zone at this stage of the negotiating process, when a whole range of concerns are yet to be addressed, would be premature. However, I will raise the already growing number of concerns about TTIP directly to the London representatives on the EU's Committee of the Regions, as well as informing the relevant government Minister, MEPs and local MPs, of concerns raised by both Lewisham residents and Members, directly.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question by Councillor Walsh
of the Cabinet Member for the Public Realm

Question

Given that the play area in Mountsfield Park was due to be open before Christmas, why is it still not open and when does the Council think it will be open?

- If the issue is drainage, why was this not taken into account in the design? It was well known that drainage on the site was an issue before any work was undertaken and the appropriate scoping work should have taken place.

- Is the Council completely satisfied with the level of service provided by the design consultant, BDP, who have been overseeing the work?

- What penalties exist in the contract for the late delivery of the project, and are these being enforced?

- How much has been spent dealing with the drainage issues? Why should the Council foot the bill when the issue was well known from the start and should have been factored in?"

Reply

The revamped play area in Mountsfield Park reopened to the public on 2nd April 2015 in time for the Easter weekend and has been proving extremely popular since.

Problems were experienced with heavy rain and drainage on site during works causing some delays. In the end a decision was made by officers to include new drainage to help water drain away.

Officers are satisfied that the design consultants provided a good service; they sought to balance improvements to the play environment that would meet the community's aspirations without sinking large sums into an extensive drainage network.

Delays to deliver the finished playground were as a result of legitimate claims made by the contractor related to adverse conditions or were required by officers to observe the effectiveness of additional drainage work. A decision was taken to add drainage incrementally and observe the effect in order to avoid excessive work which would have exceeded the project contingency.

A total of £20,834 has been spent on improving drainage, of which £3,528 relates to clearing the parks previously existing drains which were blocked. In line with normal project management practice, the Council set aside a contingency for dealing with issues that arise on site and this has been utilised in part to fund additional drainage measures.

Had the additional drainage works been planned from the beginning, they would have been specified and priced into the job from the outset and the Council would still have had to meet the cost in full.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question by Councillor Hall
of the Mayor

Question

What is the Mayor's assessment for the future of Local Government following the General Election?

Reply

The election of a Government determined to pursue a misguided policy of extreme austerity involving cuts to welfare and public services is very bad news for local government and the communities it serves. The pressure on this Council's general fund budget will be very severe and it will be compounded by the impact of cuts and lack of funding in other sectors. The appointment of a new Secretary of State for Communities and Local Government who is clearly intending to pursue an agenda of devolution to Local Government was at least one positive outcome. However if the policy of cutting hardest those areas with the greatest need continues unabated, the future will be very challenging.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question by Councillor Ogunbadewa
of the Cabinet Member for Community Safety

Question

Can CCTV and speed cameras be installed on Downham Way?

Reply

With regards to speed cameras, these are installed by the Police in consultation with the Council.

We do have one camera on Downham Way. This is camera 635 and it is located at the junction with Launcelot Road. This camera is managed by the Council's CCTV service and is in place to deter and support crime reduction and anti-social behaviour. It cannot be used for speeding offences.

It would be possible to install new cameras if it is shown that there is a need for them and funding can be identified to do this. We would have to meet the Information Commissioner's Office requirements to comply with the Data Protection Act 1998. We would also need to comply with the Surveillance Camera Commissioner guidance on this matter.

If it is not possible to fund such a project, then we could look to install mobile CCTV cameras in an area or location for a given period to help address any anti-social behaviour or crime related issues faced by our residents. Unfortunately, the Council's cameras are not speed cameras and therefore cannot be used for speed enforcement.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question by Councillor Bernards
of the Cabinet Member for Health, Wellbeing and Older People

Question

What measures have the Council put in place, or intend to put in place, for the provision of a GP's surgery in Forest Hill because there are no Doctors' Surgeries in the Ward?

Reply

GP services in Lewisham fall within the remit of Lewisham NHS Clinical Commissioning Group (CCG). This issue has been raised with the CCG who will respond to you in due course.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question by Councillor Till
of the Cabinet Member for the Public Realm

Question

In the light of the recent death in Glasgow when a gravestone fell on a young boy and killed him, what is the procedure in Lewisham for memorial safety, to what standard, and how often?

Reply

The Council has responsibility under the Health and Safety at Work Act 1974 and the Occupiers' Liability Act 1957 to ensure that, as far as reasonably practicable, its sites are maintained in a safe condition. Bereavement Services manage 3 large cemeteries across the borough, containing tens of thousands of graves with memorials. There are two members of staff engaged in checking memorials across all 3 sites. However, these staff also manage a dispersed workforce, carry out grave selections with members of the public and oversee all burials and therefore their time is not fully dedicated to memorial safety.

Whilst responsibility for general safety lies with the burial authority, specific responsibilities for memorials lie with both the owner of the memorial and the memorial mason responsible for installing it. The owner of the memorial is responsible for maintaining it in a good condition. Memorial masons are legally liable for the work they carry out and should ensure that memorials are erected safely and in accordance with current industry standards, such as quality specifications like the NAMM (National Association of Memorial Masons) Code of Working Practice or similar.

Managers within Bereavement Services have focused on three main areas of memorial management:

1. Inherited unsafe and poorly constructed memorials
2. Strict guidelines for new memorial installation
3. Planning the layout of new burial plots to encourage proper memorial installation.

Current practice is to check the memorials immediately surrounding the graves that we are digging for burial. This involves visually inspecting and hand testing anything between 4 and 12 memorials each time we excavate a grave for a burial (depending on the type of plot and location within it) and we carry out in the region of 600 burials per year across all of our sites. We record any problems and try to contact the grave owner. Where the owner is no longer living or we receive no response, we engage a stonemason to make safe the memorial, or we make it safe by either laying it down on a board, with the inscription facing upwards or an anchor and strap are used to hold the memorial to prevent collapse until the memorial can be made safe and the adjacent burial has taken place.

In Ladywell and Brockley cemeteries where memorials are larger than those within the boroughs other cemeteries and they pre-date the ending of the granting of perpetuity, signs are displayed warning visitors to remain on paths at all times and not to wander onto the plots due to the possibility of memorials being unsafe. Cemetery managers work with the cemetery friends group to identify unsafe memorials. Due to the larger size of the memorials on this site, the approved action is to cordon off a memorial and the 'crush zone' to completely restrict access until further action can be taken. In some circumstances controlled toppling may take place to prevent damage to the memorial, costly repairs and injury to visitors.

We are currently reviewing our practices and procedures and have taken advice from the Institute of Cemetery and Crematorium Management (ICCM).

The Health and Safety Executive (HSE) advise that each memorial receives a test at least once in every 5 years, therefore, a rolling programme testing 20% of memorials each year would cover this.

With such a vast number of memorials to inspect, many of which are over 100 years old and a small team with limited time available, we believe that more resources may be required to ensure that the authority meets HSE requirements. To this end, we have approached the Council's Insurance & Risk section who have offered to provide a risk management consultant to carry out an initial review of our procedures and make recommendations for any improvements that are considered necessary.

The authority may also need to review access to cemeteries. We currently encourage their use as open, green spaces but we may need to reconsider the balance between public safety and leisure. Cemeteries should not be used in the same way as parks or be seen as places for children to play in. Our existing rules and regulations stipulate that children under the age of 14 must always be accompanied by a responsible person when entering the Crematorium or Cemetery grounds.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question by Councillor Elliott
of the Cabinet Member for Resources

Question

Given the increase in Cyber-crime and a recent Freedom of Information request highlighting that 55% of local authorities have fallen victim to breaches of 'official' level data; are you confident that Lewisham has adequate data protection facilities in place, and do we know where and how that data is stored?

Reply

The Corporate Information Team have an Information Asset Register that lists all the sets of information held within the Council and the systems where it is held. Each information set has a designated person responsible for it, namely the Information Asset Owner. We also have a range of policies that address the matter of information security, including a data protection policy.

Information Asset Owners have been provided with guidance on how to protect their information and the Corporate Information Team regularly provide training and guidance to all staff. In addition, we are required to comply with security standards that show the Council has adequate levels of security in place to protect its IT infrastructure and the information held on it.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question by Councillor Coughlin
of the Deputy Mayor

Question

Will the Council give an update on progress in relation to the campaign 'Space for Cycling' launched last year by Lewisham Cyclists Campaign (LCC)?

Reply

Space for Cycling is a national campaign which is promoted locally by Lewisham Cyclists. The Council is supportive of the key objectives which resonate with many of the Council's aims as set out in its transport strategy, the Local Implementation Plan

Over the past year, the Council has been working on plans to deliver its commitment to implement a 20mph limit on all borough roads. This will contribute significantly to three of the Space for Cycling objectives: lowering speed limits; providing cycle-friendly town centres; and providing safer routes to schools.

The Council has also secured funding to deliver a new Quietway through the borough. The route from Waterloo to Greenwich will provide investment of around £2million in new and improved cycle infrastructure in the borough, with the route passing through New Cross and Deptford. This will contribute significantly to three further objectives: providing protected space on main roads; removing through motor traffic in residential areas; and providing routes through green spaces.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

Question by Councillor Walsh
of the Deputy Mayor

Question

Council will note the planning decision made before Christmas regarding the planning application to remove restrictions on the retail site located (Aldi Store) at the corner of Rushey Green and Bradgate Rd.

For over a year now, near neighbours of the site have had to put up with heightened disturbances, including deliveries before 6am and after 1am in the evening.

Despite Planning Officers rejecting the extension, the retailer continues to flout the trading and delivery restrictions, and to add insult to injury they have had the audacity to erect new signage prominently displaying the time.

When will Bradgate Road Residents, get the peace and quiet they rightly deserve?

Reply

The Council, as Local Planning Authority, and having regard to the issues raised by residents and Environmental Health officers, resolved to take enforcement action against Aldi in March 2015. A breach of condition notice, concerning planning conditions 4 and 12 (relating to opening hours and delivery times, respectively) of the planning permission DC/96/0351, was issued on 4 March 2015. The period for compliance was 28 days beginning with the day the notice was served, which is the minimum time allowed to be given under the legislation.

In response, Aldi submitted an appeal on 20th March against the Council's refusal in November 2014 of their application DC/14/88926 to extend the opening and delivery hours. This has been confirmed in a letter (sent on 1st May) to all those who were originally consulted by the Council or commented on the application. The Council's legal advice was that, while the appeal is being considered by The Planning

Inspectorate, it would be unreasonable for the Council to proceed to a prosecution. Enforcement action has therefore been put on hold pending the outcome of the appeal. A decision is expected from the Inspectorate in July 2015. If the Council's decision is upheld by the Inspector, the Council intends to proceed with enforcement action.

Officers are very much aware of the impact that Aldi's operations have had on local residents to date and have therefore sought commitment from Aldi to limit those activities that have caused greatest disturbance until the appeal is determined, including limiting deliveries to the hours of 7am-9pm Monday to Saturday (as approved) and 10am to 4pm on Sundays and Bank holidays and adopting new delivery and car park management measures. The interim agreement (May 2015) was shared with Councillors and residents and they have been encouraged to alert both the Planning and Environmental Health Services of any breach by Aldi so that it can be followed up by officers.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

24 JUNE 2015

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

Question

In the wake of a Lewisham School girl leaving the comfort that London has to offer and joining ISIS, what measures has the Council put in place to tackle the radicalisation of our school children and make sure this does not happen again?

Reply

On dealing with the question of recruitment to extremist and terrorist organisations, it is important to note that this is not an incident isolated to the London Borough of Lewisham, or even the United Kingdom. The phenomenon of people travelling to conflict zones in the Middle-East to join extremist groups is a transnational problem, affecting over half of the world's countries, as societies struggle to get to grips with the lure of ISIS and al-Qaeda linked groups. As such, it may be misguided categorically to state that any measures we implement can completely ensure that such occurrences never happen again, rather that we can do our utmost within the Local Authority and working with trusted partners to keep extremism out of Lewisham as much as possible.

Having said this, the Council has been taking a number of steps in recent months towards building resilience to extremism across the community and safeguarding individuals' vulnerable to radicalisation. The London Borough of Lewisham has been implementing the 'Prevent Strategy', part of the UK's overall Counter-Terrorism Strategy ('Contest') since its conception in 2007 and its subsequent review in 2011. Prevent, as it is known, aims to stop people being drawn into terrorism or supporting terrorism. In Lewisham, the Prevent Strategy broadly focuses on two key areas: building resilience in the community, and safeguarding individuals.

The Council recognises the vital importance of education in both key areas outlined above. Colleagues in Education, from Primary to Further and Higher education have been working hard with the Prevent team in Lewisham to help give frontline staff the tools to support students who may be being drawn towards extremist groups or ideologies. Staff training has been rolled out across the borough with well over 1,000 colleagues having received training on extremism and radicalisation in the borough.

Further to this, the Lewisham Prevent team have also been working on introducing curricular material in schools in order to build resilience to extremist arguments and rhetoric among children and young people; as well as arming them with the tools to support their peers and to become strong voices against extremism in the community. They have done this through lesson plans and discussions which aim to raise awareness of online propaganda, foster critical thinking skills and confront issues around radicalisation, extremism and terrorism head-on. One such notable example is the invitation of Imam Asim Hafiz, a highly distinguished religious leader and adviser to the Chief of Defence Staff, to a number of Lewisham schools to talk about extremism as well as his personal experiences in Afghanistan alongside British and Afghan troops.

Aside from Education, Prevent in Lewisham has worked over the last 12 months with a number of community groups on projects designed to further the reach of our resilience-building efforts. We are hoping to run similar projects in the borough with a number of trusted community partners in the coming months.

Finally, the Council runs the multi-agency Channel panel, which aims to provide interventions when individuals may be at risk of being radicalised. Channel is a multi-agency approach to preventing people being drawn into extremism and terrorism, following a similar format to multi-agency panels around other concerns such as domestic violence and gang crime. The aim is to provide a support package for individuals which can serve as a diversion away from the path towards radicalisation. Channel infers no criminality and no criminal record for any individuals which its interventions are offered to. More information about the Channel process can be found on the Home Office website.

Agenda Item 7

Council			
Title	Lewisham Housing Strategy		
Key Decision	Yes		Item No.
Ward	All		
Contributors	Executive Director for Customer Services		
Class	Part 1	Date: 24 June 2015	

1. Summary

- 1.1. Lewisham's existing Housing Strategy was completed over five years ago. The new Housing Strategy, *Homes for Lewisham* takes account of the many changes that have taken place since then. *Homes for Lewisham* sets out the Council's policy for tackling the Housing Challenge, and to delivering housing services. The strategy outlines our key objectives and aims in this regard.
- 1.2. The following principles underpin this strategy:
 - Reducing inequality – narrowing the gap in outcomes for citizens
 - Working in partnership – tackling challenges that can only be addressed through positive collaboration
 - Promoting prevention – empowering our residents with the tools to help themselves and our communities
 - Sustainability – delivering together efficiently and effectively and taking into account the long term implications on our environment
- 1.3. Due to the uncertainties of the current economic and political climate, *Homes for Lewisham* takes a flexible approach and is accompanied by a concise action plan that can be regularly reviewed.
- 1.4. The strategy is focused on meeting the housing needs and aspirations of all our residents and supports the wider goals and ambitions set out by the Sustainable Communities Strategy.

2. Purpose

- 2.1. To seek Full Council approval of the new Housing Strategy 2015-2020, *Homes for Lewisham*

3. Recommendations

The Council is recommended to:

- 3.1. Note the consultation undertaken and the feedback given on the new Housing Strategy

- 3.2. Note the first draft Housing Strategy was scrutinised by the Housing Select Committee on 1st October 2014 and a second draft scrutinised following public consultation on 28th January 2015
- 3.3. Note that the new Housing Strategy, attached as **Appendix 1**, was approved by Mayor and Cabinet on 25 March 2015 and was referred to Full Council for approval
- 3.4. Approve *Homes for Lewisham* as the Council's Housing Strategy for 2015-2020, as set out in this report.

4. Policy context

- 4.1. Lewisham's Housing Strategy 2015-20, *Homes for Lewisham*, supports the overarching vision for the borough set out in the Sustainable Communities Strategy. In particular, it supports the priorities of:
 - Clean, green and liveable: where people live in high-quality housing and can care for and enjoy their environment
 - Dynamic and prosperous: where people are part of vibrant localities and town centres well connected to London and beyond

5. Narrative

- 5.1. There has been significant change since the publication of Lewisham's last Housing Strategy, *Homes for the Future*, in 2009 that make this document particularly timely. The 2012 reform of the Housing Revenue Account (HRA) reshaped the housing landscape, allowing local authorities to keep income generated through rent payments and take a longer term approach to housing management. HRA reforms have unlocked many of the previous barriers to councils building new homes directly.
- 5.2. Fundamental legislative reforms and turbulent economic conditions have had profound effects upon the context in which housing services are delivered and the issues to which they need to respond. Our work as a local authority has been redefined by the changing legislative context and the consequences of welfare reform. We have strengthened partnerships between housing, health, education and employment to better support our residents and prevent homelessness and to help those who find themselves in crisis.
- 5.3. *Homes for Lewisham* responds to new legislation and policy, stating the ways in which they impact on provision and strategy. It acknowledges the centrality of working in partnership to address many of the key challenges the borough and its residents face.
- 5.4. In developing this new strategy a draft for 2015-20 was prepared by officers. This considered all of the challenges and opportunities that the current and expected future economic and legislative conditions create. The draft strategy responded to these conditions by proposing four organising principles, or priorities, to guide the work of the Council, and its work in support of its partners, over the coming four years. These four areas were:
 - Homelessness and acute housing need
 - Delivery of new homes
 - Private rented sector
 - Housing conditions and standards

5.5. This draft was presented at Housing Select Committee on 1st October 2014 and revised to better reflect the priorities of the Committee. The revised draft was then taken to public consultation, the results of which have informed the final draft strategy attached as **Appendix 1**. Consultation on the draft strategy began in December 2014.

5.6. The final draft version of the strategy was given approval by Mayor and Cabinet on 25 March 2015 and referred to Full Council.

6. Consultation

6.1. The four key themes that emerged throughout the consultation period, where respondents felt we should build in to, or strengthen in, the final strategy, were as follows:

- Affordability
- Sustainability, energy and climate change
- Involving communities
- Delivering the Housing Strategy

6.2. Public consultation on the draft of *Homes for Lewisham* was opened on the 3rd December 2014 and closed following the Lewisham Housing Summit on Thursday 22nd January 2015. The consultation consisted of the following:

- Online consultation from 3 December 2014 – 19 January 2015
- Lewisham Housing Summit held on 22 January 2015
- housingstrategy@lewisham.gov.uk mailbox was open throughout the consultation process
- Presentation to Lewisham Homelessness Forum
- Presentation to Lewisham Affordable Housing Group (LewAHG)

The consultation was promoted on social media and on the Lewisham website.

6.3. The Online consultation had a small take-up, but results were overwhelmingly positive/majority in agreement. Over 90% of respondents either 'agreed' or 'strongly agreed' with each of the Key Objectives outlined in the draft strategy.

6.4. At the Housing Summit, there were eight tables for group discussion. Each table had a key topic for facilitated discussion

- New build and regeneration (x2)
- Private rental sector
- Affordability
- Housing tenures
- Homelessness and temporary accommodation (x2)
- Housing conditions and standards.

Some examples of the key issues were:

- New build and regeneration: there should be a levy on empty land and support innovative models of development
- Affordability: defining 'affordability'. It was strongly felt that there needed to be a distinction between the 'affordable rent' model of 80% market rent and what could be classified as 'truly affordable'; more solutions are needed for those in the 'middle'.

- Homelessness and Temporary accommodation: emphasis on prevention, including through outreach to schools and young people; fighting zero-hour contracts and ensuring a living wage; ensuring services can be flexible to be accessible.
- 6.5. Written feedback to the consultation was also received from the Lewisham Green Party, Lewisham Affordable Housing Group (LEWAHG), Public Health and the Youth Offending Service.
- 6.6. The draft Housing Strategy and feedback from consultation was reported to the Housing Select Committee on 28th January 2015 for scrutiny. Councillors supported the draft although minor changes were asked for, in particular regarding greater mention in the strategy of young people and families and the potential for licensing in the private rental sector.

7. Final Housing Strategy

- 7.1. Based on feedback and the results from consultation, a final housing strategy was been developed for consideration by Mayor and Cabinet. Mayor and Cabinet gave the strategy their approval on 25 March 2015 and referred it to Full Council.
- 7.2. The strategy proposes four objectives to guide the work of the Council and its partners and outlines our aims for each key objective. These objective and aims are as follows:

Helping residents at times of severe and urgent housing need

Our aims:

- To reduce all forms of homelessness, including rough sleeping, across Lewisham
- To reduce the number of households living in temporary accommodation
- To mitigate the adverse impacts of welfare reform
- To be able to offer relevant housing options, including supported housing, to vulnerable households in order to maintain or improve their health and wellbeing

Building the homes our residents need

- To work with our communities and partners in order to maximize our ability to deliver well designed and affordable new homes for Lewisham
- To support the development of new homes that meet high standards of design, sustainability, accessibility and energy efficiency to meet the long-term needs of our residents
- To develop modern specialised or supported housing for specific client groups, including both single people and families with support needs
- To innovate and create new models of affordable and sustainable housing, for example Council owner re-deployable housing

Greater security and quality for private renters

- To improve security and affordability for households living in the private rental sector
- To improve conditions in the private rental sector in order to support the health and wellbeing of tenants
- To reduce evictions from the private rental sector
- To work together with our partners to improve conditions in the sector and target rogue landlords and the most dangerous properties

Promoting health and wellbeing by improving our residents' homes

- To work with Lewisham Homes, Regenter B3 and our Housing Association partners in order to enable further improvements to residents homes and the local environment
- Contribute to improving the energy efficiency of our homes and reducing carbon emissions to support warm, healthy homes and protect the environment
- To support independent living and reduce risks for vulnerable residents, including excess cold, flood risk and overheating
- To take a strategic approach to securing the future of our homes, looking to re-provide homes where this is the most feasible way of improving standards

7.3. The full housing strategy is attached in **Appendix 1**

8. Delivering the Housing Strategy

8.1. A section on the delivery of the strategy was added following feedback from consultation.

8.2. The delivery of the housing strategy will be subject to monitoring and review with annual updates made and reflected in the action plans for each of the four key objectives. The strategy is supported by a number of policies and service delivery plans. Lewisham's *Sustainable Communities Strategy* continues to provide the overarching vision for the borough, and the housing strategy supports the core principles identified in this strategy

8.3. Monitoring will ensure continued relevance in light of potential changes to national, regional or local policy and ensure that the strategy is able to respond to such changes. Action plans and service delivery plans will support the overarching vision of the housing strategy, and will ensure that delivery is timely, relevant and measurable in terms of making real progress on delivering the vision and aims set out in the strategy.

9. Financial implications

9.1. This report sets out the draft housing strategy, *Homes for Lewisham 2015-20*. The strategy sets out the Council's policy for tackling the Housing Challenge and for delivering housing services. The approval of the draft policy has no direct financial implications.

9.2. The budget report, agreed by Mayor and Cabinet on 11 February 2015, set out the capital and revenue resources available for housing services and provision for 2015/16. As the Strategy develops, the financial implications of implementing the policy will need to be contained within the resources agreed and considered as part of the Council's overall Budget Strategy for future years,

10. Legal implications

10.1. Section 87 of the Local Government Act 2003, requires local housing authorities to produce and adopt Housing Strategies. The local Housing Strategy must be adopted at a meeting of the Authority's Full Council. The London Borough of Lewisham's Constitution, at paragraph 4.2 of Article 4 confirms the fact that the Housing Strategy is one of a number of plans and strategies "...which make up the Council's policy framework". The local Housing Strategy, pursuant to section 28 of the Greater London Authority Act 2007, should 'be in general conformity with the London Housing Strategy' prepared by the Mayor of London.

10.2. Meeting the Council's statutory housing obligations is reflected in the objectives of the housing strategy: statutory homelessness duty; provision of housing advice and landlord responsibilities.

10.3. 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.

10.4. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

10.5. 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.

10.6. The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-andpolicy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

10.7. 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

11. Crime and disorder implications

11.1. The Strategy is fully aligned to the authority's prevention of crime agenda and the wider initiatives of the Local Strategic Partnership.

12. Equalities implications

12.1. *Homes for Lewisham* is underpinned by the principle of reducing inequality and narrowing the gap in outcomes for citizens. The strategy focuses on the promotion of equal opportunities and overall has a positive impact on reducing inequality.

12.2. An Equalities Analysis Assessment (EAA) of the draft Housing Strategy was completed and reported to Mayor and Cabinet at the time the draft report was approved. All actions identified in the EAA will be incorporated into the implementation action plan of the housing strategy and reviewed regularly.

13. Environmental implications

13.1. Sustainability is a major theme of the strategy. *Homes for Lewisham* sets out a number of priorities and strategic objectives which will deliver improved housing management, better and more sustainable design for new developments and improvements to existing homes, which will ensure they are more environmentally friendly.

13.2. Sustainability – delivering together efficiently and effectively and taking into account the long term implications on our environment is a key principle which underpins the strategy.

14. Conclusion

Lewisham's Housing Strategy sets out our key objectives and aims to address housing need, increase housing availability across all tenures, improve housing quality and sustainability and link housing with opportunities for employment and better health and educational outcomes.

Background documents and originator

Name	Date	Location
Shaping Our Future: Lewisham's Sustainable Community Strategy 2008-2020	2008	https://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/strategies/Documents/Sustainable%20Community%20Strategy%202008-2020.pdf

People, Prosperity, Place: Lewisham's Regeneration Strategy 2007-2020	2007	http://www.lewisham.gov.uk/inmyarea/regeneration/Pages/People-Prosperity-Place.aspx
Mayor and Cabinet Report: Lewisham Housing Strategy	2015	http://councilmeetings.lewisham.gov.uk/documents/s34807/Housing%20Strategy.pdf



Homes for Lewisham

Lewisham Housing Strategy

2015-2020

25 March 2015

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Delivering the Housing Strategy

Glossary

Foreword

Cllr Egan

Good quality, safe and affordable housing is a fundamental right for everyone. We all need a place we can call "home".

However, living in London has simply become unaffordable for many. The number of new homes being built in the capital has not kept pace with the needs of a growing population. Recent changes to the grant regime to support affordable homes and ongoing welfare reforms have combined to create a huge increase in the numbers of people facing homelessness. As the demand for private rented property has increased so too have the rents which ordinary Londoners struggle to keep up with. We have reached a crisis point and something needs to change.

We need more decent homes across all tenures for all of our people so that London can continue to thrive and be the economic dynamo that supports the rest of the UK economy. In particular we need to ensure that there is an increase in the supply of affordable homes for those who have least capacity to pay unaffordable market rents.

Here in Lewisham, our aim is to make a real difference to people's lives. We can and we will build more genuinely affordable homes, improve living standards in our existing properties and help our residents reduce the cost of running their homes through energy efficiency improvements. We will also continue to reach out to support residents who find themselves in genuine difficulty and faced with unavoidable homelessness.

In order to increase opportunities for our residents, we will work with developers to attract the private investment our borough needs. Such partnerships will enable us to shape the form this investment takes, putting local people first to support the development of sustainable communities.

This strategy sets out how we will accelerate our efforts to meet the challenge. We are already doing some fantastic work. In the next few years we will complete our Decent Homes programme ahead of schedule. The Council, in partnership with Lewisham Homes, has already started building new council housing for the first time in decades. We will work with our local communities, partner Housing Associations, developers, the Greater London Authority (GLA) and other stakeholders to do everything we can to increase housing supply

here in Lewisham. I will also be working with my colleagues at London Councils to ensure there is a collaborative and concerted effort across London.

Together, we will ensure that we continue to build strong, prosperous and thriving communities.

Cllr Handley

Since becoming Chair of the Housing Select Committee in 2012, I have been pleased to lead the Select Committee to drive improvements in services in order to best support our local communities.

Our 'one stop shop' Single Homelessness Intervention and Prevention (SHIP) service and the Housing Options Centre (HOC) offer improved services to residents facing homelessness, and by working with our voluntary sector partners we have been able to provide extra support for rough sleepers.

Successful partnerships have also enabled us to access millions of pounds of funding for specialist housing, starting by building new state of the art new homes for older people. These schemes will not only provide fantastic new homes for hundreds of people, but they also help to 'unlock' family housing.

Despite financial challenges, we have continued to improve people's homes through the Decent Homes project, as well as grants to increase energy efficiency. We have also shown that we are not afraid to crack down on the worst offenders, licensing Houses in Multiple Occupation (HMOs) and setting up a team to drive out dangerous 'rogue' landlords.

With this strategy, we set out our commitment to work with our communities and our partners towards the aim of ensuring high quality housing for all our residents. By doing so, we can make Lewisham a fairer and more prosperous place to live.

Introduction

Our housing strategy, ***Homes for Lewisham*** supports our overarching vision which is set out in Lewisham's ***Sustainable Community Strategy***. A good quality and secure home is the starting point for all of us in any community. Here in Lewisham we recognise that suitable housing is central to creating dynamic and prosperous communities, well connected to the opportunities that London offers. This strategy sets out our commitment to support Lewisham's citizens in accessing and living in good quality housing that improves their opportunities for employment, education, health and wellbeing.

The global financial crash in 2009 and the subsequent recession in the UK have had a dramatic impact on people's lives. There has been significant pressure on citizens' resources and their ability to keep pace with the rising cost of living. For many Londoners, the problems of economic instability, unemployment, precarious employment contracts and stagnating wages have been exacerbated by rapidly rising house prices and rents. Economic circumstances have also constricted private sector development over a prolonged period.

Together with this unprecedented squeeze on public finances, the significant reduction in Government grant for affordable house building has pushed us to crisis point in terms of housing supply and demand.

While London's population has grown rapidly over the last 10 years, its housing supply has not kept pace. Across London, there is a projected growth of 40,000 households a year for the next 25 years.¹ It is clear that tackling the housing challenge will play a central role in determining London's growth over the next decade and in responding to the wider challenges posed by developing the city's economy and infrastructure.

Homes for Lewisham sets out our response to this challenge. In writing this strategy, we acknowledge the importance of working together with other Local Authorities, the Greater London Authority (GLA) and our partners in order to respond effectively. We have consulted and listened to our communities and our partners, and much of their input is reflected in this final document. They will now play a central role in how the strategy is delivered.

¹ 2013 round demographic projections, GLA

A Housing Strategy for 2015-20

Our new housing strategy will help to address the challenges our residents face. We want to support our families and citizens as they seek to secure a suitable home that is affordable and sustainable so that they can put down roots for themselves and their children. This will require us to work with partners across all sectors to maximise the number of new homes built across all tenures. The Council itself will explore innovative ways of building new homes and searching out new routes to finance more affordable social housing.

We will also need to explore the potential for improving security and affordability in the private rental sector. We will examine the feasibility of accreditation and licensing schemes to test their applicability and purposefulness in Lewisham. We will also improve on our ability to tackle rogue landlords who exploit our most vulnerable tenants.

Our focus will continue on ensuring that our existing housing stock is made decent, safe and suitable for our residents, including those with additional support and care needs.

Feedback from consultation on our draft Housing Strategy highlighted the growing importance of affordability to our partners and residents, and affordability is central to the objectives of this housing strategy. Lewisham Council will continue to champion the importance of truly affordable housing linked to household incomes, and will support our existing communities throughout this time of change.

Ensuring the delivery of a range of housing options lies at the core of sustaining diverse communities. This will be crucial to ensuring that Lewisham is able to respond to future challenges and will be in the best position to benefit from the developments the future will bring.

Lewisham's housing strategy is driven by four key objectives:

- 1. Helping residents at times of severe and urgent housing need**
- 2. Building the homes our residents need**
- 3. Greater security and quality for private renters**
- 4. Promoting health and wellbeing by improving our residents' homes**

We have identified aims for each key objective, which will inform our annual action plan and shape the implementation of the strategy. Additional information on the principles that will guide the implementation of this strategy is outlined in ***Delivering the Housing Strategy***, which outlines our approach to involving local communities and working with partners.

The key objectives and aims in this strategy do not describe everything we will do. They are designed to help us focus on the most pressing issues and describe our approach to addressing these issues in a way that will be achievable over the next five years.

The following principles underpin this strategy:

- **Reducing inequality – narrowing the gap in outcomes for citizens**
- **Working in partnership – tackling challenges that can only be addressed through positive collaboration**
- **Promoting prevention – empowering our residents with the tools to help themselves and our communities**
- **Sustainability – delivering together efficiently and effectively and taking into account the long-term implications on our environment**

The housing challenge

Population boom

London's population is booming. It has grown rapidly, from 6.8 million in 1986 to 8.4 million in 2013, and is now predicted to surpass 8.6 million by 2016.² Latest figures suggest that our current population is bigger than it has ever been before. London's economy is also growing rapidly. Between 1997 and 2012 London's economy more than doubled in size, growing from £147 billion to £309 billion, making a key contribution to the world's economy.³ The recent recession has hit the UK hard and has had a real impact in the borough, but London has been more resilient than many other parts of the country. Here in Lewisham our diverse communities live together and are able to access the opportunities available in this prosperous and exciting city. As Londoners, Lewisham's population benefits from the numerous opportunities and possibilities which arise from living in the capital; they also play an intrinsic part in its success.

Of course this success brings challenges. A growing population inevitably puts pressure on our infrastructure. Transport, healthcare, education and environmental services are all required to respond to greater demand. Since the recession of 2008, the benefits of London's economic recovery have been far from even, and we are witnessing a worrying growth in inequality, exacerbated by reductions to government funding and services.

This strategy recognises the link between these pressures and the population. That is why it is so important that any consideration of housing needs is connected to the wider concerns around the long-term regeneration and development of Lewisham, and indeed London as a whole.

However, the focus here is on the massive shortfall in housing supply across the capital and in this borough. *Homes for Lewisham* also deals with the consequences of that shortfall including homelessness, a lack of affordability at all levels, a rocketing private rented market and the need to modernise and make decent our social housing stock.

² Mid-year population estimates, Office for National Statistics (ONS), and 2013 round demographic projections, Greater London Authority (GLA)

³ Regional Gross Value Added statistics, ONS, 2013

Approximately 290,000 people live in Lewisham and our population is projected to increase by at least another 15,000 by 2018.⁴ Over the next two decades Lewisham is forecast to see the second highest rate of population growth in Inner London.⁵

Lewisham's population is comparatively young, with one in four residents under the age of 19.⁶ Compared to other areas of the country, Lewisham's older population is relatively small. However, the profile of our population is also due to change. The number of people aged over 65 decreased between 2001 and 2011 but has now risen to comprise around 10 per cent of the population. This is projected to rise by 65 per cent between 2012 and 2032. The population of people aged over 85 is also projected to rise significantly, and is predicted to double from 3,000 to 6,000 over the same time period.⁷

There are around 116,600 households in Lewisham, predicted to increase to 146,800 by 2031.⁸ The average size of households in Lewisham decreased steadily throughout the 20th century, in common with the rest of London, but the a lack of affordable housing now means that this is slowly increasing, leading to increased overcrowding.

The Government, London Councils, the GLA, the construction industry, RSLs and numerous others have predictions for housing demand and supply over the next few years. Although estimates differ, the one common conclusion across the sector is that even if we develop and build rapidly we are unlikely to keep pace with demand. For us in Lewisham, this has major implications for future affordability and housing tenure.

Changing tenure

Population growth, limited supply of new homes and the resulting increase in house prices have caused profound shifts in patterns of tenure across London and Lewisham.

Approximately 55 per cent of Lewisham's population now rent, either in the private or social sector. There has been a slight decrease in social renting and in the number of homes that are owned outright, but the private rented sector has increased significantly, doubling in size over the last 10 years to over 25 per cent.⁹

⁴ Lewisham's Joint Strategic Needs Assessment (JSNA)

⁵ Sub-National Population Projections, ONS, 2013

⁶ Lewisham's JSNA

⁷ 2012-based Subnational Population Projections for Local Authorities in England, ONS, 2014

⁸ South East London SHMA

⁹ Census of Population Table KS402EW, ONS, 2011

House prices and rents

Across London and in Lewisham, house prices and rents have increased steadily over recent years. London house prices are now 78 per cent higher than the UK average, the widest gap since at least the late 1960s.¹⁰

In Lewisham, the median house price increased from around £226,000 in 2009 to approximately £341,032 in 2014; an increase of 51 per cent.¹¹ Local monitoring data has shown an increase in the median monthly rent for a 2-bed property in the borough from £901 in 2011 to £1,065 in 2014.¹²

The housing market in Lewisham is far from uniform and house prices and rents generally decrease from north to south. On average, house prices in Blackheath are more than double those in Bellingham. Concerns about the affordability of housing particularly focus on the ability of households to access the market. For this reason the relative affordability of the cheapest housing in the borough is key. Lower quartile prices and house prices offer a basis for this.

For residents living in the private rental sector, the median rent in Lewisham at the end of December 2014 was £1,000 per month.¹³ A household spending 33 per cent of its gross income on housing costs would need an income of £36,000 i.e. roughly the median borough household income to afford this.¹⁴

At the beginning of 2015, house prices were lowest in Whitefoot ward, where the average house price recorded by the Land Registry was £245,304.¹⁵ Based on a 10 per cent deposit and a mortgage based on 3.5 times household income this would be affordable to a household with an annual income of £63,078 – 1.7 times higher than the borough median household income of £36,145

Even at the lowest end of the property market, home ownership remains unaffordable to two thirds of Lewisham households.

¹⁰ GLA analysis of House Price Index quarterly data from Office for National Statistics

¹¹ Average house prices by borough, ward, LSOA and MSOA, Land Registry, February 2015

¹² South East London SHMA Core Data Report

¹³ Valuations Office Agency, Private Rental Market Statistics, February 2015

¹⁴ Live Table 582, DCLG; Annual Survey of Hours and Earnings, 2008 & 2013, ONS; CACI Paycheck.

¹⁵ Land Registry, Average house prices by borough, February 2015

Acute need and housing crisis

Homelessness, and rough sleeping in particular, is the most obvious expression of housing need. In Lewisham, the number of accepted homeless applications increased by 24 per cent between 2010 and 2013, and the number of households in temporary accommodation has increased by 76 per cent over the last 5 years.¹⁶ Across London, the number of households placed in temporary accommodation is increasing. Lewisham is no exception to this trend. Furthermore, it is estimated that the number of people sleeping rough in London rose by 13 per cent between 2011/12 and 2012/13.¹⁷

Quality and sustainability

Alongside some of the country's finest housing, London has some of the worst housing conditions, and this has a direct impact on quality of life, health and educational attainment. In 2012, 22 per cent of homes in London were estimated to fall below the Decent Homes standard.¹⁸ Too many households live in unsuitable conditions, and overcrowding is a growing problem. Overcrowding rates are far higher in the rented sector. 14 per cent of social renting households and 13 per cent of private renting households in London are overcrowded, compared to just 3 per cent of owner occupied households.

Overcrowded accommodation has been identified as a problem for their family by over 20 per cent of parents interviewed in a recent Lewisham survey.¹⁹ Poor quality housing is a major contributing factor to poor health in children, with up to a 25 per cent higher risk of severe ill-health and disability during childhood and early adulthood.²⁰

11 per cent of Lewisham households are classified as vulnerable and living in 'non-decent' housing according to the South East London Strategic Housing Market Assessment (SHMA) published in 2014.²¹ Lewisham Council and our partners are carrying out a programme of works to improve conditions in social rented housing and properties owned by housing associations, funded through the Decent Homes programme. 100 per cent of properties stock transferred to housing associations in Lewisham now meet the Decent Homes Standard but of course there is an ongoing need to ensure that existing housing is suitable and of a high quality.

¹⁶ P1E data, DCLG, 2014

¹⁷ Street to Home annual report 2012/13, Broadway, 2013

¹⁸ Housing in London, GLA, 2012

¹⁹ Area wellbeing profile for Lewisham, 2013

²⁰ Area wellbeing profile for Lewisham, 2013

²¹ South East London SHMA

The quality of housing in the private rental sector is a particular concern. An estimated 21 per cent of households in the private sector were found to be living in unsuitable homes, with category one Housing Health and Safety Rating (HHSRS) hazards.²²

There is an additional challenge in ensuring suitable housing for older people and those with additional care and support needs. In Lewisham, the number of older people with mobility difficulties is projected to increase by 5 per cent between 2012 and 2020. The number of working age people with physical disabilities is anticipated to increase even more rapidly, by 20 per cent over the same period.²³

As a result, there is a pressing need to ensure that Lewisham can provide suitable housing for older people and those with additional care needs. In part, this will be met through facilitating adaptations to allow residents to stay in their own homes for longer. It will also necessitate upgrades to existing sheltered housing and the delivery of new specialist care and supported housing.

82 per cent of all housing in Lewisham was built prior to 1973. Local monitoring data suggests that only 3 per cent of our housing stock has been built since the turn of the millennium.²⁴ This has implications for stock condition and energy efficiency, as older homes are often more expensive to heat, maintain or upgrade to meet modern standards. Fuel poverty is a growing issue for households as energy costs rise. Improving the condition of the housing stock has an important role to play in avoiding risk of fuel poverty. Our housing, regardless of age, needs to be able to be adaptable and sustainable.

Delivering new homes

A shortage of all forms of housing is a major contributor to house prices increasing beyond the level at which households on average incomes can afford them. Affordability is central to securing financially sustainable housing options. Lower rents and market values can reduce dependence on housing benefit, representing a saving to the public purse and improving choice for low income households. Delivering affordable housing is crucial to supporting London's wider economy and infrastructure. Investment in affordable housing often underpins the delivery of housing in general.

There are various assessments as to the projected level of housing need in London and in Lewisham. The GLA, London Councils and the boroughs in Lewisham's regional partnership

²² Housing stock models update for the South East London Housing Partnership, Building Research Establishment, 2009

²³ Projecting Older People Population Information (POPPI), 2013

²⁴ Projecting Adult Needs and Service Information (PANSI), 2013

all have different estimates. Demand for new homes is not a science and based on combining intelligence from a variety of sources we estimate that between 1,385 and 1,600 new homes are required each year to cope with increasing demand. The Strategic Housing Market Assessment (SHMA) estimates that 1,144 will need to be 'affordable'.²⁵

The provision of new housing is subject to an assessment of capacity and targets by the GLA. Currently capacity in Lewisham is considered to be 1,385 homes a year – this is the target figure set out in the Council's Core Strategy that was adopted in 2011.²⁶

However, the annual need as estimated through the South East London SHMA is greater than this. These reports suggest that the demand for new homes outstrips our capacity to build. This challenge is London-wide, and in order to deliver the new homes we need, we will have to work together in partnership with neighbouring boroughs.

Welfare reform

The Government's Welfare Reform agenda has had a significant impact on housing need and how it can be met. The introduction of an overall weekly benefit cap of £500 per week in 2013 has resulted in a shortfall of housing benefit for larger households, especially in the private rented sector. 475 Lewisham households were affected in January 2014 according to figures from The Department for Work and Pensions (DWP).²⁷

Additionally, the size criteria for housing benefit for social housing tenants were amended in 2013. Housing benefit is no longer payable on 13 per cent of the rent of a home under-occupied by one bedroom and by 25 per cent of the rent payable on two bedrooms. This is referred to by many commentators as the 'bedroom tax' and by government as removing 'the spare room subsidy'. As of March 2014, 2,572 Lewisham households were affected by the 'bedroom tax'.

Proposals for introducing direct housing benefit payments to residents as part of Universal Credit is of particular concern for tenants in the private sector. Lewisham was chosen as a pilot local authority for the introduction of Universal Credit, and found that 80 per cent of residents included in the pilot raised concerns about receiving Housing Benefit through direct payments, highlighting the support that some residents will need to manage finances and avoid eviction.

²⁵ South East London SHMA, based on Cobweb Consulting report using data from ONS Census 2011, English Housing Survey 2010-2012 and GLA SHMA (2013) and SELHP Administrative data (final quarter 2013).

²⁶ Further Amendments to the London Plan

²⁷ Benefit Cap data, DWP, January 2014

Key objective 1: Helping residents at times of severe and urgent housing need

Homelessness is the most extreme form of housing need. Rough sleeping is the most visible aspect of homelessness, but many homeless families live in temporary accommodation or in unsuitable and unstable conditions, unable to afford a home of their own.

Not having a decent home affects all areas of life – from being able to sustain employment to ensuring that children and young people are able to attend and succeed in school. But having a home is about more than just having a roof over your head. Homeless people suffer high levels of stress from their lack of control over their housing situation, high levels of poverty and often poor living conditions. It is socially isolating, and disrupts communities.

Lewisham Council has a duty to assist households in priority need who are not intentionally homeless, including the provision of temporary accommodation.²⁸ Yet most of all, the Council recognises the damaging effects of homelessness for our communities, and the destruction it can cause to people's lives. The financial burden of providing temporary accommodation when other forms of housing are simply inaccessible can also have a devastating impact on our ability to provide other Council services. The cost of homelessness affects everyone.

The causes of homelessness are complex, but recent increases have been driven in particular by increases in evictions from the private rented sector.

²⁸ Temporary accommodation is housing such as Bed and Breakfast (B&B) or hostel accommodation that may be used in an emergency to accommodate households who are homeless.

The problem of homelessness and of providing good quality, affordable, homes for all households is a strand that runs throughout this strategy. The inter-related issues of homelessness, temporary accommodation and cost have to be addressed.

An increase in the supply of affordable housing is a key part of the solution and is covered in **key objective 2** of this strategy. Greater availability of housing of all tenures, especially affordable housing, means households have to spend less time in temporary accommodation waiting for a suitable settled home.

Prevention of homelessness is fundamental to ensuring that residents are able to sustain employment and to minimise disruption for families. It is essential that prevention is at the centre of a policy of reducing homelessness, which will in turn reduce pressures on temporary accommodation. The Council's services therefore will increasingly be geared to this aim.

Lewisham Council can also look to improve our temporary housing. This will also help us to relieve budgetary pressures. For example, the Council can move from relatively costly private sector provision such as bed and breakfast and "nightly paid" to better quality provision in the private rented sector that is developed, owned and controlled by the Council or its housing association partners. For some, we may be able to support them to find their own housing in the private rented sector. This will enable families to have greater choice and control over where they live.

Housing services provided by the Council are aimed at the most vulnerable and those in the most urgent need, based on a customer-focused approach. For other households, resources to provide face-to-face advice and assistance may simply not exist. There will therefore be an emphasis on self-help, based on the Council providing online information about housing options, including development of a housing options 'toolkit'. For many households, it is desirable to provide specialist advice alongside information about housing options – for example advice about managing debt and support in seeking and sustaining employment.

Housing needs other than homelessness still need to be addressed; otherwise they contribute to future homelessness and have a detrimental effect on residents' health and wellbeing. Overcrowding is one such need. There is some scope for relieving overcrowding by freeing up accommodation through supporting tenants who wish to 'downsize' for example through the Council's Trading Places scheme.

Since 2010, the Council has seen a decrease of 53 per cent in the number of properties available for letting. These 'lets' are the social rented properties available, and the decrease

in lets represents the loss of social housing through Right to Buy, as well as residents living in social housing choosing to stay in their homes longer due to disincentives to moving such as higher 'affordable' rents, fixed term tenancies and the costs of moving.

As a result of the decline in available 'lets', we are finding it increasingly difficult to find affordable homes for families who need them. Prevention of evictions from the private rented sector and use of the private rented sector to provide temporary or 'settled' accommodation are key elements of reducing homelessness, addressed separately in **key objective 3**.

In order to prevent homelessness, we will take a proactive approach to supporting residents at risk of homelessness. For example, by seeking to move residents at risk of eviction from the private rental sector into alternative, more secure, private rental accommodation before tenancies are terminated or using Discretionary Housing Payments to help those affected by the benefit cap.

Close partnership working with voluntary agencies is central to addressing increases in rough sleeping in recent years. It will be necessary to plug the gaps left by the end of sub-regional funding for the Rough Sleeping Staging Post that Lewisham has led on, and the associated voluntary sector run schemes for accessing the private rented sector.

We will need to provide information and advice to young people about housing, so that they are aware of their options if and when they choose to start living independently, and to prevent them from running into difficulty later on in life.

For single homeless people, including rough sleepers, the Single Homeless Intervention and Prevention Service (SHIP) offers a single point of contact to provide specialist advice for single households in housing need.

SHIP is the point of access for any single people in the borough who are homeless, or threatened with homelessness. Seeing approximately 2,000 people each year, SHIP provides advice on housing issues and access into Supported Housing Pathways as well as other temporary and permanent housing options.

The SHIP team also leads on and co-ordinates the move on of clients from the Supported Housing Pathway, which provides supported housing for those with additional barriers to sustaining tenancies, for example those affected by mental health issues, substance or alcohol dependency and ex- offenders.

Simplifying the process of accessing supported housing and providing a range of accommodation and support options offers a model that is crucial to helping prevent single

homelessness and providing future education, employment and stable accommodation prospects.

Our aims:

- **To reduce all forms of homelessness, including rough sleeping, across Lewisham**
- **To reduce the number of households living in temporary accommodation**
- **To mitigate the adverse impacts of welfare reform**
- **To be able to offer relevant housing options, including supported housing, to vulnerable households in order to maintain or improve their health and wellbeing**

Key objective 2: Building the homes our residents need

For decades Britain has failed to build enough homes to meet the requirements of its citizens. This is now acknowledged by all contemporary commentators on housing, and is seen as the root cause of the current 'Housing Crisis'. The recent Lyons Housing Review predicted that the country could be short of up to two million homes by 2020.²⁹

Across London, there is a longstanding undersupply of new homes. The current backlog across the capital is estimated to be around 349,000 households.³⁰ The most recent assessment of new homes needed in Lewisham suggests that we will need to facilitate the building of approximately 1,600 new homes a year to meet the demand for housing across all tenures.³¹

Lewisham's ambitious regeneration strategy sets out how housing supply will contribute to the development of dynamic and vibrant neighbourhoods, supporting thriving communities for our families and citizens. Equally, regeneration plans and proposals for new transport infrastructure in particular are essential for maximising our capacity for developing new homes.

Working in partnership with other London boroughs, Housing Associations and developers will be crucial to providing the homes we need. We can work jointly on site assembly around regeneration areas, and work together to deliver homes that are well-designed and genuinely affordable to renters and purchasers.

For both the Council and housing associations, genuinely affordable housing may only be achievable through cross subsidy – generating the necessary income from some market rent or sale and a mix of tenures.

²⁹ Lyons Housing Review, 2014

³⁰ Homes for London: The London Housing Strategy 2014, total backlog is estimated to be 349,000 (including housing moves) including 121,000 required additions to the housing stock.

³¹ South East London SHMA

Lewisham's residents and communities will have a critical role to play in ensuring that we can support the development of the right homes in the right places, and can also help us to identify suitable areas for housing regeneration.

Our residents have been the driving force behind some of our most innovative responses to housing problems, for example instigating work on community-led self-build and the development of a Community Land Trust (CLT).

The Council will make every effort to meet housing demand, and to build as many homes as we can. For the first time in 30 years, the Council has started building new homes again. This is going to continue and pick up momentum. We will ensure that the best arrangements are in place for the Council to deliver and fund this programme.

We are also aware of the importance of ensuring that all our new homes are sustainable. This means ensuring new homes are built to a high quality and can adapt over time. We recognise the future implications of changes to the climate (for instance, the need to mitigate flood risk) and that our homes need to be energy efficient in order to sustain low energy costs.

For some groups specialist or supported housing is required. For older residents a programme of building new extra care schemes will continue. Re-modelling and re-provision will ensure that the supply of specialist accommodation meets needs and aspirations. Flexibility of design to support a 'lifetime homes' ethos is a priority for the Council across all housing tenures.

For the Council, building homes for private rent or sale provides the opportunity to develop to its own design standards and to improve the quality of new build housing within the private sector, leading by example. Income generated through these schemes will be re-invested into social and affordable housing.

We recognise the necessity of making best use of our existing properties, such as by bringing empty homes back into use and working to discourage 'land-banking' and 'buy-to-leave' investment.

On sites which are currently vacant awaiting longer-term regeneration, we will pilot the use of re-usable housing. This will use modern technology to assemble factory produced housing to provide temporary residencies for three to four years, before moving the units elsewhere. Lewisham Council are the first Local Authority to develop a 'pop-up' village using this technology. The village will spend its first four years on the former site of the Ladywell Leisure Centre before moving elsewhere. Designed by Roger Stirk Harbour + Partners, the

village will provide temporary homes for 96 people as well as eight units for commercial and civic use.

Ladywell pop-up village is just one example of how we are able to use innovative solutions to the housing challenge. This approach allows us to provide much needed housing quickly, without compromising the long-term use of the site.

Our aims:

- **To work with our communities and partners in order to maximise our ability to deliver well designed and affordable new homes for Lewisham.**
- **To support the development of new homes that meet high standards of design, sustainability, accessibility and energy efficiency to meet the long-term needs of our residents.**
- **To develop modern specialised or supported housing for specific client groups, including both single people and families with support needs.**
- **To innovate and create new models of affordable and sustainable housing, for example Council owned re-usable housing.**

Key objective 3: Greater security and quality for private renters

The rapid and continuing growth of the private rental sector (PRS) over recent years means that the sector is increasingly significant. Across London, the number of households in PRS now exceeds the number in the social rented sector for the first time since the 1970s.³²

A significant amount of housing need is both met by and generated by the sector; over half the housing moves in the borough are within the PRS. It is a dynamic sector characterised by mobility.

In general, there is relatively high resident satisfaction amongst private renters; however the poor condition of a small proportion of properties and how they are managed has a disproportionately damaging impact on the sector as a whole.³³ The Council will not turn a blind eye to conditions that put the health and wellbeing of residents, including the growing number of children living within the sector, at risk.

Although the Council's powers and resources are limited, ensuring the health and wellbeing of residents remains a priority and provides the rationale for how these resources are deployed. Wherever possible the Council will work to improve affordability, stability and standards for private renters.

Therefore we will build on the work that was started in 2013 to target the worst rogue landlords in the borough. We will evaluate this work and build up our expertise and capacity in this area. As part of this, we will investigate the feasibility of establishing a licensing scheme for private landlords, which could allow us to support the best landlords whilst increasing our ability to take enforcement action against rogue and criminal practice.

³² Homes for London: The London Housing Strategy, 2014

³³ The private rented sector in South East London and Lambeth, Cobweb Consulting, 2014

The Council also has existing relationships with a number of good landlords. Using accreditation (e.g. the London Landlord Accreditation Scheme) and various incentives we will develop these further. Incentives may involve grants or loans but can also be about providing support and information to enable landlords to manage to high standards.

Council support may also be needed to ensure that landlords are aware of the requirements they must meet in order to legally let a property to tenants. For example, the 2011 Energy Act established a requirement that rental properties should have an Energy Performance Certificate rating of E or above. Currently, the private rented sector is the least energy efficient tenure of housing with the highest proportion of energy inefficient properties (F and G rated).

One in five households in the private rented sector live in fuel poverty, compared to 8.5 per cent of the owner occupied sector. Energy efficiency is crucial to preventing fuel poverty.

The Council also uses the private rented sector for temporary accommodation and homelessness prevention. We will potentially use PRS for discharge of homeless duty in some cases. In this role the Council ensures that the PRS it uses is affordable (e.g. within Local Housing Allowance levels) and is of adequate quality.

Increasing private sector rents are therefore a major challenge for the Council as it seeks to provide suitable and secure housing for residents in housing need.

Rising rents also reduce affordability for residents living in the PRS. This has an enormous impact on the ability of our residents to afford the basics of life, such as food, gas and electricity. Rent increases impact on the cost of living, and for the ability of our residents to be able to live and raise families without additional Council or government support.

Through working in partnership with other local authorities within the region, we can seek to influence rent levels so that they are genuinely affordable

The Council has an opportunity to influence the provision of new private sector housing through 'institutional investors'. It also has an opportunity to provide its own private renting provision as it seeks to cross subsidise its own new build programme (see **key objective 2**).

The Council can assist private renters by making information about the sector available, including information about tenants' rights and about the role of lettings agents. We will work to improve transparency around letting agency fees and to decrease the financial burden for tenants.

Our aims:

- **To improve security and affordability for households living in the private rental sector.**
- **To improve conditions in the private rental sector in order to support the health and wellbeing of tenants.**
- **To reduce evictions from the private rental sector.**
- **To work together with our partners to improve conditions in the sector and target rogue landlords and the most dangerous properties.**

Key objective 4:

Promoting health and wellbeing by improving our residents' homes

Poor housing conditions such as cold, damp and overcrowding are detrimental to health and wellbeing. Linked to respiratory and cardiovascular illness and excess winter deaths, poor quality housing can also impact on childhood development and mental health.

The Council is currently working through multi-agency initiatives such as Warm Homes, Healthy People and the Lewisham Insulation Partnership to address the link between preventable excess winter deaths and tackling the fuel poverty that affects approximately 8 per cent of Lewisham households.

By working in partnership with agencies across the private, public and voluntary sectors, the Council is able to make the best use of its resources to improve the energy efficiency of homes. We are currently working in partnership to use funding from the Green Deal, the European Union and energy suppliers to make energy related home improvements for residents.

21 per cent of properties in the private sector contain hazards that are classified as category 1 under the Housing Health and Safety Rating System, such as inadequate thermal comfort. Achieving greater thermal efficiency and tackling fuel poverty in the growing private rented sector (see **key objective 3**) represents a particular challenge.

For some owner occupiers support and advice may be necessary to release equity in order to bring about the most essential improvements.

Improvements to affordable housing through capital and planned investment programmes and the Decent Homes programme can be delivered for residents by Lewisham Homes and Regenter B3 (council housing) or by local housing associations.

Partnerships with housing associations mean the Council is able to influence investment in order to support wider goals such as improved health and wellbeing. All properties stock-transferred from the Council to Housing Associations since 2009 now meet the Decent Homes Standard, but continuing investment is needed to maintain this.

All homes managed by Regenter B3 and over half of those managed by Lewisham Homes now meet the Standard. By the time the programme completes in 2017, a total of £94.4m will have been invested in carrying out housing improvements through the scheme.

As well as improving existing homes, it is imperative to ensure new housing is well designed to adequate standards of thermal efficiency, accessibility and space. For some existing homes, particularly those owned by the Council, it may be more effective to re-provide than to carry out improvements. Some of the Council's sheltered housing is an example, and new extra care schemes will be required to replace older sheltered housing schemes that are no longer fit for purpose.

For older or vulnerable residents in all tenures, improvements to their homes can enable them to stay in their own homes longer. Handyperson, home improvement and adaptation services are central to this. With growing demand on resources such as Disabled Facilities Grant, the Council has to constantly seek the greatest possible cost-effectiveness in the delivery of such services.

Cost effectiveness can be supported by ensuring all social housing providers are supported in operating Minor Adaptations Without Delay Working. We will also explore the extent to which it is feasible to install adaptations on an entirely preventative basis – so that we can establish whether the cost of 'preventative' adaptations could be justified by the avoidance of costly hospital admissions.

Health and wellbeing can also be achieved through environmental improvements such as improving the external space around housing. When improving our residents' homes, we must also consider our parks and the public spaces that surround our homes and communities.

Our aims:

- **To work with Lewisham Homes, Regenter B3 and our Housing Association partners in order to enable further improvements to residents homes and the local environment.**
- **Contribute to improving the energy efficiency of our homes and reducing carbon emissions to support warm, healthy homes and protect the environment.**
- **To support independent living and reduce risks for vulnerable residents, including excess cold, flood risk and overheating.**
- **To take a strategic approach to securing the future of our homes, looking to re-provide homes where this is the most feasible way of improving standards.**

Delivering the Housing Strategy

Homes for Lewisham will be a driver for change. The strategy sets out the areas of greatest challenge, and provides a common goal for all our partners to work towards. It outlines our ambitions for housing in Lewisham, and our commitment to our communities. Supporting this strategy are other plans which provide more detail on how specific challenges will be addressed, how local opportunities will be realised and what resources are available.

Relationship with other strategies and plans

Lewisham's *Sustainable Communities Strategy* continues to provide the overarching vision for the borough until 2020. *People, Prosperity, Place* is our regeneration strategy and sets out our vision for future development and infrastructure investment. *Homes for Lewisham* supports the overarching vision set out in these documents and our continued commitment to making Lewisham the '*best place in London to live, work and learn*'

Planning policy is set out in the *Local Development Framework (LDF)*. The *Core Strategy* is the main LDF document. It is our plan for the future and sets out the key decisions about how much development will happen in the borough and where, when and how it will take place. All planning applications are assessed using the policies set out by the Core Strategy, which also provides further detail on how we will seek to improve the built environment, provide more affordable housing and employment spaces, respond to climate change and provide facilities for our communities.

We are working towards making more of our resources available online, so that they can be easily updated. We will also continue to commission and publish research to inform our policies.

Monitoring and performance

The delivery of the housing strategy will be subject to monitoring and review with annual updates made and reflected in the action plans for each of the four key objectives. The

strategy is supported by a number of policies, and more detailed service delivery plans. Strategic decisions regarding the delivery of our housing services are made through the Housing Select Committee and Mayor and Cabinet. Committee and Cabinet meetings are open to members of the public and minutes are published on the Lewisham Council website.

Monitoring will ensure continued relevance in light of potential changes to national, regional or local policy and ensure that the strategy is able to respond to such changes. Action plans and service delivery plans will support the overarching vision of the housing strategy, and will ensure that delivery is timely, relevant and measurable in terms of making real progress on delivering the vision and aims set out in the strategy.

Commitment to equality

The council has a duty to promote equality, tackle discrimination and encourage participation in public life. As part of the development of this strategy we have conducted an Equality Impact Assessment. Reducing inequality and supporting the development of sustainable communities is at the core of all Lewisham Council policies.

Our main partners

Greater London Authority (GLA)
Lewisham Affordable Housing Group (LEWAHG)
Lewisham Homelessness Forum
Lewisham Tenants Fund (LTF)
London Councils
Regenter B3
South East London Housing Partnership (SELHP)

Get in touch

If you would like to find out more about this strategy, or any of the partnerships listed above, contact us at Housingstrategy@lewisham.gov.uk

Resources

If you require help with housing or need to access homeless services, an online directory can be found at www.homelesslondon.org

A list of social housing providers in Lewisham can be found on the Council website <http://www.lewisham.gov.uk/myservices/housing/Social/Pages/default.aspx>

First Steps provides a search service for residents looking for affordable housing in London <https://www.sharetobuy.com/firststeps>

Action Plan

Helping residents at times of severe and urgent housing need

To reduce all forms of homelessness, including rough sleeping, across Lewisham	To reduce the number of households living in temporary accommodation	To mitigate the adverse impacts of welfare reform	To be able to offer relevant housing options, including supported housing, to vulnerable households in order to maintain or improve their health and wellbeing
Undertake outreach projects with schools to educate young people about their housing options	Facilitate access to well-managed, high standard PRS to provide medium to long-term housing solutions both in and out of the Borough for homeless families and single people	Support residents who find themselves at risk of homelessness e.g. through Discretionary Housing Payments	Review our allocations policy and develop a housing options 'toolkit' to provide online housing advice
Work in partnership with voluntary sector agencies to tackle increases in rough sleeping	Develop options to discharge to the private rental sector as an alternative to temporary accommodation	Use preventative services to support residents to mitigate negative economic impacts of welfare reform e.g. advice and support on budgeting	Improve information, advice and guidance on housing options
Work through the SELHP to keep down the cost of temporary accommodation	Provide a greater number of alternatives to temporary accommodation	Support residents to access good quality accommodation that is suitable and affordable for them, both in Lewisham and outside the borough	Support residents to 'downsize' in order to free up larger affordable accommodation for families in need
Deliver comprehensive prevention services to meet demand	Ensure that Council decisions on intentional homelessness continue to be robust		Deliver a Social Lettings Agency to access private sector accommodation to meet demand across all Council departments

Building the homes our residents need

To work with our communities and partners in order to maximise our ability to deliver well defined and affordable new homes for Lewisham	To support the development of new homes that meet high standards of design, sustainability, accessibility and energy efficiency to meet the long term needs of our residents	To develop modern specialised or supported housing for specific client groups, including both single people and families with support needs	To innovate and create new models of affordable and sustainable housing, for example Council owned re-usable housing
Ensure that the provision of genuinely affordable housing is maximised through working with Planning (and S106).	Shape wider housing projects to address energy and carbon issues.	Develop new extra care housing for older people using modern design standards (e.g. HAPPI).	Pilot the use of re-usable housing and other technologies that will allow us to quickly deliver new homes on vacant sites.
Bring empty homes back into use, with a focus on providing good quality housing for homeless.	Ensure new build meets high standards for energy efficiency, supporting the Zero Carbon Standard.	Implement a strategy for older people’s housing.	Support groups of residents to commission and/or build their own affordable homes.
Devise a programme of low cost home ownership for local residents.	Ensure that energy efficiency and resident fuel costs are reflected in decisions about long-term investment and regeneration.	Review, and where possible deliver, options to increase the supply of supported housing options e.g. for residents with autism.	Review the potential for additional funding streams to maximise our overall housing delivery.
To work with and support resident-led development, for example through tenant management organisations.			

Greater security and quality for private renters

To improve security and affordability for households living in private rental sector (PRS) accommodation	To improve conditions in the PRS in order to support the health and wellbeing of tenants	To reduce evictions from the PRS	To work together with our partners to improve conditions in the sector and target rogue landlords and the most dangerous properties
Review options to licence private landlords, working across Boroughs where beneficial.	Use loans and grants to support the health and wellbeing of vulnerable tenants.	Provide online advice and guidance about tenants' rights.	Continue to tackle rogue landlords in the borough.
Support the development of new models of private renting by professional landlords, potentially including the Council itself.	Support institutional investment in the private rental sector in order to raise standards and reduce the cost of renting, including options for linking rents to incomes.	Provide legal advice and liaise with landlords.	Use accreditation and incentives to develop partnerships with the best landlords to promote good practice.
	Work in partnership to review an acquisitions programme with Lewisham Homes.	Work with all landlords through the Lewisham Private Sector Housing Agency to procure properties for private sector leasing.	Adopt an inter-borough and interdepartmental approach to the Council's own use of the private rented sector to avoid inflation of costs.
	Reshape Environmental Health service to increase successful enforcements.	Develop online advice and information for citizens on key areas that contribute to poor housing conditions.	

Promoting health and wellbeing by improving our residents' homes

To work with Lewisham Homes and our Housing Association partners in order to enable further improvements to residents homes and the local environment	Contribute to improving the energy efficiency of our homes and reducing carbon emissions to support warm, healthy homes and protect the environment	To support independent living and reduce risks for vulnerable residents, including excess cold, flood risk and overheating	To take a strategic approach to securing the future of our homes, looking to re-provide homes where this is the most feasible way of improving standards
<p>Work with Lewisham Homes to complete the programme of bringing all Council homes up to the Decent Homes Standard.</p>	<p>Contribute to achieving a 44 per cent reduction in carbon emissions in Lewisham by 2020 from a 2005 baseline through improving the energy efficiency of the borough's homes.</p>	<p>Provide grants, loans and interventions to deliver improvements in the owner occupied and private rented sectors</p>	<p>Undertake feasibility studies which consider the best long-term investment strategies for our estates.</p>
<p>Extend the ALMO management agreement with Lewisham Homes in order to anticipate further improvements to resident's homes and housing estates.</p>	<p>Develop and deliver targeted support for households at risk of fuel poverty</p>	<p>Implement arrangements that result in the most prompt and cost-effective installation of adaptations in order to maintain independence and reduce risk of falls and accidents.</p>	<p>Ensure that building new affordable housing remains a priority in regeneration schemes.</p>
	<p>Access external funding on energy and carbon reduction and develop opportunities for renewable and decentralised energy.</p>		<p>Support our housing partners to look at the best ways to improve standards on their estates, including opportunities for re-provision.</p>

Glossary

Affordable rents

Affordable rents were introduced by the Government in 2011 to allow social housing providers to charge up to 80 per cent of the local market rent for the homes they let. These rents are higher than social rent. The housing sector tends to classify housing costs as 'unaffordable' if they amount to more than 35% of net income.

Lewisham Council published a study on the potential implications of affordable rent in February 2014 which can be found here:

<http://www.lewisham.gov.uk/myservices/planning/policy/LDF/development-policies/Documents/LewishamCouncilPODAffordabilityStudyFinal.pdf>

Arm's Length Management Organisation (ALMO)

An ALMO is a not-for-profit company that provides housing services on behalf of a local authority.

Bedroom tax

The term 'bedroom tax' is used to refer to the Government's 'removal of the spare room subsidy' in the Welfare Reform Act 2012. The reform means that social sector tenants with rooms deemed to be 'spare' face a reduction in Housing Benefit, resulting in them being obliged to fund this reduction from their incomes. Lewisham Council have set up the Trading Places team to provide support and advice for residents affected by bedroom tax. The team also assist with Housing Moves. For more information visit our website:

<http://www.lewisham.gov.uk/myservices/benefits/housing-benefit/under-occupation/Pages/Trading-Places.aspx>

Bed and Breakfast Accommodation

When you apply to a council for help as homeless, the council decides whether or not you're entitled to temporary accommodation. If it decides you are entitled, you could be offered a room in a guest house or bed and breakfast hotel (B&B). B&B accommodation is a last resort for the council, which is used due to a lack of more suitable accommodation.

Most B&Bs used by the council are not like hotel accommodation, and are often run specifically for homeless families. Residents placed in B&B may have to share facilities with other residents in the B&B. Not everyone who stays in a B&B is offered permanent or settled housing from the council.

Benefit cap

The benefit cap is a maximum limit on the amount of benefit a household can receive. To find out more, visit the Government website: <https://www.gov.uk/benefit-cap>

Buy to leave

'Buy to leave' is a phrase coined to describe cases where investors buy residential property and these are deliberately left empty rather than being let to tenants or inhabited by the owner.

Buy to let

Buy to let refers to the purchase of a property specifically to let out (to rent). A buy to let mortgage is a mortgage specifically designed for this purpose.

Community Land Trust

Non-profit, community-based organisations run by volunteers that are owned and controlled by the community and make housing and other community assets (e.g. community centres) available at permanently affordable levels.

Decent Homes Programme

The Decent Home Standard applies to social housing in England and covers properties rented out by councils and housing associations. Social housing should:

- be free of health and safety hazards
- be in a reasonable state of repair
- have reasonably modern kitchens, bathrooms and boilers
- be reasonably insulated

The Decent Homes Programme refers to the Government-backed funding programme to bring all social housing up to the Decent Homes Standard. The Programme began in 2011.

Discretionary Housing Payments

A discretionary housing payment (DHP) is a short-term payment from your council to help cover some housing costs. DHP does not have to be repaid by the resident. Councils have a limited budget for DHP that can only be used for specific purposes.

Food Poverty

Food poverty is the inability to afford, or have access to, food to make up a healthy diet. It is about the quality of food as well as quantity. It is not just about hunger, but also about being appropriately nourished to attain and maintain health.

Fuel Poverty

The condition of being unable to afford to keep one's home adequately heated.

Greater London Assembly (GLA)

The GLA is a unique form of strategic citywide government for London. It is made up of a directly elected Mayor – the Mayor of London – and a separately elected Assembly – the London Assembly.

Housing Associations

Housing associations are non-profit organisations that rent homes to people on low incomes or with particular needs. This includes both social and affordable rented property, as well as options for low cost home ownership. You can find out about social housing providers in Lewisham here: <http://www.lewisham.gov.uk/myservices/housing/Social/Pages/default.aspx>

Housing Health and Safety Rating System (HHSRS)

The housing health and safety rating system (HHSRS) is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings.

Housing Poverty

Poverty as a result of the high cost of housing, also referred to as 'housing cost induced poverty'. A household can be seen as living in 'housing poverty' if they are not classified as living 'in poverty' before housing costs, but once housing is taken into account the household is found to be living below the poverty line.

Housing-led regeneration

Housing developers, including housing associations and co-operatives are key economic players, not only as landlords and developers, but in their wider role as investors in the regeneration of local communities. 'Housing led regeneration' is a term used to refer to this role of housing providers and developers in supporting a comprehensive and integrated vision and action which leads to the resolution of urban problems.

Intermediate Housing

Housing which falls between 'social housing' (such as traditional rented council housing) and 'open market' housing; intermediate housing is intended to bridge the gap between the two. It was noticed that as house prices increased, the gap between social housing and open market housing grew, meaning people often could not afford to progress from social housing to owning their own home. Intermediate housing tries to bridge the gap as it is 'more affordable', sitting below open market prices but above social housing.

Land Banking

Land banking is the practice of aggregating land for future sale or development. Land is left empty and undeveloped. Speculating on land values for the investment purposes can cause the price of land to increase above market value, with the result that it becomes more expensive to develop new homes as the cost of the land increases.

Lewisham Homes

Lewisham Homes is an ALMO that manages housing on behalf of Lewisham Council.

Lewisham Private Sector Housing Agency

The Agency is a team at Lewisham Council which provides support and advice for tenants in the private rental sector and works to improve standards in the sector. Find out more

information here:

<http://www.lewisham.gov.uk/myservices/housing/landlords/Pages/default.aspx>

Local Housing Allowance (LHA)

Housing benefit that helps pay the rent if you rent from a private landlord. LHA is administered by the local council.

London Councils

A cross-party organisation representing London's 32 borough councils and the City of London. London Councils develops policy and provides London-wide services such as Freedom Pass.

Minor Adaptations Without Delay Working

Protocol which allows housing providers and the Council to carry out assessments for minor adaptations and then install them without the need for additional assessments or applications for grants.

Mortgage

A debt instrument, secured by the collateral of specified real estate property that the borrower is obliged to pay back. Over a period of years, the borrower repays the loan, plus interest and must clear the mortgage in order to 'own' the property. If the borrower fails to make the agreed payments to their mortgage provider, the mortgage provider can repossess the property. A mortgage loan is made against the value of the property.

Multi-Agency Public Protection Arrangements (MAPPA)

MAPPA is the name given to arrangements in England and Wales for the authorities tasked with the management of offenders who pose a serious risk of harm to the public.

Nightly Paid Accommodation

This is accommodation the Council uses to provide temporary housing to households while their applications for housing are assessed. The Council only pays for the accommodation for the nights it is actually used.

Owner occupation

Owner-occupancy or home ownership is a form of housing tenure where a person, called the owner-occupier or home owner, has purchased the home where they live. It refers to residents who own their properties in full, as well as those who lease their property from a bank or building society through mortgage payments.

Private rented sector (PRS)

The PRS can be defined as property that is privately owned and being rented out as housing, usually by an individual landlord. It is the fastest growing tenure in the country, and nearly a quarter of Lewisham residents live in private rented housing.

Regeneration

Regeneration aims to bring about a lasting improvement in the economic, physical, social and environmental condition of an area.

Registered Provider (RP)

Social housing providers registered with the government. The Homes and Communities Agency (HCA) maintains a statutory register of social housing providers (the register) which lists private providers (not-for-profit and for-profit) and local authority providers. Most not-for-profit providers are also known as housing associations.

Registered Social Landlord (RSL)

A registered provider of social housing, also known as a housing association.

Social housing

Housing let on low rents and on a secure basis to those who are most in need of housing or struggling to meet housing costs. Normally, social housing is provided by councils and not-for-profit organisations such as Housing Associations.

Social rent

Social housing. Rent levels for social housing are controlled, with limits to rent increases set by law so that they are kept affordable.

South East London Housing Partnership (SELHP)

The Partnership is made up of the boroughs of Bexley, Bromley, Greenwich, Lewisham and Southwark and includes our main housing association partners.

Stock-transfer

A housing 'stock transfer' refers to council housing where ownership is transferred to a housing association.

Temporary Accommodation

Temporary accommodation is housing such as Bed and Breakfast (B&B) or hostel accommodation that may be used in an emergency to accommodate households who are homeless.

Council		
Report Title	Catford Regeneration Partnership Limited – 2015/16 Business Plan	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Resources & Regeneration	
Class	Part 1	Date: 24 June 2015

1. Summary

- 1.1 Catford Regeneration Partnership Limited (CRPL) is a wholly owned subsidiary of Lewisham Council. The company was originally created in January 2010 to purchase the leasehold interests in and around the Catford Centre in order to manage and regenerate the property to improve the economic, social and environmental wellbeing of the people of the London Borough of Lewisham (LBL).
- 1.2 The plan begins to set the scene about the need to broaden the business activities to provide a more resilient base, support wider regeneration and provide wider investment opportunities for CRPL going forward.

2. Purpose of report

- 2.1 To submit the 2015/16 business plan for Catford Regeneration Partnership Limited (CRPL) for information.

3. Policy context and background

- 3.1 Lewisham’s overarching sustainable communities strategy sets out a vision for the future of the borough. One of the priorities laid out in the strategy is to develop, build and grow communities that are *dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond*. This report supports the aims of the strategy.
- 3.2 This report is also in alignment with the Council’s corporate policy. Lewisham’s Strategic Asset Management Plan (SAMP) sets out the approach to using property effectively in order to achieve the Council's objective of making Lewisham the best place in London to live, work and learn. It suggests a proactive approach for the use of the Council’s assets as they have a key role to play in supporting the borough's regeneration aims.
- 3.3 The content of this report also supports the aims of Lewisham’s Regeneration strategy of ‘people, prosperity and place’. This links the Council’s corporate priorities to the development and regeneration of Lewisham’s communities, the local economy and the built environment.

- 3.4 CRPL was set up in January 2010 following Council approval. The company was tasked with the following activities;
- To continue the effective management of the Catford Centre, ensuring that the operational management standards remain high and that the full commercial potential of the centre is being realised through letting and renewal strategies.
 - To enable the redevelopment of the Catford Centre by working with Lewisham Council to undertake a regeneration process and reach a commercial agreement with key stakeholders in the town centre, in order to contribute to the regeneration aims for the town centre as a whole.
- 3.5 As part of the creation of the company, Articles of Association were agreed, which detail how and when the company must interact with its shareholders, in this case Lewisham Council, which is the sole shareholder.
- 3.6 Operational responsibility for the company is given to the Lewisham Council nominated company directors.
- 3.7 The company is required to submit a business plan for approval by the Council as shareholder for each financial year. In this case, for 2015/16.
- 3.8 This year's Business Plan is seeking to broaden the company's business activities to further assist the Council to drive regeneration and investment within the borough.

4. Recommendations

Council is recommended to:

- 4.1 approve the contents of the 2015/16 business plan for Catford Regeneration Partnership Limited (CRPL).

5. Current position and 2015/16 Business Plan

- 5.1 Since the acquisition of the Catford Centre in February 2010, CRPL has been working on operational management issues to ensure that the centre is fit for purpose, meets quality standards, and that rent is collected in a timely manner. All health and safety standards continue to be complied with and major repair works identified have been completed.
- 5.2 In line with the plans presented in previous financial years, CRPL has continued to develop an effective and efficient management approach for the operation of the property through a team of professional advisors, including an in house surveyor from the LBL Corporate Asset Services and external agents that oversee daily management of the property and report to the directors of CRPL.

5.3 In Q3 2014, CRPL received Mayor & Cabinet approval to acquire the Brookdale Club Ltd's freehold premises in Catford. The acquisition is a significant component of the Council's wider regeneration initiatives to facilitate the regeneration of the Town Centre. The acquisition is not yet completed and is likely to be finalised in Q2 2015.

5.4 CRPL is projecting a surplus in 2015/16. This shows that the company is operating successfully and it is considered that this is a fair budget assumption given the 2014/15 budget position. This surplus will be utilised to meet the deficit from the 2013/14 year.

6. Financial and Legal implications

6.1 Financial and legal implications are included in the attached business plan report budget which is attached at Appendix 1. In order to provide greater financial flexibility, the directors of CRPL have sought to extend the approval limit for each budget change in a year from £20,000 to £50,000, with the limit of any aggregate changes not exceeding £200,000, from its existing limit of £100,000.

7. Equality implications

7.1 There are no immediate implications associated with the recommendations of this report. Implications for the future regeneration programme(s) will be considered at the appropriate time.

8. Conclusion

8.1 Approval of this report by full council will allow CRPL to proceed with the activities, aims and objectives detailed in the business plan for 2015/16. The date for the proposed full council meeting is 24 June 2015.

If there are any queries on this report please contact Selwyn Thompson, Head of Financial Services on 020 8314 6932 or Ralph Wilkinson, Head of Public Services on 020 8314 6040

BACKGROUND PAPERS

<u>Short title of document</u>	Date	File Location	Contact Officer
Catford town centre – CRPL business plan	12 February 2014	Regeneration & Asset Management	Elaine Torpey
Catford town centre – CRPL business plan	25 January 2013	Regeneration & Asset Management	Elaine Torpey
Catford town centre – CRPL business plan http://councilmeetings.lewisham.gov.uk/documents/s7330/CRPL%20business%20plan%202012-13.pdf	18 January 2012	Regeneration & Asset Management	Elaine Torpey
Catford town centre – CRPL business plan	1 March 2011	Regeneration & Asset Management	Elaine Torpey
Catford town centre – CRPL business plan http://councilmeetings.lewisham.gov.uk/documents/s1662/Catford%20Town%20Centre%20business%20plan%202011-12.pdf	23 February 2011	Regeneration & Asset Management	Elaine Torpey
Catford Town Centre update report – part 2 http://councilmeetings.lewisham.gov.uk/Data/Mayor%20and%20Cabinet/20100714/Agenda/Item%2016%20Catford%20-%202014%20July%202010%20-%20PDF.pdf	14 July 2010	Regeneration & Asset Management	Elaine Torpey
Catford Centre Mayor & Cabinet Report http://councilmeetings.lewisham.gov.uk/Data/Council/20100127/Agenda/1fd4acfa995e44a9980d316e8d7d69caCouncilMinutes27January2010.PDF	27 January 2010	Regeneration & Asset Management	Elaine Torpey

Catford Regeneration Partnership Ltd

Business Plan 2015/16

DRAFT

Introduction

Catford Regeneration Partnership Limited (CRPL) is a wholly owned subsidiary of Lewisham Council. The company was originally created in January 2010 to purchase the leasehold interests in and around the Catford Centre in order to manage and regenerate the property to improve the economic, social and environmental wellbeing of the people of the London Borough of Lewisham (LBL).

The purpose of this business plan is to set out the company's objectives, activities, and budget for 2015/16 for agreement by the Council as sole shareholder in accordance with the company's articles of association (listed at Appendix B).

Structure and governance

CRPL currently has two directors, Ralph Wilkinson (LBL Head of Public Services) and Selwyn Thompson (LBL Head of Financial Services). The directors are responsible for the day to day running of the company in line with the articles of association and have other statutory duties as defined by the Companies Act 2006. The directors must take account of the approved business plan when exercising their functions in the management of the Company. The directors are appointed and removed by the Council as sole shareholder.

In line with the plans presented to the Council in previous financial years, CRPL has continued to develop an effective and efficient management approach for the operation of the property through a team of professional advisors, including an in house surveyor from the LBL Corporate Asset Services and external agents that oversee daily management of the property and report to the directors of CRPL.

Certain key decisions in relation to the company are classified as reserved matters, and must be approved by the Council as sole shareholder. The Mayoral Scheme of Delegation allows specific officers to take executive decisions in relation to the Company where appropriate. The complete list of shareholder reserved matters is included in Appendix B, with key matters including:

- the approval of each Business Plan;
- the approval of each Budget and in any financial year changes over £20,000 in any one amendment to the Budget and changes to the Budget exceeding £100,000 in aggregate in any financial year (as set out in section 25.2 of the Articles of Association). As outlined herein, in order to provide greater flexibility we will be seeking to broaden this approach from £20,000 to £50,000 and £100,000 aggregate to £200,000 accordingly.
- the making of any acquisition or disposal by the Company other than in accordance with the then current Business Plan and Budget;
- the making of any application for planning permission;
- the implementation of any regeneration initiative other than in accordance with the then current Business Plan.

These reserved matters ensure that the Council retains control over the direction of future regeneration proposals. The Council's Catford Programme Board, chaired by the Chief Executive, has had responsibility for setting the overall direction on the regeneration of Catford town centre. CRPL is represented at these programme board meetings, which have

been used as the mechanism for updating the Council on progress against the company's objectives.

CRPL directly employs two centre management staff; a centre manager and a cleaning supervisor. As mentioned above, Council officers also conduct work on behalf of the company and officers' time is recharged to the company as and when appropriate.

Objectives

CRPL has continued to work alongside the Council to build on the proposed delivery strategy and commercial approach for a regeneration programme for Catford town centre. CRPL directors propose the following company objectives for the 2015/16 financial year:

- Diversification within the wider borough area to enable greater financial sustainability and the ability to conduct broader investment, development and regeneration activities. This will be subject to options appraisal being undertaken.
- To ensure sustainable financial models are developed that allow progression from current holding and operation positions through redevelopment, into successful future investment positions.
- To continue the effective management of the Catford Centre and other CRPL assets, ensuring that the operational management standards remain high and that the full commercial potential of the centre is being realised through letting and renewal strategies.
- To enable the redevelopment or partial/comprehensive refurbishment of the Catford Centre and other CRPL assets by working with Lewisham Council to evolve and undertake a regeneration process and reach a commercial agreement with key stakeholders/potential partners.
- Work with Lewisham Council, in order to contribute to the regeneration and investment aims as a whole through property related activities.
- To enable CRPL to acquire and dispose of key properties that are considered strategic or surplus to further regeneration aims within the borough. This is not to be limited only to properties with commercial use.

Activities

In order to achieve these objectives, CRPL continues to and will in the future promote, commission, undertake or participate in a range of activities, including:

Centre and property management

- Rent collection and arrears management;
- Service charge administration; including reconciliations to tenants and the creation of future service charge budgets;
- Tenant liaison; operational issues, lease issues and queries on wider regeneration aims;
- Health & safety; assessment and compliance of property, day to day implementation of H&S policies and practices;

- Facilities management and maintenance; ensuring that all of the landlord's obligations are met, create and maintain a schedule of repairs, major works, improvements and comprehensive redecoration as required;
- Asset management, including acquisitions and disposals, redevelopment and lease regears (such as lease renewals, rent reviews and new lettings);
- Legal proceedings relating to leases and rental arrears;
- Data management; maintenance of accurate records and accounts;
- CRPL contracts; procurement and management of services provided to CRPL by outside parties. These include centre management, legal, accountancy and asset management services.

Regeneration

- Procurement of professional services (in conjunction with LBL)
- Consultation (in conjunction with LBL)
- Commercial negotiation with other land owners/potential partners
- Engagement with stakeholders (in conjunction with LBL)
- Retail, Commercial, Leisure and Residential proposals
- Design/feasibility/master-planning/place-making/financial modelling work
- Planning strategies (led by LBL)
- Milford Towers decant strategy (led by LBL)
- Council office design (led by LBL)
- Residential proposals (in conjunction with LBL)
- Development management.

Key professional services to assist CRPL in the delivery of these activities include:

- DTZ - Managing agents
- Mason Owen – Retail letting agents
- Johnson Fellows - Surveyors & rent review negotiators
- Field Fisher – Solicitors

Budget Review 2014/15

The 2014/15 budget was developed by officers based on 2013/14 figures, projected CRPL running costs, the rental income from the Catford Centre and adjoining properties as well as the provisions of the service charging system.

Overall the company budgeted for a surplus for this financial year and this is forecast to be achieved. This will broadly offset the deficit which was made in 2013/14, which was due to the major enabling works undertaken on commercial lettings.

Letting and Renewal Fees – there have been a number of new and renewed lettings this financial year, including new leases on 6 Winslade Way to Blue Inc, 2-3 Winslade Way to Store 21, 23-24 Winslade Way to Sam 99p and an assignment on 148 Rushey Green from Phones4U to Vodafone, as results of previous tenants going into administration or exercising their lease breaks. A few tenants had to liquidate their businesses, such as 1 Winslade Way and 1 Catford Broadway. Both units are now under offer with leases to be completed in Q1 2015. The level of fees for lettings and renewals reflects CRPL taking positive management action to avoid a negative change in tenant mix in the town centre units under its control.

CRPL completed six rent reviews at passing rent on 33 Winslade Way (Holland & Barrett), 25-26 Winslade Way (Poundstretcher), 10-13 Winslade Way (Iceland), 22a

Winslade Way (Angel Star Nails Beauty Salon), 22 Winslade Way (British Heart Foundation) and 34-35 Winslade Way (Inspire Beauty).

Professional Fees – other professional fees, including those for centre management, have all been at or below projected levels. This is largely due to the development of good working practices that have been established with those providing the services to ensure that costs can be anticipated.

Repairs – The overall spend on non-recoverable costs, exclusive of works in relation to new commercial lettings, was higher than projected as other works especially repair works to the residential properties were higher than forecasted.

Interest Rate on Outstanding Loan – The interest rate charged on the loan to CRPL by the Council has been reduced from 5.62% to 4.8% with effect from 10th November 2014. This reflects the recent downward movement in interest rates and the reduced risk now that the company has been trading for over 4 years.

Rental Income – This has again held up well, despite a number of properties in the Catford Centre being vacant for a period due to lease expiry. This particularly applied to 1 Winslade Way, 2/3 Winslade Way, 23/24 Winslade Way and 27 Winslade Way. In addition, a few of the residential properties were vacant while repair work was carried out. As last year, a number of leases provide for a gross rent with the company meeting the service charge and other costs, thus increasing both income and property costs.

Research for business resilience & opportunities – This relates to how the business can be more sustainable and resilient whilst assisting with broader regeneration and development activity within the borough. With a view to altering section 25.2 of the Articles of Association to provide more flexibility from a business operations prospective.

2015/16 Budget and Management Approach

Rental and Service Charge Analysis – An analysis of rental income against the projected figures has been undertaken. This considers issues such as rent free periods for new lettings and arrears and is considered to be a prudent assumption on likely future rental income. This analysis has been used to arrive at the rental income figure of £1.080m for the financial year 2015/16.

The 2015/16 income will not be significantly affected by a target vacant possession date after January 2018, due to the estate being nearly fully let. The focus will be on the residential lettings, as there are three voids within the estate, due to recent court possessions and refurbishments. On the commercial estate, majority of the rent free periods have come to an end and only four units that are currently under offer will get a benefit of a rent free period, which will be expired by the end of Q2 2015.

The shopping centre service charge is a separate cost to tenants and all expenditure is reconciled with their payments at the end of the service charge year. The current service charge budget has been calculated using the actual spend figures for the previous service charge year, assumptions on increased costs and the renegotiation of service contracts. The service charge budget and spend is externally audited to ensure CRPL are meeting all of the requirements of the Service Charge Code. The expenditure for the 2013/14 service charge year (1 October - 30 September) totalled £448,000.

Operational Estate – As at the end of April 2015, **all of the voids** within the portfolio are under offer, indicating that unless any of the existing tenants goes into administration, the estate can be considered fully let. The current tenant of 4 Winslade Way (Sense Charity)

have exercised their break, which is in September 2015. As a result, this is the only unit that CRPL will get back in 2015 through planned lease expires.

Having due regard for market forces, such as the number of high street retailers entering administration, an overall change in retail focus and the future potential redevelopment of the town centre, CRPL take a flexible approach to its lease renewals and lettings. This approach includes temporary lettings to cover service charge and business rates and also short term lettings for up to three years to allow flexibility around future regeneration plans.

Furthermore, due to an increased likelihood of vacancies as the proposed redevelopment date approaches and given the current economic climate, which has resulted in a number of retailers being unable to continue with their leases in 2014, the budgets for letting and renewal fees, along with the budget for covering empty property costs, are being increased to roughly the same level as the 2014/15 spend.

Acquisitions – In Q3 2014, CRPL received Mayor and Cabinet approval to acquire the Brookdale Club Ltd's freehold premises in Catford. The acquisition is a significant component of the Council's wider regeneration initiatives to facilitate the regeneration of the Town Centre and prevent a situation whereby the Council could have to buy the property at a much inflated price in the future resulting in delays and a possible Compulsory Purchase Order. The acquisition is not yet completed and is likely to be finalised in Q2 2015.

The strategy is to acquire the property through an exchange of contracts and then defer completion with interim occupation continuing for The Brookdale Club. Once completion takes place (the earliest this will be is six months from exchange), the property will be leased to a community or private organisation seeking D1 or D2 accommodation on the ground floor and the upper parts will be either available to ease the burden for Temporary Housing or be let on Assured Shorthold Tenancies (ASTs). CRPL can acquire residential properties without creating protected tenants and can lease properties on ASTs, which the Council cannot do.

Repairs – The level of the CRPL repairs budget, which relates to anything that is not covered via the service charge (shared between all tenants in the shopping centre and CRPL), has been increased to the level of the 2014/15 spend to reflect the level of projected repair work which will be necessary. Regular inspections are undertaken to ensure that all planned maintenance work can be factored into this budget allowance. However a contingency must always be allowed for unforeseen repair work.

In November 2013 a non-intrusive structural survey was carried out to the Catford Centre and Milford Towers to help inform redevelopment options for the regeneration of the centre. A second-stage intrusive survey was commissioned in January 2014 (via CRPL) to provide more detailed analysis of the structural integrity of the facility.

CRPL is projecting a small surplus in 2015/16. This shows that the company is operating successfully and it is considered that this is a fair budget assumption given the 2014/15 budget position. This surplus will be utilised to meet the deficit from the 2013/14 year.

Future Year Budget Projections and Proposed Initiatives

Following discussions with the Council regarding the likely vacant possession target date, CRPL believes it is prudent to base its 2016/17 budget projections on the basis that the vacant possession target date could alter and therefore CRPL would have additional time to operate within its current parameters. All of the lettings and renewals have a rolling

development break clause from January 2018. Until a decision is taken on the vacant possession approach by the elected members of the Council, CRPL will take the best interim commercial view of all property management activity and will fully assess actions and risks on the basis of the best information available at that time with regards to the vacant possession date.

Inline with the Company's objects (section 2 - Articles of Association) to carry on a business that will improve the economic, social and environmental well being of the area and the residents of Catford and the wider London Borough of Lewisham. CRPL will continue to take a pro-active view in relation to acquisitions, regeneration, development and investment activities both within Catford and the wider London Borough of Lewisham.

CRPL's strategic approach will assist the company to become more financially resilient whilst also assisting the Council to further its regeneration and meet the corporate objectives.

In doing this, the following areas have specifically been reviewed and additional professional advice sought to try to ensure that the Business Plan is deliverable and that risks are appropriately managed.

- **Tax Implications** of CRPL buying and selling properties
- **Procurement procedures** – to have CRPL's own procedures or deploy those of the Council.
- **Employment Considerations** – determine the basis upon which CRPL will set terms of employment, benefits and policies (and the extent, if any, that these will be aligned with the Council's), and commence preparation of appropriate standard employment terms, benefits and policies.
- **Requirements in CRPL's Articles of Association**
 - Implement practical steps to ensure compliance with CRPL's Articles of Association in relation to recruitment of staff and changing terms and conditions of employment. Section 25.20 "any change to the terms of employment/engagement and or remuneration of a person referred to in articles 25.18 and 25.19".
 - Implement the approval of each Budget and in any financial year changes over £50,000 in any one amendment to the Budget and changes to the Budget exceeding £200,000 in aggregate in any financial year. In order to provide greater flexibility we will be seeking to broaden the current approach from £20,000 to £50,000 and £100,000 aggregate to £200,000 accordingly (vary section 25.2 of the Articles of Association).

APPENDIX A

CATFORD REGENERATION PARTNERSHIP LTD

PAST, CURRENT AND FUTURE YEARS BUDGETS

	2013/14 Final Outturn £000	2014/15 Original Budget £000	2014/15 Draft Outturn £000	2015/16 Draft Budget £000
<u>INCOME</u>				
Lease Rents Receivable	1,206cr	1,050cr	1,087cr	1,080cr
Empty Property Grant	0	0	32cr	0
Service Charge Recoveries	147cr	140cr	141cr	140cr
TOTAL INCOME	1,353cr	1,190cr	1,260cr	1,220cr
<u>EXPENDITURE</u>				
<u>CRPL costs</u>				
CRPL Employee Costs	83	84	84	84
LBL Staff Recharges	73	73	70	68
Letting and Renewals Fees	122	60	81	90
Property Purchase and Running Costs	59	70	137	130
Major Works, Repairs and Maintenance	298	50	78	80
Insurance Costs (Net)	30	36	18	20
Fees and Miscellaneous	8	9	17	12
	673	382	485	484
<u>Loan Repayments</u>				
Interest	99	653	616	553
Principal	658	105	113	132
	757	758	729	685
TOTAL EXPENDITURE	1,430	1,140	1,214	1,169
NET PROFIT (cr) / LOSS	77	50cr	46cr	51cr

APPENDIX B - Shareholder reserved matters

- 1 CRPL's articles of association identify the following items as shareholder reserved matters:
 - 1.1 the approval of each Business Plan;
 - 1.2 the approval of each Budget and in any financial year changes over £50,000 in any one amendment to the Budget and changes to the Budget exceeding £200,000 in aggregate in any financial year;
 - 1.3 the declaration and/or payment of any dividends by the Company save where such declaration and distribution is made in accordance with the Company's dividend policy;
 - 1.4 the approval of and any change to the Company's dividend policy;
 - 1.5 the increase in any indebtedness of the Company other than in accordance with the prevailing Budget;
 - 1.6 the commencement by the Company of any new business not being ancillary to or in connection with the Business or making any change to the nature of the Business;
 - 1.7 the Company participating in any activity which is detrimental to and/or incompatible with the Business;
 - 1.8 the making of any political or charitable donation;
 - 1.9 the making of any acquisition or disposal by the Company other than in accordance with the then current Business Plan and Budget;
 - 1.10 writing off a bad debt exceeding £25,000 provided that if debts of that person or organisation have been written off by the Company in the previous three years in an aggregate amount of £50,000 or more, the decision to write off any further bad debts for that person or organisation shall also be a reserved matter;
 - 1.11 the making of any application for external funding;
 - 1.12 the repurchase or cancellation by the Company of any shares, or the reduction of the amount (if any) standing to the credit of its share premium account or capital redemption reserve (if any) or any other reserve of the Company;
 - 1.13 a change of name of the Company or location of its registered office;
 - 1.14 any issue of new shares in the Company.
 - 1.15 the devolution or transfer of all or part of the management of the Company or its business to persons who are not directors of the Company and, if approved, the terms of such devolution;

- 1.16 without limiting the generality of article 25.15, the appointment of any Chief Executive Officer or person holding a similar role and the terms of such appointment;
- 1.17 the appointment or removal of any director of the Company;
- 1.18 the engagement of (and terms of engagement of) any individual person as a consultant (but excluding for such purposes any firm/professional advisers) or employee;
- 1.19 the engagement of (and terms of engagement of) any company, partnership, individual person or other entity for the provision of services to the Company where the services provided are not contemplated in the then current Business Plan and Budget and/or where the value of the services is above the Official Journal of the European Union limit for services and/or where the services have not been tendered in accordance with the [Company's Contract Lettings Procedure];
- 1.20 any change to the terms of employment/engagement and/or remuneration of a person referred to in articles 25.18 and 25.19;
- 1.21 the letting of any contract for the provision of supplies to the Company where the supplies provided are not contemplated in the then current Business Plan and Budget and/or where the value of the contract is above the Official Journal of the European Union limit for supplies and/or where the contract has not been tendered in accordance with the [Company's Contract Lettings Procedure];
- 1.22 the letting of any contract for the provision of works to the Company where the works provided are not contemplated in the then current Business Plan and Budget and/or where the value of the contract is above £200,000 and/or where the contract has been not tendered in accordance with the [Company's Contract Lettings Procedure];
- 1.23 the instigation of any court proceedings where the directors have not taken appropriate legal advice or where such proceedings would be against that legal advice;
- 1.24 the authorisation of the levying of distress against the occupants of land or property in arrears where the directors have not taken appropriate legal advice or where such actions would be against that legal advice;
- 1.25 the making of any application for planning permission;
- 1.26 the implementation of any regeneration initiative other than in accordance with the then current Business Plan;
- 1.27 the commencement of any winding-up or dissolution of or the appointment of any liquidator, administrator or administrative receiver of the Company or any of its assets unless it shall have become insolvent.

Agenda Item 9

COUNCIL		
Report Title	Local Development Scheme Adoption	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Head of Planning & Head of Law	
Class	Part 1	Date:24 June 2015

1. Summary

- 1.1 The Local Development Scheme (LDS) is the Council's official timetable for the production of statutory planning documents. It is a legal requirement to keep the LDS up to date when new plans are proposed and when existing timetables change. This current LDS was agreed by the Mayor on 4th March 2015 and he recommended that the Council adopt the revised LDS. Some changes have been made to the timetable agreed by the Mayor and the details are set out in section 6 of this report.

2. Purpose

- 2.1 This report seeks the Council's formal resolution to adopt the Local Development Scheme and bring it into effect.

3. Policy context

- 3.1 The Local Development Scheme is part of the Local Development Framework and as such is part of the Council's policy framework as set out in the Council's constitution. It requires the approval of the full Council to bring it into effect. The full policy context is set out in the report to Mayor and Cabinet dated 4th March 2015 which is set out as annex 2 to this report.

4. Recommendation

- 4.1 The Council is recommended to adopt the Local Development Scheme set out as Appendix 1 to this report and bring it into effect from the 24th June 2015.

5. Background

- 5.1 The Lewisham LDS is a procedural document in the local planning system. It is a project plan that outlines what planning documents the Council is preparing and the timeline for their preparation and adoption. It is a statutory planning document under the Planning and Compulsory Purchase Act 2004 (as amended).

- 5.2 The Act as amended requires that the LDS is kept up to date. The current version of the LDS was adopted by the Full Council at its meeting on 27th February 2013. Each new Local Plan document the Council intends to produce must be included in a revised LDS. In addition any revision to the adopted timetable must be reflected in the revised LDS.
- 5.3 The revised LDS has been prepared to reflect changing government regulations and guidance, and changed local circumstances that require the inclusion of a new local plan and an update of the timetable of existing Local Plan production. There were 6 previous LDS documents and they were numbered 1-6 as revisions took place. However, the complete set of local plan documents under production are now completed and as such it has been decided to refer to the new LDS as version 1 (new series). The details of the revised LDS were set out in the report to Mayor and Cabinet dated 4th March 2015. The most significant change was the production of an integrated local plan for the borough in line with guidance set out in the National Planning Policy Framework.

6. Changes to revised LDS (Mayor and Cabinet Version)

- 6.1 The report to Mayor and Cabinet dated 4th March 2015 set out the LDS content at section 6 and the key changes to the previous adopted LDS at section 7. In line with current government policy the proposal is to produce a single integrated local plan for the whole borough and a separate single issue Gypsy and Traveller's Site(s) local plan.
- 6.2 The LDS timetable for production of the borough local plan included an early stage of public consultation in July and August this year. The Town and Country Planning (Local Planning) (England) Regulations 2012 require the local planning authority to notify certain bodies or persons about the subject of a local plan and invite representations. This early stage of consultation will identify the types of issues that the local plan will address. Further rounds of consultation will provide more detail on options and policy.
- 6.3 However, since the report to Mayor and Cabinet on 4th March officers have reconsidered the date of this first round of initial consultation. As it falls over the summer holidays it is considered that moving the dates from July and August to September and October would be preferable as this is considered a better time to consult the general public. This would have a small impact on the second round of public consultation which is now programmed to move a month and take place in March and April 2016. The rest of the timetable remains unchanged.
- 6.4 There is also a small adjustment to the timetable for producing the Gypsy and Traveller's Site(s) Local Plan. This delay has been caused by the delay in receiving the traveller's needs assessment. Consultation on a site cannot take place until the size of site needed is identified and this will be done via the

needs assessment. The timetable for the first round of consultation has been moved two months from October and November 2015 to February and March 2016. All subsequent stages have been moved on by two months.

- 6.5 The details of the revised timetable are shown on page 9 of the LDS set out as annex 1 to this report.

7. Legal implications

- 7.1 In order to bring the LDS into effect the Council must resolve that the LDS is to have effect and in the resolution specify the date from which the LDS is to have effect. (Section 15 of the Planning and Compulsory Purchase Act 2004). It falls to full Council to adopt the LDS.

- 7.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

- 7.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

- 7.4 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/>

- 7.5 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

7.6 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/>

8 Conclusion

8.1 The Council is asked to adopt the Local Development Scheme attached as annex 1 to this report and bring it into immediate effect. The Local Development Scheme will be placed on the planning policy web page following the adoption by the Council.

Background documents

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning & Compulsory Purchases Act 2004	2004	Laurence House	Planning Policy	Brian Regan	No
Local Plan Regulations	2012	Laurence House	Planning Policy	Brian Regan	No

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

Appendix 1. Revised LDS for adoption

Appendix 2 Report to Mayor and Cabinet on LDS 4th March 2015.

This can be viewed at:

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=139&MId=3501>



Lewisham Local Development Framework

Local Development Scheme

PLANNING POLICY

Version 1 (second series)

Full Council Meeting 24 June 2015

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PREFACE

Previous versions of the Lewisham Local Development Scheme (LDS) related to the preparation of a suite of Local Development Framework documents produced between 2006 and 2014.

The Council has now revised its LDS to take into account the implications of changing local circumstances and new government planning guidance and legislation where the focus is now on the production of an integrated Local Plan.

Document control

LDS VERSION	BROUGHT INTO EFFECT	SUPERSEDED
1	24 th June 2015	N/A

1. Introduction

The Lewisham Local Development Scheme (LDS) is the **project plan** for how and when the Council will prepare its Local Plan. A Local Plan sets out the statutory planning policies for the borough that are used in the assessment and determination of planning applications. The Council is required to prepare a LDS by law and keep it up to date. The LDS identifies the timetable for the production of the Local Plan

The purpose of this LDS is:

1. To let everyone with an interest in planning for Lewisham know what documents will make up the local planning framework and the timetable for their preparation.
2. To let people know when key stages of consultation are planned so they can get involved in influencing or commenting on emerging documents.
3. To establish the Council's priorities for plan preparation and set a work programme for the preparation of Local Plans.

2. Background information

2.1 The planning system

The Planning and Compulsory Purchase Act 2004 introduced a system of plan making known as the Local Development Framework (LDF) which was a portfolio of planning documents. Section 15 of the Planning and Compulsory Purchase Act 2004 states that the local development scheme must set out certain matters related to how the local planning authority is going to plan for development in its area. Section 111 of the Localism Act 2011 amends this section so that local planning authorities will have to publish up to date information direct to the public on the scheme, including their compliance with the timetable for the preparation or revision of development plan documents.

The Town and Country Planning (Local Planning) (England) Regulations 2012 refers to Development Plan Documents as Local Plans and to the Proposals Map as the Policies Map.

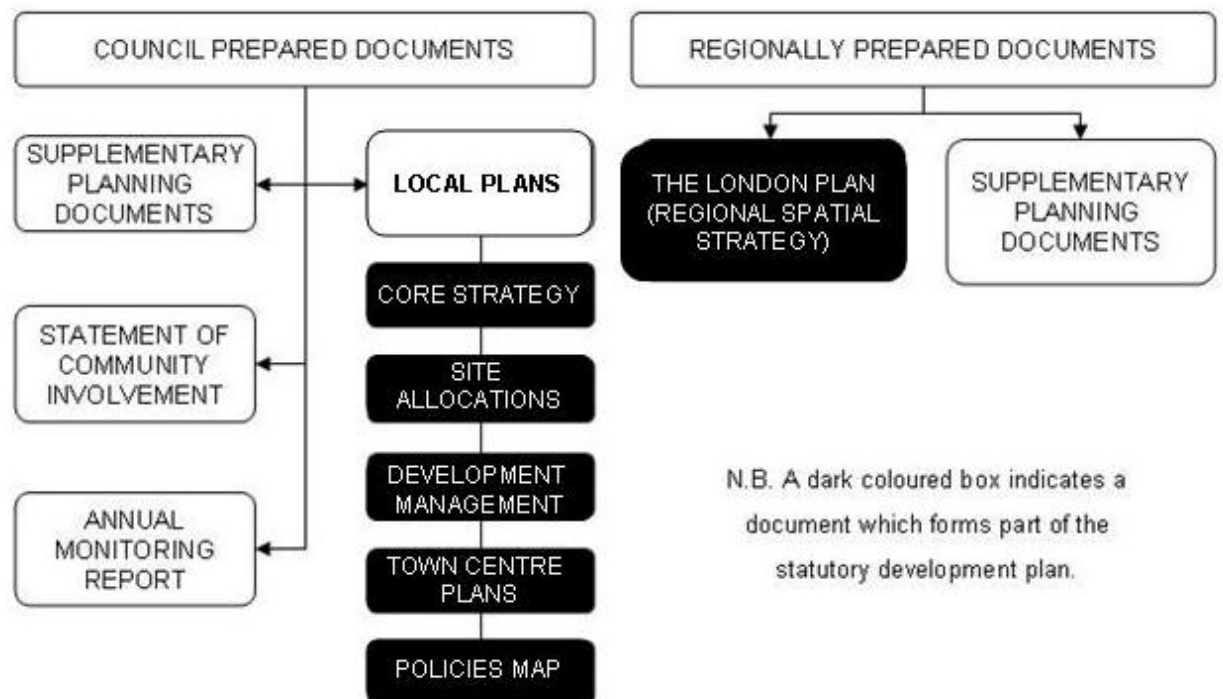
The National Planning Policy Framework (2012) (paragraph 153) favours a single plan approach, where instead of having a suite of separate documents forming the Development Plan, the documents are brought together into an integrated Local Plan. The NPPF does not preclude additional documents but this must be fully justified.

The type of documents which comprise the Development Documents for Lewisham are shown in the table below and in Figure 1 (existing) and Figure 2 (forthcoming).

Document	Purpose
Local Plan	A Local Plan is prepared in a formal way which includes consultation with the public and independent testing at a public examination presided over by an inspector appointed by the government. When adopted the council's decisions on planning applications are made in

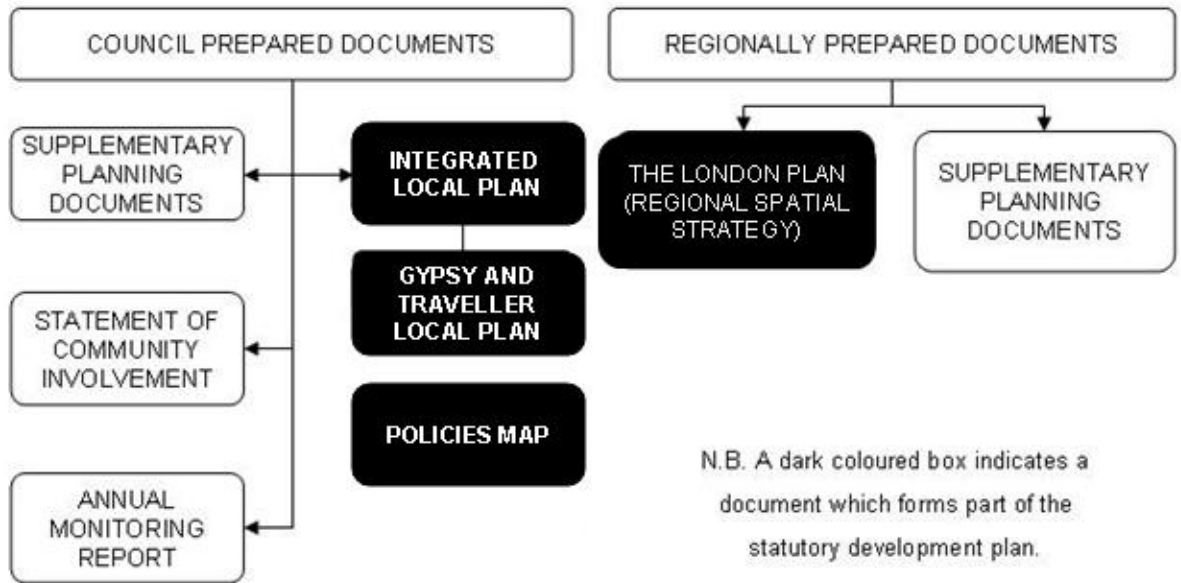
Document	Purpose
	accordance with the content of the Local Plan.
The Policies Map	The graphic representation of the policies and proposals in a Local Plan. Each time a new Local Plan is adopted, or makes new policies, the Policies Map must be updated to show the effect of any changes.
Supplementary planning documents (SPD)	These explain in more detail the application of policy set out in a Local Plan. SPDs are subject to public consultation but not independent examination and do not have the same status as a Local Plan in the decision making process.
Statement of Community Involvement (SCI)	Sets out how the council's Planning Service will involve the community in the preparation, alteration and review of planning documents and in the planning application decision process. The council adopted its SCI in July 2006. ¹
The Annual Monitoring Report (AMR)	Reviews the progress on the preparation of the Local Plan as set out in the LDS. In addition the AMR reviews how effective the policies are and considers if they need to be reviewed and replaced.

Figure 1: Existing Lewisham planning framework



¹ <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

Figure 2: Forthcoming Lewisham planning framework



2.2 Chain of conformity

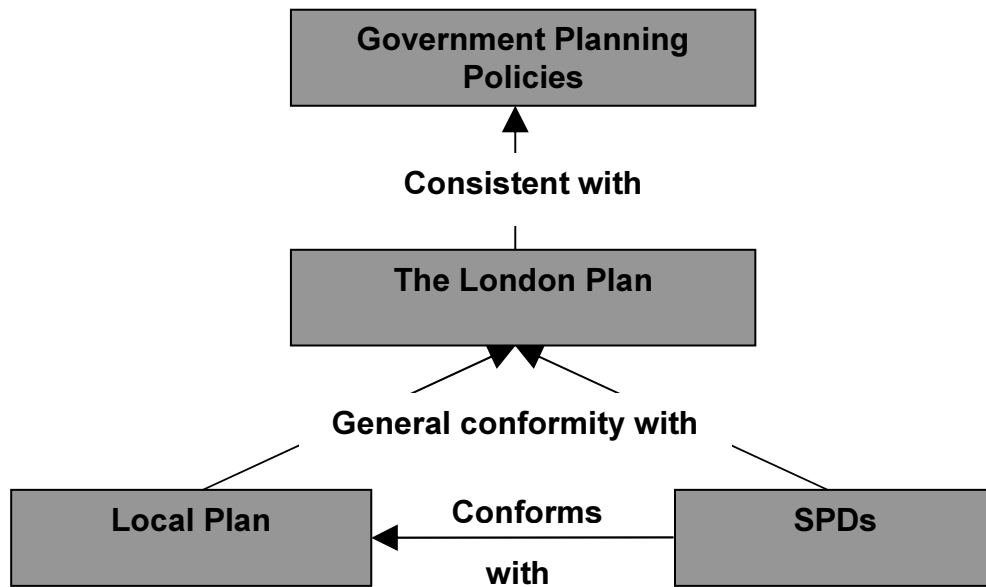
The Council will pursue a clear chain of conformity by respecting both Regional and National Government policy and guidance. This will be established by following the process demonstrated in Figure 3.

National planning policy is contained in the National Planning Policy Framework (NPPF).² The preparation of planning policies must consider and be consistent with the content of the NPPF.

The Mayor of London has published a series of strategies, supplementary planning guidance and best practice guidance which will be taken into account. The replacement [London Plan](#) was published in July 2011, with subsequent alterations, the latest being published March 2015. It acts as the integrating framework for all of the Mayor's strategies.³ Lewisham Local Plans must be in 'general conformity' with the published London Plan. Where there is a difference between the policies in the London Plan and the borough's adopted development plan, the most recent plan takes precedence.

³ <http://www.communities.gov.uk/publications/planningandbuilding/nppf>
³ <http://www.london.gov.uk/priorities/planning/londonplan>

Figure 3: Chain of conformity/consistency



2.3 Relationship to the Sustainable Community Strategy and other strategies

[The Sustainable Community Strategy](#)⁴ (Shaping our future: Lewisham Sustainable Community Strategy) or SCS, has been prepared by Lewisham's Local Strategic Partnership and is a document which sets out how the vision and priorities for Lewisham will be achieved. The Lewisham Local Plans will have regard to the SCS and ensure that spatial requirements arising from that strategy are addressed. The Local Plans are in effect the spatial interpretation of the SCS.

There are a number of other strategies that have land-use implications and these will be taken into account in preparing the Local Plans. In particular, the following London Borough of Lewisham strategies and plans will be relevant.

- Children and Young People's Plan
- Air Quality Action Plan
- Carbon Reduction and Climate Change Strategy
- Local Transport Plan (LIP)
- Housing and Homelessness Strategy
- Municipal Waste Strategy
- Energy Strategy
- Physical Activity, Sport and Leisure Strategy
- Local Education Authority School Plan.

⁴<http://www.lewisham.gov.uk/CouncilAndDemocracy/StrategiesPlans/StrategicPlanningFramework/CommunityStrategy.htm>

2.4 Evidence base

The Local Plan will establish the Council's planning policies. However, in formulating this a large amount of background work needs to be undertaken to underpin the documents. This supporting information will work as an evidence base for policy formation. Many of these documents and studies will be produced either by or for the Council, and some may be produced by or for other organisations.

The main existing evidence base documents commissioned by the Council associated with the existing Lewisham suite of Local Development Framework documents are listed in Appendix 1 and have been published on the council's [planning policy website](#).⁵ These documents will in part be used as the evidence base in the preparation of other Local Plans however given the age of many of the documents it is envisaged that a number of new or refreshed evidence base documents will be required to inform the preparation of new Local Plans.

2.5 Superseded UDP policies

Lewisham's UDP was superseded over a number of years, from when the Core Strategy was adopted in 2011 through to November 2014 when the Development Management Local Plan was adopted. The Local Plans (and policies contained within them) have progressively taken the place of the previously saved UDP policies as they were adopted by the Council.

The collection of adopted Local Plan documents now forms Lewisham's statutory Development Plan. As each Local Plan was submitted to the Secretary of State for independent examination it included a list of UDP policies that were superseded.

2.6 Superseded LDF policies

An integrated Local Plan will replace the existing adopted development plan documents and policies map. These documents are Lewisham's Core Strategy (2011), Development Management Local Plan (2014), Site Allocations Local Plan (2013), Lewisham Town Centre Local Plan (2014).

3. Programme for the Lewisham Local Plan

One of the key purposes of preparing this LDS is for the Council to identify the range of Local Plans it is preparing and the detailed timetable for document preparation over the next three years or so. The 2015 LDS has been prepared as a result of the implications of government planning guidance, as set out in the NPPF, favouring a single plan approach⁶. The NPPF directs local planning authorities to produce a Local Plan for its area, with additional development plan documents only being prepared where clearly justified.

⁵<http://www.lewisham.gov.uk/Environment/Planning/PlanningPolicy/LocalDevelopmentFramework/LocalDevelopmentFrameworkEvidenceBase/>

⁶ National Planning Policy Framework (2012), Paragraph 153.

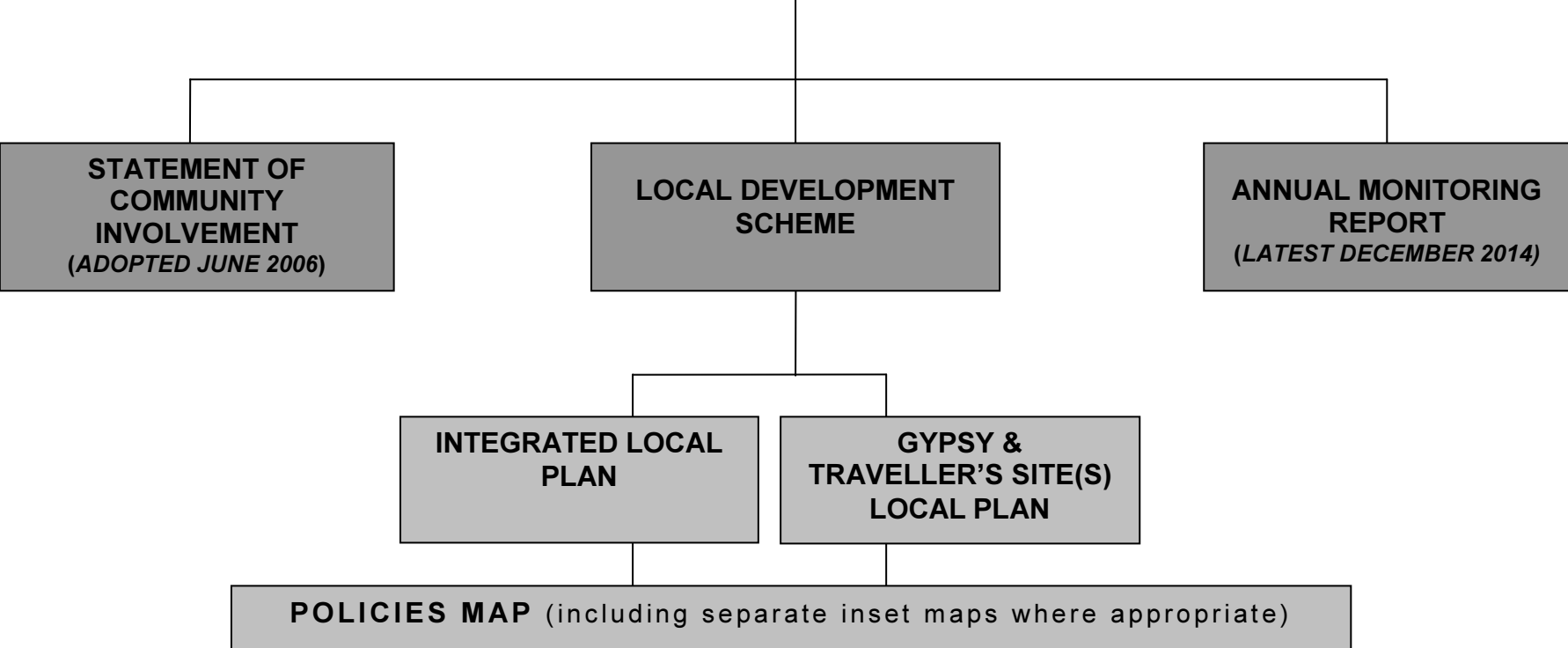
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Alongside preparation of an integrated Local Plan for Lewisham, the Council will prepare a separate Local Plan specifically for the allocation of a site or sites for Gypsy and Traveller accommodation. The Gypsy and Travellers Site(s) Local Plan is being prepared as a separate plan firstly because by nature a single issue plan does not contain as many elements and therefore does not require as much time dedicated to evidence base gathering. The preparation of a single issue local plan should therefore be quicker to produce than a plan addressing all spatial growth considerations for the borough. Secondly, the allocation of a site or sites for Gypsy and Traveller accommodation has a long history and the Council still has a requirement to provide a site to meet the anticipated need for its Gypsy and Traveller population. Given these considerations, separating the allocation of a site for Gypsy and Traveller accommodation is considered necessary and justified.

Due to changes in government policy and regulations (Section 180 of the Planning Act 2008) Supplementary Planning Documents have been removed from the production schedule in the main body of this document. A list of existing SPDs can be viewed in Appendix 2. The NPPF (paragraph 153) states that SPDs 'should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.'

Figure 4 on page 9 identifies the range of documents which are (or will be) in preparation some time over the next three years. Figure 5 on page 10 provides the preparation timetable for each Local Plan, while the following pages provide a brief description and the key milestones for each document.

Figure 4: Lewisham Local Development Framework



KEY:

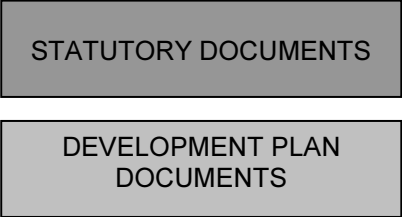


Figure 5: Local Plan preparation timetable

LDS TIMETABLE (JUNE 2015)

DOCUMENTS	START DATE	2015												2016												2017											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
LOCAL PLAN	Jan-15	<							N	N						1	1								2	2			S	P	E	R				A	
GYPSY AND TRAVELLER'S SITE(S) LOCAL PLAN	Jan-15	<													N	1	N	1						2	2				S	P	E	R				A	
POLICIES MAP	Jan-15	<																											A							A	
KEY																																					
Commencement of Preparation		<																																			
Reg 18 notification of intention to prepare Local Plan and issues and options		N																																			
Public participation period for preferred strategy report		1																																			
Public Participation for Publication Document (Reg 19)		2																																			
Submission of Local Plan (Reg 22)		S																																			
Pre-examination Meeting		P																																			
Examination in Public		E																																			
Inspectors Report		R																																			
Adoption		A																																			

LDS TIMETABLE JUNE 2015

TITLE	BOROUGH LOCAL PLAN		
STATUS	Development Plan Document		
ROLE & CONTENT	The Local Plan is the key planning policy document for the borough. It is our plan for the future and sets out the strategic direction and key decisions for how much development will happen in the borough and where, when, and how it will take place. It also allocates sites for development and contains policies to guide decisions on planning applications.		
COVERAGE	Whole Borough	JOINT PRODUCTION	No
CHAIN OF CONFORMITY	<ul style="list-style-type: none"> To be consistent with the NPPF To be in general conformity with the London Plan 		
LDF REPLACEMENT	<p>The integrated Local Plan will replace the Core Strategy (2011), Development Management Local Plan (2014), Site Allocations Local Plan (2013), Lewisham Town Centre Local Plan (2014).</p> <p>When the Local Plan is submitted to the Secretary of State for independent examination it will include a list of LDF policies that will be superseded.</p>		
REVIEW	The Local Plan will be reviewed annually as part of the Annual Monitoring Report. However, it is expected that the Local Plan will remain valid for a 15 year period unless the outcome of annual review indicates that replacement is necessary.		
KEY MILESTONES	Commencement of preparation		January 2015
	Public participation on the intention to prepare a plan, 'issues and options'		September/October 2015
	Public participation on the preferred strategy		March/April 2016
	Public participation on the publication plan (proposed submission plan)		January/February 2017
	Submission of Local Plan		May 2017
	Pre-Examination meeting if required		June 2017
	Commencement of the Examination		July 2017
	Report from Inspector		August 2017
	Adoption of Local Plan		November 2017

TITLE	GYPSY AND TRAVELLER'S SITE(S) LOCAL PLAN		
STATUS	Development Plan Document		
ROLE & CONTENT	The Gypsy and Traveller's Site(s) Local Plan (GTSLP) will allocate a site or sites to meet the identified local accommodation needs of Gypsy and Traveller communities in the borough.		
COVERAGE	Whole borough	JOINT PRODUCTION	No
CHAIN OF CONFORMITY	<ul style="list-style-type: none"> • To be consistent with the NPPF • To be in general conformity with the London Plan • To be consistent with the Borough Local Plan • Policies / proposals of GTSLP to be shown graphically on the Policies Map 		
LDF REPLACEMENT	The Plan will replace a policy in the Core Strategy.		
KEY MILESTONES	Commencement of preparation	January 2015	
	Public participation on the intention to prepare a plan, 'issues and options' and the preferred strategy	February/March 2016	
	Public participation on the publication plan (proposed submission plan)	July/August 2016	
	Submission of Local Plan	November 2016	
	Pre-Examination meeting if required	December 2016	
	Commencement of the Examination	January 2017	
	Report from Inspector	February 2017	
	Adoption of Local Plan	May 2017	

TITLE	POLICIES MAP		
STATUS	Development Plan Document		
ROLE & CONTENT	The Policies Map will illustrate on an Ordnance Survey base map all the policies and proposals contained in each Local Plan.		
COVERAGE	Whole Borough	JOINT PRODUCTION	No
CHAIN OF CONFORMITY	<ul style="list-style-type: none"> • To be consistent with the NPPF • To be in general conformity with the London Plan • To graphically show the policies and proposals in all approved Local Plans 		
LDF REPLACEMENT	<p>The policies map replaces previous policies maps and changes brought about by the adoption of LDF documents: the Core Strategy (2011), Development Management Local Plan (2014), Site Allocations Local Plan (2013), Lewisham Town Centre Local Plan (2014).</p> <p>When the Local Plan is submitted to the Secretary of State for independent examination it will include changes to the policies map.</p>		
REVIEW	The Policies Map will be constantly under review as the plans / policies depicted on it are reviewed and new plans / policies are proposed and adopted as part of development plan documents.		
KEY MILESTONES	The key milestones for the Policies Map will be the submission and adoption milestones for each Local Plan.		

Appendix 1 Existing evidence base documents

Overarching

- Shaping our future: Lewisham Sustainable Community Strategy 2008-2020
- Lewisham Infrastructure Delivery Plan, 2010

Housing

- Lewisham Strategic Housing Market Assessment, 2009
- Lewisham Affordable Housing Viability Assessment, 2009
- Housing Conversions Study, 2012
- South East London Boroughs' Strategic Housing Market Assessment, 2014
- Lewisham Affordable Rent Study, 2014

Employment and retail

- Lewisham Employment Land Study, 2008
- Lewisham Retail Needs Study, 2009 (plus 2010 supplement)
- Town Centre Health Checks, 2011
- Pubs in Lewisham: An evidence base report, 2012
- Hot food take-away shops: An evidence base study, 2013

Renewables and energy

- Lewisham Renewables Evidence Base Study, 2009

Waterways and flooding

- Lewisham Strategic Flood Risk Assessment, 2008
- Lewisham Sequential Test, 2009

Open space

- Lewisham Leisure and Open Space Study, 2009
- Ravensbourne River Corridor Improvement Plan, 2010
- Lewisham Physical Activity, Sport and Leisure Strategy, 2006
- Lewisham Biodiversity Action Plans, 2006

Waste management

- Lewisham Municipal Waste Management Strategy, 2008
- South East London Boroughs' Joint Waste Appointment Technical Paper, 2014

Transport

- Lewisham Borough-wide Transport Assessment, 2010
- North Lewisham Transport Study, 2009
- Lewisham Town Centre Transport Study, 2009
- North Lewisham Links Strategy, 2007
- Lewisham Local Implementation Plan, 2011

Design

- Deptford New Cross Masterplan, 2007

- Lewisham Tall Buildings Study, 2010
- Lewisham Conservation Area Appraisals and Management Plans (various)

Community services

- Lewisham Children and Young People's Plan, 2009
- Lewisham Social Inclusion Strategy, 2005
- Lewisham Joint Strategic Needs Assessment, 2011

Appendix 2 Supplementary planning documents

The table below identifies the links between policies in the Local Development Framework and the Council's Supplementary Planning Documents.

SUPPLEMENTARY PLANNING DOCUMENTS	LINKS TO LOCAL DEVELOPMENT FRAMEWORK DOCUMENTS
Brockley Conservation Area SPD	CS Policy 16, DM Policy 4, DM Policy 30, DM Policy 36
Child Care	CS Policy 19, DM Policy 42
Deptford Town Hall Conservation Area Character Appraisal	DM Policy 4, DM Policy 30, DM Policy 36
Deptford Urban Design Framework and Development Strategy	CS Policy 6, CS Policy 15, DM Policy 30
Forest Hill Urban Design Framework and Development Strategy	CS Policy 6, CS Policy 15, DM Policy 30
Hatcham Conservation Area SPD	CS Policy 16, DM Policy 30, DM Policy 36
Planning Obligations SPD	CS Policy 21
Residential Standards SPD	CS Policy 1, CS Policy 7, CS Policy 8, CS Policy 10, CS Policy 12, CS Policy 14, CS Policy 15, CS Policy 16, DM Policy 2, DM Policy 3, DM Policy 4, DM Policy 5, DM Policy 6, DM Policy 7, DM Policy 8, DM Policy 22, DM Policy 29, DM Policy 30, DM Policy 31, DM Policy 32
River Corridors Improvement Plan (due for adoption in 2015)	CS Policy 11
Shop Front SPD	CS Policy 15, DM Policy 19
Southend Village, Bromley Road SPD	DM Policy 9, DM Policy 11, DM Policy 30
St. Mary's Conservation Area SPD	CS Policy 16, DM Policy 4, DM Policy 30, DM Policy 36

Appendix 3 Glossary of terms

Adoption The process by which a local planning authority formally brings a Local Plan or Supplementary Planning Document into operation. Among other things, an authority is required to prepare an adoption statement, advertise that the document has been adopted and make available the document itself and copies of various reports which have been prepared during its preparation.

Annual Monitoring Report A report prepared by the Council assessing progress on the preparation of the various Local Plans as set out in the LDS. In addition once a Local Plan is adopted the AMR reviews how effective the policies are and considers if they need to be reviewed and replaced.

Community Infrastructure Levy (CIL) This is a new levy that local authorities can choose to charge on new developments in their area. The money generated is to be spent on infrastructure that is required in the local authority such as road and other transport needs, parks, schools, sports centres and community facilities.

Core Strategy A Local Plan setting out the spatial vision and strategic objectives of the planning framework for the area, in line with the Sustainable Community Strategy.

Examination in Public (EiP) A examination presided over by an independent Inspector or a Panel of Inspectors appointed by the Secretary of State. The examination is to test the soundness of the Local Plan prepared by the Council.

Inspector's report Following the examination, a report will be issued by the Inspector who conducted the examination setting out their conclusions on matters raised at the examination and their view of how the Local Plan meets the tests of soundness. The report usually contains recommendations for changes to the document to ensure soundness.

Local Plans A Local Plan is a document that has been subject to independent testing and have the weight of development plan status. Supplementary Planning Documents (SPDs) which are not subject to independent testing, do not have development plan status and give further detail and guidance on how the policies in the Local Plans will be implemented.

Local Development Scheme (LDS) A public statement identifying which Local Plans will be produced by the Council and when.

Lewisham Local Strategic Partnership A Local Strategic Partnership is a single non-statutory, multi-agency body which matches local authority boundaries and aims to bring together at a local level the different parts of the public, private, community and voluntary sectors.

London Plan The London Plan is the spatial development strategy for London and is prepared by the Mayor of London. It sets out strategic policies in relation to the development and use of land in Greater London. In accordance with the Planning and Compulsory

Purchase Act 2004 it forms part of the Development Plan for local planning authorities in Greater London.

Planning and Compulsory Purchase Act 2004 National planning legislation from central government aimed at improving the planning process and enhancing community involvement in it. Visit www.communities.gov.uk to find out more.

Policies Map A graphical representation on an Ordnance Survey base of the policies in Local Plans, which shows in a visual form the areas of the borough to which the various Local Plan policies apply.

National Planning Policy Framework (NPPF) A statement of national planning policy by the government. It provides guidance to local authorities and others on planning policy and the operation of the planning system. Local authorities must be consistent with the NPPF. The guidance may also be relevant to decisions on individual planning applications and appeals.

Strategic Environmental Assessment A generic term used internationally to describe environmental assessment as applied to policies, plans and programmes.

Supplementary Planning Document A document that provides further detail and guidance on how the policies in Local Plans will be implemented. A SPD is not the subject to independent testing and does not have the weight of Local Plan status.

Sustainability Appraisal Sustainability Appraisal is a systematic and iterative appraisal process, incorporating the requirements of the European Strategic Environmental Assessment Directive. The purpose of sustainability appraisal is to appraise the social, environmental and economic effects of the strategies and policies in a Local Development Document from the outset of the preparation process.

Sustainable Community Strategy (SCS) The Sustainable Community Strategy has been prepared by Lewisham's Local Strategic Partnership and is a document which sets out how the vision and priorities for Lewisham will be achieved. The Core Strategy is the spatial interpretation of the SCS.

Tests of soundness The policies in a Local Plan will be tested during the independent Examination in Public to determine whether they are sound. The presumption will be that the Local Plan is sound unless it is shown to be otherwise as a result of evidence considered at the examination. The criteria for assessing whether a Local Plan is sound will apply individually and collectively to policies in the Plan.

Unitary Development Plan The planning document at the local level prepared prior to 2004 and used to assess and determine planning applications. The UDP was replaced by Development Plan Documents prepared under the Planning and Compulsory Purchase Act 2004 (and now called Local Plans). Transitional arrangements mean that some policies in the UDP will continue to have effect until they are replaced by policies in a replacement Local Plan. The Local Development Scheme identifies these policies (if any).

Agenda Item 10

COUNCIL			
Report Title	Constitutional Matters		
Key Decision	No	Item No.	4
Ward	All Wards		
Contributors	Head of Law		
Class	Part 1	Date:	24 June 2015

1 Summary

This report proposes changes to the Council's constitution to reflect changing law and decisions of the Council's Constitution Working Party (CWP).

2 Purpose

The purpose of this report is to ensure that the Council's constitution reflects changing law and is fit for purpose.

3 Recommendations

- 3.1 That the Council agree the changes proposed in the draft report now appearing at Appendix 1 (Constitutional Update), which were considered by the CWP on 10th June 2015, subject to
- (a) the amendments agreed by the CWP appearing at Appendix 2 (*to follow*); and
 - (b) the deletion of the words "consist of" in paragraph 6(3) (d) of Appendix 1 and the insertion of "include" in their place
- 3.2 That the Council agree to establish the Broadway Theatre Working Group as set out in the report now appearing at Appendix 3, which was considered by the CWP on 10th June 2015, subject to the amendments agreed by the CWP appearing at Appendix 4

4 Background

- 4.1 The background to, and the implications of, the proposed changes are set out in full in the report at Appendix 1 and 3 and members' attention is drawn to their contents and the amendments agreed by CWP. Broadly these relate to changes as follows:-

- New Contract Procedure rules necessitated by the Public Procurement Regulations 2015

- New employment rules relating to the dismissal of Head of Paid Service, Chief Finance Officer and Monitoring Officer
- The reflection of current practice in relation to the SACRE in the Constitution
- The creation of a time limited Public Spending Working Group
- The creation of a time limited Broadway Theatre Working Group
- An amendment to the provisions relating to the scrutiny of cross cutting issues

4.2 The recommendation appearing at paragraph 3(1) (b) above is designed to amend a lack of clarity in Appendix 1. The relevant regulations provide that the Panel to which Paragraph 6(3) (d) of Appendix 1 refers shall not consist solely of the independent members referred to, but must include them. As the Panel is to be an advisory committee for the purposes of the Local Government Act 1972, it will also include at least 4 councillors. However as it is not to be a standing committee of the Council, it will be appointed in the event of the necessity for it arising. The number to be appointed to it may be decided at that time in the light of prevailing circumstances.

4.3 Members are asked to note that there is a separate report on the agenda relating to appointments to the proposed working groups, which are subject to agreement to their establishment, and that that report also asks for appointment to the recently established Pensions Board.

5 Legal implications

5.1 The legal implications are largely set out in Appendix 1 and 2. Members of the Council are reminded that there is a legal duty to keep the Constitution under review and up to date. CWP was established to advise the Council on any necessary amendments to the Constitution but decisions about amendments to the Constitution are for full Council to make. The Constitution must be kept up to date and publicly available. It will be updated and will appear on the Council's website and be available for public inspection after the Council has made a decision to amend. Attention is also drawn to the equalities duties set out in the Appendices.

6 Financial implications

There are no specific financial implications arising.

7 Environmental implications

There are no specific financial implications arising.

Report Author

For further details on this item contact the Head of Law, Kath Nicholson, 0208 3147648

CONSTITUTION WORKING PARTY		
Report Title	CONSTITUTIONAL CHANGES	
Key Decision	N/A	
Ward	All	
Contributors	Head of Law	
Class	Part 1	Date 10 June 2015

1 Summary

This report sets out some proposed amendments to the Constitution for consideration by the Constitution Working Party (CWP) which is asked to decide whether to recommend to full Council to adopt those amendments.

2 Purpose of the Report

The Council is under a duty both by law and under the Constitution to keep its constitution under review. The purpose of this report is to ask the CWP to consider the report prepared by the Head of Law by way of review and so fulfil both of these duties.

3 Recommendations

The CWP is asked to consider the proposed amendments suggested in this report and to agree to recommend them to full Council, namely

- (a) that the contents of Appendix 1 replace the existing Part I of the Constitution – Contract Procedure Rules
- (b) that the contents of Appendix 2 replace the existing Part H of the Constitution – Employment Procedure Rules
- (c) that the contents of Appendix 3 – SACRE - be inserted into the Constitution at Article 18
- (d) that the Council establish a Public Services Working Group in accordance with the provisions set out in Appendix 4 and appoint members to it

- (e) that Article 6 (7) (b) be amended in accordance with Paragraph 9 of this report

4 Policy Context

- 4.1 The Council introduced a directly elected mayor and cabinet model of political governance under the Local Government Act 2000. It took effect from May 2002. Since then it has made a number of changes to its Constitution to ensure best fit with both regulation and local circumstances.
- 4.2 The Council is required by Section 37 Local Government Act 2000 to draw up and keep up to date a document referred to as the Constitution which contains information specified by the Secretary of State, the Council's standing orders, the Member code of conduct and such information as the Council considers appropriate. It must be available for public inspection.
- 4.3 A number of changes are proposed. There are two significant changes which are required by regulation.

5 Procurement

- 5.1 The first regulatory change relates to the Public Contract Regulations 2015 which were laid in February 2015. Some of the provisions came into effect in February and others on 1st April this year. The regulations reflect changes to European public procurement law and make significant amendments to the procedure for letting local authority contracts. Some of the main changes are summarised below:-
 - (a) Express legislative permission to conduct soft market testing
 - (b) The introduction of two new procurement procedures – competitive with negotiation and innovation partnerships
 - (c) A requirement to set out in procurement documents a decision not to subdivide into lots – a measure designed to make public contracts more accessible to small and medium enterprises (SMEs)
 - (d) The abolition of a minimum requirement of three providers for framework agreements
 - (e) Exemption for in house procurement - Codification of case law (Teckal) which enables a contracting authority, without a competitive procurement exercise, to contract with a controlled entity over which it exercises a degree of control similar to that which it exercises over its own departments, provided that the work of the controlled entity for the contracting authority represents 80% of its turnover.

- (f) Exemption for co-operation between authorities, subject to a requirement that the participating authorities perform on the open market less than 20% of their activities
- (g) Frontloading the procurement - The Council must provide unrestricted direct access free of charge to all procurement documents at the time the notice is placed in OJEU
- (h) Timescales for stages of the procurement process are shortened
- (i) Abolition of the distinction between Part A and Part B services, with a light touch regime introduced for certain public contracts
- (j) Reserved contracts – some service contracts may be reserved for certain types of organisation (e.g. social enterprise/mutual)
- (k) Mandatory grounds for excluding contractors - e.g. non-payment of tax with binding judgement
- (l) Discretionary grounds to exclude contractors are introduced – e.g. poor performance on previous contracts involving termination/damages
- (m) Selection criteria are principle based and less prescriptive. Relevant project specific criteria may be added if relevant and proportionate.
- (n) A new obligation to ask tenderers to explain abnormally low tenders
- (o) A detailed and much expanded reporting regime for Council to adhere to
- (p) A range of regulations designed to encourage interest from SMEs e.g. requirement to advertise on Contracts Finder, standardised pre qualification questionnaires and 30 day payment terms with heavy penalties in default. Procurement below the threshold may not have prequalification stage

5.2 Because of the significant changes to procurement law, officers suggest it would be appropriate for the existing contract procedure rules to be replaced with those appearing at Appendix 1 which reflect the requirements of the new regulations.

6. The dismissal of the Chief Executive, Chief Finance Officer and Monitoring Officer

6.1 To date, by law, the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer required a statutory procedure to

be followed involving the appointment of a designated independent person (DIP) by agreement between the Council and the officer concerned, or in default of such agreement, by the Secretary of State. Further whilst the dismissal of the Head of Paid Service required full Council approval, that of the Chief Finance Officer or the Monitoring Officer did not.

6.2 On 25th March 2015 the Local Authorities (Standing Orders) (England) (Amendment) Regulations (the 2015 regulations) were laid before Parliament. They came into force on 11th May. They provide for the existing procedure to be abolished and the introduction of a new statutory procedure which must be followed before a Head of Paid Service, Chief Finance Officer or Monitoring Officer may be dismissed. The 2015 regulations state that at its first ordinary meeting after 11th May, the Council must amend its standing orders to reflect the new law.

6.3 Key features of the 2015 regulations are set out below in summary:-

- (a) The appointment and dismissal of the Head of Paid Service remains subject to full Council approval.
- (b) The dismissal of the Chief Finance Officer or Monitoring Officer is subject to full Council approval.
- (c) Instead of a DIP, at least 20 days before it considers whether or not to approve the dismissal of the officer concerned, the Council must appoint a Panel (which is formally an advisory committee) to advise it on matters relating to the decision whether to approve the dismissal or not.
- (d) The Panel must consist of at least 2 “relevant independent persons” who have accepted an invitation to be on the Panel. These are independent persons appointed by the Council or another authority for the purposes of advising on alleged breaches of the Member Code of Conduct under the Localism Act 2011.
- (e) Subject to acceptance of the invitation to participate, appointments to the Panel must be made in the following priority order:-
 - (i) An independent person who has been appointed by the Council who is also a local government elector in the borough
 - (ii) Any other independent person who has been appointed by the Council
 - (iii) An independent person who has been appointed by another authority/authorities.

(f) Before voting on whether to approve the dismissal of the officer concerned or not, the Council must take into account:-

- Any advice, views or recommendations of the Panel
- The conclusions of any investigation into the proposed dismissal; and
- Any representations from the officer concerned.

6.4 The Council has appointed 2 independent persons for the purposes of the Localism Act 2011. They are Erica Pienaar and Wendy Innes. Their details were reported briefly to the 2015 Annual General Meeting of Council. Neither are local government electors in the borough. Were the Council to consider the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer it would be appropriate to invite Ms Pienaar and Ms Innes to be members of the Panel and should they not accept, to approach independent persons from another authority/authorities. Both have indicated at this stage that they would be prepared to sit on the Panel if required to do so.

6.5 The 2015 regulations also provide that the remuneration, allowances or fees paid to the Panel members may not exceed the level payable to that person in respect of their role under the Localism Act 2011.

6.6 Because of these changes in the law it is suggested that Part H of the Constitution entitled "Employment Procedure Rules" be replaced with that amended Part H appearing at Appendix 2.

7 SACRE

7.1 Every local authority must establish a permanent body called a Standing Advisory Council on Religious Education (SACRE) to:

(a) advise the local authority on:

- (i) religious worship in community and foundation schools which do not have a religious character; and
- (ii) religious education in accordance with an agreed or other syllabus; and

(b) decide applications by Headteachers about whether it is appropriate for collective worship to apply at their school (under section 394(1) of the Education Act 1996).

7.2 Local authorities must appoint representatives to each of four committees, representing respectively:

Group A: Christian denominations and such other religions and religious denominations as, in the authority's opinion, will

appropriately reflect the principal religious traditions in the area

Group B: the Church of England

Group C: teacher associations

Group D: the local authority .

- 7.3 It is suggested that the Constitution be amended to include SACRE as an additional representation panel at Article 18 of the Constitution. A suggested amendment appears at Appendix 3. The proposed membership of the SACRE is attached and also appears at Appendix 3.

8. A Public Spending Working Group

- 8.1 The Council recognises that alongside that of the Council, the work of other public sector organisations is critical to the wellbeing of local people. The Council and those other organisations often work in partnership to achieve the best possible outcomes for those who live and work in the borough. Particularly in times of austerity it is critical that the Council understands how resources are deployed by other public organisations in the borough. This will enable the Council to make its views known to those organisations and make informed choices about the nature of its own service provision.
- 8.2 The members of the Overview and Scrutiny Business Panel have expressed a wish to investigate in some detail the way in which other public sector organisations deploy expenditure across the borough. Such a fact finding enquiry could entail a mapping exercise to create a picture of the state of public service provision throughout Lewisham. At the same time however, it is acknowledged that it would be unhelpful to put in place an organisational structure that is cumbersome or overly bureaucratic. For this reason it is proposed that the Council establish a Public Spending Working Group for a maximum period of 6 months to investigate how public sector resources are deployed across the borough, with a requirement that it make a report to Mayor and Cabinet and full Council for consideration. It is proposed that the membership of the Working Group should be the same as the membership of the Overview and Scrutiny Business Panel.
- 8.3 Proposed Terms of Reference appear at Appendix 4 to this report.

9. Scrutiny of cross cutting issues

- 9.1 Recent experience has shown that the overview and scrutiny of cross cutting issues has led to the need on several occasions for meetings of joint select committees to ensure that the views of members with different remits are voiced and taken into account. Given the economic

strictures which the Council faces over the coming years it is likely that there will be a larger number of proposals which will cut across the remit of two or more select committees. A proliferation of joint select committee meetings would be likely to prove burdensome and diffuse.

- 9.2** The Overview and Scrutiny Business Panel has expressed a wish for the overview and scrutiny of cross cutting issues to be streamlined whilst ensuring that the different perspectives of select committees can be represented and heard. Currently, the Constitution provides that where a matter crosses the remit of two or more select committees, the Overview and Scrutiny Business Panel may allocate the matter to a select committee. It is proposed that such cross cutting matters might be considered by the Overview and Scrutiny Business Panel. It is noteworthy that the Chairs of all the select committees sit on the Overview and Scrutiny Business Panel and so views from across the remits of all select committees might be voiced in that forum. To provide a more focussed approach and to provide the maximum flexibility, it is suggested that Article 6 (7) (b) of the Constitution be amended to allow the Overview and Scrutiny Business Panel not only to allocate cross cutting issues to a select committee but also to reserve the consideration of such cross cutting issues to itself. If there is agreement to the proposed amendment, the new Article 6 (7) (2) would read as follows:-

“where a particular issue would fall within the remit of more than one overview and scrutiny select committee, to decide on the allocation of the issue for consideration. The Business Panel may allocate to a select committee, or reserve the matter to itself for consideration. “

10. Legal implications

- 10.1 The Council is under a duty to have the Constitution available for public inspection at its offices and to provide a copy to anyone who requests it on payment of a reasonable fee. In practice a copy of the Constitution is made available on the Council’s website.
- 10.2 The body of the report refers to a number of legal implications including its statutory basis. It refers to the new legal requirements in relation to public procurement and employment procedure rules and to the statutory basis for the SACRE. Amendments to the Constitution are a matter for full Council decision.
- 10.3 The Constitution Working Party was established by the Council to advise it on any proposed amendments to the Constitution and its views will be made available to Council on considering whether to adopt the proposed changes.
- 10.4 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.

10.5 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.

10.6 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.

10.7 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/>

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

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

10.9 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/>

10.10 Members are reminded of the duty to secure best value under the Local Government Act 1999. The whole purpose of the amendments is to secure continuous improvement in the administration of the Council's business.

11 Crime and disorder implications

The Constitution is designed to embody sound decision making principles and a robust ethical framework to reduce the prospect of any potential wrong doing and to promote public confidence in local government.

12. Equalities implications

There are no specific equalities implications

13. Financial implications

There are no financial implications arising from this report

I CONTRACT PROCEDURE RULES

To follow

Appendix 2

H EMPLOYMENT PROCEDURE RULES

1 Declarations

Candidates for appointment as employees of the Council shall be required to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, aunt, uncle, niece or nephew of an existing member or employee of the Council. or of the partner of such a person.

No candidate so related to a member or employee of the Council will be appointed without the authority of the relevant Executive Director or an officer nominated by him/her.

2 Canvassing for appointment

Canvassing of members of the Council or of any members of any committee of the Council, directly or indirectly, for appointment by the Council will disqualify the candidate concerned from that appointment. The content of this paragraph will be included in any recruitment information.

No councillor shall seek support for any person for any appointment with the Council. However, this does not preclude a member from giving a written reference for a candidate for submission with an application for appointment.

3 Statement of duties for chief officer posts

Where the Council intends to appoint the Head of Paid Service or any chief officer within the meaning of Section 2(6) or 2(7) Local Government and Housing Act 1989 and it is not proposed that the appointment will be made exclusively from among existing officers, the Council will:-

- (a) draw up a statement specifying:
 - i. the duties of the post concerned; and
 - ii. any qualifications or qualities to be sought in the person to be appointed; and
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

4 Responsibility for appointment, dismissal and disciplinary action below deputy chief officer

The Head of Paid Service, or such person as he/she nominates will be responsible for the appointment, dismissal and disciplinary action in respect of all employees with the exception of the following posts:-

- The Head of Paid Service
- Chief officers as defined in Sections 2(6) and 2(7) Local Government and Housing Act 1989
- Deputy chief officers as defined in Section 2(8) Local Government and Housing Act 1989
- Assistants for political groups
- Assistant to the Mayor

5 Meaning of disciplinary action

For the purposes of these Employment Procedure Rules, 'disciplinary action' means any action occasioned by alleged misconduct which, if proved, would according to the usual practice of the Council, be recorded on an employee's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term, unless the Council has undertaken to renew such a contract.

6 Recruitment and dismissal of Head of Paid Service

The functions of the appointment and dismissal of the Head of Paid Service are delegated to the Appointments Committee in accordance with Article 9, subject to the approval of the full Council. No letter of appointment or dismissal may be sent until such approval is obtained.

7. The functions of the appointment and dismissal of the Chief Finance Officer and the Monitoring Officer

The functions of the appointment and dismissal of the Chief Finance Officer and the Monitoring Officer are delegated to the Appointments Committee in accordance with Article G, but dismissal of the Chief Finance Officer and/or Monitoring Officer is subject to the approval of the full Council. No notice of dismissal may be sent until such approval is obtained.

8. Recruitment of Head of Paid Service, Chief Officers and Deputy Chief Officers

Subject to (6) above and (9) below, the appointment of the Head of Paid Service, chief officers and deputy chief officers is delegated to the Appointments Committee in accordance with Article 9. Subject to (6) above in relation to the appointment of the Head of Paid Service, an offer of appointment may not be made until:

- (1) the appointer has notified the proper officer of the name of the person to whom it wishes to make the offer of appointment, and any other particulars which are relevant to the appointment; and
- (2) the proper officer has notified every member of the Executive of:-
 - the name of the person to whom the Committee wishes to make an offer;
 - any other particulars relevant to the appointment; and
 - the period within which any objection to the making of the offer is to be made by the elected Mayor on behalf of the executive;
and
- (3) either
 - i. the Mayor has within the time specified for doing so in the notice served by the proper officer, notified the Chair of the Appointments Committee that neither he/she nor any other member of the Executive has any objection to the making of the offer: or
 - ii. the proper officer has notified the appointer that no objection was received by him/her from the Mayor within the period for doing so; or
 - iii. the appointer has received an objection from the Mayor but is satisfied that it is not material or well founded

In this Rule (8) 'the appointer' means the Council in the case of the Head of Paid Service, and the Appointments Committee in respect of the appointment of chief officers and deputy chief officers, or such other committee or sub-committee or officer to whom the appointment of chief officers and deputy chief officers has been delegated.

9. The Director of Public Health – recruitment and dismissal

- (1) The Council's first Director of Public Health transferred to the Council's employment on 1 April 2013 by statutory instrument.

- (2) For subsequent appointments, the following provisions shall apply.
- (3) The appointment will be made by the Council's Appointments Committee acting jointly with the Secretary of State for Health. Current Guidance provides for an advisory appointments committee to be established to advise the Council in accordance with the Faculty of Public Health Guidance. This provides that the advisory panel should be chaired by a lay member such as a local authority elected member. The constitution of the advisory panel is recommended in the Faculty of Public Health Guidance from time to time. The Council must provide the Secretary of State with details of their preferred candidate and their professional competence, compliance with regulation and necessary registration to perform the role. Public Health England will perform this role on behalf of the Secretary of State. In the event of disagreement between the Council and Public Health England, the matter will be referred to the Secretary of State who will advise the Council about the appointment.

The Council may dismiss the Director of Public Health but before doing so, will consult the Secretary of State.

10. Dismissal of Head of Paid Service, chief officers and deputy chief officers

Subject to Rule (6) above in relation to the Head of Paid Service, Rule (8) above in relation to the Director of Public Health, and subject to Rule (12) below in relation to disciplinary action against the Head of Paid Service, Chief Finance Officer and Monitoring Officer, the dismissal of chief officers and deputy chief officers will be delegated to the Head of Paid Service, or such other person as he/she shall nominate from time to time.

Notice of dismissal may not be served on the Head of Paid Service, a chief officer or deputy chief officer unless:-

- (1) The dismissor has notified the proper officer of the name of the person whom the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal; and
- (2) the proper officer has notified every member of the executive of:-
 - the name of the person who the dismissor wishes to dismiss
 - any other particulars relevant to the dismissal which the dismissor has notified to the proper officer; and

- the period in which any objection to the dismissal is to be made by the Mayor on behalf of the executive to the proper officer; and

(3) either:-

- (i) the Mayor has within the period specified in the notice, notified the dismissor that neither he/she nor any other member of the executive has any objection to the dismissal; or
- (ii) the proper officer has notified the dismissor that no objection was received by him/her within that period from the elected Mayor; or
- (iii) the dismissor is satisfied that any objection received from the Mayor within that period is not material or is not well founded

In this Rule (9), “the dismissor” means the Council, a committee, sub-committee or officer of the Council discharging the function of dismissal on behalf of the Council.

11. Membership of committees with responsibility for appointment/dismissal of Head of Paid Service, chief officers and deputy chief officers

Any committee or sub committee of the Council which discharges the function of appointing or dismissing the Head of Paid Service, chief officer or deputy chief officer, must have at least one member of the Executive among its membership.

12. Eligibility to sit on appeals committees

Nothing in rule (10) prevents a person from serving as a member of any committee or sub-committee established by the Council to consider an appeal by:-

- another person against any decision relating to the appointment of that other person as a member of staff of the Council; or
- a member of Council staff against any decision relating to the dismissal of, or taking of disciplinary action against, that member of staff.

- 13. Disciplinary action against the Head of Paid Service, Chief Finance Officer and the Monitoring Officer**
- 13.1 The Council may not dismiss the Head of Paid Service, Chief Finance Officer or the Monitoring Officer unless the procedure set out in the following paragraphs 13.2 – 13.6 has been complied with.
- 13.2 The Council must invite “relevant independent persons” to be considered for appointment to a Panel to be established under Section 102(4) Local Government Act 1972 to advise it on matters relating to the dismissal of the officer concerned.
- 13.3 For the purposes of paragraph 13.2 a “relevant independent person” is any independent person who has been appointed by the Council to advise it on alleged breaches of the Council’s Member Code of Conduct pursuant to Section 28(7) Localism Act 2011. If the Council has appointed fewer than 2 such persons, the definition shall include independent persons appointed by another authority/authorities.
- 13.4 The Council shall appoint to the Panel at least 2 relevant independent persons who have accepted the invitation issued in accordance with paragraph 13.2 above. The Council must appoint Panel members in the following priority order:-
- (a) a relevant independent person who has been appointed by the Council who is a local government elector in the London Borough of Lewisham.
 - (b) any other relevant independent person who has been appointed by the council
 - (c) a relevant independent person who has been appointed by another authority or authorities.
- 13.5 The Council must appoint the Panel at least 20 working days before any Council meeting to consider whether or not to approve the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer.
- 13.6 Before the taking of a vote at a meeting convened to consider whether or not to the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer, the Council must take into account, in particular:-
- (a) any advice, views or recommendations of the Panel;
 - (b) the conclusions of any investigation into the proposed dismissal; and
 - (c) any representations from the relevant officer.

14. Involvement of members in disciplinary action below deputy chief officer

Councillors will not be involved in disciplinary action against officers (including dismissal) below the level of deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct. However, the Council's disciplinary, capability and related procedures as adopted from time to time may allow a right of appeal to members in respect of disciplinary action.

15. Political assistants

The Council may appoint to the post of political assistant as defined in Section 9 Local Government and Housing Act 1989 from time to time.

These posts must be filled from time to time in accordance with the wishes of the group to which the post has been allocated.

A prohibition is imposed on appointment to any post allocated to a political group until the Council has allocated a post to each political group which qualifies for one.

Political assistants must not be allocated to a political group which does not qualify for one.

No party may have more than one political assistant.

16. Mayor's assistant

The Council may appoint a Mayor's assistant in pursuance of regulations made under paragraph 6 of Schedule A1 of the Local Government Act 2000 as amended.

17. Pay Policy Statement

The Council will approve its Pay Policy Statement annually as required by Section 38 Localism Act 2011 and will act in accordance with it.

SACRE

**ARTICLE 18
APPEALS AND REPRESENTATION PANELS**

The Council will establish appeals and representations panels to deal with complaints and other matters as the law requires. Currently the Council has established the panels in column 1 of the table below which deal with the matters set out in column 2 of that table. This may change from time to time.

Column 1	Column 2
Independent Review Panel	To review decisions in relation to permanent school exclusions
Admission Appeal panel	To deal with appeals against refusal of school admission
Standing Advisory Council on Religious Education (SACRE)	To advise the Council on religious education in schools and to consider applications under section 394(1) of the Education Act 1996 on whether it is appropriate for the requirement for Christian collective worship to apply in the case of a particular school or pupils at the school.

PROPOSED MEMBERSHIP OF SACRE

Committee A Other Christian denominations and other faiths and beliefs represented in the LA

African-Caribbean Churches/ Pentecostal churches	1 representative
Baha'i	1 representative
Buddhism	1 representative
Free Churches	3 representatives
Hinduism	1 representative
Humanism	1 representative
Islam	2 representatives
Judaism	1 representative
Roman Catholicism	1 representative
Sikhism	1 representative

Committee B The Church of England

Southwark Diocese	5 representatives
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Committee C Teachers' Professional Associations

ATL	1 representative
NASUWT	1 representative
NUT	2 representatives
Lewisham Heads and Deputies	1 representative
Turnham school	1 representative

Committee D The Local Authority

Elected Members	3 representatives
Representative of the Executive Director	1 representative
Secondary school Governors	1 representative
Primary school Governors	1 representative

Also

Clerk to the SACRE	(non-voting)
RE Adviser to SACRE	(non-voting)
Co-optees	(non-voting)

Proposal for a Public Spending Working Group

1. Terms of reference

- To enquire into the nature, extent and spread of local public spending by any and all public sector organisations operating in the borough.
- To take evidence, whether orally or otherwise from such public sector organisations and such other parties as the Group considers appropriate
- To prepare a report on its findings for submission to the Mayor and Cabinet and to full Council at the earliest opportunity.

2. Membership

Membership of the Working Group shall be the same as the membership of the Overview and Scrutiny Business Panel save that the member who is not a member of the Labour Group shall also be a member should he wish to be so.

3. Time limit

The Working Group shall cease to exist 6 months after its establishment, or on completion of its report, whichever is the earlier.

MINUTES OF THE CONSTITUTION WORKING PARTY

(Extract: 10 June 2015 meeting)

5. Constitutional Update

The Head of Law, who was present at the meeting, left the room on consideration of recommendation (b) Employment Procedure Rules.

The Working Party considered a report which set out a number of proposed amendments to the Constitution. They were discussed separately.

(a) Members discussed the proposed amendments to Contract Procedure Rules appearing at Appendix 1 to the report and the Working Party RESOLVED that it recommend to full Council that they be adopted.

(b) Members considered proposals to amend the Employment Procedure Rules as set out at Appendix 2 to the report, relating to the dismissal of the Chief Executive, the Chief Finance Officer, and the Monitoring Officer. The Working Party RESOLVED to recommend to Council that they be adopted. The Chair requested that the report be submitted to Council to clarify the practicalities of appointment of councillors to the Panel referred to in the report.

(c) Members considered the proposed provisions relating to the SACRE at Appendix 3 to the report and RESOLVED that as they reflect current practice, a recommendation be made to Council that they be included in the Constitution as proposed.

(d) The Working Party discussed the proposed establishment of a Public Spending Working Group and RESOLVED to recommend that the Group be established in accordance with the recommendation in the report and Appendix 4, save the reference to the "Labour Group" in paragraph 2 of Appendix 4 should be deleted and the words "majority group" substituted for it.

(e) Members then considered the Scrutiny of cross cutting issues. Following discussion, the Working Party RESOLVED that Article 6 (7) (b) of the Constitution be amended to read as follows:

"where a particular issue would fall within the remit of more than one overview and scrutiny select committee to decide on the allocation of the issue for consideration. The Business Panel may allocate to a select committee. Alternatively until the AGM in 2016, it may reserve the matter to itself."

The Working Party RESOLVED that a review of this amendment should occur at the AGM 2016.

CONSTITUTION WORKING PARTY			
Report Title	Broadway Theatre Working Group		
Key Decision	No	Item No.	4
Ward	All Wards		
Contributors	Executive Director of Community Services, Executive Director of Resources & Regeneration		
Class	Part 1	Date:	10 th June 2015

1. Summary & Purpose

1. This report proposes the establishment of a time limited member led working group to consider the future of the Broadway Theatre.

2. Recommendation

That the Constitutional Working Party agrees to recommend to the Council that it establish a time limited member led working group to consider the future of the Broadway Theatre and appoints members to it accordingly.

3. Background

- 3.1 The Overview and Scrutiny Business Panel agreed at a meeting held on Tuesday 17 February 2015 to refer the proposed saving to the Broadway Theatre to Mayor and Cabinet with a request that consideration be made of the creation of a member led working group to investigate all options for the future of the Broadway Theatre.
- 3.2 The Mayor considered this referral at Mayor & Cabinet on 18 February 2015 and the response agreed was that the Mayor said he believed a member group could be of some value and he would consider the best way to progress the suggestion, as long as any group created began with a complete briefing encompassing the long history of the theatre.
- 3.3 The basis of the savings proposal for the Broadway Theatre was a reduction in the theatre programme and staffing levels. This proposal was in response to the current limitations of the building, growing concerns about managing the current level of operation safely and the need to make savings. The Mayor accepted the savings proposal for the Broadway Theatre and a reduction to the theatre programme until such time as external investment could be found.
- 3.4 The Broadway Theatre is a Grade II listed building, opened in 1932. Improvements to Front of House areas were made 15 years ago, but the auditoria (both the 800-seat main house and the 80-seat studio theatre) and all backstage areas have remained substantially untouched for many decades, resulting in considerable deterioration. An example of this can be seen in the results from water penetration

in the basement and main auditorium ceiling

- 3.5 The Theatre sits at the heart of Catford and will play an essential role in the regeneration of the area. The long term future of the building has been entwined with the emerging plans for Catford over many years. The Council has recognised that this important building is in need of significant investment but until the masterplan for Catford is agreed it has not been possible to bring forward detailed investment plans for the building due to the interdependencies with other buildings and the road network. Work on the Catford Masterplan has significantly progressed and should enable the council to start the first phase of fundraising to address issues with the fabric of the listed building within the next 12 months.

4. Broadway Theatre Working Group

- 4.1 It is proposed that a proposed that a Broadway Theatre Working Group be established with the following terms of reference and composition:-

“Without prejudice to the remit of the Safer Stronger Select Committee, to explore any proposals for the future of the Broadway Theatre over the course of the municipal year 2015/16.

To make any comments it considers appropriate about those proposals to the Mayor and Cabinet.

The Working Group will consist of 6 members (7 if the councillor outside the majority party wishes to sit on the Group) and will cease to exist at the end of May 2016”.

5. Legal implications

- 5.1 The Council may establish working groups for time limited purposes if it considers it appropriate to do so.

6. Financial implications

- 6.1 There are no specific financial implications arising.

Background documents and originator

- Mayor & Cabinet minutes and OSBP Referral 17 February 2015

If there are any queries on this report please contact Liz Dart 02083146115.

MINUTES OF THE CONSTITUTION WORKING PARTY

Extract: 10 June 2015

4. Broadway Theatre Working Group

The Working Party considered a report which proposed the establishment of a time limited, Member led working group to consider the future of the Broadway Theatre.

RESOLVED that the Constitution Working Party recommend to the Council that it establish a time limited member led working group to consider the future of the Broadway Theatre, as set out in the report, subject to the following amendments:

- that the membership should include at least one local ward councillor;
- that membership be extended to include the member outside the majority party if he so wishes;
- that no more than one executive member should sit on the working group;
- and that the Working Group should be time limited to the Council's AGM in 2016.

COUNCIL		
Report Title	Action Taken by the Chair or Vice-Chair of Council Under Rule 19 of Section E of the Constitution	
Key Decision	no	Item No.
Ward	n/a	
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 24 2015

ACTION TAKEN BY THE CHAIR OF COUNCIL UNDER RULE 19 OF SECTION E OF THE CONSTITUTION

1. The Chair of Council or the Vice-Chair of council agreed under the urgency procedure set out in Rule 19 of Section E of the Constitution, that the matters listed below should be treated as matters of urgency and not subject to call-in. These determinations not to subject two decisions delegated to officers to scrutiny was made by the Chair of Council or Vice-Chair of Council as the delay in considering the item of business would have prejudiced the interests of the Council.

<u>Date</u>	<u>Title</u>	<u>Reason for Urgency</u>
November 28 2014	Contract Award for Drumbeat 6th Form School Phase 3	The report was not available at the Education Business Panel on 25 November 2014 because written confirmation from the school was not received until 21 November 2014 which delayed the approval of the contract award by the Executive Director for Children & Young People. Delaying consideration until the next Education Business Panel on December 16 2014 would have had a very detrimental impact on the delivery timetable and access to external grant funding for the project.
March 25 2015	Delegated Authority to dispose of land on Mercator Road	The report was scheduled to be considered by the Business Panel on 7 April 2015. However only at a late stage was it realised that new CIL regulations coming into force on 1 April 2015 would invalidate the planning consent and jeopardise the sale. Exemption from scrutiny allowed the land transaction to complete before 31 March

RECOMMENDATION that the actions taken by the Chair of Council be noted.

COUNCIL		
Report Title	Action Taken by the Chair of the Overview and Scrutiny Committee Under Rule 19 of Section G of the Constitution	
Key Decision	no	Item No.
Ward	n/a	
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 24 2015

ACTION TAKEN BY THE CHAIR OF THE OVERVIEW & SCRUTINY COMMITTEE UNDER RULE 19 OF SECTION G OF THE CONSTITUTION

1. The Chair of the Overview & Scrutiny Committee agreed under the urgency procedure set out in Rule 16(c) of Section G of the Constitution, that the matters listed below should be treated as a matter of urgency despite not having been included in a Notice of Intention giving the public 28 clear days notice of a proposal to consider executive business in closed session.

<u>Date</u>	<u>Title</u>	<u>Reason for Urgency</u>
March 17 2015	Prevention and Inclusion Team Contract Extension and variation	The report was considered by Mayor & Cabinet Contracts on March 25 2015. Owing to an administrative error this matter was not included in the Council's Key Decision Plan or in Notice of Intention giving notice of a proposal to consider executive business in closed session. The report was urgent and could not wait for correct notice to be given as the contracts involved were due to expire on 31 March 2015 so needed to be agreed before that date.

May 28 2015	Schools Minor Works Programme 2015-16 Award of Contract	The report was considered by Mayor & Cabinet Contracts on June 3 25 2015. The report had originally been advertised as a delegated decision to be considered by the Education Business Panel on June 16 2015. However when tenders were returned the sums involved exceeded the Executive Director's delegation and the decision was redirected to members.
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RECOMMENDATION that the actions taken by the Chair of the Overview and Scrutiny Committee be noted.

COUNCIL		
Report Title	Appointments	
Key Decision	No	Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 24 2015

1. Appointments by the Council

(a) Pension Board

The February meeting of the Council agreed to create a Pension Board in accordance with the provisions of the Local Government Pension Scheme (Amendment) Regulations 2015.

The Council is invited to nominate one member to that Board. Members of the Pensions Investment Committee are not eligible for appointment to the Board.

RECOMMENDATION that the Council appoints 1 member to the Pensions Board.

(b) Broadway Theatre Working Group

Earlier in this agenda is a report on Constitutional Matters which includes an appendix relating to the Constitutional Working Party's consideration of the creation of a Broadway Theatre Working Group

The CWP agreed to recommend that the Working Group would consist of 6 members and would cease to exist at the end of May 2016 subject to the following modifications

- That the membership should include at least one local Rushey Green ward councillor;
- That membership be expanded to 7 to include the member outside the majority party if he so wishes;
- That no more than one executive member should sit on the working group;

RECOMMENDATION that the Council makes appointments to the Broadway Theatre Working Group

(c) Planning and Licensing Committees

The Labour Group has requested that its membership on the Planning and Licensing Committees be reviewed. The Council is asked to consider any suggested membership revisions received.

RECOMMENDATION that the Council considers a submission from the Labour Group regarding its membership on Planning and Licensing Committees.

COUNCIL		
Report Title	Motion in the name of Councillor Sorba to be seconded by Councillor Bell	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 24 2015

“This Council resolves to register its opposition to the Transatlantic Trade and Investment Partnership currently being negotiated between the USA and The European Union on the following grounds –

1. TTIP limits the freedom of Local and Central government to choose how they wish to deliver or procure goods and services for the public thereby undermining our duty to the people who we are elected to represent. Under the Treaty it will prove almost impossible to resist increasing demands from transnational corporations demanding contracts for the delivery of health, medical and other vital services. The right to regulate the market, including the labour market, for the public benefit at local or national level on the basis of political mandates or material circumstances is a key lever of government in any democracy. Losing this freedom will significantly affect the wellbeing of the citizens we serve.

2. TTIP endangers necessary environmental, health and safety regulation designed to protect consumers. The principle of “harmonisation” in the Treaty is designed to pushdown safeguards to the minimum – e.g unlimited access of genetically modified ingredients, chlorine-washed chicken, hormone-injected beef and endocrine-disrupting chemicals in pesticides currently approved in the USA but not Europe to become commonplace. TTIP will allow the importation of cosmetics with more than 1000 chemicals that the EU bans (to the 11 of the US) and will abandon the “Precautionary principle” which prohibits agents and activities deemed to be dangerous until they can be proven safe, in favour of the US notion that there should be no ban unless the damage has already been proven to result.

3. TTIP transfers the authority to deliver judgement on disputes between elected bodies and commercial organisations from our independent judiciary to an unaccountable and secret panel of international trade lawyers. The Investor-State Dispute Settlement allows any foreign investor in a signatory State to sue elected governments if it feels their actions have disadvantaged its commercial interests. The panel is not required to publish reasons for its decisions, there is no right of appeal, and they override national laws and bypass the courts.

4. Negotiations have been taking place under a cloud of secrecy and under pressure from a disproportionate number of lobbyists on behalf of transnational corporations especially those from the financial sector.

5. There has been no assessment of the potential impact on local authorities.

6. There has been no scrutiny of the negotiating texts by local government and no consultation with local government representatives.

This Council notes that of June 1st 2015, 470 organisations and 1.8 million individuals throughout Europe have registered their opposition to TTIP by signing a European Citizens' Initiative. The 30 plus UK organisations listed include War on Want, Friends of the Earth, 38 Degrees, Health Poverty Action, GMB, Unite the Union, UNISON, NUT et al. We also note that several sovereign states have been or are being sued by private corporations, under equivalent treaties, where governments' public-minded policies are deemed to threaten their private profits: e.g. America's Philip Morris suing Australia for introducing plain packaging of tobacco products, Egypt being sued by France's Veolia for raising the National Minimum Wage, Quebec being sued for banning Fracking, Germany for its stance on Nuclear power and Slovakia being sued by Dutch HICC over changes in its health insurance legislation.

Finally we assert that there is insufficient evidence to support the claims being made that the Treaty will lead to a bonanza of new jobs and significant economic growth. The very similar US-South Korea Free Trade Agreement was followed by not a rise but a fall in US exports and jobs; the North American Free Trade Agreement led to massive job losses in the US and Canada.

We ask the Mayor to publicise Lewisham Council's concerns about TTIP, join with other local authorities which are opposed to TTIP across Europe and work with local campaigners to raise awareness about the problems of TTIP.

We ask the mayor to contact the London representatives on the Committee of the Regions informing them of our concerns.

We also pass on notice of this resolution to, and urge that it is taken note of by the Minister for Europe, David Lidington MP; the Shadow Foreign and Commonwealth Secretary Hilary Benn MP; the Leader of the European Parliamentary Labour Party, Glenis Willmott MEP; and the EPLP Spokesperson for TTIP and European Parliament Trade Committee member, Judith Kirton-Darling MEP, Heidi Alexander MP, Jim Dowd MP and Vicky Foxcroft MP and to all MEP's whose constituency includes the Borough of Lewisham."

COUNCIL		
Report Title	Motion 2 in the name of Councillor Slater to be seconded by Councillor Dromey	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 24 2015

“This council notes:

- 1 in 4 people will experience a mental health problem in any given year.
- The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.
- Mental ill health costs some £105 billion each year in England alone.
- People with a severe mental illness die up to 20 years younger than their peers in the UK
- There is often a circular relationship between mental health and issues such as housing, employment, family problems or debt.

This council believes:

- As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.
- Despite continuing high levels of budget cuts imposed by central government, mental health should be a priority across all the local authority’s areas of responsibility, including housing, community safety and planning.
- All councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis.

This council resolves:

1. Build on existing good practice between the Council and Voluntary Community Services in supporting mental health.
2. Identify a ‘lead officer’ for mental health to link in with colleagues across the council and other health services, working closely with the Lewisham’s mental health champion, who is appointed by the Mayor.
3. Follow the implementation framework <https://www.gov.uk/government/publications/national-framework-to-improve-mental-health-and-wellbeing> for the mental health strategy where it is relevant to the council’s work and local needs.

4. Work to reduce inequalities in mental health in our community.
5. Work with local partners, including the health services and housing associations, to integrate support for people with mental health needs.
6. Promote wellbeing and initiate and support action to promote good mental health.
7. Tackle discrimination on the grounds of mental health in our community.
8. To continue to work in close partnership with the Local Metropolitan Police when people Mental Health issues come to their attention and that they are appropriately taken to a place of safety rather than a police cell.
9. Recognise the difficulties faced by carers, and in particular young carers, of those facing mental health issues, and continue to ensure we further the work of community organisations and the Council in meeting their needs.
10. Encourage positive mental health in local schools, neighbourhoods and workplaces.
11. Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health.
12. In the spirit of the Time to Change pledge, Lewisham Council in partnership with key service deliverers, produce an action plan on how we can provide mental health support in the borough.”