



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 2 MARCH 2016 at 6.00 pm, or upon the rising of Mayor & Cabinet Contracts, whichever is the later

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

**Enquiries to: Kevin Flaherty 0208 3149327
Telephone: 0208 314 9327 (direct line)
Email: kevin.flaherty@lewisham.gov.uk**

MEMBERS

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

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Tuesday, 01 March 2016**



INVESTOR IN PEOPLE

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

ORDER OF BUSINESS – PART 1 AGENDA

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

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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; and
- 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.

MAYOR & CABINET		
Report Title	Declarations of Interests	
Key Decision	No	Item No. 1
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: March 2 2016

Declaration of interests

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

1 Personal interests

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

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

2 Disclosable pecuniary interests are defined by regulation as:-

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

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

(6) Sensitive information

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

(7) Exempt categories

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

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

Agenda Item 2

MAYOR AND CABINET		
Report Title	Minutes	
Key Decision		Item No.2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: March 2 2016

Recommendation

It is recommended that the minutes of that part of the meeting of the Mayor and Cabinet which were open to the press and public, held on February 10 2016 (copy attached) be confirmed and signed as a correct record.

Public Document Pack

MINUTES OF THE MAYOR AND CABINET

Wednesday, 10 February 2016 at 6.00 pm

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

ALSO PRESENT: Councillor Alan Hall and Councillor Jim Mallory.

Apologies for absence were received from Councillor Paul Maslin.

347. Declaration of Interests

None were made.

348. Minutes

RESOLVED that the minutes of the meeting held on January 13 2016 be confirmed and signed as a correct record.

349. Matters Raised by Scrutiny and other Constitutional Bodies

Call in of decision – Management Arrangements Shared Communications Service

The written formal call-in was presented by Councillor Alan Hall who stressed the decision to require the Mayor to reconsider his original decision was a unanimous one made at a Business Panel discussion involving multiple contributions from members of that committee. He added that the Business Panel included considerable communications expertise and their firm conclusion was that further consideration of the proposals was required.

In response the Mayor observed that he had also formerly worked in the communications sector. He sought clarification from the Head of Law as to the adequacy of the legal advice on which he had based his original decision. She stated the legal advice was totally adequate for the appointment of an interim manager on a shared basis.

The Mayor said he had agreed an interim arrangement to allow future consideration of a more permanent arrangement. He observed that shared communications services were not uncommon and that while it was prudent to be wary of conflicts of interest, if Westminster and Southwark could work together successfully, then Lambeth and Lewisham ought to involve fewer challenges

The Mayor believed an interim solution would allow all practical implications to be resolved before permanent consideration was made. The Mayor reaffirmed his belief that communications was a service to the entire Council and both executive or non executive councillors had considerable interest in seeing the achievement of a competent communications service. The Mayor added that any final decision on the proposal would look carefully at both the legal and practical implications.

The Mayor received advice from Councillor Dromey who stated he had explored other options but had concluded a like for like replacement could cost more money and given that this would be for a back office function when front line services were under so much pressure, he did not think that was sustainable. He said a temporary arrangement would allow careful evaluation before any final decision was made. He expressed a belief that in general the Council should be sharing services wherever possible.

In conclusion the Mayor observed that part time postholders at senior levels within the Council were not unprecedented and that he remained open minded about proposals on shared services. He added that governance questions were becoming more complex and that efficient management of services being run with a variety of other authorities was required at a time when additional funds were not available for expanded governance.

Having considered a call-in report presented by the Chair of Overview and Scrutiny, Councillor Alan Hall and receiving the further advice of the Cabinet Member for Policy and Performance, Councillor Joe Dromey, the Mayor

RESOLVED that the decisions taken by him on January 13 be confirmed.

350. Outstanding Scrutiny Matters

The Mayor observed one response had been produced ahead of schedule.

RESOLVED that the report be noted.

351. Annual Pay Statement

The Mayor asked the Head of Human Resources to thank all the members of the Independent Executive Remuneration Panel for their service to the authority, noting they were local residents with relevant expertise who made a valuable contribution to the process.

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

RESOLVED that the pay policy statement be recommended to Council for approval.

352. Council Budget 2016-17

The report was presented by Councillor Bonavia who said a balanced budget had been set within the changed statutory framework imposed by central government. He noted that despite the mandatory increase in Council Tax and the enforced use of reserves the Council was still facing additional cuts of £15 million pa for the next three years.

Councillor Best advised the Mayor that the Public Health funding position was still unknown and the Budget was being advanced on the best assumptions

available.

In agreeing the recommendations, the Mayor thanked Officers for their work in compiling the Budget and for the helpful discussion that had taken place at the Public Accounts Select Committee. Looking forwards, the Mayor observed that the final Government Settlement had offered some clarity on the savings required for the next three years and he asked Officers to commence work on a three year budget addressing the totality of savings required.

Having considered an officer report, and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor, from the options available and for the reasons set out in the report:

RESOLVED that:

1 the comments of the Public Accounts Select Committee of 27 January 2016 be received;

2 having considered the views of those consulted on the budget, and subject to consideration of the outcome of consultation with business ratepayers, and subject to proper process and consultation, as required, the Mayor:

Capital Programme

3 notes the 2015/16 Quarter 3 Capital Programme monitoring position as set out in section 5;

4 recommends that Council be recommended to approve the 2016/17 to 2019/20 Capital Programme of £337.2m, as set out in section 5 and attached at Appendices W1 and W2;

Housing Revenue Account

5 Council be asked to note the consultation report on service charges to tenants and leaseholders in the Brockley area, presented to area panel members on 17 December 2015, and subsequent postal consultation, as attached at Appendix X2;

6 Council be asked to note the consultation report on service charges to tenants' and leaseholders and the Lewisham Homes budget strategy presented to area panel members on 17th December 2015, as attached at Appendix X3;

7 Council be recommended to set a decrease in dwelling rents of 1.0% (an average of £0.99 per week) – as per the requirements from government as presented in section 6;

8 Council be recommended to set a decrease in the hostels accommodation charge by 1.0% (or £0.39 per week), in accordance with Government requirements;

9 Council be recommended to approve the following average weekly

increases for dwellings for:

(a) service charges to non-Lewisham Homes managed dwellings (Brockley);

- caretaking 1.80% (£0.06)
- grounds 1.80% (£0.03)
- communal lighting 1.80% (£0.01)
- bulk waste collection 1.80% (£0.02)
- window cleaning 1.80% (£0.09)
- tenants' levy -30.0% (-£0.03)

(b) service charges to Lewisham Homes managed dwellings:

- caretaking 1.20% (£0.07)
- grounds 68.0% (£0.66)
- window cleaning No increase
- communal lighting -10.7% (-£0.13)
- block pest control -4.3% (-£0.07)
- waste collection No change
- heating & hot water 23.1% (£1.85)
- tenants' levy -30.0% (-£0.03)
- bulk waste disposal new service (£0.81)
- sheltered housing new service (£23.62)

10 Council be recommended to approve the following average weekly percentage changes for hostels and shared temporary units for;

- service charges (hostels) – caretaking etc.; 2.90% (£2.09)
- no energy cost increases for heat, light & power; 0.0% (£0.00)
- water charges decrease; -5.26% (£0.01)

11 Council be recommended to approve an increase in garage rents by Retail Price Inflation (RPI) of 0.80% (£0.09 per week) for Brockley residents and 0.80% (£0.09 per week) for Lewisham Homes residents;

12 Council be asked to note that the budgeted expenditure for the Housing Revenue Account (HRA) for 2016/17 is £167.6m which includes the capital and new build programmes;

13 Council be recommended to endorse the HRA budget strategy savings proposals in order to achieve a balanced budget in 2016/17, as attached at Appendix X1;

Dedicated Schools Grant and Pupil Premium

14 Council be recommended to agree, subject to final confirmation of the allocation, that the provisional Dedicated Schools Grant allocation of £283.5m be the Schools' Budget for 2016/17; and

- the consultation with schools on the changes to the funding arrangements for High Needs Pupils as set out in paragraph 7.12 be noted;
- the level of pupil premium anticipated for 2016/17 of £18.0m General Fund Revenue Budget be noted

15 Council be asked to note the projected overall variance against the agreed 2015/16 revenue budget of £6.9m as set out in section 8 of this report and

that any year-end overspend will have to be met from reserves;

16 Council be asked to endorse the previously approved revenue budget savings of £6.462m for 2016/17 and budget savings proposals of £10.752 as per the Mayor and Cabinet meeting of the 30 September 2015, as set out in section 8 of the report and summarised in Appendix Y1 and Y2;

17 Council be asked to agree the transfer of £5.0m in 2016/17 from the New Homes Bonus reserve to the General Fund for one year to meet funding shortfalls and that the position be reviewed again for 2017/18;

18 Council be asked to agree the use of £5.942m reserves to meet the budget gap in 2016/17;

19 Council be asked to agree to fund budget pressures in the sum of £3.750m in 2016/17;

20 Council be asked to agree to create a fund in respect of as yet un-quantified revenue budget risks in the sum of £3.750m in 2016/17, allowing the Executive Director for Resources & Regeneration to hold these resources corporately in case these pressures emerge during the year, and authorises the Executive Director for Resources and Regeneration to allocate these funds to meet such pressures when satisfied that those pressures cannot be contained within the Directorates' cash limits;

21 Council be recommended to approve a General Fund Budget Requirement of £236.218m for 2016/17, based on a 3.99% increase in Lewisham's Council Tax element. This will result in a Band D equivalent Council Tax level of £1,102.66 for Lewisham's services and £1,378.66 overall. This represents an overall increase in Council Tax for 2016/17 of 1.72% and is subject to the GLA precept for 2016/17 being reduced by 6.44% from its existing level, in line with the GLA's draft proposal;

22 Council be asked to note the Council Tax Ready Reckoner which for illustrative purposes sets out the Band D equivalent Council Tax at various levels of increase. This is explained in section 8 of the report and set out in more detail in Appendix Y3;

23 the Executive Director for Resources & Regeneration issues cash limits to all Directorates once the 2016/17 Revenue Budget is agreed;

24 the Chief Financial Officer's Section 25 Statement will be presented in the Budget Update Report on the 17 February for approval;

25 the draft statutory calculations for 2016/17 be approved as set out at Appendix Y5;

26 the prospects for the revenue budget for 2017/18 and future years be noted as set out in section 9;

27 officers continue to develop firm proposals as part of the Lewisham Future Programme to help meet the forecast budget shortfalls;

Other Grants (within the General Fund)

28 the adjustments to and impact of various specific grants for 2016/17 on the General Fund as set out in section 8 be noted;

Treasury Management Strategy

29 Council be recommended to approve the prudential indicators and treasury limits, as set out in section 10;

30 Council be recommended to approve the 2016/17 treasury strategy, including; the potential for debt restructuring and opportunity to invest for longer than one year in pooled property funds, along with the investment strategy and the credit worthiness policy, as set out at Appendix Z3;

31 Council be recommended to approve the revised Minimum Revenue Provision (MRP) policy as set out in section 10;

32 Council be recommended to agree to delegate to the Executive Director for Resources & Regeneration authority during 2016/17 to make amendments to borrowing and investment limits provided they are consistent with the strategy and there is no change to the Council's authorised limit for borrowing;

33 Council be recommended to approve the credit and counterparty risk management criteria, as set out at Appendix Z3, the proposed countries for investment at Appendix Z4, and that it formally delegates responsibility for managing transactions with those institutions which meet the criteria to the Executive Director for Resources & Regeneration; and

34 Council be recommended to approve a minimum sovereign rating of AA- ;

35 Council be recommended to approve a change to the yellow and purple durational investment bands from 1 to 2 years in the credit worthiness policy.

353. Consultation Results and Waste Regulations Assessment for Proposed Changes to Waste and Recycling Service

In presenting the proposals, Councillor Onikosi pointed out the high response rate to the consultation with a clear outcome calling for increased recycling and a simple overall system.

The Deputy Mayor suggested the Council should move to a situation where waste was regarded as a commodity with value as it could be used as fuel for incinerators thereby providing heat and power.

The Mayor concluded this was the right time to change a very successful service and he was pleased food waste now formed part of the offer. He said he expected some hiccups in the transition to the new service but was confident there was support for the proposals given the extensive consultation and response.

Having considered an officer report, and a presentation by the Cabinet

Member for the Public Realm, Councillor Rachel Onikosi, the Mayor, for the reasons set out in the report:

RESOLVED that

(i) the results of the 'Let's Talk Rubbish' consultation and Waste Regulations (TEEP) Assessment;

(ii) a subscription garden waste service be introduced from June 2016 at an annual fee of £60 p.a.;

(iii) a weekly food collection service be introduced and refuse collections be reduced to fortnightly (with an earliest implementation date of Autumn 2016);

(iv) a weekly comingled recycling service be retained whilst options to share services and contracts with neighbouring boroughs are further explored.

354. Response to SDSC on Publishing Viability Assessments

Having considered an officer report and a presentation from the Deputy Mayor, Councillor Alan Smith, the Mayor:

RESOLVED that the response prepared by the Executive Director for Resources and Regeneration be approved and reported to the Sustainable Development Select Committee.

355. OSC Referral Key Planning Issues

The Chair of Overview and Scrutiny was in attendance but did not wish to add to the written report of his Committee.

Having considered an officer report, the Mayor:

RESOLVED that the views of the Overview & Scrutiny Committee be received and the Executive Director for Resources and Regeneration be asked to prepare a response for Mayoral approval and reporting to the Committee.

356. Exclusion of Press and Public

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

11. Estate Cleansing and Bulky Waste Collection Services on Lewisham Homes Estates
12. Catford Stadium Redevelopment – Funding of Additional Footbridge

Costs Approved.

357. Estate Cleansing and Bulky Waste Collection Services on Lewisham Homes Estates

Having considered a confidential officer report, and a presentation by the Cabinet Member for the Public Realm, Councillor Rachel Onikosi, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (1) the rationale for enabling Lewisham Homes to directly deliver Estate Cleansing and Bulky Waste Collection Services in areas in which it is providing housing management services be noted;
- (2) Lewisham Homes will provide these services directly from 1st April 2016 and that on that basis officers now commence a period of staff consultation ahead of the transfer; and
- (3) as the Management Agreement between the Council and Lewisham Homes is currently being reviewed and that if this service transfer is agreed officers will ensure that the new Agreement reflects that, ahead of final consideration by Mayor and Cabinet in March 2016.

358. Catford Stadium Redevelopment - Funding of Additional Footbridge Costs

The Deputy Mayor mentioned an approach he had received from the Crofton Society suggesting the neon Catford sign currently in storage could be included within the scheme. Officers carefully noted the suggestion.

Officers confirmed the drawings provided with the report were utilitarian and the final product would be of a high aesthetic quality.

Having considered a confidential officer report and a presentation from the Deputy Mayor, Councillor Alan Smith, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (a) the current estimated shortfall in resources required to deliver the installation of a new pedestrian footbridge be forward funded as part of the Catford Stadium redevelopment. Capital reserves will be used to finance the expenditure prior to the anticipated receipt of Community Infrastructure Levy (CIL) contributions; and
- (b) the stipulated capital programme budget to meet the current estimated shortfall be approved in order for the scheme to proceed.

The meeting closed at 7.22pm

Agenda Item 3

Mayor & Cabinet		
Report Title	Outstanding Scrutiny Matters	
Key Decision	No	Item No. 3
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 2 March 2016

1. Purpose of Report

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

2. Recommendation

That the reporting date of the items shown in the table below be noted.

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Public Accounts Select Committee – Income Generation	ED Res & Regen	11 November 2015	2 March 2016	No
Sustainable Development Select Committee – Modern Roads Review	ED Res & Regen	13 January 2016	23 March 2016	No
Public Accounts Select Committee – Work Programme	ED Res & Regen	13 January 2016	23 March 2016	No
Sustainable Development Select Committee – High Streets Review	ED Res & Regen	13 January 2016	23 March 2016	No

Overview & Scrutiny Committee – Key Planning Issues	ED Res & Regen	10 February 2016	20 April 2016	
Sustainable Development Select Committee – Catford Regeneration	ED Res & Regen	17 February 2016	20 April 2016	

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 11 November 2015, 13 January 2016, 10 February 2016 and 17 February 2016 available from Kevin Flaherty 0208 3149327.

<http://councilmeetings.lewisham.gov.uk/ieListMeetings.aspx?CId=139&Year=0>

Agenda Item 4

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

Date of Meeting	2 nd March 2016
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Title of Report	Catford Regeneration Partnership Limited – 2016/17 Business Plan
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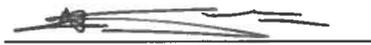
Originator of Report	Selwyn Thompson
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 21-2-16

Signed:  Director/Head of Service

Date: 23-2-16

Control Record by Committee Support

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

Mayor & Cabinet			
Report Title	Catford Regeneration Partnership Limited – 2016/17 Business Plan		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Resources & Regeneration		
Class	Part 1	Date:	2 March 2016

1. SUMMARY

- 1.1 The Catford Regeneration Partnership Limited (CRPL) is a wholly owned company 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.
- 1.2 This report presents the company's 2016/17 Business Plan to Mayor & Cabinet in advance of the meeting of full Council on 30th March 2016. The plan continues to set the scene about the need to broaden the business activities to provide a more resilient base, support wider regeneration in Catford and the surrounding area and provide wider investment opportunities for the CRPL going forward.

2. PURPOSE OF THE REPORT

- 2.1 To submit the 2016/17 Business Plan for the Catford Regeneration Partnership Limited.

3. RECOMMENDATION

The Mayor is recommended to:

- 3.1 note the contents of the 2016/17 Business Plan for the Catford Regeneration Partnership Limited (CRPL) and that it will now be submitted to the next available meeting of Council for approval.

4. POLICY CONTEXT AND BACKGROUND

- 4.1 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.

- 4.2 This report is also in alignment with the Council's corporate policy. Lewisham's Strategic Asset Management Plan sets out the approach to using property effectively in order to achieve the Council's objective of making Lewisham the best place in London to live, work and learn. It 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.
- 4.3 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.
- 4.4 The 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.
- 4.5 At the company's inception, the Articles of Association were agreed. These detail how and when the company must interact with its shareholders. In this case it is Lewisham Council, which is the sole shareholder.
- 4.6 Operational responsibility for the company is given to the Lewisham Council nominated company directors.
- 4.7 The company is required to submit a business plan for approval by the Council as shareholder for each financial year, in this case, for 2016/17.
- 4.8 This year's business activities for 2016/17 will be seeking to clarify timescales for the regeneration programme for Catford Town Centre and accordingly set a revised break notice date, if appropriate, to be incorporated within its commercial leases. The current expiry date for commercial leases is no later than 31st January 2018. The existing landlord's break option allows the CRPL the authority to terminate any lease within its portfolio in January 2018. It is felt that this restriction has discouraged some tenants by not affording any guarantee that a lease will stay in operation beyond that date. As a result, tenant investment into a shop business is generally minimal given the

knowledge that a tenant may be required to leave short of the normal five year lease term.

5. CURRENT POSITION AND 2016/17 BUSINESS PLAN

- 5.1 Since the acquisition of the Catford Centre in February 2010, the 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. The company directors have ensured that all health and safety standards continue to be complied with and a significant amount of major repair works have been identified and completed.
- 5.2 In line with the plans presented in previous financial years, the 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 Council's corporate asset services team and external agents that oversee daily management of the property and report to the directors of the CRPL.
- 5.3 Over the course of the last year, significant sums of money have been spent on repairs and maintenance for some of the properties within the portfolio. This has been a mixture of planned and routine work, but has also included emergency and responsive work deemed necessary to ensure that those properties have remained fully operational. It should be noted that any delay in the commencement, progress and completion of the redevelopment of Catford is likely to have an adverse impact on the CRPL's cash flow position as such unplanned and responsive repairs and maintenance issues will still need to be dealt with as they arise.
- 5.4 During 2014, the CRPL received approval from Mayor & Cabinet to acquire the Brookdale Club Limited'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. To date, the transaction has exchanged contracts, but not yet completed. It is likely that the acquisition will be finalised during the course of the 2016/17 financial year.
- 5.5 The CRPL is forecasting a surplus in 2015/16 and is budgeting for a surplus in 2016/17. This demonstrates that the company continues to operate successfully with these surpluses being utilised to meet the deficit from the 2013/14 financial year.

6. FINANCIAL IMPLICATIONS

- 6.1 The financial implications are included in the Business Plan 2016/17 which is attached at Appendix 1.

7. LEGAL IMPLICATIONS

- 7.1 The legal implications are included in the Business Plan 2016/17 which is attached at Appendix 1.

8. EQUALITY IMPLICATIONS

- 8.1 There are no immediate equalities implications directly arising from this report or the associated business plan which is attached at Appendix 1. Any equality implications for the future regeneration programme will be considered at the appropriate time as Catford undergoes its redevelopment.

9. CONCLUSION

- 9.1 The approval of this report by full Council will allow the CRPL to proceed with the activities, aims and objectives as detailed in the 2016/17 Business Plan.

10. BACKGROUND PAPERS

Short title of document	Date	File Location	Contact Officer
Catford Regeneration Partnership Ltd – 2015/16 Business Plan	13 th May 2015 (Mayor & Cabinet)	Regeneration & Asset Management	Kevin Pulsford
Catford Centre Mayor & Cabinet Report	27 th January 2010 (Council)	Regeneration & Asset Management	Kevin Pulsford

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.

Catford Regeneration Partnership Ltd

Business Plan 2016/17

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 2016/17 for agreement by the Council as sole shareholder in accordance with the company's articles of association (listed at Appendix B).

Structure and governance

The 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, the 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 Estates team and external agents that oversee daily management of the property and report to the directors of CRPL. The in-house officers' time is recharged to the company as and when appropriate. The CRPL no longer has direct employees; the centre manager and cleaning supervisor were transferred to Cushman & Wakefield under TUPE in autumn 2015.

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 £50,000 in any one amendment to the Budget and changes to the Budget exceeding £200,000 in aggregate in any financial year (as set out in section 25.2 of the Articles of Association).
- 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. The 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.

Objectives

The 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. The CRPL directors propose the following company objectives for the 2016/17 financial year:

- 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 agree with the Catford Programme Board revised timescales for the regeneration programme for Catford Town Centre. Dependant on timescales, the CRPL will set a revised break notice date to be incorporated within its commercial leases, currently 31st January 2018.
- To ensure sustainable financial models are developed that allow progression from current holding and operation positions through redevelopment, into successful future investment positions.
- 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;

- The CRPL contracts; procurement and management of services provided to the CRPL by outside parties. These include centre management, legal, accountancy, landlord and tenant advice 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 the CRPL in the delivery of these activities include:

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

Operational Review 2015/16

Commercial Lease lettings and renewals – The CRPL continues to take a flexible approach in entering into leases with commercial tenants including temporary lettings to cover service charge and business rates. There have been a number of changes of occupiers in the past year with a number of tenants (Purelife and Sense) triggering tenant break clauses and vacating short of the term of their leases. There is generally a reasonable demand for vacant shops with the smaller ones proving more popular. New shop tenants tend to be of a relatively low covenant, often sole traders with little or no capital for investment in their units prepared to enter into a short term non-protected lease with a landlord's break option in January 2018. Having a break date within less than two years of the lease commencement date can discourage better covenant tenants and has a detrimental effect to attracting a higher quality tenant to encourage footfall to the Centre. The CRPL will be working towards putting back the break date by as far as possible in order to make its units more attractive to a wider range of users whilst taking into account the expected timescales of the proposed regeneration.

Sense (4 Winslade Way) and Purelife (5 Winslade Way) both left the Centre in the autumn of 2015. Sense triggered a break clause citing poor trade and vacated in October 2015. The unit has been marketed since and a new tenant is due to complete its lease in March 2016. Purelife also triggered its break clause, citing difficult trading conditions, and vacated in November 2015. A new tenant, Cutie Couture, has taken a one year lease from February 2016.

There were no rent reviews carried out in the 2015/16 year.

Residential leases and renewals – The CRPL holds a number of self-contained residential flats situated above the commercial shops. The majority of flats are leased on Assured Shorthold Tenancies (ASTs) with two leased to the London Borough of Lewisham Private Sector Lettings team. Numbers 17a and 18a Catford Broadway are in need of significant refurbishment in order to make them habitable. Number 17a is vacant and the tenant at 18a has been served

notice to quit in March 2016. This became necessary as a result of a partial ceiling collapse due to an overburdened roof structure. Once 18a has become vacant, the CRPL will seek advice and pricing on refurbishing both flats and offering to the residential market either by means of an AST or through the Council's private sector letting team.

Brookdale Club Purchase – The CRPL has exchanged contracts on the purchase of the Brookdale Club as reported in its 2015/16 Business Plan. The acquisition is a significant component of the Council's wider regeneration initiatives to facilitate the regeneration of the town centre. Completion of the purchase was expected in Quarter 2 of 2015/16 and is now expected to complete during 2016/17. Once the purchase is completed it is intended that the property is leased to a private or community organisation seeking D1 or D2 accommodation on the ground floor. The upper parts will be used for residential purposes, either through ASTs or to ease the burden for temporary housing. The CRPL can lease properties on ASTs, which the Council is unable to do.

Financial Review 2015/16

Overall the company budgeted for a surplus of £50k for this financial year and this is forecast to be achieved. This will broadly offset the deficit which was made in 2014/15, mainly due to major repairs work undertaken on residential lettings.

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. A few residential properties were vacant for a while due to repair work being carried out. 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.

Employee Costs – These costs have reduced due to the transfer of the two employees to Cushman and Wakefield. There is a corresponding reduction in the service charge Income recovery.

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

Professional Fees – These have been kept at low levels due to the establishment of good working practices with those providing the service.

Working Capital Loan – A loan of £250,000 from LB Lewisham was taken out in May 2015, as provided for in the original agreement. This will be repaid over five years.

Interest Rate on Outstanding Loans – The interest rate charged on the loan to the CRPL by the Council has been further reduced from 4.8% to 4.3% with effect from 10th May 2015. This reflected the continuing downward movement in interest rates and the reduced risks now that the company has been trading for over 5 years.

Operational Review 2016/17

Until a decision is taken on the vacant possession approach by the elected members of the Council, the 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. The CRPL believes that it is prudent therefore to base its 2016/17 budget projections on the current development target date of January 2018. All of the lettings and renewals have a rolling development break clause from this date.

However, as stated earlier, having a break date within less than two years of the lease commencement date discourages better covenant tenants and has detrimental effects to attracting a higher quality tenant to encourage footfall to the Centre. The CRPL will therefore be working towards putting back the break date by as far as possible in order to make its units more attractive to a wider range of users whilst taking into account the expected timescales of the proposed regeneration.

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, the 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.

The CRPL's strategic approach will help the company to become more financially resilient whilst also assisting the Council to further its regeneration and meet its corporate objectives. In doing this, the following areas will specifically be reviewed and additional professional advice sought 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.

Budget Review 2016/17

The CRPL is projecting a small budget surplus in 2016/17. This shows that the company is operating successfully and it is considered that this is a fair budget assumption given the 2015/16 outturn position. This surplus will be utilised to meet the deficits from previous years. It is based on the 2015/16 outturn and projects the running costs and rental income from the Catford Centre and adjoining properties.

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. It is expected that the income will not be significantly affected by a target vacant possession date after January 2018, due to the estate being nearly fully let.

The CRPL takes 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 to allow flexibility around future regeneration plans.

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 budget is based on actual spend figures for the previous service charge year, assumptions on increased costs and the renegotiation of service contracts. The accounts are externally audited to ensure that the CRPL is meeting all of the requirements of the service charge code. The expenditure for the 2015/16 service charge year (1 October - 30 September) is approximately £0.45m.

Repairs – The level of the CRPL repairs budget, which relates to anything that is not covered by the service charge, has been maintained at the level of previous years. Regular inspections are undertaken to ensure that all planned maintenance work can be undertaken. However a contingency has been allowed for unforeseen repair work.

APPENDIX A

CATFORD REGENERATION PARTNERSHIP LTD

PAST, CURRENT AND FUTURE YEARS BUDGETS

	2014/15 Final Outturn £000	2015/16 Original Budget £000	2015/16 Forecast Outturn £000	2016/17 Draft Budget £000
<u>INCOME</u>				
Lease Rents Receivable	1,115cr	1,080cr	1,124cr	1,100cr
Other Income	32cr	0	23cr	0
Service Charge Recoveries	142cr	140cr	91cr	52cr
TOTAL INCOME	1,289cr	1,220cr	1,238cr	1,152cr
<u>EXPENDITURE</u>				
<u>CRPL Costs</u>				
CRPL Employee Costs	91	84	32	0
LBL Staff Recharges	70	68	67	64
Letting and Renewals Fees	74	80	80	80
Property Purchase and Running Costs	170	130	130	130
Major Works, Repairs and Maintenance	163	80	120	100
Insurance Costs (Net)	11	30	16	18
Professional Fees and Misc Costs	60	10	20	20
	639	482	465	412
<u>Loan Repayments</u>				
Interest	616	553	510	496
Principal	113	132	211	218
	729	685	721	714
TOTAL EXPENDITURE	1,368	1,167	1,186	1,126
NET PROFIT (cr) / LOSS	79	53cr	52cr	26cr

APPENDIX B - Shareholder reserved matters

- 1 the 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.

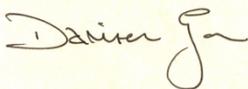
Agenda Item 5

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

Date of Meeting	2 nd March 2016	
Title of Report	Private Rented Sector: Proposed Additional Licensing Scheme for Houses in Multiple Occupation above/below commercial premises	
Originator of Report	Genevieve Macklin	Ext. 46057

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

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

Signed:  Executive Member

Date: 23/02/2016

Signed:  Director/Head of Service

Date 23 February 2016

Control Record by Committee Support

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

MAYOR AND CABINET			
Title	Private Rented Sector: Proposed Additional Licensing Scheme for Houses in Multiple Occupation above/below commercial premises		
Key decision	Yes	Item no	
Wards	All		
Contributors	Executive Director Customer Services		
Class	Part 1	2 March 2016	

1 Purpose

- 1.1 This report seeks approval to extend the principles of the mandatory licensing scheme currently operated by the London Borough of Lewisham, through the introduction of an additional licensing scheme to Houses in Multiple Occupation (“HMO”s) above or below commercial premises as defined by the Housing Act 2004. Housing Bill

2 Background

- 2.1 The overarching aim of the scheme of additional licensing throughout the Borough will be to extend the principles already in use through the mandatory licensing scheme so as to improve fire safety, repair and management standards in order that properties comply with legal minimum standards required in the private rented market.
- 2.2 On 15 July 2015 Mayor and Cabinet received a business case to introduce the “additional” licensing scheme which was accepted in principle and officers were asked to undertake statutory public consultation on the proposals as presented, in line with the current statutory requirements and to report back the findings of the consultation later in the year.
- 2.3 On the 1 December 2015 the case for introducing “additional licensing” was considered and supported by the Housing Select Committee.
- 2.4 The Housing Act 2004 provides a definition of a ‘house in multiple occupation’ to include:
- Shared houses where people live as a group but are not a family group
 - Traditional bedsit type houses where tenants have their own room or rooms but share something like a bathroom or kitchen
 - Houses occupied by the owner (residential landlord) plus two or more

lodges or house shares

- Mixtures of rooms and flats in a house – as long as there is some sharing
- Flats that are let out to some sharers, 3 or more
- Hostels, projects and other residential uses that involve adults sharing living space (but not if the property is owned or managed by a Registered Social landlord)
- Houses converted into self-contained flats where they do not meet the requirements of the 1991 Building Regulations, and at least one third of the flats are occupied under short hold tenancies.

2.5 The full definition can be found in the Housing Act 2004, sections 254 to 260 and schedule 114.

3 Recommendations

It is recommended that the Mayor:

- 3.1 Approves the designation of an additional licensing scheme for Houses in Multiple Occupation (HMOs) above commercial premises in the whole of the Council's area using the power set out in Section 56 (1) of the Housing Act 2004.
- 3.2 Note the statutory consultation undertaken on the proposed Additional Licensing scheme as required by Section 56 (3) of the Housing Act 2004.
- 3.3 Note that the proposed fee for Licenses will be put to Supplementary Licensing Committee for approval. The fee level being recommended for both the new additional licensing scheme and mandatory licences will be £500 "per let unit" over the five year term. A maximum threshold of £5000 for each property is proposed where there are 10 lettings or more per landlord, subject to discounts as set out in section 12.
- 3.4 Agree to the principle of the publication of an online register of landlords who are licensed by the Council
- 3.5 Delegate to the Executive Director for Customer Services to prepare a detailed project plan for implementation beginning May 2016 and publish the 3 month Statutory Notice for the scheme as part of the implementation
- 3.6 Agree that the Executive Director for Customer Services, with the relevant portfolio holder, be authorised to review the scheme, its implementation and resourcing and make amendments as necessary so as to ensure the principles of the scheme are achieved.

4 Policy Context

- 4.1 The housing landscape is rapidly changing and demand is increasing across all tenures. The private rented sector in Lewisham is growing rapidly – having doubled in size since 2001 it now consists of more than 30,000 units and

makes up more than 25% of all households. This is consistent with the trend across London where the growth in private renting over the decade to 2011 constitutes a 65.5% increase, or an additional 341,000 households.

- 4.2 Despite the increasing costs of private renting, the sector is expected to grow further in Lewisham to a level comparable with or even in excess of the social rented sector which is 31% based on 2011 census data. This is due in part to the relative unaffordability of home ownership as a result of rapidly increasing house prices, the large numbers of households on the housing waiting list (9,253 households as of January 2016) and relatively low levels of social rented lets, all of which when combined means that Lewisham residents are more reliant on the private rented sector than ever before. The council recognises this and continues to act creatively by developing relationships and working in close partnership with private landlords to drive up standards and offer longer term tenancies, thereby ensuring residents have more choice. This is especially pertinent given that private renting remains the only option for many low income households and those in need.
- 4.3 A series of reports to Housing Select Committee and Mayor and Cabinet between December 2014 and July 2015 explained the options and evidence for licensing. The findings showed that the poorest standards, conditions, hazards and services in the private rented sector are to be found in properties over commercial properties.
- 4.4 Based on these findings, it was concluded that an “additional” licensing scheme for HMOs above commercial premises:
- Will help deliver the housing authority’s strategic private sector housing policies;
 - Is founded on quantitative evidence of problems created by poor private sector housing management;
 - Is founded on evidence that licensing will sustainably assist with addressing the problem;
 - Is the best solution to address the problem;
 - Must operate for no more than five years and must be kept under review; if the exercise has achieved its objectives, it should be discontinued.

5 Government Changes since consultation initiated

- 5.1 There are additional measures relating to the regulation of the Private Rented Section in the Housing and Planning Bill which is currently before Parliament. It also carried out a consultation on extending mandatory licensing and is currently considering the responses.

6 Lewisham’s Consultation process

- 6.1 The council followed the statutory requirements for consultation on its proposed additional licensing scheme which included the following elements:

- Consultation document and on-line survey on Lewisham website for 12 weeks from 1st September to 24th November (10 weeks statutory min);
- Mail shot of over 4000 letters to all addresses with combination of commercial and residential, with invitation to public meeting, summary of the proposal and link to website;
- Public meeting 15th September 40 attendees;
- Emails to subscribers to Lewisham Life magazine with links to the consultation document on the council website;
- A written briefing note to Ward Assembly meetings;
- Details of the proposed scheme sent to organisations including the National Landlord Association, the Residential Landlords Association, Generation Rent, London Property Licensing.co.uk and neighbouring boroughs to publicise via their websites.
- Hard copies of the proposal and consultation available at Laurence House Customer Access Point;

6.2 Responses received are set out in detail in Appendix I. In summary there were:

- 136 on-line responses
- Four detailed responses from organisations (NLA, CAB, LB Lambeth and RLA)
- The majority of responses came from residents of the borough, the following key characteristics were;
Largest group of respondents were owner-occupiers, about 40% of whom were private landlords
- Slightly more of the respondents were private tenants than private landlords (56% vs. 44%)
- More than half the landlords let only one property, only 3% have portfolios over 10 properties

7 Views expressed

7.1 The consultation focused on 5 key areas set out below. The purpose of this type of licensing is to protect the interests of private tenants. Whilst the opinions of private landlords are very important both landlord and tenant opinion must be considered carefully. In all similar licensing consultations it is generally the case that tenants have an interest in licensing whilst private landlord opinion is likely to be at best mixed; historically landlord representative bodies have positioned themselves in opposition to greater regulation.

7.2 The headlines from the responses, analysed by landlords and tenants show a high degree of consensus on general principles, with increasing differentiation between landlords on the one hand and tenants on the other, following the predictable lines set out in paragraph 7.1 above:

7.3 “More properties for private rent should be licensed”: this question showed the strongest positive agreement and biggest consensus; this included a quarter of the private landlords. No private landlords disagreed with the statement

7.4 “Licensing improves conditions”: a large majority agreed with this statement,

including just under a third of private landlords, though 21% disagreed with the statement

- 7.5 “It is right to target flats (HMOs) above commercial premises” 60% agreed though private landlords were divided on the question with only one quarter of them agreeing. 90 % of tenants were in agreement
- 7.6 Proposed standards to be met for a license: a small majority felt standards proposed are about right, but 28% who were overwhelmingly private tenants, felt the standards were not tough enough. Just under half of landlords considered them too tough.
- 7.7 On the proposed fee of £100- £110 pa (£500 for a five year license) : opinion was most divided on this question; a small majority favoured the fee being at least the proposed sum but more than two thirds of landlords thought the fee too high

8 Qualitative feedback, suggestions and challenges posed:

- 8.1 Qualitative feedback was received from the following organisations:
- 8.2 The National Landlord’s Association branch in Greenwich and Lewisham were strongly in support of the scheme and see this as a positive opportunity to campaign for more small landlords to gain accreditation;
- 8.3 CAB – the CAB nationally strongly support extending licensing to more of the private rented sector; the local branch have a small research team who have been studying problems in the private rented sector and told us that there was no evidence of more people from over shops complaining;.
- 8.4 The following suggestions were made and will be incorporated into the scheme:
- The scheme should refer to use of Interim Management Orders
 - The Council should impose specific higher limits on size of bedsits if cooking facilities are included and stipulate minimum refrigerator size
 - The Council should require annual inspections by qualified surveyors
 - Tenant accreditation should be offered to those who can’t get a reference
 - Set out which bodies are accepted for landlord accreditation
 - HMOs below shops should also be included
- 8.5 Other suggestions received were impermissible under the Housing Act 2004.

9 Consultation Summary

- 9.1 Even allowing for the differing interests of private landlords and tenants, the overall opinion is strongly in favour of extending private sector licensing and broad agreement that HMOs over commercial premises is the target for additional licensing in the borough.
- 9.2 Private landlords tend to the view that our proposed license conditions are a bit

too tough and the proposed fee too high, whilst private tenants expressed a stronger view the conditions were not tough enough and the fee too low; the overall opinion has a majority opinion that conditions are about right or not tough enough and the fee about right or too low.

- 9.3 Those respondents who wanted tougher license conditions identified a number of additional conditions which are listed under paragraph 8.4 above. It is recommended to incorporate all the conditions in this list that are permissible. The non-permissible items are variously expressly excluded by the Housing Act 2004, Part 2, such as council tax regulations and court fines for licensing offences are not controlled by the council. The proposed scheme will however incorporate the permissible items, subject to the agreement of Mayor and Cabinet.

10 Conclusion

- All aspects of the proposals were supported by a majority of respondents
- The survey captured the opinions of both landlords and tenants; landlords were more negative about the proposals while tenants were strongly supportive
- Landlords did not disagree with the principle of licensing
- Just under half of the landlords considered the proposed standards too tough, and only one third agreed licensing improves standards
- Less than a third of landlords were in support of the proposed fee
- Only a quarter of landlords agreed with licensing HMOs over commercial premises.
- Therefore feedback was broadly in agreement with the principles and framework of the proposed scheme and so the recommendation to Mayor & Cabinet has been made here to take forward the additional licensing of HMOs over commercial property across the Borough.

11 Next steps

- 11.1 A detailed project plan for implementation will be developed incorporating the publication of a Statutory Notice for a required 3 month period.
- 11.2 During this 3 month Notice period the new staffing structure for the combined Environmental Health and Grants Standards and Enforcement Agency will be rolled out to lead the work on the additional licensing scheme implementation, if approval obtained, supported by improved ICT technology to support online applications.
- 11.3 A programme of inspections of the estimated 1800 properties/4200 "lettings" or units will start the process and provide an in depth assessment of the

conditions of the properties as well as confirm the details of the actual numbers of lettings and licences that will form the basis of the additional licensing scheme.

12 Licence Fee level

- 12.1 The current mandatory licensing fee is £180 “per letting”, up to a maximum of £1800 per property, every 5 years. There is a discount for second and any subsequent HMO license fee applications from the same landlord for other properties under their ownership of £120 per unit with a maximum fee of £1200. A discount of 20% is available for all landlords accredited through the London Landlord Accreditation scheme (LLAS) or where they are members of a recognised Landlord Association. Registered charities receive a further 50% discount on current fees. It is proposed to increase the mandatory fee level in line with the ‘additional’ licensing fee for all new mandatory license applications.
- 12.2 The proposed new fee level is £500 per letting. The fee has been set to cover all of the administrative costs associated with the licensing process. There will be a similar discount for landlords of more than one property and registered charities as with the existing scheme and a maximum fee level of £5000 per property over 5 years.

13 Financial implications

- 13.1 The Council’s current budget includes a budget of £0.74m for licensing and environmental health in the strategic housing division.
- 13.2 The Mayor and Cabinet report of 15 July 2015 indicated that the cost of the service would be up to £2.4m over five years, based on the estimated costs of a new stand-alone service. Since then, more accurate estimates have been obtained and some costs have been integrated into existing budgets, such as corporate overheads and some staffing expenditure. This has reduced the requirement for additional budget to £1m over five years.
- 13.3 Funding for the additional £1m has been identified as a part of the budget setting process for 2016/17 and beyond.
- 13.4 The Council is required to set a licensing fee that covers no more than the cost of the licensing element of the service. The fee cannot contribute to the cost of the enforcement elements of the service. Current estimates indicate that a fee of £500 per letting would achieve this requirement.

14 Legal Implications

- 14.1 Pursuant to s. 56(1) of the Housing Act 2004 (“HA 2004”), “a local housing authority may designate either (a) the area of their district, or (b) an area in their district, as subject to additional licensing” in relation to HMOs specified in the designation.
- 14.2 The proposed designation must be consistent with the authority’s overall

housing strategy. (s. 57 HA 2004.)

- 14.3 As soon as the designation is made by the local housing authority, the authority must publish it in accordance with the provisions of s. 59 HA 2004 and the authority is obliged to review the operation of the designation.
- 14.4 HMOs for the purposes of s. 56 of the HA 2004 are widely defined (in accordance with the provisions of s. 254(1) HA 2004), as a building or part of a building if it meets any one of the following conditions and described in the HA 2004 as being “ the standard test”,(defined fully within s. 254(2)HA 2004) or ‘the self-contained flat test’, (defined fully within s. 254(3) HA 2004) ‘the converted building test’, (defined fully within s. 254(4) HA 2004, or a ‘converted block of flats’(pursuant to s. 257 HA 2004).
- 14.5 The local housing authority pursuant to s. 63 of the HA 2004 has the power to impose a requirement for applicants for these licences to pay a fee. When fixing fees, the local housing authority may take into account all costs incurred by them in carrying out their related functions.
- 14.6 The European Convention on Human Rights states in Article 8 that “Everyone has the right to respect for his private and family life, his home and correspondence”. The Human Rights Act 1998 incorporates the Convention. Whilst it does not, however, necessarily mean that everyone has an immediate *right* to a home, (because Article 8 is a “qualified” right and therefore is capable in certain circumstances, of being lawfully and legitimately interfered with,) the provision by an Authority of a relevant scheme such as an HMO additional licensing scheme does assist to reinforce the Article 8 principles
- 14.7 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 14.8 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 14.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 14.10 The Equality and Human Rights Commission has recently issued Technical

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

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

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

14.12 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

15 Crime and disorder implications

15.1 No specific crime and disorder implications have been identified as arising from this report

16 Equalities implications

16.1 An Equalities Analysis Assessment has been carried out and is attached at Appendix 2.

17 Environmental implications

17.1 No specific environmental implications have been identified as arising from this report.

18 Background Documents and Report Originator

- Appendix 1: Consultation Report – Additional Licensing Scheme For Private Rented Sector Properties

- Appendix 2: Equalities Assessment Analysis

18.1 If you require further information about this report please contact Madeleine Jeffery on 020 8314 9484 or Antoinette Stasaitis on 0208 314 9340.

APPENDIX I

CONSULTATION REPORT – ADDITIONAL LICENSING SCHEME FOR PRIVATE RENTED SECTOR PROPERTIES

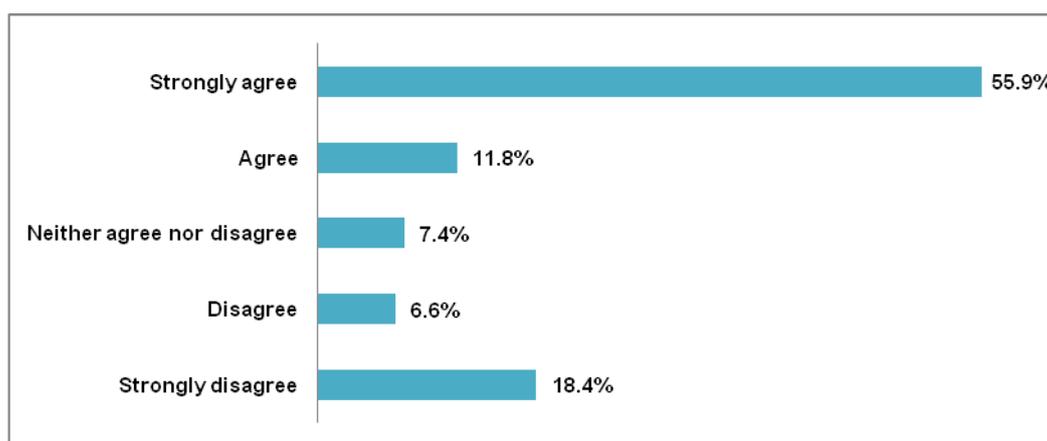
Introduction

The consultation on proposals to introduce an additional licensing scheme to cover all multi-occupied private rented accommodation above commercial properties in the borough (such as flats above shops) ran from 2 September 2015 to 24 November 2015. This report analyses the responses to the proposal in principle, the proposed standards that landlords would need to reach in order to be eligible for a licence and the fees to be charged.

Overall Survey Responses

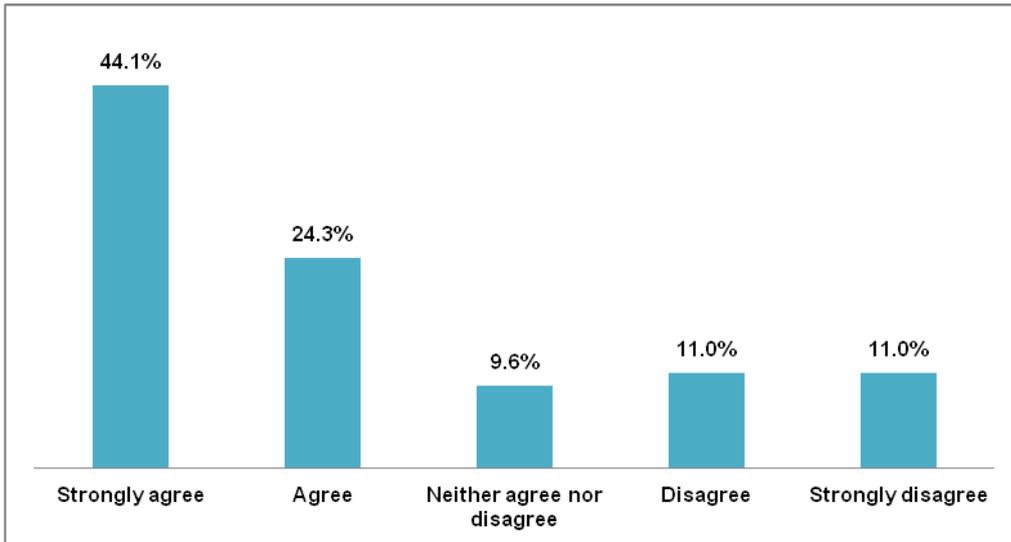
In total, there were 136 responses to the consultation.

Q1) More properties for private rent should be licensed



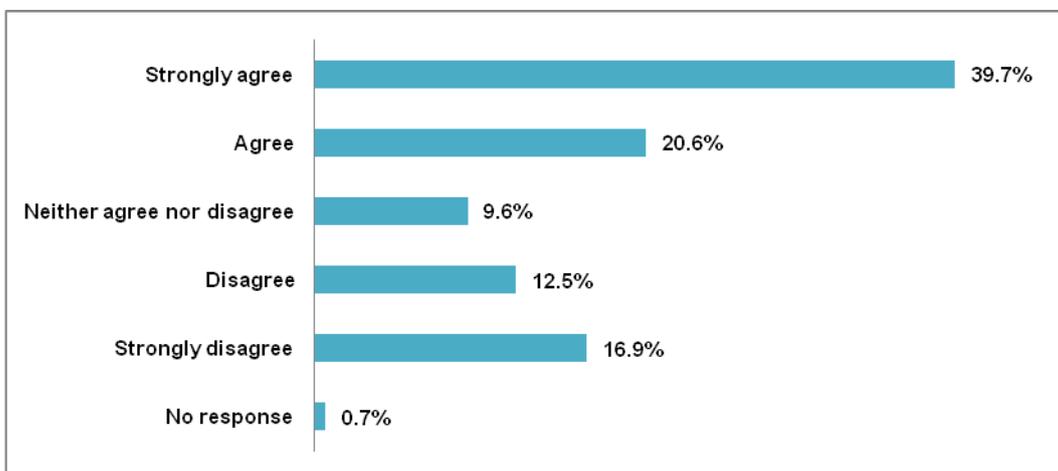
A total of 92 respondents (67.7%) either agreed or strongly agreed that more properties for private rent should be licensed. Of these, 7 respondents identified themselves as a private landlord whilst 27 were private tenants. A total of 34 respondents (25%) either disagreed or strongly disagreed with this statement (none were private landlords and only 6 were private tenants).

Q2) Licensing more private properties will help improve living conditions



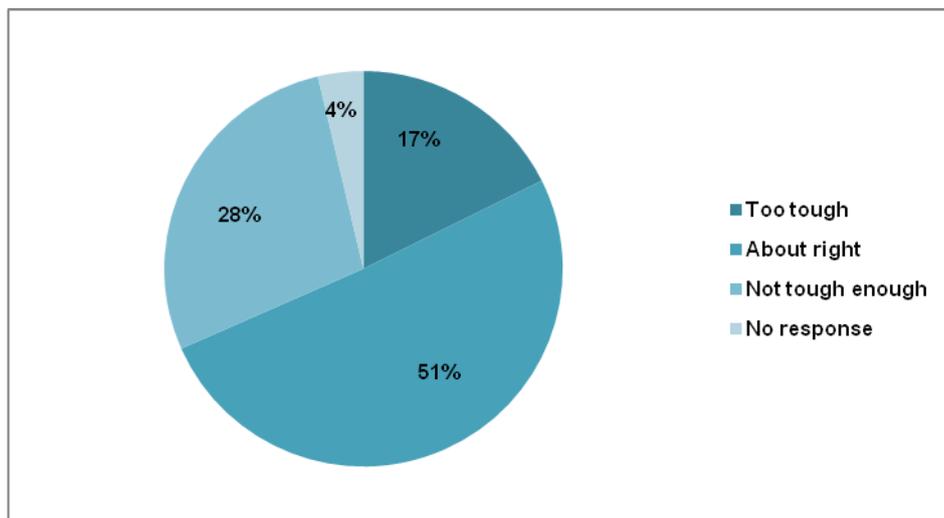
A total of 93 respondents (68.4%) either agreed or strongly agreed that licensing more private properties will help to improve living conditions. Of these, 9 respondents identified themselves as a private landlord whilst 26 were private tenants. A total of 30 respondents (21%) either disagreed or strongly disagreed with this statement (21 of whom were private landlords or private tenants).

Q3) It is right to target flats above shops and other commercial properties



A total of 82 respondents (60.3%) either agreed or strongly agreed that it was right to target flats above shops and other commercial properties. A total of 40 respondents (29.4%) either disagreed or strongly disagreed with this statement. Overall, private landlords were more likely to disagree (21 respondents versus 5 who were in favour) whilst private tenants were more likely to agree (27 respondents versus 3 who were not in favour).

Q4) Do you think the standards required to meet to be eligible for a licence are:



A number of standards that landlords would be required to reach in order to be eligible for a licence were proposed in the consultation documentation, including ensuring there were no health hazards in their property and meeting the legal requirements for managing their property (as set out in the Management Regulations Act 2006). The licence holder and any person appointed by them to manage the property on their behalf would also need to be a 'fit and proper person'.

In total, 69 respondents (51%) felt that the standards proposed in the consultation were about right. However, 38 respondents (28%) felt that the standards were not tough enough – interestingly, the vast majority (33 respondents) were private tenants. In contrast, only 24 respondents (17%) felt that they were too tough, although over half (13 respondents) were private landlords.

Q5) Please tell us if you think there are any standards or conditions that should be added or removed?

46 respondents provided additional comments – the key themes are summarised below by tenure type:

Owner occupiers

- The licensing scheme will discourage, penalise and further tax private landlords – as a result, there will be fewer landlords and fewer properties available for rent
- Perception that the scheme is simply a way for the Council/central government to increase revenue
- All individuals should be taxed or incentivised to look after themselves and the local community (wider focus than private rented properties)

- Tenants already have rights if the property is sub-standard (e.g. withholding rent, breaking contract or moving out)
- Landlords already have an obligation to provide decent housing for tenants under existing legislation
- The proposed standards should include requirements relating to energy efficiency, adequate soundproofing, insulation, limits on the number of occupants, minimum square footage per tenant and minimum requirements for health & safety (including fire regulations)
- The scheme should also require landlords to keep their properties in good cosmetic condition
- Almshouse should be exempted from the scheme
- All HMOs should be included in the scheme, rather than only those above commercial properties
- Explore whether fees can be levied via Council Tax or NHS registrations (otherwise landlords may increase rents to cover the costs of the licence, which will impact poorer and more vulnerable tenants)

Private tenants

- Tenants who request improvements to the property may be at risk of 'revenge evictions' by landlords – could there be a requirement for tenancies/leases to stipulate that existing tenants have priority at renewal?
- The proposed standards should include requirements relating to energy efficiency, insulation, dampproofing, soundproofing, minimum square footage per tenant, pest control, adequate heating
- All private rented properties should be included in the scheme, rather than only those above commercial properties
- Perception that the scheme is simply a way for the Council/central government to increase revenue and will not improve conditions
- Landlords may pass the costs of the licence and any improvements required to the property onto tenants – could there be a requirement that rent increases do not exceed the average level of inflation over the previous 12 months unless the landlord can prove that extensive improvements had been done to the property, the overall cost of which exceeded 5% of the market value of the property?
- The Council should tighten up the rules for defining an HMO and review all non-HMO rental properties in the borough to ensure that they still meet these tighter rules to be exempted from being considered an HMO
- The licence scheme should also protect tenants from exploitative landlords and lettings agents e.g. ensuring deposits are capped, allowing a six-month break clause, requiring repairs and maintenance to be dealt with within an agreed time frame and permitting residents to have their names on Council Tax even if their bills are inclusive
- Properties should be maintained/refurbished every 3-4 years to maintain liveable conditions

- There should be tighter regulation for buy-to-let properties, which would ensure transparency in agency fees, proper protection for deposits, an increased awareness of landlord obligations, full tax on rental income, a better complaint route for tenants and a cheaper mediating space (rather than the courts)
- The licence scheme should not apply to fully-mutual housing co-operatives

Social housing tenants

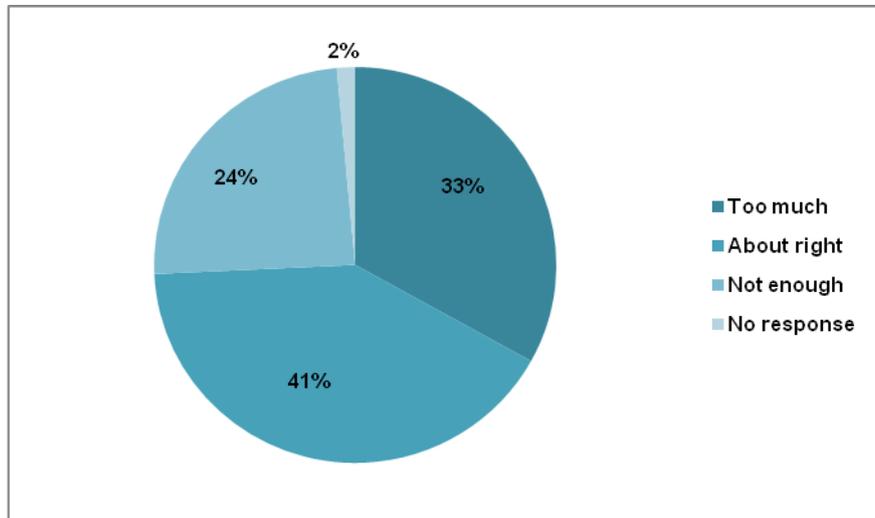
- All landlords should be held responsible for antisocial tenants
- The licence scheme should meet the Lewisham Decent Homes standard
- Commercial properties should include spaces above pubs which are rented out by owners
- Landlords with two or more properties should have a different licence, which is much stricter in its terms and conditions
- Agents that breach conditions should first be fined for breaches, with a second penalty of five times the amount of the first penalty, followed by a closure order
- Individuals that run agencies should be registered and should any closure/winding up order be imposed on their businesses, they should have a life time ban from running another agency
- Owners (both private and commercial) or directors should be required to put their own homes down as security and these could be seized if they repeatedly breach conditions
- Landlords should be obliged to have an annual inspection of their properties carried out by qualified Local Authority Property Inspectors

Private landlords

- The licence scheme penalises good landlords (bad landlords will not comply) and only adds more 'red tape' to an increasingly bureaucratic process – they will simply pass the costs of the licence onto tenants via a rent increase
- There is already a high-level of law and protection for the tenants that live in any flat above shops or flats (e.g. they can contact the Council in regards to repair issues), although landlords should be fined if they do not meet standards
- Perception that the scheme is simply a way for the Council/central government to increase revenue and will not improve conditions
- The proposed standards should include building regulations and safety of structures, particularly extensions and outbuildings (to address the 'beds in sheds' issue)
- The licence scheme will only be effective if it is properly enforced (the Council already has legislative powers to address property standards, but has only prosecuted five landlords since 2011)
- The Council should consider alternative schemes, such as the Home Safe scheme in Doncaster and SEAL in Southend, which are more cost effective

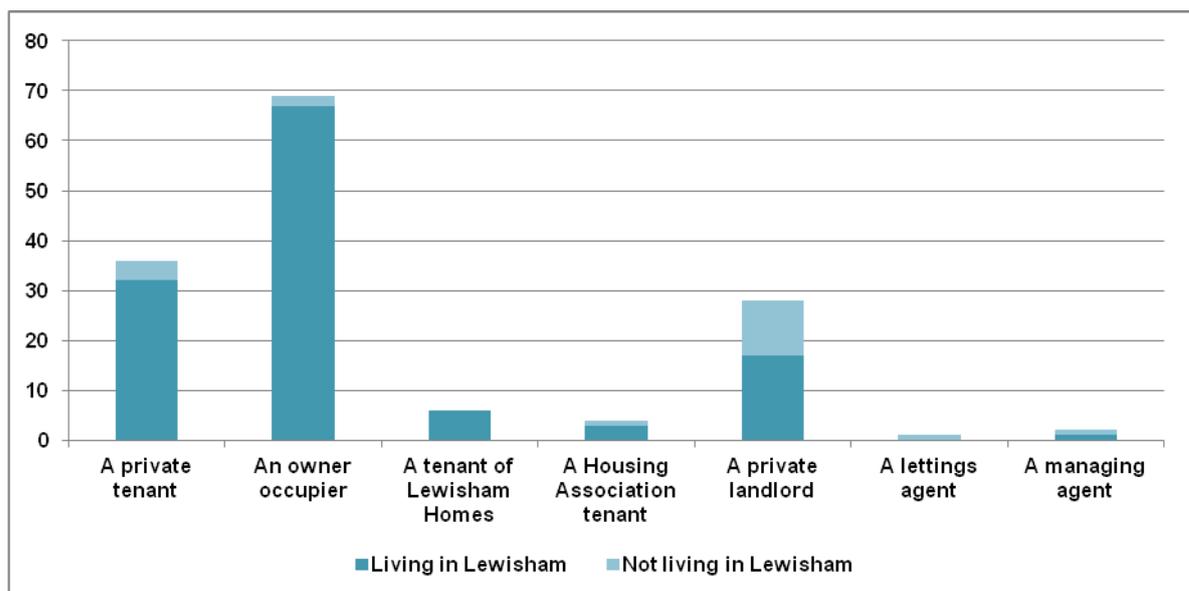
- All private rented properties should be included in the scheme, rather than only those above commercial properties

Q6) Do you think the proposed fee of £100-£110 per year (£500 for a five year license) is:



In total, 56 respondents (41%) felt that the proposed fee of £100-£110 per year was about right. However, 45 respondents (33%) felt that the standards were too much – of these, 20 respondents were private landlords. In contrast, 33 respondents (24%) felt that the proposed fee was not enough, although only 10 of these respondents were private landlords or private tenants. Overall, 65% of respondents were in favour of charging at least £100 per year for a licence.

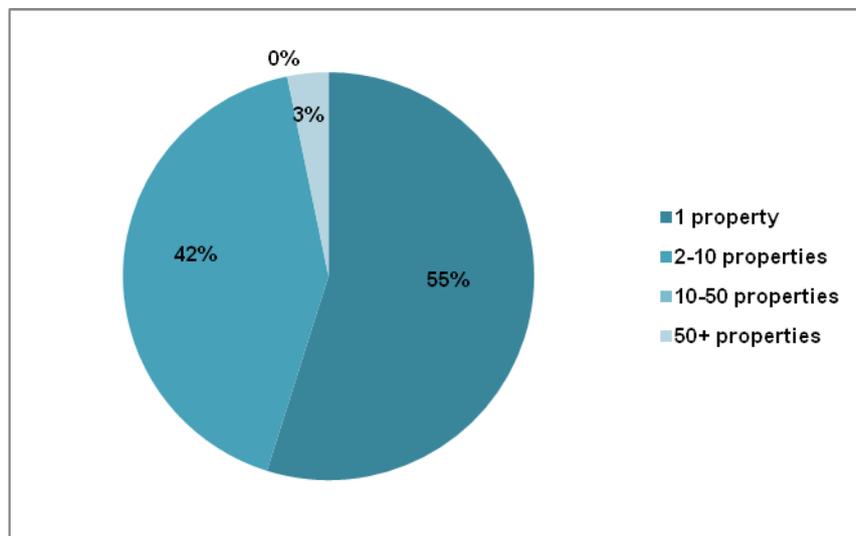
Q7) What is your tenure type?



Tenure Type	Living In Lewisham	Not Living In Lewisham	Total
A private tenant	32	4	36
An owner occupier	67	2	69
A tenant of Lewisham Homes	6	0	6
A Housing Association tenant	3	1	4
A private landlord	17	11	28
A lettings agent	0	1	1
A managing agent	1	1	2
TOTAL	126	20	146

There were 146 individual responses to this question (as respondents were able to select multiple options). A total of 69 respondents stated that they were owner occupiers whilst 36 respondents were private tenants and 10 respondents were social housing tenants. Overall, 28 respondents were private landlords – 8 of these respondents also identified as owner occupiers (2 of whom were additionally managing agents). None of the private tenants were also owner occupiers, lettings agents or managing agents.

Q8) If you are a private landlord, how many properties do you let out?



A total of 31 respondents identified as private landlords (which does not correlate exactly with the number above). All but one of the respondents (97%) stated that they let out between 1-10 properties each, with more than half (55%) only letting out 1 property.

APPENDIX 2

Additional Licensing - Equality Analysis Assessment

1. Introduction

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

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

1.2 This equality analysis assessment sets out how the Council has considered the likely impact of the Additional Licensing scheme on the characteristics protected under the Equality Act of 2010.

2. Additional Licensing - background and context

2.1 The Housing Act 2004 (Part 2) introduced a mandatory duty for local housing authorities to administer a licensing scheme for all large Houses in Multiple Occupation (HMO). It became a criminal offence for anybody to run an unlicensed HMO.

2.2 It also introduced a power for local authorities to decide to extend the Mandatory licensing scheme to include additional types of HMO – i.e. smaller HMOs and illegally converted properties that do not meet planning requirements or Building Regulations. This is known as additional licensing.

2.3 The proposal here is to introduce additional licensing for HMOs classified as ‘Private Rented Sector Flats over Commercial Premises’. In order to introduce a scheme of this type, the Council must consider that a significant number of properties of this type are likely to be managed ineffectively and therefore cause problems for people who live in those properties and the wider environment. It must also carry out consultation with persons likely to be affected by the scheme.

2.4 The rationale for extending Lewisham’s HMO licensing scheme is that the properties identified – those over commercial premises – have similar characteristics to properties which fall under the mandatory licensing scheme. That is, tenants of these properties are more likely to be vulnerable and the properties are more likely to be poorly managed and maintained. Therefore the Council is seeking to intervene to extend

the protection of HMO licensing to this additional designation of properties and vulnerable tenants.

- 2.5 Between the 2001 and 2011 censuses the Private Rental Sector in Lewisham has doubled and is continuing to grow. There are an estimated 3,700 Landlords operating in the borough, the majority of which are small and own a handful of properties. Localised additional licensing of private rented flats and HMO's above commercial premises is estimate to cover 4,223 lettings across 1813 addresses.
- 2.6 There is a clear pattern of concentration whereby the poorest standards, conditions, hazards and services are concentrated along the high roads of 6 secondary shopping streets (Deptford, Lee, Hither Green, Brownhill Road, Sydenham and Brockley).
- 2.7 It is important that the Council strikes a balance between taking action that will reduce the supply and affordability of decent private sector housing and taking licensing action to prevent those in the sector from risk of unacceptably low physical and management standards.
- 2.8 Fewer than 60% of tenants in the Private Rental Sector in Lewisham are from White ethnic groups, just under 22% are from Black ethnic groups and 10.5% are from Asian ethnic groups. 44% have a gross income below £20,800 per annum, 29% have a gross income between £20,800 and £31,2000 per annum and the remaining 27% have a gross income over £31,2000 per annum. Those with health problems or a disability comprise over 8% of those in this sector. 58% of tenants in this sector are working full time and 16% are working part time. 55% are aged between 16 and 34, 32% are aged between 35 and 49, 10% are aged between 50 and 64 and 2% are aged over 65. Just under 34% of households in the Private Rental Sector in Lewisham are in receipt of Housing Benefit.

3. Consultation

- 3.1 A letter was sent to over 4000 properties where there is a mix of commercial and residential use with a summary of the proposal, an invitation to a public meeting and a link to the website. 136 responses were received of which 56% were received from Private Tenants and 44% were received from private landlords.
- 3.2 The consultation asked respondents to answer five questions relating to the proposal, the outcome was as follows.
- **“More properties for private rent should be licensed”**: this question showed the strongest positive agreement and biggest consensus, including a quarter of the private landlords. No private landlords disagreed with the statement.

- **“Licensing improves conditions”**: a large majority agreed with this statement, including just under a third of private landlords, although 21% disagreed with the statement.
- **“It is right to target flats above commercial premises”** 60% agreed though private landlords were divided on the question with only one quarter of them agreeing. 90 % of tenants were in agreement.
- **Proposed standards to be met for a license**: a small majority felt standards proposed are about right, but 28% who were overwhelmingly private tenants, felt the standards were not tough enough. Just under half of landlords considered them too tough.
- **On the proposed fee of £100- £110 pa** : opinion was most divided on this question; a small majority favoured the fee being *at least* the proposed sum but more than two thirds of landlords thought the fee too high

3.3 Whilst there is concern that the introduction of additional license will result in an increase in rent to cover the costs, it was felt that the main driver for current rent increases was the opportunity to increase profit, and that there are no grounds to believe that not introducing an additional fee will reverse this trend. To monitor this it was suggested that the PRS survey be undertaken again in two years’ time to assess the impact.

3.4 The overall opinion is strongly in favour of extending private licensing and there was a broad agreement that flats above commercial properties was a suitable area for such an extension. Generally speaking, private landlords favoured the view that the proposals are too tough and the fee as too high, whereas private tenants were inclined to see the proposals as not tough enough and the fee as too low. On balance it seems that the proposals have a broad consensus.

4. Impact of proposed changes on specific groups

4.1 In developing Lewisham’s Additional Licensing Scheme, consideration has been given to the impact of the proposals on specific groups protected under the Equality Act 2010. The Act provides specific protection to the following:

Age	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds of age as a consequence of additional licensing to flats above commercial premises.</p> <p>Only a small proportion of residents of PRS accommodation are children or older adults, however improved standards of</p>
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	<p>accommodation as a result of additional licensing will be particularly beneficial to these vulnerable groups.</p> <p>Additional licensing will increase Landlord’s knowledge of legal requirements positively impacting vulnerable tenants.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership.</p>
Disability	<p>There is no intention or foreseeable impact of the policy to mean that disabled people would be treated more adversely as a consequence of additional licensing to flats above commercial premises.</p> <p>The negative health impacts of poor standards of accommodation are well documented. The worst housing conditions have been identified in flats above commercial premises in Lewisham. Additional licensing will improve the standards of accommodation to flats above commercial premises positively impacting on people with disabilities.</p> <p>Additional licensing will increase Landlord’s knowledge of legal requirements positively impacting vulnerable tenants.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Gender	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds of gender as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Gender reassignment	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds of gender reassignment as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional monitoring of Landlords of flats above commercial</p>

	<p>premises will provide Lewisham council with greater control over poor landlord practice such as not tackling ASB. As a result instances of ASB, discrimination and hate crime will be reduced.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Marriage & civil partnership	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds of marriage and civil partnership as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Pregnancy & maternity	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds pregnancy and maternity as a consequence of additional licensing to flats above commercial premises.</p> <p>A child's physical and mental health and education attainment is negatively impacted by poor accommodation standards. The worst housing conditions have been identified in flats above commercial premises in Lewisham. Additional licensing will improve the standards of accommodation to flats above commercial premises positively impacting pregnant women, mothers and their children.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Race	<p>There is a risk that landlords of flats above commercial premises for whom English is not their first language are negatively impacted by the additional licensing scheme as a result of language and literacy barriers. Landlords may not understand the legislative requirements and therefore be at increased risk of enforcement action. In order to mitigate this risk information, notifications, application forms and guidance will be made available in multiple languages.</p>

	<p>Additional licensing will improve the standards of accommodation to flats above commercial premises resulting in better accommodation and security of tenure for tenants. As a consequence tenant turnover may be reduced resulting in increased community cohesion.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Religion & belief	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds religion and belief as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional licensing will improve the standards of accommodation to flats above commercial premises resulting in better accommodation and security of tenure for tenants. As a consequence tenant turnover may be reduced resulting in increased community cohesion.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Sexual orientation	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds sexual orientation as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional monitoring of Landlords of flats above commercial premises will provide Lewisham council with greater control over poor landlord practice such as not tackling ASB. As a result instances of ASB, discrimination and hate crime will be reduced.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>

5. Conclusion

- 5.1 As noted above, it is anticipated that the introduction of Additional Licensing will have a positive impact on all groups protected under the Equality Act 2010 because additional monitoring of landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership.
- 5.2 This Equalities Analysis Assessment recognises that there is a risk that landlords of flats above commercial premises for whom English is not their first language are negatively impacted by the additional licensing scheme as a result of language and literacy barriers. In order to mitigate this risk information, notifications, application forms and guidance will be made

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

Date of Meeting	2 nd March 2016
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Title of Report	Budget Saving 2016/17 - Reduction in Trade Union Secondment Budget
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Originator of Report	Andreas Ghosh
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 19-2-16

Signed:  Director/Head of Service

Date: 23-2-16

Control Record by Committee Support

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

Mayor and Cabinet		
Report Title	Budget Saving 2016/17 - Reduction in Trade Union Secondment Budget	
Key Decision	No	Item No.
Ward	n/a	
Contributors	Andreas Ghosh, Head of Human Resources	
Class	Open	Date: 2 March 2016

1. Introduction

On 9 December 2015, Mayor & Cabinet approved the proposed revenue budget saving for 2016/17 of £40,000 from the trade union secondment budget. On 15 December 2015, the Overview and Scrutiny Business Panel requested that the implementation of the budget reduction should be referred back to Mayor & Cabinet for final decision.

2. Recommendation

Mayor and Cabinet are requested to approve the proposed reduction in the trade union secondment budget by £40,000 for 2016/17 as outlined in paragraph 3 below;

3. Background

- 3.1 A budget saving of £40,000 has been approved from the corporate trade union secondment budget for 2016/17, subject to final decision by Mayor and Cabinet on 2 March 2016.
- 3.2 The trade union budget which currently stands at £219,000 forms part of the Corporate HR Budget. Whilst the overall budget allocation for HR has reduced by £2m over the past seven years, trade union secondments have continued to be protected and have been excluded from budget savings proposals.
- 3.3. There is a need to rationalise the trade union budget. This is important as the budget becomes an increasingly larger part of the HR budget and given the overall reduction in the Council's workforce and trade union membership. Budget savings of £500K are required from the HR budget over the next two years.

4. Implementation

- 4.1. There will be a vacancy within the secondment allocation for UNISON with effect from 1 April 2016. It is therefore proposed to delete this post thereby reducing UNISON's current secondment allocation by 1FTE (from 3.2FTE to 2.2FTE). This will effectively implement the budget savings requirement for 2016/17. The trade unions have been fully consulted about the budget savings proposal and UNISON has accepted the proposed reduction in the union's secondment allocation.
- 4.2. A review of the Council's time off arrangements for trade union duties and activities (TOFTUA) has been planned for some time. This will subsequently be undertaken in conjunction with the trade unions, in order to clarify and balance out the provision amongst the unions.

5. Financial Implications

- 5.1 The Council has made substantial reductions to its expenditure over the last four years. On all credible economic forecasts, it will continue to need to make further reductions for at least the next four to five years. This report recommends that Mayor & Cabinet approves a reduction of £40,000 to the trade union secondment budget from 2016/17.

6. Legal Implications

- 6.1 The reasons for the proposed decision are as set out at paragraph 3 above. The report makes it clear that the unions have been consulted and that UNISON has consented to the proposed reduction in its secondment.
- 6.2 The Council has a statutory obligation under the Trade Union and Labour Relations (Consolidation) Act 1992 ("TULRCA") to allow reasonable paid time off for certain specified trade union duties relating to negotiation, consultation and representation (as defined in TULRCA) and as specified in the TOFTUA arrangements. Reasonable paid time off must also be allowed as specified in health and safety legislation for specified health and safety representation. Reasonable unpaid time off must be allowed for trade union activities as specified in the ACAS Code of Practice on Time Off For Trade Union Duties and Activities.
- 6.3 There is no statutory obligation to ensure the above legal entitlements are provided for by formal secondment arrangements, but the Council has done so historically and continues to do so, to maintain harmonious relations with the unions and for the sake of clarity.
- 6.4 The budget will need to ensure that the Council is able to continue to comply with its statutory obligations set out above. The consent of UNISON to the reduction as set out at paragraph 3 of this report and the proposed TOFTUA arrangements suggests that this is the case and provide for compliance with the Council's legal obligations.

7. Equalities Implications

- 7.1 The Equality Act 2012 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 7.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 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/>

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

Date of Meeting	2 nd March 2016
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Title of Report	St Winifred's Catholic Primary School Making of Instrument of Government
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Originator of Report	Executive Director for Children and Young People Head of Law	Ext. 48527 47648
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: 

Executive Member

Date: 23rd February 2016

Signed: 

Executive Director

Date:

Control Record by Committee Support

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

MAYOR & CABINET			
Report Title	St Winifred's Catholic Primary School Making of Instrument of Government		
Key Decision	Yes	Item No.	
Ward	Lee Green		
Contributors	Strategic Lead Governors' Services and School Leadership and Head of Law		
Class	Part 1	Date:	2 March 2016

1. Summary

- 1.1 A new Instrument of Government needs to be made for St Winifred's Catholic Primary School, following the Mayor's decision on the 9 September 2015 to agree that St Winifred's Infant School and St Winifred's Junior School should close on March 31 2016 and that St Winifred's Catholic Primary School should open on April 1 2016.

2. Purpose

- 2.1 To seek agreement to the making of the new Instrument of Government for the school listed below.

3. Recommendations

The Mayor is recommended to:

- 3.1 Approve that the Instrument of Government for St. Winifred's Catholic Primary School be made by Local Authority order dated 1 April 2016.
- 3.2 Approve Appendix 1 detailing the Instrument of Government the Local Authority is proposing to make by order. The Instrument of Government has also been agreed by the Education Commission, Catholic Diocese of Southwark, Trustees , Foundation Governors and the Local Authority.

4. Policy Context

- 4.1 Each school has to have an Instrument of Government. The Local Authority must satisfy itself that the Instrument of Government for schools conform to the legislation. The Local Authority must also agree its content.
- 4.2 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. The main purpose of a governing body is to account for the achievement of children and young people in their schools.

- 4.3 The appointment of governors supports the broad priorities within Lewisham's Sustainable Community strategy, in particular those of being "ambitious and achieving" and "empowered and responsible". Governors help inspire our young people to achieve their full potential and they also promote volunteering which allows them to be involved in their local area.
- 4.4 Two specific corporate priorities that are relevant pertain to "community leadership and empowerment" and "young people's achievement and involvement".

5. Background

- 5.1 On 9 September 2015, the Mayor considered a report on the proposal to close St. Winifred's Infant School and St Winifred's Junior School and open St. Winifred's Catholic Primary School
- 5.2 Having considered the report the Mayor, for the reasons set out in the report resolved that St Winifred's Infant School and St Winifred's Junior School should close on March 31 2016 and that St Winifred's Catholic Primary school should open on April 1 2016.
- 5.3 Under The School Governance (New Schools) England Regulations 2007, as amended by The School Governance (Miscellaneous Amendments) (England) Regulations 2015, once proposals for a new school have been approved and the proposals must be implemented, the local authority must set up a temporary governing body in accordance with the regulations.
- 5.4 The Executive Director for Children and Young People, under delegated authority, agreed to the proposed structure and size of the temporary governing body on 12 November 2015.
- 5.5 At their first meeting on 2 December 2015 the temporary governing body approved a draft Instrument of Government for the new Primary school comprising of 14 governors in total. They have taken into consideration and reviewed the skills mix and experience and availability of the existing Foundation governors of both the Infant and Junior Schools. The Foundation governors on the transitional governing body also separately approved the draft Instrument of Government.
- 5.6 On the 28 January, the Education Commission, Catholic Diocese of Southwark submitted a signed copy of the Instrument to the Local Authority.
- 5.7 The governing body must be constituted in accordance with regulations made by virtue of section 19 of the Education Act 2002 namely The School Governance (Constitution) (England) Regulations 2012, as amended.
- 5.8 Specifically, the governing body of every maintained school must be constituted in accordance with this regulation.

- 5.9 The total membership of the governing body of a maintained school must be no fewer than seven governors.
- 5.10 The governing body of a maintained school must include the following:-
- (a) at least two parent governors;
 - (b) the headteacher unless the headteacher resigns the office of governor in accordance with regulations;
 - (c) one staff governor, and
 - (d) one local authority governor
- 5.11 The governing body may in addition appoint such number of co-opted governors as they consider necessary provided that the requirements in regulations are met in respect of governing bodies of foundation and voluntary schools.
- 5.12 The total number of co-opted governors who are also eligible to be elected as staff governors under Schedule 2, when counted with the staff governor and the head teacher, must not exceed one third of the total membership of the governing body.
- 5.13 In addition, the governing body of a voluntary aided school must also include such number of foundation governors as to outnumber all the other governors by two
- 5.14 Appendix 1 details the Instrument of Government the Local Authority is proposing to make by order. The Instrument of Government has been agreed by the Education Commission, Catholic Diocese of Southwark, Trustees , Foundation Governors and the Local Authority

6. Financial implications

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

7. Legal implications

- 7.1 Section 20 of the Education Act 2002 requires all maintained schools to have an Instrument of Government which determines the constitution of the school and other matters relating to the school.
- 7.2 Each school must have an Instrument of Government detailing the name of the school, the type of school and the membership of the Governing Body. The category of governor and the number in each category is specified in the Regulations.
- 7.3 The Instrument of Government proposed for the Governing Body of The St Winifred's Catholic Primary School conforms to The School Governance (Federations) (England) Regulations 2012 in 5.7

Equalities Legislation

- 7.4 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.

7.5 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.

7.6 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.

7.7 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/>

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

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

7.9 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/>

8. Crime and Disorder Implications

8.1 There are no specific crime and disorder implications.

9. Equalities Implications

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

9.2 Lewisham Council's policy is to encourage all sections of the community to be represented as Local Authority governors. In particular, we would encourage further representation from the black community and minority groups including disabled people, who are currently under-represented as governors. The numbers of governors in these groups is kept under review

10. Environmental Implications

10.1 There are no specific environmental implications.

Background Documents

Short Title of Document	Date	File Location	Contact Officer
The School Governance (New Schools) England Regulations 2007	2007	http://www.legislation.gov.uk/uksi/2007/958/pdfs/uksi_20070958_en.pdf	Suhaib Saeed
Guidance on the Establishment and Government of New Schools	2007	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270936/guidance_on_the_establishment_and_governance_of_new_schools_2007.pdf	Suhaib Saeed
The School Governance (Miscellaneous Amendments) (England) Regulations 2015	2015	http://www.legislation.gov.uk/uksi/2015/883/pdfs/uksi_20150883_en.pdf	Suhaib Saeed

If there are any queries arising from this report, please contact Suhaib Saeed, Strategic Lead Governors' Services and School Leadership, Governors' Services, 3rd Floor, Laurence House, telephone 020 8314 767



ARCHDIOCESE OF SOUTHWARK

Local Authority: Lewisham

INSTRUMENT OF GOVERNMENT FOR VOLUNTARY AIDED SCHOOLS

1. The name of the school is St Winifred's Catholic Primary
2. The school was founded by and is part of the Catholic Church. The school is to be conducted as a Catholic School in accordance with the Canon Law and teachings of the Roman Catholic Church and in accordance with the Trust Deed of the Archdiocese of Southwark and in particular:
 - a) religious education is to be in accordance with the teachings, doctrines, discipline and general and particular norms of the Catholic Church;
 - b) religious worship is to be in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church;and at all times the school is to serve as a witness to the Catholic faith in Our Lord Jesus Christ.
3. The school is a Voluntary Aided school.
4. The name of the governing body is "The Governing Body of St Winifred's Catholic Primary School".
5. The governing body shall consist of :
 - a. Two Parent Governors;
 - b. The Headteacher;
 - c. One Staff Governor;

- d. One Local Authority Governor;
 - e. Eight Foundation Governors.
 - f. One Co-opted Governor
6. The total number of governors shall be 14
 7. The term of office for Foundation Governors is four years.
 8. Foundation Governors are appointed by the Archbishop of Southwark (or any other person exercising Ordinary jurisdiction on his behalf) through the Director of Education of the Archdiocese of Southwark Education Commission.
 9. The Archbishop of Southwark (or any other person exercising Ordinary jurisdiction on his behalf) through the Director of Education of the Archdiocese of Southwark Education Commission, may remove Foundation Governors at any time during their period of office.
10. Date Instrument drafted by the Governing Body : 2nd December 2015
11. Date draft Instrument approved by Foundation Governors : 2nd December 2015
12. Date draft Instrument approved by Trustees : 2nd December 2015

Only to be made by the LA if this Instrument has been dated and stamped by the Education Commission	
 Catholic Diocese of Southwark	
Signed: 	Director of Education
Date: 2/12/15	

13. This Instrument of Government comes into effect on 1 April 2016
14. This Instrument was made by order of Lewisham Local Authority on 2 March 2016

The LA must supply a copy of the Instrument to every member of the Governing Body (and the headteacher if not a governor), the Trustees of the

Archdiocese of Southwark and to the Archbishop through the office of the Director of Education of the Education Commission.

Agenda Item 8

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

Date of Meeting	2 nd March 2016
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Title of Report	Local Authority Governor Nominations
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Originator of Report	Executive Director for Children and Young People Head of Law	Ext. 48527 47648
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: 

Executive Member

Date: 23rd February 2016

Signed: 

Executive Director

Date:

Control Record by Committee Support

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

MAYOR AND CABINET			
Report Title	Local Authority Governor Nominations		
Key Decision	No	Item No.	
Ward	Lee Green, Forest Hill		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	2 March 2016

1. Summary

- 1.1 In May 2014, amendments to the School Governance (Constitution) (England) Regulations 2012 (The Constitution Regulations 2012) were made and laid before Parliament. The Department for Education (DfE) also published statutory guidance on the constitution of maintained schools which governing bodies and Local Authorities must have regard to. The most recent version of this Guidance was issued in August 2015.
- 1.2 The Constitution Regulations 2012 determine the size and membership of governing bodies. Previously the Local Authority was able to appoint Local Authority governors to governing bodies, however amendments to the Regulations now permit a Local Authority only to nominate such a person, with it being a matter for the governing body to appoint. For the Local Authority governor position, the Local Authority nominates a governor for "appointment" by the governing body.
- 1.3 This report is to request the nomination of Local Authority governors for schools listed in paragraph 6 below.

2. Purpose

- 2.1 To consider and approve the nomination of the Local Authority governors detailed in paragraph 6 below.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 agree to nominate the persons set out in paragraph 6 as Local Authority governors;

- 3.2 note the information concerning the recommended nominated governors in Appendix 1.

4. Policy Context

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

5. Background

- 5.1 Under Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2012, every governing body is required to have at least one representative of the Local Authority as part of its membership. Governing bodies reconstituted under The School Governance (Constitution) (England) Regulations 2012 only allows for one Local Authority governor. Free schools and Academies are exempt from this requirement.
- 5.2 The Constitution Regulations 2012 and Guidance highlight the importance of governors having the appropriate skills to contribute to the effective governance and success of the school.
- 5.3 The suggested nominees have the requisite skills and experience required to be effective in their role as a Local Authority nominated governor.
- 5.4 A Local Authority governor vacancy will arise on the governing body of the schools listed in paragraph 6. St Winifred's Primary is a new school and thus will require a new nomination to be made. Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The individuals set out in paragraph 6 would serve the normal 4 years if appointed. The governing body of the schools would like to appoint them to the role of

Local Authority governor at the next governing body meeting and thus a nomination is required to enable this to happen.

5.5 Appendix 1 highlights the skills and experience that the individuals possess which will enable them to be an effective member of a governing body.

6. Candidates recommended for Nomination as Local Authority governor for governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012 .

Name	School
Ms. Catherine Farmer	St Winifred's Catholic Primary School
Richard Cory	Forest Hill School

7. Financial implications

7.1 There are no financial implications arising from this report.

8. Legal implications

8.1 Section 19 of the Education Act 2002 and the School Governance (Constitution) (England) Regulations 2012(as amended) requires every governing body of a maintained school to have one representative of the Local Authority as part of its membership.

8.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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

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

8.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to

eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

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

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

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

8.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

9 Crime and Disorder Implications

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

10. Equalities Implications

10.1 Lewisham Council's policy is to encourage all sections of the community to be represented as Local Authority governors. In particular, we would encourage further representation from the black community and minority groups including disabled people, who are currently under-represented as governors. The numbers of governors in these groups is kept under review

11. Environmental Implications

11.1 There are no specific environmental implications arising from this report.

12. Conclusion

12.1 The individuals detailed in Appendix 1 view being a governor as a way of utilising their skills and experience to make a difference to the lives of children and young people in Lewisham schools. Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007 made under it require every governing body to have at least one representative of the Local Authority as part of its membership. Governing bodies reconstituting under The School Governance (Constitution) (England) Regulations 2012 only require one Local Authority governor. Academies are exempt from this requirement.

12.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The persons listed in paragraph 6 would serve the normal 4 years.

Background Documents

There are no background papers.

If there are any queries arising from this report, please contact Suhaib Saeed, Strategic Lead Governors' Services and School Leadership, Governors' Services, 3rd Floor, Laurence House, telephone 020 8314 767

LA Governor nominations

APPENDIX 1

Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information
Ms. Catherine Farmer	St Winifred's Catholic Primary School	Journalist	SE13	Catherine works for a number of Educational Charities as a Journalist and is an experienced governor having served as the Local Authority governor on both St Winifred's Primary and Junior school's for a number of years. She is Chair of the Joint schools Teaching and Learning Committee and the SEND link governor. She also previously served on the Personnel Committee at the Infant school. She is a very proactive governor and the temporary governing body of the new school have agreed to have Catherine nominated for appointment by the new governing body due to be established on 1 April 2016.	Female White/British
Richard Cory	Forest Hill School	Retired Corporate Lawyer	SE26	Richard has been the Safeguarding link governor designate, member of the Management Committee and Exclusions Panel at Forest Hill. He has a high level of legal skill, financial skills and business experience and is a very proactive highly valued governor. The governing body wish to have him nominated for appointment as his term of office has ended.	Male White/British

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

Date of Meeting	2 March 2016
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Title of Report	Education Appeals Panel Members Appointment
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Originator of Report	Senior Committee Manager
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 22/2/2016

Signed:  Director/Head of Service

Date: 23-2-2016

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

MAYOR AND CABINET		
Report Title	Education Appeals Panel Members Appointment	
Key Decision	No	Item No.
Ward		
Contributors	Executive Director for Resources & Regeneration (Head of Business and Committee)	
Class	Part 1	Date: 2 March 2016

1. Summary

To obtain the Mayor's approval for the appointment of two independent education appeals panel members.

2. Recommendation

- 2.1 The Mayor is asked to confirm the appointment to the independent education appeals panel of:

Mr John Martin, and Dr Eric Pape,

3. Background

- 3.1 Under section 94 of the Schools Standards and Framework Act 1998, responsibility for making arrangements for appeals against the refusal of a school place rests with the admission authority of the school. The admission authority and appeal panel must act in accordance with the School Admissions (Appeal Arrangements) (England) Regulations 2012, the School Admissions Code, other law relating to admissions, and relevant human rights and equalities legislation, for example the Equality Act 2010.
- 3.2 Appeals panels perform a judicial function and must be transparent, accessible, independent and impartial, and operate according to principles of natural justice.
- 3.3 The admission authority, or clerk acting on behalf of the admission authority, must appoint an independent appeal panel that is comprised of a Chair and at least two other panel members. A panel must consist of the following persons with at least one from each category;
- a) Lay people (someone without personal experience in the management of any school or provision of education in any school (except as a schools governor or in another voluntary capacity).
 - b) People who have experience in education, who are acquainted with educational conditions in the local authority area, or who are parents of registered pupils at school.

- 3.4 Admission authorities must ensure that panel members are independent and retain their independence for the duration of their service.
- 3.5 Under section 51A of the Education Act 2002, as amended by the Education Act 2011, the School Discipline (Pupil Exclusions and Reviews)(England) Regulations 2012 states that if applied for by parents within the legal time frame, the local authority or (in the case of an Academy) the Academy Trust must, at their own expense, arrange for an independent review panel hearing to review the decision of a governing body not to reinstate a permanently excluded pupil.
- 3.6 The local authority / Academy Trust must constitute the panel with either three or five members (as decided by the local authority / Academy Trust) representing each of the three categories below.
- 3.7 A five member panel must be constituted with two members from each of the categories of school governors and head teachers.
- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer.
 - School governors who have served as a governor for at least 12 consecutive months in the last five years, provided they have not been teachers or head teachers during this time.
 - Head teachers or individuals who have been a head teacher within the last five years.
- 3.8 A person may not serve as a member of a review panel if they:
- are a member / director of the local authority / Academy Trust or governing body of the excluding school;
 - are the head teacher of the excluding school or anyone who has held this position in the last five years;
 - are an employee of the local authority / Academy Trust, or the governing body, of the excluding school (unless they are employed as a head teacher at another school);
 - have, or at any time have had, any connection with the local authority / Academy Trust; school; parents or pupil; or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality (though an individual must not be taken to have such a connection simply because they are a head teacher at another school); or
 - have not had the required training within the last two years (see paragraph 116).
- 3.9 The first recommended candidate is John Martin, a retired Headteacher, and former National Advisor to the DFE supporting schools facing challenging circumstances.

- 3.10 The second recommended candidate is Dr Eric Pape, a current panel member for the London Boroughs of Bexley, Bromley and Greenwich.
- 3.11 Appendix 1 highlights the skills and experience the individuals possess which will enable them to be effective independent panel members.
- 3.12 Both candidates were interviewed by a recruitment Panel consisting of Councillor Maslin, Cabinet Member for Children and Young People as Chair of the Panel, supported by the Head of Business and Committee and the Senior Committee Manager in Governance Support.

4. Financial Implications

- 4.1 No payments are associated with this appointment. Panel Members may claim expenses for which there is existing budgetary provision.

5. Legal Implications

In addition to those set out elsewhere in this report 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.

- 5.1 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.
- 5.2 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.
- 5.3 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 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/>

5.4 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

5.5 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/>

6. Crime and Disorder Implications

6.1 None.

7 Equalities Implications

7.1 None.

8. Environmental Implications

8.1 None.

BACKGROUND PAPERS

None

If there are any queries on this report, please contact Olga Cole, Senior Committee Manager, 0208 314 8577.

Appendix A

Appointees Background Details

John Martin

Mr Martin started his teaching career in academic year 1977-78 in south-east London and subsequently taught in various schools throughout the country.

He has been the headteacher/Principal of three secondary schools: Blessed Robert Johnston Catholic College Telford (01.04.97 to 31.08.03); Headteacher of Cheslyn Hay Sport and Community High School Staffordshire (01.01.07 to 31.03.12); and Bacon's College Southwark (01.04.12 to 31.08.15).

Between his first two Headships he worked for the DfE as a National Advisor supporting schools facing challenging circumstances (01.04.03 to 31.12.06).

He has also been a Governor (ex officio) for many years through my Headteacher/Principal roles and a Co-opted Governor of a primary school when it went into Special Measures during 1996-1997.

Dr Pape

Dr Pape have sat on panels for the London Boroughs of Bexley, Bromley and Greenwich, and have chaired both admissions and exclusions appeals panels for over 7 years.

He did this job as a way of supporting the community, as his two daughters had excellent education in the South East of London, and he hoped his contribution would give back something to the community.

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

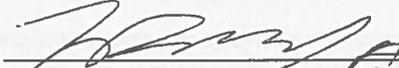
Date of Meeting	2 March 2016
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Title of Report	Monthly Management Report
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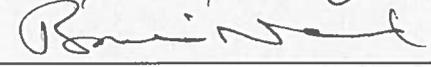
Originator of Report	Steve Goldsmith	Ext. 47840
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 10/2/16

Signed:  Director/Head of Service

Date: 10/2/16

Control Record by Committee Support

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

MAYOR AND CABINET

Report Title	Management Report – January 2016	
Key Decision	No	Item No.
Ward	All	
Contributors	Executive Director for Resources & Regeneration	
Class	Open	Date: 2 March 2016

1 PURPOSE

- 1.1 To set out the Management Report as at January 2016.

2 EXECUTIVE SUMMARY

- 2.1 The Management Report aims to present a comprehensive account of organisational performance in achieving our ten corporate priorities.
- 2.2 The Council's ten corporate priorities identify the Council's own distinct contribution to the delivery of the six priority outcomes set out in the 'Shaping our future – Lewisham's Sustainable Community Strategy' (SCS).

3 RECOMMENDATION

- 3.1 That the Mayor notes the Management Report.

4 BACKGROUND

- 4.1 The Management Report indicates how well the Council is performing against a basket of 23 indicators including National and Local indicators which cross the Council's corporate priorities. The report aims to report on organisational performance by drawing together information on performance, risk, projects and finance. It is presented monthly to the Executive Management Team and quarterly to the Mayor and Cabinet.
- 4.2 The Monthly Management Report utilises exception reporting to focus attention on key areas: exception reporting for red Projects, Risk and Finance and Red and Green exception reporting for performance. By combining these four areas for each of our corporate priorities, it functions as an important tool for supporting decisions across the organisation.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications arising from the Management Report. However, the report does set out a summary of the Council's overall financial position as it stands at the start of each month.

6 LEGAL IMPLICATIONS

- 6.1 There are no direct legal implications arising from the report.

7 HUMAN RESOURCE IMPLICATIONS

- 7.1 Data on the performance of the Council's human resources function is found within the indicators contained in the Management Report, and in particular within the

indicators relating to the Council's priority to "Inspiring Efficiency, Effectiveness and Equity" (priority 10).

8 EQUALITIES IMPLICATIONS

8.1 Data on performance relating to equalities is found within the indicators contained in the Management Report. This is a theme that cuts across all priorities within the report.

9 ENVIRONMENTAL IMPLICATIONS

9.1 Data on performance relating to the environment is found within indicators contained throughout the Management Report, and there is a particular focus on the environment within the indicators relating to the Council's priority to make the borough "Clean, Green and Liveable" (priority 3).

10 CRIME AND DISORDER IMPLICATIONS

10.1 Data on performance relating to crime and disorder is found within indicators contained in the Management Report, and in particular within the indicators relating to the Council's priority to achieve "Safety, Security and Visible Presence" (priority 4).

BACKGROUND PAPERS

<u>Short Title of Document</u>	<u>Date</u>	<u>File Location</u>	<u>Contact Officer</u>
None			

For further information on this report please contact: Steve Goldsmith, Policy, Service Design and Analysis Unit, on 020 8314 7840.



Monthly Management Report

January 2016

Contents

Key

-  On track to achieve our outcomes
-  Slightly behind and requires improvement
-  Not on track but taking corrective action
-  Improving
-  No change
-  Declining
-  Missing actual data
-  Missing target
-  Missing target and actual data

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Foreword

The purpose of the Management Report is to place on record each month, in a consistent format, our performance against priorities. Each month we attempt to give a full account of what is being done, what has been achieved and which areas require additional management attention to secure future achievements. The report gives some coverage to the effectiveness of our partnership working. Reporting on performance is always double-edged. We have high ambitions and targets which are set to stretch management and staff effort. So, there are areas where the need for greater management attention is highlighted.

The report focuses on the Council's performance in line with our corporate priorities, drawing data from performance indicators (PIs), project monitoring information, risk register assessments and financial reports.

NOTE: This management report contains a new set of indicators and thus direct comparisons with reports prior to April 2015 are not possible.

Performance: Performance is being reported for December 2015. There are 9 performance indicators (47 per cent) reported as green or amber against target, and 9 (47 per cent) are showing an upward direction of travel. There are 10 performance indicators (53 per cent) reported as red against target and 9 performance indicators (47 per cent) which have a Red direction of travel. There are 4 indicators that have missing performance data.

Projects: Projects are being reported for January 2016. There are no red projects this month.

Risks: Risks are being reported for December 2015. There are nine red corporate risks - ICT infrastructure is not fit for purpose and/or does not meet business needs; non-compliance with Health & Safety legislation; financial failure and inability to maintain service delivery within a balanced budget; loss of income to the Council; failure of safeguarding arrangement; loss of constructive employee relations; information governance failure; failure to maintain sufficient management capacity and capability to deliver business as usual and implement transformational change; and strategic programme to develop and implement transformational change does not deliver. There are 12 amber risks and one risk is rated green. The status of the risk ' Loss of a strategic asset or premises through failure to maintain it in a safe and effective condition' was downgraded from red to amber following improvements in the management of the corporate estate. The status for 'Failure to agree with partners integrated delivery models for local health and care services' was reduced from amber to green as funding has now been made available.

Finance: The financial forecasts for 2015/16 as at 31 December 2015 are as follows: There is a forecast overspend of £6.7m against the directorates' net general fund revenue budget which is £246.224m. This compares to a forecasted overspend of £7.0m for the end of November. The consolidated results for the year forecast a final outturn of £5.2m. The Housing Revenue Account (HRA) is projecting a £2.3m surplus. For the Dedicated Schools Grant (DSG) there are three schools which are expected to report and apply for a licensed deficit by the year end.

Barry Quirk, Chief Executive
9 February 2016

Overall Summary: Performance

Summary of performance indicators in this report.

Priority 2 - Young People's Achievement and Involvement					Priority 2 - Young People's Achievement and Involvement				
Overall Performance					Direction of Travel				
				Total					Total
2	0	0		2	2	0	0		2
Priority 3 - Clean, Green and Liveable					Priority 3 - Clean, Green and Liveable				
Overall Performance					Direction of Travel				
				Total					Total
1	1	1	2	5	1	0	2	2	5
Priority 6 - Decent Homes for All					Priority 6 - Decent Homes for All				
Overall Performance					Direction of Travel				
				Total					Total
0	0	2		2	0	1	1		2
Priority 7 - Protection of Children					Priority 7 - Protection of Children				
Overall Performance					Direction of Travel				
				Total					Total
3	0	0		3	2	0	1		3
Priority 8 - Caring for Adults and Older People					Priority 8 - Caring for Adults and Older People				
Overall Performance					Direction of Travel				
				Total					Total
3	0	0		3	2	0	1		3
Priority 9 - Active, Healthy Citizens					Priority 9 - Active, Healthy Citizens				
Overall Performance					Direction of Travel				
				Total					Total
0	0	1		1	0	0	1		1
Priority 10 - Inspiring Efficiency, Effectiveness and Equity					Priority 10 - Inspiring Efficiency, Effectiveness and Equity				
Overall Performance					Direction of Travel				
				Total					Total
1	2	2	2	7	1	0	4	2	7

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Across all performance indicators in this report					Across all performance indicators in this report				
Overall Performance					Direction of Travel				
				Total					Total
10	3	6	4	23	8	1	10	4	23

Performance

This report contains December 2015 performance data, and finds that 9 indicators are reported as Green or Amber against target, which is 1 fewer than last month. In December 2015, 10 indicators are reported as Red against target, which is 4 more than last month. There are 4 indicators with missing data in December 2015, which is 3 fewer than last month.

Direction of Travel

A total of 9 indicators are showing an upward trend in December 2015, which is up 2 from last month. There are 9 indicators with a red direction of travel in December 2015, which is up one from last month. In December 2015, 4 indicators had missing data.

N.B. direction of travel is the change in performance and is measured against the previous year. Therefore changes to targets from one year to the next will affect this.

Areas for Management Attention

Together, we will make Lewisham the best place in London to live, work and learn

Areas requiring management attention this month						
Performance Indicators - Monthly Indicators						
	Against Target Dec 15	DoT Dec 15 v Mar 15	DoT Dec 15 v Nov 15	Consecutive periods Red (last 12 periods)	Priority No.	Page No.
LPZ940 % EHCPs issued under 20 weeks excluding exceptions to the rule	▲	■	■	8	2	p14
LPZ941 % EHCPs issued under 20 weeks including exceptions to the rule	▲	■	■	7	2	p15
NI062 Stability of placements of looked after children: number of moves	▲	■	■	-	7	p24
NI064 Child protection plans lasting 2 years or more	▲	■	■	9	7	p25
LPI254 1C (2) % people using social care who receive direct payments	▲	■	■	8	8	p29
Performance Indicators - Monthly Indicators (reported 1 month behind)						
	Against Target Nov 15	DoT Nov 15 v Mar 15	DoT Nov 15 v Oct 15	Consecutive periods Red (last 12 periods)	Priority No.	Page No.
LP1265 2C (2) Delayed transfers of care from hospital which are attributable to ASC per 100,000 pop	▲	■	■	8	8	p30

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Areas of Good Performance

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Areas of Good Performance				
Performance Indicators - Monthly indicators				
	Against Target Dec 15	DoT Dec 15 v Mar 15	DoT Dec 15 v Nov 15	Priority No.
NI156 Number of households living in Temporary Accommodation	★	🟢	🟢	6
LPI202 Library visits per 1000 pop	★	🟢	🔴	9
LPI031 NNDR collected	★	🟢	🔴	10
LPI755 % of customers with appointments arriving on time seen within 10min of their appointed time	★	🟢	🔴	10

Programmes and Projects

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Project Performance - January 2016

This month				One month ago				Two months ago			
Status			Total	Status			Total	Status			Total
			17				17				17
0	8	9		0	7	10		0	7	10	

Project	Estimated completion dates
Project	Date
PMSRGN Deptford Rise Public Realm (The Deptford Project Ltd)	Feb 2016
PMSCYP Primary Places Programme 2015/16	Mar 2016
PMSRGN TFL Programme 2015/16	Mar 2016
PMSCUS GLA Empty Homes programme Round 2	Mar 2016
PMSCUS Lewisham Homes Capital Programme 2015/16	Apr 2016
PMSCUS Bampton and Shifford Estate Development	Spring 2016
PMSCUS New Homes, Better Places - Phase 1	Phase 3 completion - Spring 2016
PMSRGN Beckenham Place Park (Fundraising Project)	Round 2 funding announcement in Dec 2016
PMSCUS Besson Street Development	Aug 2016
PMSRGN Sydenham Park Footbridge	Summer 2016
PMSCYP Building Schools for the Future	Dec 2016
PMSRGN Southern Site Housing - Deptf TC Prog - appointment of developers	Sep 2018
PMSCYP Developing 2 Year Old Childcare Provision	TBC
PMSRGN New Bermondsey Regeneration Scheme	TBC
PMSRGN Catford Centre Redevelopment	TBC
PMSRGN Milford Towers Decant	TBC
PMSCUS Excalibur Regeneration	TBC

Movements in project status since November 2015

Upgraded from Amber to Red
None

Upgraded from Green to Amber
Bampton and Shifford Estate Development
Sydenham Park Footbridge

Downgraded from Amber to Green
Southern Sites Housing - Deptford TC Programme

Removals:
None

Additions:
None

Overall Performance: Risk

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Likelihood	5	10	15	20	25
	4	8	12	16	20
	3	6	9	12	15
	2	4	6	8	10
	1	2	3	4	5
	Impact				

Risk can be defined as uncertainty of outcome due to an event or an action in the future that could adversely affect an organisation's ability to achieve its business objectives and meet its strategies.

Good risk management allows an organisation to have increased confidence in achieving its desired outcomes; effectively constrain threats to acceptable levels; and take informed decisions about exploiting opportunities. Good risk management also allows stakeholders to have increased confidence in the organisation's corporate governance and ability to deliver.

In accordance with the Council's current Risk Management Strategy, risk is monitored by way of risk registers. Risks are scored in terms of likelihood and impact, with a range from 1 to 5 (with 5 being the highest) and the result is plotted on a matrix (as shown) to produce the RAG rating. A target is also set and the risk registers contain action plans to manage the risks to target and these are subject to regular review by Directorate Management Teams. The risk registers are reported to the Risk Management Working Party and Internal Control Board on a quarterly basis and quarterly updates are provided in this report. The previous quarter's data will be routinely carried forward until the next quarterly update is made, unless there are matters of significance that need to specifically be brought to management's attention.

The Corporate Risk register has been refreshed to ensure that all risks are more clearly defined and accurately reflect the underlying risks. All of the action plans within the registers now have clear deadlines for completion. There are 22 risks in total on the Corporate Risk register (9 Red, 12 Amber, and 1 Green).

Alignment of directorate to corporate risks is regularly analysed and reported to the Internal Control Board. Analysis of the alignment of risks identified in business plans to the directorate registers is progressing. There are two changes to the current status RAG ratings in the Corporate Risk Register this quarter (December 2015). The status of the risk 'Loss of a strategic asset or premises through failure to maintain it in a safe and effective condition' was downgraded from red to amber following improvements in the management of the corporate estate. The status for 'Failure to agree with partners integrated delivery models for local health and care services' was reduced from amber to green as funding has now been made available.

The budget planning and savings proposal guidance requires the risks of proposed changes to be identified. This detail will be monitored and used to inform business plan risks.

The actions arising from the recent OFSTED inspection will be added to the Annual Governance Statement and progress will be regularly monitored and reported in the corporate risk register.

The Executive Management Team and Internal Control Board considered the future arrangements for managing and reporting risk, mindful of the reduced

resources available to support risk management against the likely increased risks arising from the scale and pace of change alongside unprecedented budget reductions. The Risk Management Strategy will be refreshed during 2016 to reflect new streamlined reporting arrangements that will require directorates to align risks with objectives and produce annual risk registers. Quarterly exception reports will be presented to the Risk Management Working Party and Internal Control Board that will inform the Corporate Risk Register that will continue to be reported quarterly in the Management Report. The new arrangements will be implemented on completion of the business planning process for 2016/17.

An Internal Audit of Risk Management reported a 'Satisfactory' assurance level in December 2015. There are three medium and one low recommendation and progress with actions will be monitored by the Risk Management Working Party.

Overall Performance: Risk

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Red (Corporate Register)		
Corporate priority	Risk name	Current status
10	2. ICT infrastructure is not fit for purpose and/or does not meet business needs	▲
	Detailed proposals on the exact nature of the shared service with Brent are being developed for Mayoral consideration in Autumn 2015, with a view to implementation by April 2016.	
10	4. Non-compliance with Health & Safety Legislation	▲
	Health & Safety training programme now in place. Awareness and reinforcement to continue. Training take-up and investment to be monitored throughout the year.	
10	6. Financial Failure and inability to maintain service delivery within a balanced budget	▲
	The directorates' net general fund revenue budget was overspent by £9.1m at the end of 2014/15 and, after applying the corporately held sum of £3.9m for "risks and other pressures", this reduced the overspend to £5.2m and this was covered by once-off corporate resources.	
10	9. Loss of income to the Council	▲
	Issues continue with Oracle 12 and the system is hampering debt collection and fund allocation.	
7, 8	18. Failure of safeguarding arrangement.	▲
	Regular and ongoing management action and review continues in respect of safeguarding. However, the risk of avoidable death or serious injury to client or employee will continually be rated red due to the potential severity should an event occur.	
10	19. Loss of constructive employee relations	▲
	Risks around consultations for changes, in particular to pensions and terms and conditions proposals. Work is continuing on engagement with the Trade Unions and staff consultation programme. Arrangements are in place to manage issues within established industrial relations mechanisms.	
10	21. Information governance failure.	▲
	Asset information audits will continue. Information Governance guidance will be developed.	
10	24. Failure to maintain sufficient management capacity & capability to deliver business as usual and implement transformational changes.	▲
	This risk recognises the risk of strain on management capacity and capability with continuing headcount reductions and significant changes to ways of working. Declining budgets, changing demand and pressures, new technologies and a different community role under the Localism Act drive risk of a decline in flexibility and duality of service due to insufficient time or resource. Consideration of capacity and capability and succession planning are all indicated in the 'STAR' service planning model. Transformation officers support service changes Council-wide.	
10	30. Strategic programme to develop and implement transformational change does not deliver	▲
	Reviews across key services to implement transformational changes in current climate of austerity.	

Overall Performance: Risk

Together, we will make Lewisham the best place in London to live, work and learn

Corporate Risk					
	Current Status	Current status against target	Source Date	Direction of Travel	Priority
1. Failure to maintain minimum service continuity during and quickly recover from a disaster			Dec 15		10
2. ICT infrastructure is not fit for purpose and/or does not meet business needs			Dec 15		10
4. Non-compliance with Health & Safety Legislation			Dec 15		10
5. Failure to anticipate and respond appropriately to legislative change. For example: Localism Act, Public Services Act, Welfare Reform Bill, Health & Social Care Act			Dec 15		10
6. Financial Failure and inability to maintain service delivery within a balanced budget			Dec 15		10
7. Adequacy of Internal Control.			Dec 15		10
8. Lack of provision for unforeseen expenditure or loss of income in respect of Council's liabilities or funding streams.			Dec 15		10
9. Loss of income to the Council			Dec 15		10
10. Failure to manage performance leads to service failure.			Dec 15		10
12. Multi-agency governance failure leads to ineffective partnership working			Dec 15		10
13. Failure to manage strategic suppliers and related procurement programmes.			Dec 15		10
15. Loss of a strategic asset or premises through failure to maintain it in a safe and effective condition			Dec 15		10
18. Failure of safeguarding arrangement.			Dec 15		7, 8
19. Loss of constructive employee relations			Dec 15		10
21. Information governance failure.			Dec 15		10
24. Failure to maintain sufficient management capacity & capability to deliver business as usual and implement transformational changes.			Dec 15		10
26 Loss of service capacity and failure to protect the vulnerable due to extreme environmental circumstances			Dec 15		10
27 Governance failings in the implementation of service changes			Dec 15		10
28. Failure to agree with partners integrated delivery models for local health and care services.			Dec 15		9
29 Failure to implement Individual Electoral Registration (IER)			Dec 15		10
30. Strategic programme to develop and implement transformational change does not deliver			Dec 15		10
32. GLA election/Europe Referendum not conducted efficiently			Dec 15		10

Overall Performance: Finance

Together, we will make Lewisham the best place in London to live, work and learn

Performance

	Nov 2015	%	Dec 2015	%
	5	50	6	60
	0	0	0	0
	5	50	4	40
Total	10	100	10	100

The financial forecasts for 2015/16 as at 31st December 2015 are as follows:

There is a forecast overspend of £6.7m against the directorates' net general fund revenue budget which is £246.224m. This compares to a forecasted overspend of £7.0m for the end of November. The consolidated results for the year forecast a final outturn of £5.2m.

The Housing Revenue Account (HRA) is projecting a £2.3m surplus. For the Dedicated Schools Grant (DSG) there are three schools which are expected to report and apply for a licensed deficit by the year end.

Finance by Priorities (£000s)

	2015/16 Budget	Latest projected year end variance as at Dec 15	% variance
01. NI Community Leadership and Empowerment	5,996	-200.00	-3.34
02. NI Young People's Achievement and Involvement	8,600	1,200.00	13.95
03. NI Clean, Green and Liveable	18,800	600.00	3.19
04. NI Safety, Security and Visible Presence	11,000	-300.00	-2.73
05. NI Strengthening the Local Economy	2,700	-400.00	-14.81
06. NI Decent Homes for All	3,900	2,600.00	66.67
07. NI Protection of Children	42,500	5,700.00	13.41
08. NI Caring for Adults and Older People	72,500	-300.00	-0.41
09. NI Active, Healthy Citizens	5,504	-300.00	-5.45
10. NI Inspiring Efficiency, Effectiveness, and Equity : Net Expenditure	74,724	-1,900.00	-2.54
Corporate priorities	246,224	6,700.00	2.72

Hot Topics

Together, we will make Lewisham the best place in London to live, work and learn

The following 'Hot Topics' are being reported for January 2016:

Apply for funding to clean up your area

If your group is eager to improve Lewisham's streets, parks or public spaces, the Capital Clean-up programme could help. Grants of between £500 and £1,500 are available, along with clean-up kits (including a £50 voucher). Previous recipients have used the funding to great effect, organising litter-picks in Lambeth and path-building in Penge. Capital Clean-up is the Mayor of London's partnership campaign to help Londoners get together to revamp the city's environment. It is part of his wider Team London volunteering programme and is supported by McDonald's. The deadline for applications is 5pm on 14 March 2016. Please visit www.london.gov.uk/cleanup for more information and application details.

Volunteer youth workers wanted

Are you passionate about working with young people? Do you want to help young people be all they can be? Do you have skills to give back to the local community? We are looking for volunteers to support our youth service and our work with young people in Lewisham aged 8–19 (up to 25 for those with additional needs) across our youth clubs, adventure playgrounds and head office. Who are we looking for? Volunteers need to be 18 and over, available in flexible three-hour slots (typically over an evening and/or a weekend) and interested or experienced in some of the following areas: music production; sport and recreation; cooking; drama and performing arts; ICT and gaming; and finance and admin. It doesn't matter if you have prior experience of working with young people or none at all; if you are passionate about young people and have skills to bring then we want to hear from you. What will I get? full training, guidance and support from qualified staff; the chance to develop new skills or start a new career in youth work; and the opportunity to make a difference to young people's lives in Lewisham. Get in touch if you would like to find out more about becoming a volunteer youth worker, register your interest below and we will contact you with further details

Help make Deptford High Street better

We are improving the north section of Deptford High Street between Giffin Street and Evelyn Street and would like your views on how to make the High Street better. We are working in partnership with Transport for London (TfL), which is providing funding, to deliver the project. We have engaged Project Centre to develop new designs for the section of the High Street between the junction with Evelyn Street and the newly re-vamped Deptford station. We now want your views about the ideas. There will be a drop-in session in the foyer of Deptford Lounge between 3pm and 7.30pm on Wednesday 3 February 2016. Pop by during this session to view the objectives and design principles and to speak to the project consultants, Project Centre, and the Council's project team. You can also view the design principles and give your views online. The consultation was due to close on 10 February 2016.

2. Young People's Achievement and Involvement

Raising educational attainment and improving facilities for young people through partnership working

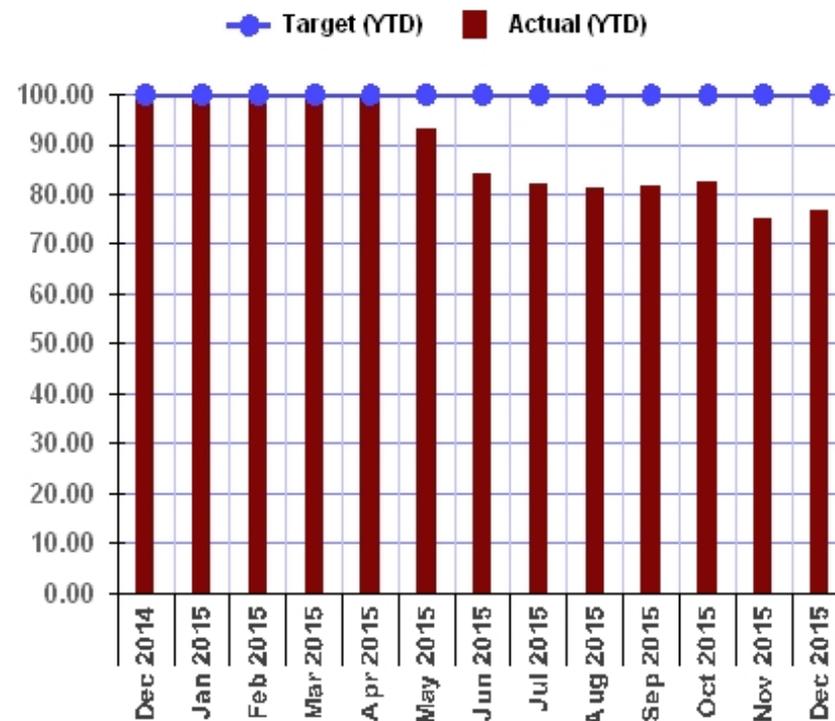
Priority 2 - Monthly Performance								
	Unit	YTD Dec 15	Target Dec 15	Against Target Dec 15	DoT Last year	Against Target Nov 15	Against Target Oct 15	14/15
LPZ940 % EHCPs issued under 20 weeks excluding exceptions to the rule	Percentage	76.70	100.00	▲	■	▲	▲	★
LPZ941 % EHCPs issued under 20 weeks including exceptions to the rule	Percentage	76.00	95.00	▲	■	▲	▲	●

Priority 2 - Projects				
	Directorate	Budget	Est. completion date	Current Status
PMSCYP Building Schools for the Future	CYP	£230m	Dec 2016	★
PMSCYP Primary Places Programme 2015/16	CYP	£1.6m	Mar 2016	★
PMSCYP Developing 2 Year Old Childcare Provision	CYP	£2.562m	TBC	●

Net Expenditure Priority 02 (£000s)					
	2015/16 Budget	Projected year-end variance as at Dec 15	Variance	% Variance	Comments
02. NI Young People's Achievement and Involvement	8,600	1,200	▲	13.95	Finance Overspend The final outturn on schools' transport at end of 2014/15 was an overspend of £1.1m. This has been subsequently increased to £1.2m as there have been a greater number of children being transported. There has been progress on the increased use of independent travel and direct payments.

LPZ940 - % EHCPs issued under 20 weeks excluding exceptions to the rule

LPZ940 % EHCPs issued under 20 weeks excluding exceptions to the rule			
Percentage			
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2014	100.00	100.00	★
Jan 2015	100.00	100.00	★
Feb 2015	100.00	100.00	★
Mar 2015	100.00	100.00	★
Apr 2015	100.00	100.00	★
May 2015	93.00	100.00	▲
Jun 2015	84.20	100.00	▲
Jul 2015	82.00	100.00	▲
Aug 2015	81.30	100.00	▲
Sep 2015	81.50	100.00	▲
Oct 2015	82.50	100.00	▲
Nov 2015	75.00	100.00	▲
Dec 2015	76.70	100.00	▲



LPZ940 - comment

Responsible Officer

Performance Comments

Action Plan Comments

Head of Targeted Services and Joint Commissioning

Performance

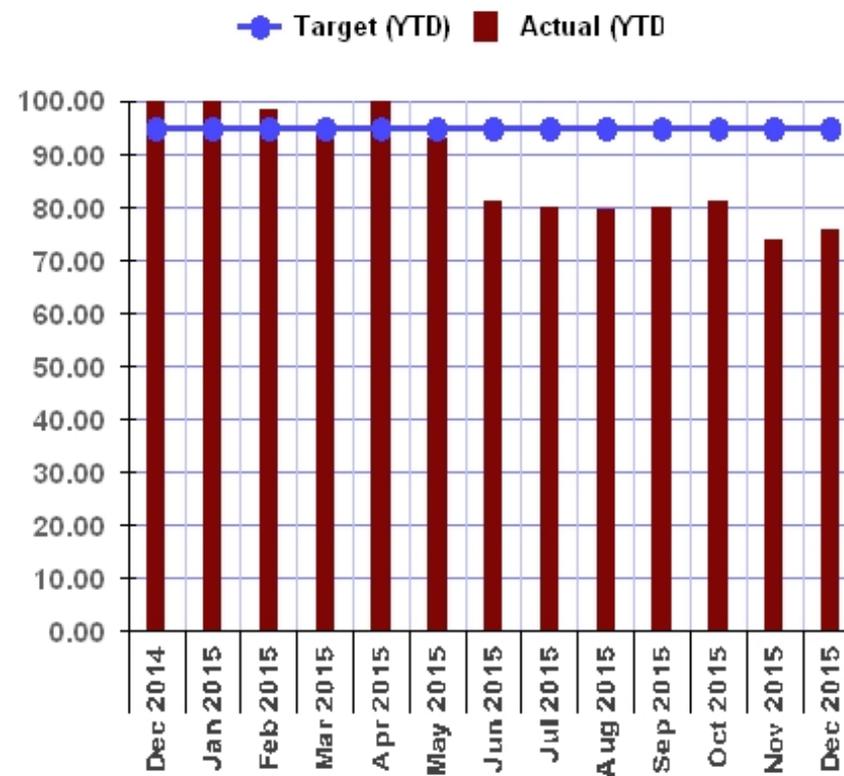
There has been a significant decrease in performance of LPZ940 and LPZ941. This is due to a period of 6 weeks during October/November where severe IT issues at Kaleidoscope meant Lewisham staff were unable to access the network on a daily basis. We are also processing increasing numbers of requests for EHCPs since the introduction of the new legislation last year. Overall the number of requests for assessment has doubled over the past year from an average of 11.5 requests per month to an average of 22.5 requests per month. About 60% of requests for assessment go on to receive an EHCP. Performance is now improving (cumulative from April 2015), although is still below target. This is due to vacant posts within the team and reduced capacity

Performance Action Plan

Recruitment to fill vacant posts is underway. Out of a total of 30 plans issued in December 2014, four were issued after the 20 weeks timescale.

LPZ941 - % EHCPs issued under 20 weeks including exceptions to the rule

LPZ941 % EHCPs issued under 20 weeks including exceptions to the rule			
Percentage			
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2014	100.00	95.00	★
Jan 2015	100.00	95.00	★
Feb 2015	98.50	95.00	★
Mar 2015	93.80	95.00	●
Apr 2015	100.00	95.00	★
May 2015	93.00	95.00	●
Jun 2015	81.40	95.00	▲
Jul 2015	80.00	95.00	▲
Aug 2015	79.80	95.00	▲
Sep 2015	80.20	95.00	▲
Oct 2015	81.40	95.00	▲
Nov 2015	74.10	95.00	▲
Dec 2015	76.00	95.00	▲



LPZ941 - comment

Responsible Officer

Performance Comments

Action Plan Comments

Head of Targeted Services and Joint Commissioning

Performance

There has been a significant decrease in performance of LPZ940 and LPZ941. This is due to a period of 6 weeks during October/November where severe IT issues at Kaleidoscope meant Lewisham staff were unable to access the network on a daily basis. We are also processing increasing numbers of requests for EHCPs since the introduction of the new legislation last year. Overall the number of requests for assessment has doubled over the past year from an average of 11.5 requests per month to an average of 22.5 requests per month. About 60% of requests for assessment go on to receive an EHCP. Performance is now improving (cumulative from April 2015), although is still below target. This is due to vacant posts within the team and reduced capacity .

Performance Action Plan

Recruitment to fill vacant posts is underway. Out of a total of 30 plans issued in December 2015, four were issued after the 20 weeks timescale.

3. Clean, Green & Liveable

Improving environmental management, the cleanliness and care of roads and pavements, and promoting a sustainable environment

Priority 3 - Monthly Performance									
	Unit	YTD Dec 15	Target Dec 15	Against Target Dec 15	DoT Last year	Against Target Nov 15	Against Target Oct 15	14/15	
LPZ749 Percentage of land and highways inspected that are of acceptable cleanliness (litter)	Percentage	?	92.00	?	?	?	?	?	▲
LPZ751 Percentage of land and highways inspected that are of acceptable cleanliness (graffiti)	Percentage	?	92.00	?	?	?	?	?	★
Priority 3 - Monthly Performance (reported one month in arrears)									
	Unit	YTD Nov 15	Target Nov 15	Against Target Nov 15	DoT Last year	Against Target Oct 15	Against Target Sep 15	14/15	
NI191 Residual household waste per household (KG)	Kg/Household	59.90	58.75	●	■	●	●	●	
NI192 Percentage of household waste sent for reuse, recycling and composting	Percentage	17.79	20.00	▲	■	▲	▲	▲	
NI193 Percentage of municipal waste land filled	Percentage	0.78	2.00	★	■	★	★	★	

3. Clean, Green & Liveable

Improving environmental management, the cleanliness and care of roads and pavements, and promoting a sustainable environment

Priority 3 Projects				
	Directorate	Budget	Est. completion date	Current Status
PMSRGN Beckenham Place Park (Fundraising Project)	Resources & Regeneration	£323k (round 1 funding)	Round 2 funding announcement in Dec 2016	★
PMSRGN TFL Programme 2015/16	Resources & Regeneration	£6.565m	Mar 2016	★
PMSRGN Deptford Rise Public Realm (The Deptford Project Ltd)	Resources & Regeneration	£152k	Feb 2016	●
PMSRGN Sydenham Park Footbridge	Resources & Regeneration	£775k	Summer 2016	●

Priority 3 - Finance Net Expenditure (£000s)					
	2014/15 Budget	Projected year-end variance as at Dec 15	Variance	% variance	Comments
03_NI Clean, Green and Liveable	18,800	600	▲	3.19	Finance Overspend The Environment Division is forecasting an overspend of £0.6m. £0.3m relates to extra costs in processing disposals of residual waste and £0.2m relates to the delay in implementation in the savings proposal to increase community and voluntary sector engagement in the maintenance of small parks due to additional consultation. The additional £0.1m is as result of lost rental income in respect of the Foxgrove Club in Beckenham Place Park.

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4. Safety, Security and Visible Presence

Improving Partnership working with the police and others and using the Council's powers to combat anti-social behaviour

4.1 Performance

✓ Improving - where smaller is better

✗ Declining - where smaller is better

Violence with injury (ABH)						
	Unit	YTD Dec 15	YTD Nov 15	Change since last month	YTD Dec 14	Change since same period last year
Lewisham	Number	1,361.00	1,217.00	✗	1,356.00	✗
Outer London	Number	1,060.00	951.00	✗	1,034.00	✗
Inner London	Number	1,294.00	1,147.00	✗	1,154.00	✗
Robbery						
	Unit	YTD Dec 15	YTD Nov 15	Change since last month	YTD Dec 14	Change since same period last year
Lewisham	Number	639.00	566.00	✗	608.00	✗
Outer London	Number	405.00	364.00	✗	444.90	✓
Inner London	Number	672.00	599.00	✗	573.00	✗
Burglary						
	Unit	YTD Dec 15	YTD Nov 15	Change since last month	YTD Dec 14	Change since same period last year
Lewisham	Number	1,595.00	1,409.00	✗	1,666.00	✓
Outer London	Number	1,479.00	1,303.00	✗	1,587.70	✓
Inner London	Number	1,780.00	1,566.00	✗	1,719.00	✗
Criminal Damage						
	Unit	YTD Dec 15	YTD Nov 15	Change since last month	YTD Dec 14	Change since same period last year
Lewisham	Number	1,892.00	1,699.00	✗	1,694.00	✗
Outer London	Number	1,428.00	1,278.00	✗	1,348.00	✗
Inner London	Number	1,591.00	1,417.00	✗	1,436.00	✗

4. Safety, Security and Visible Presence

Improving Partnership working with the police and others and using the Council's powers to combat anti-social behaviour

4.1 Performance

✓ Improving - where smaller is better

✗ Declining - where smaller is better

Theft of vehicle						
Unit	YTD Dec 15	YTD Nov 15	Change since last month	YTD Dec 14	Change since same period last year	
Lewisham	Number	717.00	642.00		506.00	
						✗
Outer London	Number	448.00	404.00		494.70	
						✓
Inner London	Number	622.00	555.00		534.00	
						✗
Theft from vehicle						
Unit	YTD Dec 15	YTD Nov 15	Change since last month	YTD Dec 14	Change since same period last year	
Lewisham	Number	1,154.00	1,047.00		1,020.00	
						✗
Outer London	Number	1,128.00	1,015.00		1,127.95	
						✗
Inner London	Number	1,241.00	1,096.00		1,213.00	
						✗
Theft from person						
Unit	YTD Dec 15	YTD Nov 15	Change since last month	YTD Dec 14	Change since same period last year	
Lewisham	Number	393.00	326.00		448.00	
						✓
Outer London	Number	374.00	326.00		452.05	
						✓
Inner London	Number	1,520.00	1,336.00		989.00	
						✗

5. Strengthening the Local Economy

Gaining resources to regenerate key localities, strengthen employment skills and promote public transport

Priority 5 - Monthly Contextual Performance							
	Unit	YTD Dec 15	YTD Nov 15	YTD Oct 15	YTD Sep 15	YTD Aug 15	14/15
LPI472 Job Seekers Allowance claimant rate	Percentage	2.40	2.40	2.50	2.60	2.60	2.80
LPI474 The no.of JSA claimants aged 18-24yrs	Number	805.00	850.00	915.00	960.00	965.00	1,030.00
LPI475 Average house price(Lewisham)	£	430,120.00	423,787.00	420,315.00	410,436.00	406,311.00	388,298.00

Priority 5 - Quarterly Contextual Performance							
	Unit	YTD Dec 15	YTD Sep 15	YTD Jun 15	YTD Mar 15	YTD Dec 14	14/15
LPI423 Local employment rate	Percentage	?	76.20	74.40	74.90	74.80	74.90

Priority 5 Projects				
	Directorate	Budget	Est. completion date	Current Status
PMSRGN Catford Centre Redevelopment	Resources & Regeneration	£350k	TBC	
PMSRGN New Bermondsey Regeneration Scheme	Resources & Regeneration	£245k	TBC	

6. Decent Homes for All

Investment in social and affordable housing to achieve the Decent Homes standard, tackle homelessness and supply key worker housing

Priority 6 - Monthly Indicators									
	Unit	YTD Dec 15	Target Dec 15	Against Target Dec 15	DoT Last year	Against Target Nov 15	Against Target Oct 15	Against Target	14/15
NI156 Number of households living in Temporary Accommodation	Number	1,722.00	1,733.00	★	🟩	★	🟡		▲
Priority 6 - Quarterly Indicators									
	Unit	YTD Dec 15	Target Dec 15	Against Target Dec 15	DoT Last year	Against Target Sep 15	Against Target Jun 15	Against Target	14/15
LPZ705 Number of homes made decent	Number	190.00	190.00	★	➡	★	★		★
Priority 6 - Contextual Performance									
	Unit	Dec 15	Nov 15	Oct 15	Sep 15	14/15			
LPI794 Number of families in non self contained nightly paid accommodation for more than 6 weeks	Number	0.00	30.00	54.00	0.00	0.00			

6. Decent Homes for All

Investment in social and affordable housing to achieve the Decent Homes standard, tackle homelessness and supply key worker housing

	Priority 6 Projects			
	Directorate	Budget	Est. completion date	Current Status
PMSCUS Besson Street Development	Customer Services	£285k to RIBA stage D	Aug 2016	★
PMSRGN Milford Towers Decant	Resources & Regeneration	£6m	TBC	★
PMSCUS Lewisham Homes Capital Programme 2015/16	Customer Services	£49m	Apr 2016	★
PMSCUS New Homes, Better Places - Phase 1	Customer Services	£1.5m	Phase 3 completion - Spring 2016	★
PMSRGN Southern Site Housing - Deptf TC Prog - appointment of developers	Resources & Regeneration	£1m	Sep 2018	★
PMSCUS GLA Empty Homes programme Round 2	Customer Services	£500k	Mar 2016	●
PMSCUS Bampton and Shifford Estate Development	Customer Services	£300k	Spring 2016	●
PMSCUS Excalibur Regeneration	Customer Services	£2.011m	TBC	●

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Priority 6 - Finance Net Expenditure (£000s)					
	2015/16 Budget	Projected year-end variance as at Dec 15	Variance	% variance	Comments
06. NI Decent Homes for All	3,900	2,600	▲	66.67	Finance Overspend The Strategic Housing service is projecting an overspend of £2.6m. This relates solely to bed and breakfast accommodation costs.

7. Protection of Children

Better safe-guarding and joined-up services for children at risk

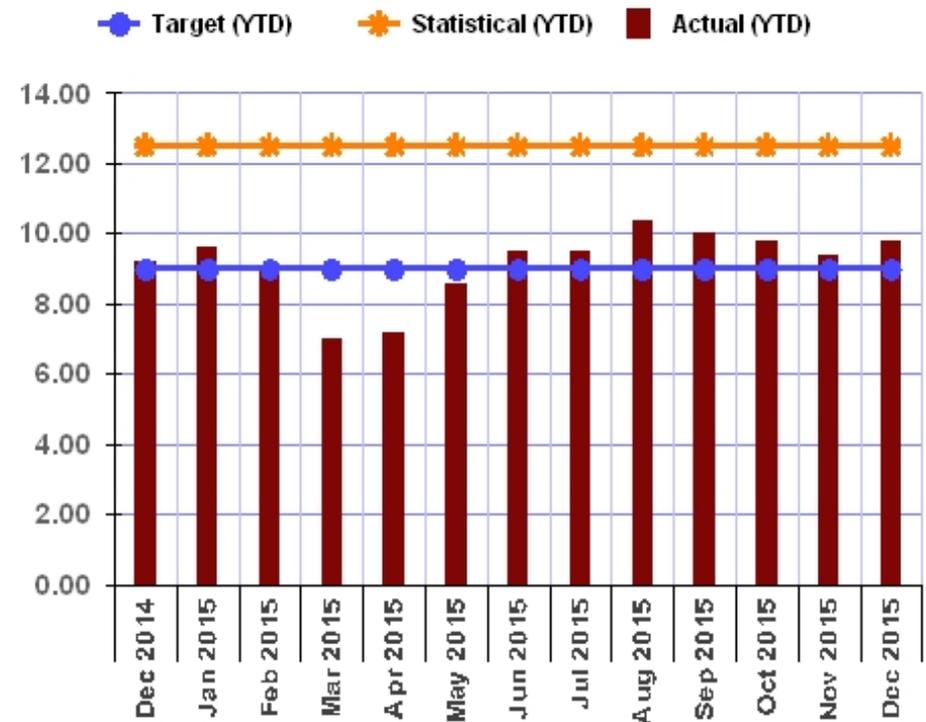
Priority 7 - Monthly Performance								
	Unit	YTD Dec 15	Target Dec 15	Against Target Dec 15	DoT Last year	Against Target Nov 15	Against Target Oct 15	14/15
NI062 Stability of placements of looked after children: number of moves	Percentage	9.80	9.00	▲	■	●	▲	★
NI063 Stability of placements of looked after children: length of placement	Percentage	70.20	74.00	▲	■	●	●	▲
NI064 Child protection plans lasting 2 years or more	Percentage	8.40	4.00	▲	■	▲	▲	★

Priority 7 - Contextual Performance									
	Unit	England 13/14	Statistical Neighbours 13/14	Dec 15	Nov 15	Oct 15	Sep 15	Aug 15	14/15
LPI302 No. of LAC 'as at'	Number	453.00	437.00	467.00	481.00	468.00	480.00	491.00	486.00
LPI309a Number of Referrals per month	Number	360.00	250.00	202.00	314.00	256.00	225.00	156.00	273.00

Priority 7 - Finance Net Expenditure (£000s)					
	2015/16 Budget	Projected year-end variance as at Dec 15	Variance	% variance	Comments
07. NI Protection of Children	42,500	5,700	▲	13.41	<p>Finance Overspend</p> <p>There are cost pressures amounting to £5.7m in Children's Social Care which are in the following areas: Clients with no recourse to public funds create a pressure of £1.2m; the placement budget for looked after children is currently forecast to overspend by £2.1m; children leaving care is currently forecast to overspend by £1.6m; and additional pressure on the Section 17 budget unrelated to No Recourse of £0.2m and on salaries and wages which show a forecast overspend of £0.6m.</p>

NI062- Stability of placements of looked after children: number of moves

NI062 Stability of placements of looked after children: number of moves				
Percentage				
	Actual (YTD)	Target (YTD)	Statistical (YTD)	Performance (YTD)
Dec 2014	9.20	9.00	12.50	●
Jan 2015	9.60	9.00	12.50	▲
Feb 2015	9.10	9.00	12.50	●
Mar 2015	7.00	9.00	12.50	★
Apr 2015	7.20	9.00	12.50	★
May 2015	8.60	9.00	12.50	★
Jun 2015	9.50	9.00	12.50	▲
Jul 2015	9.50	9.00	12.50	▲
Aug 2015	10.40	9.00	12.50	▲
Sep 2015	10.00	9.00	12.50	▲
Oct 2015	9.80	9.00	12.50	▲
Nov 2015	9.40	9.00	12.50	●
Dec 2015	9.80	9.00	12.50	▲



NI062 - comments

Responsible Officer	Performance Comments	Action Plan Comments
Director of Children's Social Care	<p>Performance</p> <p>The children and young people with 3 or more placement moves (same placement less than 2 years) are predominately teenagers who display a number of complex and challenging behaviours as a result of earlier childhood experiences. The moves for this group have been both planned to accommodate their complex needs and unplanned due to relationship breakdown. In all cases individual care plans are reviewed and agreed by independent reviewing officers. Individual care plans are devised to meet the needs of our most challenging looked after children; these include multi agency work with partners including YOS and CAMHS.</p>	<p>Performance Action Plan</p> <p>Placement support meetings are arranged with carers to develop placement stability, these are completed in a timely fashion within 3-5 working days. These meetings focus on the early identification and tracking of fragile placements, and the provision of multi-agency & multi-disciplinary support to carers to prevent breakdown.</p>

NI064 Child protection plans lasting 2 years or more

	NI064 Child protection plans lasting 2 years or more		
	Percentage		
	Actual (YTD)	Target (YTD)	Performance (YTD)
Jan 2015	3.50	5.00	★
Feb 2015	3.50	5.00	★
Mar 2015	4.70	5.00	★
Apr 2015	5.20	4.00	▲
May 2015	5.90	4.00	▲
Jun 2015	6.70	4.00	▲
Jul 2015	5.90	4.00	▲
Aug 2015	6.10	4.00	▲
Sep 2015	7.50	4.00	▲
Oct 2015	7.60	4.00	▲
Nov 2015	8.70	4.00	▲
Dec 2015	8.40	4.00	▲



NI064 - comment

Responsible Officer

Performance Comments

Action Plan Comments

Director of Children's Social Care

Performance

This PI is often misunderstood. This indicator does not give an indication of the number of children subject to a child protection plan for over 2 years. Children are only included in this indicator when the child protection plan has ceased after the child has been subject to a plan for 2 years or more. We should not have many children subject to a plan for more than two years because it suggests that progress in addressing the issues of concern is slow or stalling and as such a plan that may not be making required change. In the year to date, 32 children have ceased to be the subject of child protection plans after 2 years or more out of a total of 379 children who had ceased to be the subject of a child protection plan. As such, performance currently stands at 8.4% for this indicator against our most recent statutory neighbour local authorities' outturn of 5.6% for the same period.

As noted the indicator reflects numbers of child protection plans 2 years + that have ended. As such, during a period of service improvement where we become more successful at ending child protection plans where the child protection plan has lasted more than two years, our performance will present as worse. It is important therefore to give an indication of overall volume.

Performance Action Plan

We want to ensure that wherever possible children do not remain subject to a plan for more than two years. To address this we are:

- reviewing all current plans 18 months+ to ensure that interventions are appropriate to need;
- ensuring additional reviews of child protection plan progress are made after 1 year to ensure assertive action to affect change and early review of effectiveness;
- co-ordinating a multi-agency audit of plans lasting more than one year which will be presented to the Lewisham Safeguarding Children Board by June 2016;
- ensuring consideration of more statutory action should the prognosis for change be poor on plans 18 months+ and on-going as part of the Children's Social Care Business Plan;
- providing a safeguarding training programme for front line practitioners as well as development of the strengthening families

Responsible
Officer

Performance Comments

Currently there are 18 children who have active child protection plans that have lasted more than 2 years (6%) and a further 20 children with plans between 1.5 - 2 years. Unless there is a significant reduction of children within 2015/16 in the aforementioned cohort this indicator is likely to increase for the year 2016/17.

Action Plan Comments

accredited model used within case conference; and
- Reviewing direct social work interventions that may further assist in reducing duration of plans.

7. Protection of Children

Better safe-guarding and joined-up services for children at risk

		Risk						
		Current Status	Current Status against target		Direction of Travel	What are we planning to do?	When is it going to be completed	
Page 110	18. Failure of safeguarding arrangement.	Corporate	▲	●	Dec 15	➔	Risk - What are we planning to do? <u>Adults</u> <ol style="list-style-type: none"> In accordance with the Care Act requirements, performance data and trend analysis will be scrutinised. The Safeguarding Adult Review Panel will be established and will provide that function. Organisation Alert Tool will be rolled out across ASC and Joint Commissioning following the delivery of suitable training. 	Risk - When is it going to be completed? <u>Adults</u> <ol style="list-style-type: none"> July 2016 July 2016
							<u>Children & Young People</u> <ol style="list-style-type: none"> Information relating to incidents or potential incidents to be shared across agencies within specific time frames in order to prevent further incidents from occurring. This includes schools and colleges. 	<u>Children & Young People</u> <ol style="list-style-type: none"> December 2015

8. Caring for Adults and Older People

Working with Health Services to support older people and adults in need of care

Priority 8 - Monthly Indicators								
Unit	YTD Dec 15	Target Dec 15	Against Target Dec 15	DoT Last year	Against Target Nov 15	Against Target Oct 15	Against Target 14/15	14/15
LPI254 1C (2) % people using social care who receive direct payments	Percentage	25.90	27.99	▲	■	▲	▲	★

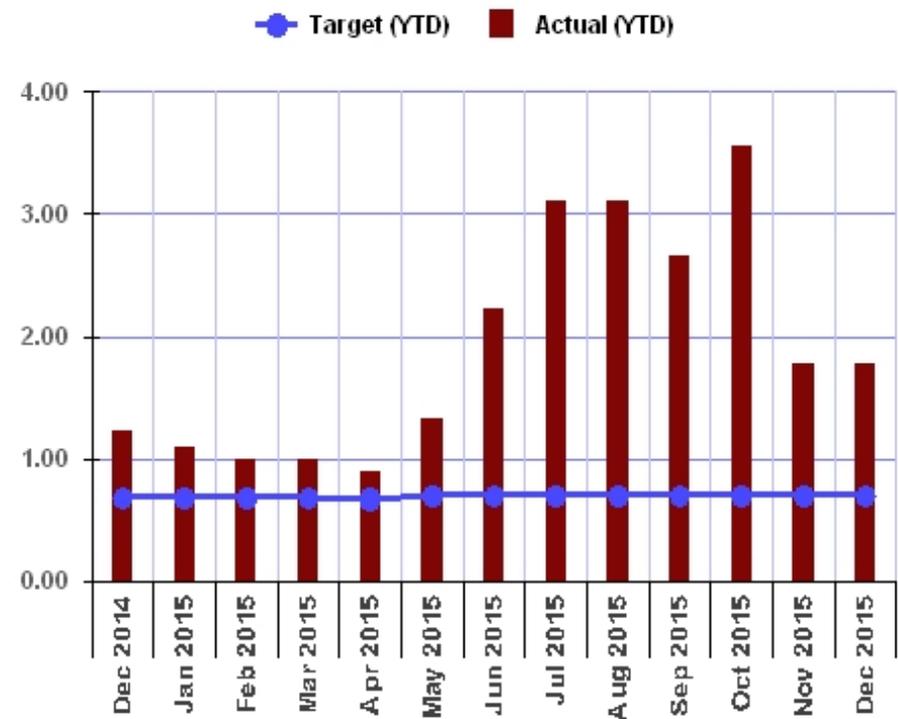
Priority 8 - Monthly indicators (reported 1 month in arrears)								
Unit	YTD Nov 15	Target Nov 15	Against Target Nov 15	DoT Last year	Against Target Oct 15	Against Target Sep 15	Against Target 14/15	14/15
LPI264 2C (1) Delayed transfers of care from hospital per 100,000 population (NHS only)	Number	4.00	3.70	▲	■	★	★	▲
LPI265 2C (2) Delayed transfers of care from hospital which are attributable to ASC per 100,000 pop	Number per 100,000	1.78	0.70	▲	■	▲	▲	▲

Priority 8 - Monthly Contextual Performance							
Unit	Dec 15	Nov 15	Oct 15	Sep 15	Aug 15	14/15	
LP150 ASC total service users	Number	2,153.00	2,193.00	2,360.00	2,435.00	2,508.00	3,176.00

LPI254 1C (2) - data review 2009

LPI254 1C (2) % people using social care who receive direct payments

	Percentage		
	Actual (YTD)	Target (YTD)	Performance (YTD)
Dec 2014	25.67 %	22.07 %	★
Jan 2015	25.85 %	22.61 %	★
Feb 2015	25.89 %	23.09 %	★
Mar 2015	25.94 %	23.49 %	★
Apr 2015	23.40 %	27.98 %	▲
May 2015	24.60 %	27.98 %	▲
Jun 2015	25.00 %	27.98 %	▲
Jul 2015	25.32 %	27.98 %	▲
Aug 2015	25.53 %	27.98 %	▲
Sep 2015	25.64 %	27.98 %	▲
Oct 2015	25.73 %	27.98 %	▲
Nov 2015	25.80 %	27.99 %	▲
Dec 2015	25.90 %	27.99 %	▲



LPI254 1C (2) - comment

Responsible Officer

Performance Comments

Action Plan Comments

Director of Adult Social Care

Performance

The year-end outturns for 2013/14 (15.9%) and 2014/15 (24.7%) illustrate an increase in the percentage of people using social care who receive direct payments. Between 2013/14 and 2014/15, Lewisham increased its ranking from 13th to 7th out of a total of 16 'Comparator Boroughs' within London, measuring the proportion of adults receiving direct payments.

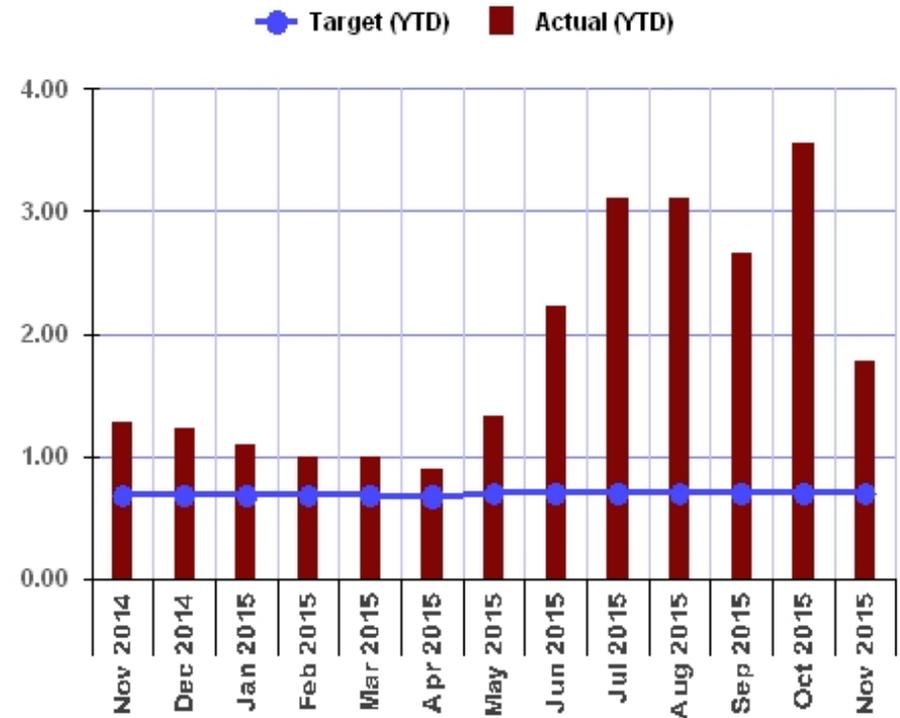
In the year-to-date to 31 December 2015, a total of 4641 users and carers had received direct payments and a total of 17966 clients and carers had received services. As such, year-to-date performance in December 2015 is 25.90%. Whilst this is short of the target of 27.99%, year-to-date performance has seen a month-on-month increase between April and December 2015.

Performance Action Plan

The Direct Payments Team are working to increase the uptake of Direct Payments (DP) in the following ways: Meeting with P2P to improve the Personal Assistant market; increasing Support Planners understanding of the DP offer; rolling out employment training across the DP Team; working with the Financial Assessment Team to speed up the assessment process; and re-calculating the Resource Allocation System to reflect the increase in the hourly cost of care which will include the London Living Wage and travel time. The new care providers contracts are due to start in April. A target will be agreed to establish Independent Service funds by July which will increase DP take up.

LPI265 2C (2) Delayed transfers of care from hospital which are attributable to ASC per 100,000 pop

LPI265 2C (2) Delayed transfers of care from hospital which are attributable to ASC per 100,000 pop			
Number per 100,000			
	Actual (YTD)	Target (YTD)	Performance (YTD)
Nov 2014	1.27	0.68	▲
Dec 2014	1.22	0.68	▲
Jan 2015	1.09	0.68	▲
Feb 2015	1.00	0.68	▲
Mar 2015	1.00	0.68	▲
Apr 2015	0.89	0.67	▲
May 2015	1.33	0.70	▲
Jun 2015	2.22	0.70	▲
Jul 2015	3.11	0.70	▲
Aug 2015	3.11	0.70	▲
Sep 2015	2.66	0.70	▲
Oct 2015	3.55	0.70	▲
Nov 2015	1.78	0.70	▲



LPI265 2C (2) - comment

Responsible Officer	Performance Comments	Action Plan Comments
Director of Adult's Social Care	<p>Performance</p> <p>A delayed transfer of care occurs when a patient is ready for transfer from a hospital bed but is still occupying a hospital bed. This indicator is based on a monthly snapshot of performance reported by the Department of Health. It captures the average number of delayed transfers of care (for those aged 18 years and over) that are attributable to social care or jointly to social care and the NHS, per 100,000 population (based upon Office for National Statistics mid-year population estimates).</p> <p>Year to date performance for November 2015 is 1.78 per 100,000 population (where smaller is better). Although this exceeds the target of 0.70, it is an improvement on the previous month. In November 2015, this equates to a total of four patients who experienced a delayed transfer of care attributable to social care or jointly to social care and the NHS.</p>	<p>Performance Action Plan</p> <p>Meetings are in place with providers to explore solutions on how we can support them to manage both demand and complexity of individuals who are referred. We are working in partnership with Health to monitor discharge flows on a case by case basis. There is an action plan for each patient who is ready for discharge.</p>

8. Caring for Adults and Older People

Developing opportunities for the active participation and engagement of people in the life of the community

				Risk			
		Current Status	Current Status against target		Direction of Travel	What are we planning to do?	When is it going to be completed
Page 14 18. Failure of safeguarding arrangement.	Corporate	▲	●	Dec 15	➡	Risk - What are we planning to do? Adults <ol style="list-style-type: none"> In accordance with the Care Act requirements, performance data and trend analysis will be scrutinised. The Safeguarding Adult Review Panel will be established and will provide that function. Organisation Alert Tool will be rolled out across ASC and Joint Commissioning following the delivery of suitable training. 	Risk - When is it going to be completed? Adults <ol style="list-style-type: none"> July 2016 July 2016
						Children & Young People <ol style="list-style-type: none"> Information relating to incidents or potential incidents to be shared across agencies within specific time frames in order to prevent further incidents from occurring. This includes schools and colleges. 	Children & Young People <ol style="list-style-type: none"> December 2015

9. Active, Healthy Citizens

Leisure, sporting, learning and creative activities for everyone

Priority 9 - Monthly Performance									
	Unit	YTD Dec 15	Target Dec 15	Against Target Dec 15	DoT Last year	Against Target Nov 15	Against Target Oct 15	Against Target	14/15
LPI202 Library visits per 1000 pop	Number per 1000	508.00	504.00	★	▲	★	●		●

Priority 9 - Finance Net Expenditure (£000s)					
	2015/16 Budget	Projected year-end variance as at Dec 15	Variance	% Variance	Comments
09. NI Active, Healthy Citizens	5,504	-300.00	★	-5.45	

9. Active, Healthy Citizens

Developing opportunities for the active participation and engagement of people in the life of the community

				Risk			
		Current Status	Current Status against target		Direction of Travel	What are we planning to do?	When is it going to be completed
28. Failure to agree with partners integrated delivery models for local health and care services.	Corporate	★	★	Dec 15	↘	Risk - What are we planning to do? 1. Enhance the capacity to manage and deliver the Adult Integrated Care Programme. 2. Develop an overall benefit realisation plan for each of the five schemes. 3. Continue to review and assess the impact of proposals to reconfigure health and care services. 4. New delivery models will be piloted to allow for the further gathering of evidence to inform important decisions.	Risk - When is it going to be completed? 2018

10. Inspiring Efficiency, Effectiveness and Equity

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

Priority 10 - Monthly Performance								
	Unit	YTD Dec 15	Target Dec 15	Against Target Dec 15	Target DoT Last year	Against Target Nov 15	Against Target Oct 15	14/15
BV008 Invoices paid within 30 days	Percentage	?	100.00	?	?	?	?	?
BV012b Days/shifts lost to sickness (excluding Schools)	Number	?	7.50	?	?	?	▲	●
LPI031 NNDR collected	Percentage	112.47	99.00	★	▶	★	★	★
LPI032 Council Tax collected	Percentage	95.07	96.00	●	▶	●	●	●
LPI548a %age of notifiable incidents occurring on non-school sites reported to the HSE	Percentage	3.53	1.00	▲	▶	▲	▲	▲
LPI755 % of customers with appointments arriving on time seen within 10min of their appointed time	Percentage	96.53	91.00	★	▶	★	★	★
NI181 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events	Days	7.80	7.50	●	■	●	★	★

10. Inspiring Efficiency, Effectiveness and Equity

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

				Risk				
		Current Status	Current Status against target		Direction of Travel	What are we planning to do?	When is it going to be completed	
Page 118	1. Failure to maintain minimum service continuity during and quickly recover from a disaster	Corporate			Dec 15		Risk - What are we planning to do? <ol style="list-style-type: none"> 1. EMT to sign off BCPs and revise strategy. 2. Developing specific arrangements for the loss of Laurence House including a pilot project with a local school. 3. Development of a new BCM Sharepoint site. 4. BCM exercise planned for early 2016. 	Risk - When is it going to be completed? <ol style="list-style-type: none"> 1. Mar 2016 2. Jan 2016 3. Mar 2016 4. Mar 2016
	2. ICT infrastructure is not fit for purpose and/or does not meet business needs	Corporate			Dec 15		Risk - What are we planning to do? <ol style="list-style-type: none"> 1. Develop detailed proposals on the exact nature of the shared service with Brent with a view to implementation by April 2016. 2. Careful monitoring of current arrangements. 	Risk - When is it going to be completed? <ol style="list-style-type: none"> 1. Procurement for new ICT infrastructure carried out and project for implementation started. Client infrastructure due for completion by April 2016. Application server infrastructure migration to run in parallel but with longer completion time - full completion before end of Q3 2016. 2. Being monitored monthly by CSPRG.

10. Inspiring Efficiency, Effectiveness and Equity

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

		Current Status		Risk			
		Current Status	Current Status against target	Direction of Travel	What are we planning to do?	When is it going to be completed	
4. Non-compliance with Health & Safety Legislation	Corporate	▲	▲	Dec 15	➔	Risk - What are we planning to do? <ol style="list-style-type: none"> 1. Lessons learnt from CYP 2014/15 audits to be reported to CYP DMT. 2. Cross directorate monitoring meetings are taking place to ensure the implementation of the Broadway Theatre plan. 	Risk - When is it going to be completed? March 2016
5. Failure to anticipate and respond appropriately to legislative change. For example: Localism Act, Public Services Act, Welfare Reform Bill, Health & Social Care Act	Corporate	●	▲	Dec 15	➔	Risk - What are we planning to do? <ol style="list-style-type: none"> 1. Further reports to Council on constitutional changes as necessary to reflect legislation and anticipated regulations. 2. Significant work ongoing to assess the impact of Dilnott, Care Act and Better Care Fund for further integration of social care work with health. 3. Pension Board working group with member involvement, doing the preparatory work for Pension Board from 1st April. 4. We will go live with single claimants in December 2015 5. Review of Care Act Implementation Action Plan is ongoing. 	Risk - When is it going to be completed? Throughout 2015/16

10. Inspiring Efficiency, Effectiveness and Equity

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

		Current Status		Risk				
		Current Status	Current Status against target	Direction of Travel	What are we planning to do?	When is it going to be completed		
Page 120	6. Financial Failure and inability to maintain service delivery within a balanced budget	Corporate	▲	▲	Dec 15	➔	<p>Risk - What are we planning to do?</p> <p>As at 30/11/15 there is a forecast overspend of £7M against the directorates' net general fund revenue budget with £3.2M of corporate provisions held for risk and pressures.</p> <p>New Savings proposals of £23M to 17/18 were progressed at M&C on 30/9/15. Officers are now working to complete the necessary consultations etc to implement these savings.</p> <p>Lewisham Future programme continues work to identify new proposals to close savings gap for 15/16 and future years to total at least £45M by 2017/18.</p> <p>Preparations underway to assess impact and response to government policies, comprehensive spending review and local government finance settlement.</p>	<p>Risk - When is it going to be completed?</p> <p>March 2016</p>
	7. Adequacy of Internal Control.	Corporate	●	●	Dec 15	➔	<p>Risk - What are we planning to do?</p> <p>1. Core financial internal audits to be completed to draft report stage by end of Q3</p> <p>2. Internal Audit peer review approach agreed by Audit Panel and to happen by end of 15/16</p>	<p>Risk - When is it going to be completed?</p> <p>1. March 2016</p> <p>2. March 2016</p>
	8. Lack of provision for unforeseen expenditure or loss of income in respect of Council's liabilities or funding streams.	Corporate	●	●	Dec 15	➔	<p>Risk - What are we planning to do?</p> <p>Actuarial review of insurable liabilities in progress.</p>	<p>Risk - When is it going to be completed?</p> <p>Jan 2016</p>

10. Inspiring Efficiency, Effectiveness and Equity

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

		Current Status		Risk			
		Current Status	Current Status against target	Direction of Travel	What are we planning to do?	When is it going to be completed	
9. Loss of income to the Council	Corporate	▲	▲	Dec 15	➡	Risk - What are we planning to do? Issues with Oracle 12 are subject to scrutiny overseen by EDRR. Issues continue and the system is hampering debt collection and fund allocation. Oracle system issues impacting debt collection and stretch income targets via LFP	Risk - When is it going to be completed? Monthly Review
10. Failure to manage performance leads to service failure.	Corporate	●	▲	Dec 15	➡	Risk - What are we planning to do? Revise resourcing and work plans in light of Futures Board report	Risk - When is it going to be completed? To be reviewed monthly
12. Multi-agency governance failure leads to ineffective partnership working	Corporate	●	▲	Dec 15	➡	Risk - What are we planning to do? <ol style="list-style-type: none"> Adult Integrated Care Programme to improve services and provide better VFM. Review of crime reduction partnership in relation to changes across Police, Fire & Probation. 	Risk - When is it going to be completed? <ol style="list-style-type: none"> Four year programme to 2017/18 Throughout 2015/16

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10. Inspiring Efficiency, Effectiveness and Equity

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

		Current Status	Current Status against target	Risk		What are we planning to do?	When is it going to be completed
				Direction of Travel			
13. Failure to manage strategic suppliers and related procurement programmes.	Corporate			Dec 15		Risk - What are we planning to do? Communications forward plan, performance report and template for managers to be issued.	Risk - When is it going to be completed? Actions ongoing and being monitored by the Commissioning and Procurement Group.
15. Loss of a strategic asset or premises through failure to maintain it in safe and effective condition	Corporate			Dec 15		Risk - What are we planning to do? A review of compliance on the commercial estate has completed. Report awaited - expecting 47% compliance across estate.	Risk - When is it going to be completed? Dec 2015
19. Loss of constructive employee relations	Corporate			Dec 15		Risk - What are we planning to do? The following are built into the HR Divisions work plan: - - Trade Union engagement - Union meetings with the Mayor - Briefing to all managers - Staff survey and Staff Forum engagement - PES - L&D offering - Works Council - LGPS changes - Monitor staff and union feedback	Risk - When is it going to be completed? Quarterly Reviews

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10. Inspiring Efficiency, Effectiveness and Equity

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

		Current Status		Risk			
		Current Status	Current Status against target	Direction of Travel		What are we planning to do?	When is it going to be completed
21. Information governance failure.	Corporate	▲	▲	Dec 15	➔	<p>Risk - What are we planning to do? Refresh all of the Information Management policies, taking into account the new Data Protection legislation coming from the EU that will replace the current DPA.</p> <p>Review our information sharing guidance and processes again taking into account legislative changes.</p> <p>Align IT policies with Brent with IG policies to follow.</p>	<p>Risk - When is it going to be completed? During 2015/16</p>
24. Failure to maintain sufficient management capacity & capability to deliver business as usual and implement transformational changes.	Corporate	▲	▲	Dec 15	➔	<p>Risk - What are we planning to do?</p> <ol style="list-style-type: none"> 1. Organisational shape, direction and delivery strategy being continually reviewed. 	<p>Risk - When is it going to be completed? Throughout 2015/16</p>
26 Loss of service capacity and failure to protect the vulnerable due to extreme environmental circumstances	Corporate	●	●	Dec 15	➔	<p>Risk - What are we planning to do?</p> <ol style="list-style-type: none"> 1. Participating in an international exercise in February/March 2016 which will test Rest Centre operations. 2. Post Exercise Safer City evaluation underway. Report due end of January 2016 	<p>Risk - When is it going to be completed? Being monitored by the EPRR Group quarterly.</p>
27 Governance failings in the implementation of service changes	Corporate	●	▲	Dec 15	➔	<p>Risk - What are we planning to do? Six monthly post-implementation reviews to ensure service changes are delivering as expected.</p>	<p>Risk - When is it going to be completed? Ongoing advice from Legal and HR on all change proposals.</p>

10. Inspiring Efficiency, Effectiveness and Equity

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

				Risk				
		Current Status	Current Status against target		Direction of Travel	What are we planning to do?	When is it going to be completed	
29	Failure to implement Individual Electoral Registration (IER)	Corporate			Dec 15		Risk - What are we planning to do? <ol style="list-style-type: none"> 1. Continue outreach programme, including "Bite the Ballot" with Young Mayor's team and partners. 2. Cooperate with the GLA plan for enhancing the register prior to the GLA election. 3. Targetted rolling canvass all year 	Risk - When is it going to be completed? Ongoing to May 2016
30.	Strategic programme to develop and implement transformational change does not deliver	Corporate			Dec 15		Risk - What are we planning to do? Exploring potential for shared services as a means of delivering savings	Risk - When is it going to be completed? Throughout 2015/16
32.	GLA election/Europe Referendum not conducted efficiently	Corporate			Dec 15		Risk - What are we planning to do? <ol style="list-style-type: none"> 1. Project plan to be implemented 2. PR campaign to dovetail with GLA campaign 3. Resolve outstanding issues with IT by transfer to shared IT services with Brent 4. Ongoing liaison with GLA project managers re practicalities 	Risk - When is it going to be completed? <ol style="list-style-type: none"> 1. Ongoing to May 2016 2. Ongoing to May 2016 3. Early Feb/Mar 2016 4. Ongoing to May 2016

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Appendix A - Performance Scoring Methodology

Together we will make Lewisham the best place in London to live, work and learn

Performance

Performance can be measured using two methods. Firstly, current performance is appraised against past performance to assess “direction of travel” – is it improving or worsening? Secondly, performance can be measured against a norm, standard or target.

Areas for management attention are determined by considering performance against the following 2 elements - Against target and Direction of Travel (DoT) against the previous years outturn (in this case March 2015). If both of these elements are red we consider that the indicator should be flagged as an area for management attention.

The Council has aims and objectives as an organisation responsible for securing local public services. But it also has wider aims to work in partnership with other organisations (in the public, private and community sectors) to improve Lewisham as a place to live. It is therefore essential that our PIs not only measure our organisational and service performance against the Council’s corporate priorities but also evaluate our efforts to achieve improvements through partnership working. These wider aims are described in Lewisham’s Sustainable Community Strategy. A summary on performance can be found in the ‘Overall Summary: Performance’ at front of the Executive Summary report.

Data Quality Policy

The Council has a Data Quality Policy which is adhered to and sets out the corporate data quality objectives. Directorates also have a statement of data quality and a data quality action plan.

Appendix B - Projects, Risk & Finance Scoring Methodology

Together we will make Lewisham the best place in London to live, work and learn

Projects

Project status is recorded using a red / amber / green traffic light reporting system.

Red: Projects considered to be at significant risk of late delivery, of overspending or of not achieving their primary objectives. Project likely to be facing issues or uncertainties e.g. funding concerns, lack of clarity over scope / costs, other significant risks not yet under effective control. Sheer scale of a project, its complexity and overall risk level can also attract a red rating.

Amber: Projects considered to be at moderate risk of late delivery, of overspending or of not achieving some objectives. Issues may have been escalated outside the project team, but likely that these can be resolved e.g. resources will be identified to deal with moderate changes to costs or scope.

Green: Project considered to be on time, on budget, with current risks being managed effectively within the project structure.

Risk

Risks are scored in terms of likelihood and impact, with a range from 1 to 5 (with 5 being the highest) and the result is plotted on a matrix (as shown on the Overall Performance: Risk page) to produce the RAG rating. A target is also set and the risk registers contain action plans to manage the risks to target and these are subject to regular review by Directorate Management Teams. The risk registers are reported to the Risk Management Working Party and Internal Control Board on a quarterly basis and quarterly updates are provided in this report.

Finance

Financial monitoring is recorded using a red/amber/green traffic light reporting system.

Net expenditure on the priority is forecast to vary from budget by either:-

Red - more than £0.5m or 2.5% overspent or more than £10m or 50% underspent

Amber - more than £0.1m and less than £0.5m or by more than 1% and less than 2.5% overspent or more than £5m and less than £10m or by more than 25% and less than 50% underspent

Green - up to £0.1m or up to 1% overspent or up to £5m or up to 25% underspent

The Executive Management Team will take into account:-

(i) The performance of the housing part of the Capital Programme in assessing the traffic light for Decent Homes;

(ii) The overall financial position on revenue and capital in assessing the traffic light for 'Inspiring Efficiency, Effectiveness & Equity'.

The methodologies for Projects, Risk and Finance outlined above will be reviewed annually at the end of the financial year as part of the review of this report and the target setting process for performance indicators. The text above will be subject to change at this point.

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

Date of Meeting	2 March 2016
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Title of Report	Responses to recommendations from the Public Accounts Select Committee – Income Generation
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Originator of Report	Selwyn Thompson	Ext. 46932
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member (nominee)

Date: 23-2-16

Signed:  Director/Head of Service

Date: 23-2-2016

Control Record by Committee Support

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

Mayor & Cabinet			
Title	Responses to the recommendations from the Public Accounts Select Committee – Income Generation		
Key Decision	No	Item No	
Contributors	Executive Director for Resources and Regeneration		
Class	Part 1	Date	2 March 2016

1. Purpose

- 1.1 This report responds to the recommendations arising from the Public Accounts Select Committee on its recent in depth review into income generation.

2. Recommendations

- 2.1 The Mayor is recommended to approve the proposed responses to the recommendations of the Public Accounts Select Committee as set out in Section 3 of this report and report these to the Overview & Scrutiny Committee.

3. Responses

The income generation review was scoped in March 2015. As part of the review, the Committee held three separate evidence sessions. The first highlighted good practice from other councils or public bodies; the second expanded on this and heard from expert witnesses in other councils and public bodies and the third and final session looked more closely at some of the existing proposals from officers on maximising income generation. The Committee made the following recommendations for the Mayor & Cabinet.

3.1 Recommendation 1

- 3.1.1 **That a commercialisation ethos be endorsed and embedded throughout the Council as a method of protecting services to residents whilst maintaining a public sector ethos. Generating income should be seen as a means of protecting services and reducing further cuts. The more self-funding a service can be, the greater the resilience it has to withstand further reductions in funding.**

- 3.1.2 The council has already made revenue budget savings of £121m since May 2010 and had recently proposed further savings of some £17m in setting the 2016/17 budget. The severity of these budget reductions has meant that methods of protecting services, such as sustainable income generation have become increasingly important.

- 3.1.3 Officers will continue to explore all possible options to supplement available resources to the council. Being a public body, there are of course limitations on where monies can be generated and in many of our administrative functions such as licensing, planning and some areas of regulation, a nationally determined fee is prescribed or a local fee can be set to recover costs, but does not make the

council a profit. Notwithstanding such limitations, officers are considering how the council can provide certain services which can return profits that can supplement the council's general fund.

3.2 Recommendation 2

3.2.1 **That a commercialisation specialist be appointed at senior officer level as soon as possible, to lead and develop the organisational changes needed to deliver this new commercial approach.**

3.2.2 Officers are currently undertaking a search for a specialist in the broad area of 'commercialisation'. Discussions have been had with a number of other local authorities to date about their own experiences. Furthermore, a search with recruitment consultants who specialise in these types of appointment has been recently initiated. The appointment will build upon work recently commissioned where a specialist in education has been engaged to undertake a strategic review of council services traded with schools.

3.3 Recommendation 3

3.3.1 **That the portfolio of one cabinet post be amended to include specific responsibility and accountability for commercialisation and income generation and all cabinet posts portfolios include considering income generation options.**

3.3.2 The Mayor has agreed that the Cabinet Member for Resources shall have an express responsibility and accountability for pursuing income generation, including commercialisation

3.3.3 All Cabinet members need to be involved in both identifying appropriate opportunities and evaluating the impact of such opportunities consistent with our priorities for equity and fairness.

3.4 Recommendation 4

3.4.1 **That support for staff be embedded in any process or culture change within the Council. The Committee note that commercialisation can feel challenging and staff, managers and elected members need to be guided and supported through the process.**

3.4.2 The cultural shift in moving staff and members to becoming more commercially focused is of course inherently difficult and will undoubtedly be a major challenge for the organisation. As the council moves more to this position, the guidance emerging from the human resources department, as well as senior management teams across the council, will be paramount to making this transition a successful one.

3.5 Recommendation 5

3.5.1 **That all Heads of Service be engaged in the process of moving to an increasingly commercial culture and in identifying income streams.**

3.5.2 All Heads of Service need to be involved in both identifying appropriate opportunities and evaluating the impact of identifying either once-off or on-going and sustainable income streams for their respective service areas. It is important that in seeking out such opportunities, officers of the Council remain consistent with the Council's priorities for equity and fairness.

3.6 Recommendation 6

3.6.1 **That in addition to a 'top down' approach to identifying commercial strategies and income streams, a 'bottom up' approach be encouraged for front line staff to report areas where they feel fee levels are wrong and to identify new areas of potential income streams. A platform for staff to do this should be created with clear feedback provided.**

3.6.2 The recent Talkback employee survey asked employees for their ideas on how we might make savings in their areas. This generated several ideas, a number of which were related to income generation. The Lewisham Future Programme Board will be considering the ideas in due course. A forthcoming briefing to the Council's managers on Talkback will include the need to ensure that staff are encouraged to contribute to ideas for income generation and charging mechanisms.

3.6.3 Back in March 2014, the council launched a new way for staff to suggest ideas to work with each other to develop them. This social media tool entitled **We.Create** continues to be used by staff across the council. Staff can submit, comment and vote on ideas and suggestions for change. These ideas feed directly into the decisions made by the Lewisham Future Programme Board and where ideas are taken forward, if practical, those officers who have suggested them are involved in their delivery.

3.7 Recommendation 7

3.7.1 **That the true costs of Council services be understood to ensure that when full cost recovery is sought, it is based on accurate cost figures.**

3.7.2 Officers have already conducted considerable work in this area. The Mayor & Cabinet recently adopted the income generation strategy. The Income Board is carrying out a comprehensive review into fees and charges. These are important as the Council does not want to subsidise from the general fund, administrative functions for which the government determines the fee. Understanding how the costs of our services are structured is essential and officers will continue to attempt to reduce our administrative costs to the fee structure, otherwise the council tax payer is subsidising an activity which is supposedly paid for by the applicant. The results of this work will be reported to the Public Accounts Select Committee in due course.

3.8 Recommendation 8

3.8.1 **That any restructures within the Council ensure the right grade of staff for the work. It is costly to have the wrong grade of staff carrying out certain tasks and management structures should be studied closely with analysis based on role breakdowns and not just title and grade. This is to ensure that services can be profitable or cost neutral by making as efficient use of all skills as possible.**

3.8.2 The human resources department works closely with service managers to ensure that any restructure meets the needs of the service, taking into account roles and skills that will meet future demands. The human resources officers provide advice and guidance to managers to ensure that job descriptions accurately reflect the roles and responsibilities required for the service.

The council uses the GLPC job evaluation scheme. This scheme provides an analytical approach to evaluating jobs based on various factors which determine the grade for the job. Furthermore, as part of the job evaluation process, jobs are benchmarked against other similar roles to ensure that the right grade is awarded for the duties undertaken.

Furthermore, the Hay evaluation scheme is used for senior manager job evaluation in the Council. The Hay Group method analyses roles using three broad elements which determine the size and importance of any job, which are accountability, problem solving and know-how.

3.9 Recommendation 9

3.9.1 **That the Council's "Contributions" to non-statutory services be thoroughly analysed to help make difficult choices. Some services are routinely being subsidised at higher rates than others purely due to annual and historic price rises affecting costs differently across services. If there is subsidy from the Council it needs to be properly assessed and based on policy not applied randomly from historic price uplifts and ineffective cost analysis of inflationary increases.**

3.9.2 The response on fees and charges which has been described in paragraph 3.7 above is also relevant to this recommendation. It should be noted that the fees and charges policy has an underlying principle of full cost recovery.

3.10 Recommendation 10

3.10.1 **That examples of best practice from other local authorities be continued to be studied as routine to ensure that the Council is considering all potential options to help protect services.**

3.10.2 The Income Board is now a well-established officer task group and imbedded within its terms of reference is to undertake routine environmental scanning activity to ensure that best practice from other local authorities and public bodies

are considered in the context developing the council's income generation and commercial strategies.

4. Financial Implications

4.1 There are no specific financial implications arising from this report.

5. Legal Implications

5.1 There are no specific legal implications arising from this report.

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

6. Equalities Implications

6.1 There are no specific equalities implications arising from this report.

7. Crime and Disorder Implications

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

8. Environmental Implications

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

BACKGROUND INFORMATION

If you have any queries on this report, please contact Selwyn Thompson, Head of Financial Services on 020 8314 6932

MAYOR & CABINET		
Report Title	Exclusion of the Press and Public	
Key Decision	No	Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: March 2 2016

Recommendation

It is recommended that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs [3, 4 and 5] of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

13. River Ravensbourne Flood Defence Works

Agenda Item 13

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

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

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