

Public Document Pack

Sustainable Development Select Committee Agenda

Monday, 18 April 2016

7.00 pm,

Civic Suite

Lewisham Town Hall

London SE6 4RU

For more information contact: Simone van Elk (020 831 46441)

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Part 1

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Sustainable Development Select Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Monday, 18 April 2016.

Barry Quirk, Chief Executive
Thursday, 7 April 2016

Councillor Liam Curran (Chair) Councillor Suzannah Clarke (Vice-Chair) Councillor Bill Brown Councillor Amanda De Ryk Councillor James-J Walsh Councillor Mark Ingleby Councillor Pauline Morrison Councillor Eva Stamirowski Councillor Pat Raven Councillor Paul Upex Councillor Alan Hall (ex-Officio) Councillor Gareth Siddorn (ex-Officio)	
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Agenda Item 1

Sustainable Development Select Committee			
Report Title	Confirmation of Chair & Vice Chair of the Sustainable Development Select Committee		
Contributors	Chief Executive (Business and Committee Manager)		Item: 1
Class	Part 1	Date:	18 April 2016

1. Summary

Further to the Annual General Meeting of Council on 30 March 2016, this report informs the Select Committee of the appointment of a Chair and Vice Chair of the Sustainable Development Select Committee.

2. Purpose of the Report

To issue directions to the Select Committee regarding the election of their Chair and Vice Chair.

3. Recommendations

The Select Committee is recommended to:

- (i) Confirm the election of Councillor Liam Curran as Chair of the Sustainable Development Select Committee
- (ii) Confirm the election of Councillor Suzannah Clarke as Vice Chair of the Sustainable Development Select Committee

4. Background

- 4.1 On 30 March 2016, the Annual General Meeting of the Council considered a report setting out an allocation of seats on committees to political groups on the Council in compliance with the requirements of the Local Government and Housing Act 1989.
- 4.2 The constitutional allocation for both chairs and vice chairs of select committees is:

Labour: 6

5. Financial Implications

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

6. Legal Implications

- 6.1 Select Committees are obliged to act in accordance with the Council's Constitution.

Background papers

Council AGM Agenda papers 30 March 2016 – available on the Council website at <http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=138&Mid=3853> or on request from Kevin Flaherty, Business and Committee manager (020 8314 9327)

If you have any queries on this report, please contact Simone van Elk, Scrutiny Manager (020 8314 6441)

MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE

Tuesday, 8 March 2016 at 7.00 pm

PRESENT: Councillors Liam Curran (Chair), James-J Walsh (Vice-Chair), Suzannah Clarke, Amanda De Ryk, Carl Handley, Mark Ingleby, Olurotimi Ogunbadewa, Eva Stamirowski and Paul Upex

APOLOGIES: Councillors Bill Brown

ALSO PRESENT: Peter Allery (Interim Commercial and Investment Delivery Manager), Timothy Andrew (Interim Overview and Scrutiny Manager), Edward Melconian (Managing Director) (THCO), Bernard Ofori-Atta (Service Manager, Change and Technology), Nick Pond (Ecological Regeneration manager) and Katie Wood (Scrutiny Manager)

1. Minutes of the meeting held on 14 January 2016

RESOLVED: That

The minutes of the meeting of the Sustainable Development Select Committee held on the 14 January be agreed and the Chair be authorised to sign them.

2. Declarations of interest

Councillor Mark Ingleby declared a personal interest in item 3, Biodiversity Action Plan as he was Chair of the friends of Grove Park Nature Reserve.

3. Biodiversity Action Plan

3.1 Nick Pond, Ecological Regeneration Manager, presented the report to the Committee and highlighted the following key points:

- The report provided an overview of the new proposed Biodiversity Action Plan “A Natural Renaissance for Lewisham 2015-2020” which would go to Mayor and Cabinet for approval on 23 March 2016.
- Biodiversity action planning policies derive from the 1992 Rio Convention. The Natural Environment and Rural Communities Act 2006 states that every public authority must, in exercising its functions, have regard to conserving biodiversity. Also, the National Planning Policy Framework states that planning systems should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing biodiversity gains where possible.
- The Biodiversity Action Plan was the result of a substantial amount of on-going partnership working between Lewisham Council and a large range of local groups and Individuals as well as National

groups and agencies. This forms the Lewisham Biodiversity Partnership.

- The Plan sets out the Partnership's aspirations to contribute and influence the Council's objectives across a range of service areas including: education; urban regeneration; housing; parks; health; and culture.
- Work carried out to date by the Partnership included: ecological restoration work at Deptford Green; promotion of green roofs; three rivers clean up; river corridor improvements.
- Other work of the partnership included: policies through the Local Development Framework to enhance biodiversity; published biodiversity guidance for planning application; and generating and submitting regional data on species.
- The Partnership had engaged with over 70,000 people and carried out 861 guided walks, 1427 school education events, installed 333 bat boxes and created 2081 meters of hedgerows since its establishment.

3.2 In response to questions from members of the Committee, the following key points were raised:

- The main challenges for the partnership were financial resources and continuing to engage the public and local groups.
- Grounds maintenance of Lewisham Homes properties could be an area to look at further. If local residents were interested they could contact the Ecological Regeneration Manager for support and possibly part funding for schemes to improve the biodiversity on green spaces on Council estates.
- One third of the greenspace in Lewisham was back gardens and this therefore represented a challenge in maintaining and enhancing this land to promote biodiversity. Education on encouraging a wildlife ethos was important in achieving this.
- Park user groups had been consulted with and contributed to the Biodiversity Action Plan.
- If parks management was given over to community groups, it would be beneficial if they were required to promote the aims and objectives in the biodiversity action plan.
- Greenspace Information for Greater London (GIGL), hold data on species details and numbers across London. This includes details of the number of Dutch Elm trees.
- IT and data management was a challenge for the team and currently the data was largely held with GIGL.
- Photovoltaics on green roofs were being promoted. The planning department requested cross-sections of proposed green roofs at application stage.
- The Committee noted that they felt that paragraph 3.3 point a. of the report to Mayor and Cabinet, quoting the Local Development Framework, should include the word "enhancing" to read: "protecting and enhancing all open space including Metropolitan Open Land.

The Local Development Framework had already been agreed and adopted but the Committee's comments were noted.

- It was a challenge to find suitable sites for street trees. Additional work on this could be undertaken, possibly with Section 106 or Community Infrastructure Levy money. There could however be obstacles to increasing numbers of street trees such as concerns around on-going maintenance costs and problems with liaison with partners such as TfL.
- Large developments were encouraged to have lighting strategies thorough the planning process to help protect species from the effects of light pollution.
- Sites of Nature Conservation (SINC) were under threat from development in parts of the borough. A technical report had been commissioned to survey the borough's SINC sites and record species data. It was hoped that the results would be able to be used in planning policy to help protect these sites.
- LB Lewisham had a legacy from Kenneth White to benefit Lewisham nature reserves and there was a commitment to carry out enhancements dedicated to him.

RESOLVED:

1. That a referral be made to Mayor and Cabinet highlighting the following key points: That
 - The Committee considered the Biodiversity Action Plan to be excellent and recommended to Mayor and Cabinet that it be approved:
 - Section 106 or Community Infrastructure Levy money be allocated for a borough-wide survey of potential sites for additional street trees and ecological enhancements.
 - As part of the Digital Transformation Programme, consideration be given to how best to support the biodiversity action plan with improved use of IT.
2. That the Committee be provided with details of the recommendations from the report being carried out on Sites of Nature Conservation Interest (SINC) in Lewisham.
3. That it be noted that the Committee felt that paragraph 3.3 point a. of the report to Mayor and Cabinet, quoting the Local Development Framework, should say add the word "enhancing" to read: "protecting and enhancing all open space including Metropolitan Open Land".

4. Asset Register - Sharepoint demonstration

- 4.1 Edward Melconian, Managing Director, THCO Ltd, gave a demonstration of the functionality of the new asset register being developed. Bernard Ofori-Atta, Service Manager, Systems and Technology and Peter Allery, Commercial and Interim Investment Delivery Manager were also in

attendance. During the presentation and in response to questions from members of the Committee, the following key points were highlighted:

- THCO Ltd had been contracted since February 2016 to work on setting up the asset register for LB Lewisham.
- The system was split into four modules: property management; programmes and project management; facilities maintenance management; and highways asset register management. Work had so far been carried out on three of these modules with work on the programmes and projects management module still to be commenced.
- The application was based on office 365 and would be hosted by Microsoft Sharepoint on the cloud.
- To date, 1793 highways had been loaded onto the system. Data could be searched by Unique Street Reference Number (USRN) or name. This could be plotted with GIS. The information could be extracted into other applications such as excel.
- The system would be able to log details of reactive and planned maintenance as well as records such as lease details for properties or hazards present such as asbestos. Matters for action could be flagged up as well such as renewal deadlines and rents receivable.
- Access could be Council-wide and there was potential for Councillors to have access to view the data. A full access policy would be established with details of the different levels of access. The idea was that a service desk manager would monitor engineers and input the data on the system.
- Operational assets and estates, commercial properties, industrial units and Council owned land, would all be included on the register.

4.2 RESOLVED: That

An update report on the Asset Register be presented to the Sustainable Development Select Committee at its meeting in June.

5. Sustainability Consultancy

5.1 Martin O'Brien, Asset Management Planning Manager, presented the report to the Committee and highlighted the following key points:

- The proposal for setting up a sustainability consultancy had not been possible due to complications regarding the profitability of the service after recharging for formerly in-house services such as HR and IT and the VAT liability that a new company would be subject to.
- In addition to this, there had been cuts to many of the energy efficiency, fuel poverty and carbon reduction programmes that were part of the initial business model for the consultancy.
- The service would continue to run in-house with the aim of covering costs through charging for services and continuing to successfully apply for government grants.

- An example was the £1.65 million grant from the Department of Energy and Climate Change which offered residents a grant of up to half the costs to pay for energy efficiency measures in their homes. Money from the grant allocation was used to analysis of the South-East London market.
- The team was continuing to work on a scheme with fuel poor residents – “Warm Homes, Healthy People”.

5.2 In response to questions from the members of the Committee, the following key points were raised:

- It was important to raise the profile of the “Warm Homes Healthy People” work. This could be flagged up to the Healthier Communities Select Committee and the Health and Wellbeing Board.
- The scheme was not currently advertised and the team took referrals from other sectors such as front line healthcare providers and GPs.
- It would be useful for Councillors to have details of how to refer residents to the scheme.

5.3 RESOLVED: That

The information on the Warm Homes, Healthy People project be provided to all Councillors and details be passed on to the Health and Well-being Board and Healthier Communities Select Committee.

The Committee noted its support for the work of the Sustainable Resources Group and their approach to innovative working and income generation.

6. Select Committee work programme

6.1 Katie Wood, Scrutiny Manager, introduced the report to the Committee and asked members for any suggestions to be included in the work programme report for the 2016/17 municipal year.

6.2 RESOLVED: That

An update report on the Asset Register be included on the Sustainable Development Select 2016/17 Committee Work programme for its meeting in June.

That quarterly updates on Catford Town Centre Regeneration be scheduled on the 2016/17 Committee Work Programme.

That an update on the Planning Department key policies and procedures be included on the Committee’s 2016/17 work programme for the Autumn.

7. Items to be referred to Mayor and Cabinet

RESOLVED: That

The referral as listed under the minutes of item 3, Biodiversity Action Plan be made to Mayor and Cabinet.

The meeting ended at 9.15 pm

Chair:

Date:

Sustainable Development Select Committee		
Title	Declaration of interests	
Contributor	Chief Executive	Item 3
Class	Part 1 (open)	18 April 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;

(b) and 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)

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Sustainable Development Select Committee		
Title	Response from Mayor and Cabinet to the Select Committee's modern roads review	
Contributor	Executive Director for Resources and Regeneration (Committee Business Manager)	Item 4
Class	Part 1	18 April 2016

1. Summary

This report informs members of the Sustainable Development Select Committee of the response given at Mayor and Cabinet to the Committee's modern roads review.

2. Recommendation

The Select Committee is recommended to receive the Mayoral response.

3. Background

- 3.1 At the meeting of Mayor and Cabinet on 23 March 2016 the Mayor considered a report entitled 'Mayoral response to the Sustainable Development Select Committee on the Modern Roads Review.'
- 3.2 Having considered an officer report, and a presentation by the Deputy Mayor Councillor Alan Smith, the Mayor agreed that the response from the Executive Director for Resources and Regeneration to the Modern Roads Review undertaken by the Sustainable Development Select Committee as set out be approved and reported to the Sustainable Development Select Committee.

Background papers

Mayor & Cabinet decisions 23 March 2016: <http://tinyurl.com/zhm4ksg>
An audio recording of this meeting is also available at the link.

If you have any questions about this report, please contact Kevin Flaherty, Committee Business Manager, 0208 314 9327

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MAYOR & CABINET		
Report Title	Mayoral response to the Sustainable Development Select Committee on the Modern Roads Review.	
Key Decision	No	Item No.
Ward	All	
Contributors	Executive Director for Resources and Regeneration	
Class	Part 1	Date: 23 March 2016

1 Purpose

- 1.1 This report sets out the response to Modern Roads Review undertaken by the Sustainable Development Select Committee and presented to the Mayor and Cabinet meeting on 13 January 2016.

2 Recommendations

- 2.1 It is recommended that the Mayor:
- 2.2 Notes the response from the Executive Director for Resources and Regeneration to the Modern Roads Review undertaken by the Sustainable Development Select Committee as set out in section 2 of this report, and;
- 2.3 Agrees that this report be forwarded to the Sustainable Development Select Committee.

3 Policy Context

- 3.1 The Local Implementation Plan (LIP) sets out Lewisham's policy objectives for transport and has been developed within the framework provided by the Mayor's Transport Strategy.
- 3.2 Lewisham's second LIP was approved by the Lewisham Mayor and the London Mayor in 2011. The LIP was developed within the framework provided by the MTS and consists of an evidence base, objectives, targets and initial three year programme. The goals, objectives, and outcomes for the LIP reflect local policies and priorities and are aligned with the Council's Corporate Priorities and the Sustainable Community Strategy.
- 3.3 As a major policy document, the LIP supports all six priorities of the Sustainable Community Strategy and has particular relevance to the many economic, environmental and social improvements that rely on a modern transport system.

4 Background

- 4.1 The Modern Roads Review was scoped by the Sustainable Development Select Committee in October 2014 and three evidence gathering sessions were held in December 2014, January 2015 and April 2015. The Committee

agreed the report and the recommendations in September 2015, and these were presented to Mayor and Cabinet on 13 January 2016.

5 Sustainable Development Select Committee Recommendations

5.1 On 13 January 2016, the Committee made the following recommendations to the Mayor and Cabinet:

1. That the implementation of the borough-wide 20mph zone be monitored with an emphasis on Council and borough police plans for enforcement and supported with a multi-platform publicity and education programme for residents and drivers.
2. That the Council considers the full range of different cycle-friendly road designs that radically improve the safety and environment for cyclists including, among other sources, the Sustrans 'Cycle Friendly Design Manual: Handbook for cycle-friendly design' and existing working schemes in other London boroughs.
3. That the Council engages with Living Streets to conduct a Community Street Audit in a specific area to improve the environment for cyclists and pedestrians.
4. That officers investigate some of the proposals outlined by Lewisham Cyclists in relation to improving cycling conditions in the borough (6.11-15).
5. That the Council facilitates a scheme that offers recycled bikes at a reasonable price to children in the borough.
6. That the Council investigates the possibility of having a similar 'cycle hub and bike hire scheme like LB Croydon's cycle hub and/or Brompton Bike Hire dock.
7. That any future re-design of the A205/Catford Gyratory incorporates the needs of cyclists and pedestrians from the beginning of the process and that that the Mayor pushes TfL and the Council to make a decision on the relocation of the A205 within the next few months.
8. That the Council take forward an expansion of the ultra low emissions zone, and look at how air quality issues are viewed in major developments in the borough (e.g. where schools are built in the borough, ensuring they are away from main roads).
9. That the Council reviews policy to increase the planting of street trees with a view to obtaining external funding wherever possible.
10. That the Mayor lobbies Transport for London to extend the Cycle Hire Scheme into Lewisham.

2 Mayoral Response to the Sustainable Development Select Committee

2.1 The recommendations of the Sustainable Development Select Committee are welcomed, and they reflect the ongoing work of LB Lewisham towards the development of a more sustainable transport system.

- 2.2 **Recommendation 1** – That the implementation of the borough-wide 20mph zone be monitored with an emphasis on Council and borough police plans for enforcement and supported with a multi-platform publicity and education programme for residents and drivers.
- 2.3 **Response 1** – In the 2014 the Mayors election manifesto gave a commitment to introduce a borough-wide 20mph was launched. 20mph zones have been introduced in residential areas throughout Lewisham over the last 12 years and 65% of the boroughs roads are now 20 mph roads.
- 2.4 The rationale of the borough-wide 20mph speed limit introduction is to reduce speeds and reduce the number and severity of casualties across the borough. The lower speed limit will also create a fairer balance between vulnerable road users and the motor vehicle. The borough-wide limit will ensure a consistent and fair approach to all residents and road users to engender a culture of driving at lower and safer speeds. For each 1mph reduction in speeds there is an estimated 6% reduction in casualties.
- 2.5 The Council recognises that some roads are better suited to 20mph limits than others, and a widespread monitoring exercise will identify those roads where compliance needs to be improved. Officers are working closely with the Met Police to identify areas of priority concern so we can deliver a joined up approach.
- 2.6 In recent years, there has been a change in the Police's approach to 20mph speed limits. The police will continue with speed enforcement in boroughs at the current levels. The main requirement is that boroughs work with the Police to ensure roads are suitable for a 20 mph speed limit, with clear and correct signing, and additional physical measures where appropriate. The main advice is to work with the Police at the planning stage and to make use of new initiatives such as Community Roadwatch. Existing speed cameras can now be re-calibrated to enforce 20mph limits. Driver rectification courses are also offered to any drivers exceeding the speed limit in a 20mph speed limit.
- 2.7 Preparations are also underway to inform drivers and residents, with information currently available on the website and widespread publicity, including Lewisham Life, planned for the launch date, which will provide details and reasons for the scheme. The online information is available at: <https://www.lewisham.gov.uk/myservices/transport/road-safety/Pages/20mph-borough-speed-limit.aspx>
- 2.8 Implementation is planned for the summer holidays, with a launch date in Sept to coincide with school return. A school competition is being launched to design posters for the roll out of the scheme, which will be used on the dust carts in the borough and for future campaigns.
- 2.9 Other day to day road safety work will be supporting the introduction of the speed limit – the older driver's course and the moped/two wheeler courses being planned at present will also be support the introduction of the new borough-wide 20mph limit.
- 2.10 **Recommendation 2** – That the Council considers the full range of different cycle-friendly road designs that radically improve the safety and environment for cyclists including, among other sources, the Sustrans

'Cycle Friendly Design Manual: Handbook for cycle-friendly design' and existing working schemes in other London boroughs.

- 2.11 **Response 2** – All highway and public realm designs led by the Council give full consideration to cyclists and pedestrians, and priority is given to sustainable modes wherever possible. All scheme designs take on board the very latest concepts in cycle friendly design, including the Sustrans design manual, and particularly the new London Cycling Design Standards which was heavily influenced by London's cycling public, interest groups, and Boroughs.
- 2.12 The Council is among the forefront of delivering the London Mayors Vision for Cycling, working with TfL to develop Cycle Superhighway 4 and implementing one of the first and highest quality Quietways which extends beyond Lewisham to Waterloo and to Greenwich. The Lewisham section includes a brand new section of cycling infrastructure near Surrey Canal Road, and the Council has been working with Sustrans to deliver this key part of the project.
- 2.13 **Recommendation 3** – That the Council engages with Living Streets to conduct a Community Street Audit in a specific area to improve the environment for cyclists and pedestrians.
- 2.14 **Response 3** – The Council welcomes the recent formation of a local Lewisham Group for Living Streets. Officers are in consultation with Living Streets representatives in relation to development of proposals for Crofton Park and discussions will include the best way for a street audit process to be built into the current stage of work.
- 2.15 **Recommendation 4** – That officers investigate some of the proposals outlined by Lewisham Cyclists in relation to improving cycling conditions in the borough (6.11-15).
- 2.16 **Response 4** – Officers have a good working relationship with Lewisham Cyclists, and consult the group on all transport-related projects. It is notable that many of the comments (6.11-15) are very positive on a wide range of issues, including cycle training, the Quietway, cycle parking, and improving streetscape. We will continue to work with Lewisham Cyclists on all our projects and seek opportunities to integrate their proposals. We will also continue to lobby TfL on those issues raised which are beyond the Council's direct control. The Council will be reviewing its cycling target as part of the next LIP review.
- 2.17 **Recommendation 5** – That the Council facilitates a scheme that offers recycled bikes at a reasonable price to children in the borough.
- 2.18 **Response 5** – In summer 2016 the Council is planning to pilot a "Peddle My Wheels" Bike Market to encourage the take-up of affordable recycled bicycles at four community locations in summer 2016. Peddle My Wheels is a business that works with London local authorities and schools to encourage re-cycling and help make cycling more accessible.
- 2.19 **Recommendation 6** – That the Council investigates the possibility of having a similar 'cycle hub and bike hire scheme like LB Croydon's cycle hub and/or Brompton Bike Hire dock.

- 2.20 **Response 6** – The Council supports the improvement of cycling facilities at rail stations, and the current approach is to prioritise cycle parking at a broad range of stations. Most recently we have been working with rail operators to introduce covered cycle parking facilities at Blackheath, Brockley and Honor Oak Stations, including public cycle-pump facilities. A cycle hub such as at LB Croydon would be appropriate for Lewisham Station and officers will investigate the opportunities and most appropriate timing in relation to the build-out of Lewisham Gateway and surrounding developments and potential changes to the station as part of the re-franchising of the South-Eastern network in 2018.
- 2.21 **Recommendation 7** – That any future re-design of the A205/Catford Gyratory incorporates the needs of cyclists and pedestrians from the beginning of the process and that that the Mayor pushes TfL and the Council to make a decision on the relocation of the A205 within the next few months.
- 2.22 **Response 7** – The Council is working with TfL towards a decision on whether to move the road. In either scenario, whether the road remains in its current location or is relocated, the Council will push for a balanced solution which gives priority to cycles, buses and pedestrians. The approach to highway improvements at Catford should be one which recognises the importance of the town centre and where vehicle priority is tempered by the need to create an attractive town centre environment.
- 2.23 **Recommendation 8** – That the Council take forward an expansion of the ultra low emissions zone, and look at how air quality issues are viewed in major developments in the borough (e.g. where schools are built in the borough, ensuring they are away from main roads).
- 2.24 **Response 8** – The Council is lobbying alongside other boroughs for a London-wide approach to encouraging ultra-low emissions. The Council is one of ten London Boroughs actively engaged in the roll-out of new Electric Vehicle Charging Points to encourage the take-up of electric vehicles. The Council has also successfully applied for Mayor's Air Quality Funding to ensure the best possible co-ordination of air quality issues related to the construction of major developments in the north of the borough. A new Air Quality Action Plan is being developed to tackle poor air quality in the highest priority areas of the borough.
- 2.25 **Recommendation 9** – That the Council reviews policy to increase the planting of street trees with a view to obtaining external funding wherever possible.
- 2.26 **Response 9** – Lewisham's trees are part of what makes the borough so green, compared to many other parts of London. Introducing new street trees can be challenging: with limited space available, it is also important to prioritise space for pedestrians and cyclists; the underground utilities can often make new trees too costly; and reducing revenue budgets can mean that damaged trees aren't always maintained. Despite these challenges, the Council seeks to maintain, protect and increase the number and quality of trees in the borough, and agrees that opportunities should be taken to obtain funding. As major schemes and developments are brought forward in the borough there will be clear opportunities to push developers to deliver high quality urban realm as part of their schemes, including the provision of street trees in appropriate locations.

- 2.27 **Recommendation 10** – That the Mayor lobbies Transport for London to extend the Cycle Hire Scheme into Lewisham.
- 2.28 **Response 10** – As part of proposed major developments at Convoys Wharf and Surrey Canal Road, the Council has secured safeguarded provision for an extension of the Central London Cycle Hire scheme. The Council will continue to seek future provision and continue to lobby TfL to make use of this provision as these developments progress.

3 Financial Implications

- 3.1 There are no direct financial implications arising from this response. However, financial resources may be required in the future to develop aspects of the ideas and proposals set out in this report. Where new projects and funding gaps are identified requests for such resources will be considered at an appropriate time.

4 Legal Implications

- 4.1 The Constitution provides that the Executive respond to reports and or recommendations by the overview and Scrutiny Committee.

5 Crime and Disorder Implications

- 5.1 There are no direct crime and disorder implications arising from this response.

6 Equalities Implications

- 6.1 The Council's Comprehensive Equality Scheme for 2012-16 will provide an overarching framework and focus for the Council's work on equalities and help ensure compliance with the Equality Act 2010.
- 6.2 An Equalities Analysis Assessment has been developed alongside the LIP to ensure that any potential adverse impacts were fully considered and, where necessary, appropriate changes made. The overall findings of the assessment were that the proposals within the LIP do not discriminate or have significant adverse impacts on any of the protected characteristics.
- 6.3 There are no direct equalities implications arising from this response, however, an assessment of differential impact on equalities would be required at such time as detailed proposals are considered.

7 Environmental Implications

- 7.1 There are no direct environmental implications arising from this response.

8 Background Papers and originator

- 8.1 M&C Report, Matters referred by Sustainable Development Select Committee Select Committee – Modern Roads Review - Report and Recommendations, 13 January 2016
<http://councilmeetings.lewisham.gov.uk/documents/s40760/Referral%20by%20SCSC%20Modern%20Roads%20Review.pdf>

- 8.2 Sustainable Development Select Committee, Modern Roads Review, June 2015
<http://councilmeetings.lewisham.gov.uk/documents/s40761/Modern%20Roads%20Review%20Report.pdf>
- 8.3 For further details about the content of this report contact Simon Moss, Transport Policy and Development Manager, simon.moss@lewisham.gov.uk

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Sustainable Development Select Committee		
Title	Response from Mayor and Cabinet to matters referred by the Select Committee – Collection and use of S106 planning obligations and community infrastructure levy funds	
Contributor	Executive Director for Resources and Regeneration (Committee Business Manager)	Item 5
Class	Part 1	18 April 2016

1. Summary

This report informs members of the Sustainable Development Select Committee of the response given at Mayor and Cabinet to its referral on collection and use of S106 planning obligations and community infrastructure levy funds.

2. Recommendation

The Select Committee is recommended to receive the Mayoral response.

3. Background

- 3.1 At the meeting of Mayor and Cabinet on 13 January 2016 the Mayor considered the report entitled 'Response to referral by the Sustainable Development Select Committee on Collection and Use of S106 Planning Obligations and Community Infrastructure Levy funds.'
- 3.2 Having considered the officer report and a presentation from the Deputy Mayor, Councillor Alan Smith, the Mayor agreed the responses from the Executive Director for Resources and Regeneration be approved and reported to the Sustainable Development Select Committee.

Background papers

Mayor & Cabinet minutes 13 January 2016: <http://tinyurl.com/hu97qy3>

If you have any questions about this report, please contact Kevin Flaherty, Committee Business Manager, 0208 314 9327

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Mayor & Cabinet		
Report Title	Response to referral by the Sustainable Development Select Committee on Collection and Use of S106 Planning Obligations and Community Infrastructure Levy funds.	
Key Decision	No	Item No.
Ward	All	
Contributors	Executive Director of Resources and Regeneration	
Class	Part 1	Date: 13 January 2016

1. Purpose

- 1.1 This report sets out the officers response to the referral from the Sustainable Development Select Committee on the collection and use of Planning Obligations (S106) funds and Community Infrastructure Levy (CIL) receipts.

2. Summary

- 2.1 The Sustainable Development Select Committee (SDSC) held a meeting on 22nd October 2015 and referred a report from that meeting to the Mayor on 11th November 2015. The select committee report made a number of recommendations for the Mayor to consider. This report provides the detail of how officers have responded to these recommendations.

3. Recommendation

- 3.1 The Mayor is recommended to:
- Approve the responses from the Executive Director for Resources and Regeneration to the Sustainable Development Select Committee.
 - Agree that this report should be forwarded to the Sustainable Development Select Committee.

4. Policy Context

- 4.1 The contents of this report are consistent with the Council's Sustainable Community Strategy policies 'Empowered and Responsible' and the 'Clean, Green and Liveable' policy. This is through considering Community Trusts, rolling out a pilot scheme that allows communities to have a greater influence in how some S106 /CIL monies could be spent and developing a policy statement for working with neighbourhood forums. The collection of S106 / CIL funds serve to support the Clean, Green and Liveable Sustainable Community Strategy policy.

5. Background

5.1 The SDSC held a meeting on 22nd October 2015 at which they considered a report on the collection and use of S106 funds and Community Infrastructure Levy (CIL) receipts. The report set out the detail of the collection and use of S106 funds for the financial year 2014/15, including:

- What agreements are in place
- How much money has been collected from S106
- How much money we are due to collect
- How much has been spent.

5.2 The SDSC report also set out details of receipts collected for the 2014/15 Financial Year for the Mayor of London CIL. Lewisham is the collecting authority for the Mayor of London CIL, and retains four (4%) percent of the fees for administration purposes. The Lewisham CIL came into effect on 1st April 2015 and as such no receipts were received for the financial year 2014-15.

6. Response from the Mayor

6.1 The referral report recommended at paragraph 3.3 that the Mayor be advised of a number of matters. These are set out below together with the officer response.

6.2 **SDSC recommendation** (a) Ask officers to investigate the possibility of setting up a Community Trust or similar body for CIL and Section 106 payments.

6.3 **Officer Response.** Community Trusts are community based organisations that are set up, owned and led by the local community usually for the purpose of economic, environmental and social regeneration. There is no set legal structure and they can be registered as a company limited by guarantee, a community interest company, a charity or an industrial and provident society. Planning Officers and Community Services colleagues will consider the potential of this approach in relation to CIL and S106 payments.

6.4 **SDSC recommendation** (b) Ask officers to develop a framework of consultation so communities can set their priorities for development if CIL or Section 106 payments become available.

6.6 **Officer Response.** Over the past two years Community Services Officers have worked with Planning Officers to identify unspent S106 monies and initiated a pilot programme of discussion and input from local residents via the local assemblies programme. To date, these have mainly been 'Community facilities' monies and have generated nine projects across four wards; for example accessibility and garden improvements in community centres. The Wards involved in this pilot were Evelyn, Sydenham, Telegraph Hill and Whitefoot.

- 6.7 It is important to appreciate that the bulk of CIL and S106 funding will need to continue to be allocated for strategic infrastructure projects to mitigate the impacts of development in the area where it occurs, such as a need for additional school places, health facilities and improved community parks and open spaces. However, there should be a parallel role for local assemblies in allowing residents to have the opportunity to influence the spend of some of the funding generated within their local area. The piloted approach will be rolled out across the borough, enhancing local democracy and will be considered for the use of CIL monies when these become available.
- 6.7 **SDSC recommendation** (c) Ask officers for further information on how the process of gathering priorities in communities for CIL and Section 106 payments will operate with both Neighbourhood Forums and Local Assemblies in operation.
- 6.8 **Officer Response.** The CIL regulations (Regulation 59) state that ‘a charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area’. They go on to set out that in areas with a Parish Council 15% of CIL receipts must be passed on to the Parish Council for development that was within their area and this increases to 25% in those areas which have adopted a neighbourhood plan.
- 6.9 In areas such as Lewisham where there are no parish councils the regulations set out that the charging authority, that is, the council will retain the levy receipts but should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding. The government does not prescribe a specific process for agreeing how the neighbourhood portion should be spent. However, Government Planning Practice Guidance does advise that the charging authority should work with any designated neighbourhood forums preparing neighbourhood plans.
- 6.10 It is considered good practice for the Council to set out clearly and transparently their approach to engaging with neighbourhoods on how the neighbourhood portion should be spent. Officers propose that a statement on the approach to the neighbourhood portion be prepared and consulted upon. This policy statement can develop and formalise the experience gained from the pilot work with the local assemblies mentioned in relation to response (b) above. There are 3 designated neighbourhood forums in Lewisham and applications for a further 3 have been received. The policy statement would also set out how the neighbourhood forums would be consulted.

7 Legal implications

- 7.1 Regulation 123 of the Community Infrastructure Regulations 2010 requires that where planning permission is being granted for development then:

1. a planning obligation may not constitute a reason for granting planning permission to the extent that the obligation provides for the funding or provision of a relevant infrastructure

2. a condition may not be imposed on the grant that requires a highway agreement for funding or provision of relevant infrastructure to be entered into or prevent or restrict the carrying out of development until a highway agreement has been entered into

3. a planning obligation may not constitute a reason for granting planning permission to the extent that the obligation provides for the funding or provision of an infrastructure project and five or more separate planning obligations for development within the area of the charging authority; and which provide for the funding or provision of that project have been entered into on or after 6th April 2010 .

7.2 In other words, planning obligations and or conditions are not to be used to secure the provision of relevant infrastructure. "Relevant infrastructure" means, in this context, where a charging authority has published on the Councils website a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL. This is the Regulation 123 list.

7.3 Planning obligations may however still be secured, where they are required to mitigate the impact of development, provided they do not relate to the provision of or providing funding for a relevant infrastructure **and**: (a) are necessary to make the development acceptable in planning terms;(b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. (Regulation 122)

8. Financial Implications

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

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's Comprehensive Equalities Scheme (CES) 2012-16 describes the Council's commitment to equality for citizens, service users and employees. The CES is underpinned by a set of high level strategic objectives which incorporate the requirements of the Equality Act 2010 and the Public Sector Equality Duty:

- tackle victimisation, harassment and discrimination
- to improve access to services
- to close the gap in outcomes for citizens
- to increase understanding and mutual respect between communities

- to increase participation and engagement

11 Environmental implications

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

12 Conclusion

12.1 The recommendations referred to the Mayor from the Sustainable Development Select Committee have been answered in section 6 of this report and it is proposed that this response is referred back to the committee.

Background documents

Report to Sustainable Development Select Committee 22nd October 2015.

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Agenda Item 6

Sustainable Development Select Committee		
Title	Select Committee work programme 2016-17	
Contributor	Scrutiny Manager	Item 6
Class	Part 1 (open)	18 April 2016

1. Purpose

- 1.1 To ask Members to discuss and agree an annual work programme for the Sustainable Development Select Committee.

2. Summary

- 2.1 This report:

1. Informs Members of the meeting dates for this municipal year.
2. Provides the context for setting the Committee's work programme.
3. Invites Members to decide on the Committee's priorities for the 2016-17 municipal year.
4. Informs Members of the process for Business Panel approval of the work programme.
5. Outlines how the work programme can be monitored, managed and developed.

3. Recommendations

- 3.1 The Select Committee is asked to:

- Note the meeting dates and terms of reference for the Sustainable Development Select Committee.
- Consider the provisional work programme at appendix B.
- Consider adding further items to the work programme, taking into consideration the criteria for selecting topics; information about local assembly priorities and items already added to the provisional work programme.
- Note the key decision plan, attached at appendix F, and consider any key decisions for further scrutiny.
- Agree a work programme for the municipal year 2016-17.
- Review how the work programme can be developed, managed and monitored over the coming year.

4. Meeting dates

- 4.1 The following Committee meeting dates for the next municipal year were agreed at the Council AGM on 30 March 2016:

- 18 April 2016
- 12 May 2016
- 29 June 2016
- 14 September 2016

- 25 October 2016
- 29 November 2016
- 24 January 2017
- 8 March 2017

5. Context

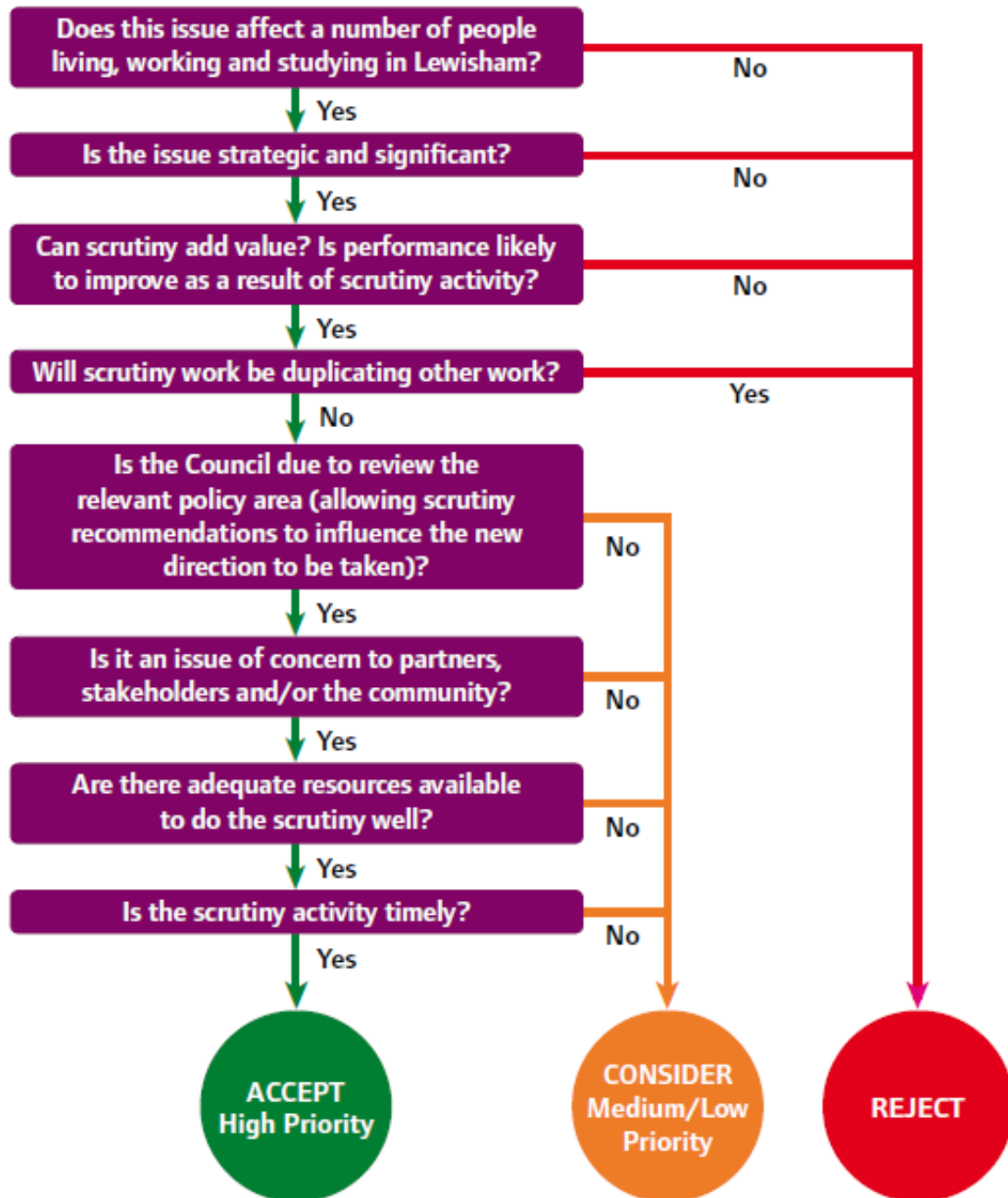
- 5.1 The Sustainable Development Select Committee's role is to examine issues relating to the protection of the environment including 'green' issues such as the conservation of natural resources, energy efficiency and conservation and/or the reduction of pollution. The Committee's terms of reference are set out in appendix A.
- 5.2 The Committee has the responsibility for scrutinising sustainable development, economic development, business support, employment and training, highways, parking, traffic and transport, and urban regeneration. The Committee also looks at public health and the environment including waste disposal, environmental health, street and market trading, as well as public protection, refuse collection and disposal, street cleaning, consumer protection, cemeteries and crematoria.
- 5.3 The Committee also scrutinises the formulation of the Council's planning policies, (including the preparation of the Council's Local Development Framework and other local plans for the use and development of land). In addition the Committee scrutinises the work of flood risk management affecting the area.

6. Deciding on items for the work programme

- 6.1 When deciding on items to include in the work programme, the Committee should have regard to:
- items the Committee is required to consider by virtue of its terms of reference;
 - the criteria for selecting and prioritising topics;
 - the capacity for adding items;
 - the context for setting the work programme and advice from officers;
 - suggestions already put forward by Members.

6.2 The following flow chart, based on the Centre for Public Scrutiny (CfPS) advice for prioritising topics is designed to help Members decide which items should be added to the work programme:

Scrutiny work programme – prioritisation process



7. Different types of scrutiny

7.1 It is important to agree how each work programme item will be scrutinised. Some items may only require an information report to be presented to the Committee and others will require performance monitoring data or analysis to be presented. Typically, the majority of items take the form of single meeting items, where members:

- (a) agree what information and analysis they wish to receive in order to achieve their desired outcomes;
- (b) receive a report presenting that information and analysis;
- (c) ask questions of the presenting officer or guest;
- (d) agree, following discussion of the report, whether the Committee will make recommendations or receive further information or analysis before summarising its views.

7.2 For each item, the Committee should consider what type of scrutiny is required and whether the item is high or medium/low priority (using the prioritisation process). Allocating priority to work programme items will enable the Committee to decide which low and medium priority items it should remove from its work programme, when it decides to add high priority issues in the course of the year.

In-depth review

7.3 Some items might be suitable for an in-depth review, where the item is scrutinised over a series of meetings. Normally this takes four meetings to complete:

- Meeting 1: Scoping paper (planning the review)
- Meetings 2 & 3: Evidence sessions
- Meeting 4: Agreeing a report and recommendations

7.4 If the Committee wants to designate one of its work programme items as an in-depth review, this should be done at the first meeting of the municipal year to allow sufficient time to carry out the review. A scoping paper for the review will then be prepared before the summer.

8. Provisional 2016-17 work programme

8.1 The Scrutiny Manager has drafted a provisional work programme for the Committee to consider, which is attached at appendix B. This includes:

- suggestions from the Committee in the previous year;
- suggestions from officers;
- issues arising as a result of previous scrutiny;
- issues that the Committee is required to consider by virtue of its terms of reference;
- items requiring follow up from Committee reviews and recommendations;
- standard reviews of policy implementation or performance, which is based on a regular schedule.

8.2 The Committee should also give consideration to:

- issues of importance to Local Assemblies
- decisions due to be made by Mayor and Cabinet (appendix F).

Suggestions from the Committee

8.3 Towards the end of the 2015-16 municipal year, the Committee agreed that the following suggestion should be put forward for consideration as part of the work programme for this year:

- Asset Register Update – SharePoint demonstration (in June)
- Catford Town Centre Regeneration (quarterly updates)
- Planning department key policies and procedures (autumn)
- Street Lighting –proposals for variable lighting as part of improving efficiency
- Lewisham Community Trust – use of section106 and CIL

8.4 These suggestions have been incorporated into the draft work programme at appendix B.

Suggestions from officers

8.5 The budget report to Council in February 2016 estimated that a further £45 million of savings was required for the period 2017-18 to 2019-20, profiled at approximately £15 million per year. An updated estimation will be presented in the Medium Term Financial Strategy in July 2016, along with the Mayor's request for work on a three-year budget. In order to achieve these savings, the Council continues to work on a series of thematic (Lewisham Future Programme) and crosscutting (Lewisham 2020) reviews to fundamentally revisit the way it delivers services. It remains officers' intention to bring forward savings for scrutiny and decision, as and when they are identified. The annual cycle will mean the majority of savings for the following financial year will be presented for scrutiny and decision in the autumn and officers remain committed to regular interactions with Members in order to facilitate scrutiny of the specific savings proposals as they arise. The Select Committees therefore need to retain capacity in their work programmes to consider these as necessary.

8.6 This suggestion has been incorporated into the draft work programme at appendix B.

Issues arising as a result of previous scrutiny

8.7 The Committee is due to receive the final report from their Catford Town Regeneration Programme Review and decide on its recommendations.

8.8 This suggestion has been incorporated into the draft work programme in appendix B.

Issues that the Committee is required to consider by virtue of its terms of reference

8.9 Items added to the provisional work programme under this heading include:

- Waste Strategy Implementation and performance monitoring
- Sustainable Energy
- Works and Skills Strategy - Implementation

8.10 These suggestions have been incorporated into the draft work programme at appendix B.

Items requiring follow up from Committee reviews and recommendations

8.11 The Committee would like to receive a response to its High Streets Review and its Modern Roads review as soon as possible.

Standard reviews of policy implementation or performance, which is based on a regular schedule

8.12 In previous years, Members of the Committee have agreed to consider the following items on a regular cycle:

- Annual Parking Report
- Planning obligations and regulations
- Planning service annual monitoring report

Decisions due to be made by Mayor and Cabinet

8.13 Members are asked to review the most recent notice of key decisions (at appendix F) and suggest any additional items for further scrutiny.

Consideration of issues of importance to Local Assemblies

8.14 A list of assembly priorities is included at appendix D. Members are asked to consider whether there are issues of importance arising from their interactions with their ward assembly that should be considered for further scrutiny.

- Nearly all of the Local Assemblies mentioned in their priorities issues related to improved/cleaner environment, traffic congestion/traffic calming measures, improving the streetscape (litter, dog fouling, fly tipping, street furniture), and vibrant high streets.

8.15 It is up to the Committee to agree the provisional work programme, outlined at appendix B and decide which additional items should be added.

9. Approving, monitoring and managing the work programme

9.1 In accordance with the Overview and Scrutiny Procedure rules outlined in the Council's constitution, each select committee is required to submit their annual work

programme to the Overview and Scrutiny Business Panel. The Business Panel will meet on 27 April 2016 to consider provisional work programmes and agree a co-ordinated Overview and Scrutiny work programme, which avoids duplication of effort and which facilitates the effective conduct of business.

- 9.2 The work programme will be reviewed at each meeting of the Committee. This allows urgent items to be added and items which are no longer a priority to be removed. Each additional item added should first be considered against the criteria outlined in section 6.2. If the Committee agrees to add additional items because they are high priority, it must then consider which medium/low priority items should be removed in order to create sufficient capacity. The Committee has eight scheduled meetings this municipal year and its work programme needs to be achievable in terms of the amount of meeting time available.
- 9.3 At each meeting of the Committee, there will be an item on the work programme presented by the Scrutiny Manager. When discussing this item, the Committee will be asked to consider the items programmed for the next meeting. Members will be asked to outline what information and analysis they would like in the report for each item, based on the outcomes they would like to achieve, so that officers are clear on what they need to provide.

Length of meetings

- 9.4 Provision is made for Committee meetings to last for two and a half hours. If the items scheduled for the meeting are not completed within this time the Committee may decide suspend standing orders. The Council's constitution also provides the option for meetings to be adjourned by the Chair until a later date (with limitations). The suspension of standing orders and any decision to adjourn a meeting are matters for Members of the Committee and the Chair.
- 9.5 The length of each item at Committee meetings will vary based on a number of factors – including the complexity of the subject under scrutiny; the number of issues identified by Members and the range of questions put to officers/guests.

The number of items scheduled for each meeting

- 9.6 The terms of reference of the Committee are broad and there are many issues the Committee could scrutinise. The prioritisation process set out above (at paragraph 6.2) is designed to help the Committee decide whether it should add items to its work programme.
- 9.7 Where the committee identifies issues of interest that are low priority because:
- they are not due to be reviewed by the Council;
 - there are inadequate resources available to carry out the scrutiny effectively;
 - the issue has recently been reviewed by others;

Members may wish to make a request to receive a briefing – or task the relevant scrutiny manager to identify sources of further information for circulation to the Committee in order to provide context for future discussions.

9.8 It is for Members of the Committee to decide how many items should be scheduled for the meeting. However, giving consideration to the time available and the length of previous meetings of the Committee, Members may wish to schedule three items for each meeting, leaving space available in the programme for responses to consultations, savings proposals and other urgent business.

10. Financial implications

10.1 There may be financial implications arising from some of the items that will be included in the work programme (especially reviews) and these will need to be considered when preparing those items/scoping those reviews.

11. Legal implications

11.1 In accordance with the Council's Constitution, all scrutiny select committees must devise and submit a work programme to the Business Panel at the start of each municipal year.

12. Equalities implications

12.1 The Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. 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.

12.2 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.

12.3 There may be equalities implications arising from items on the work programme and all activities undertaken by the Committee will need to give due consideration to this.

13. Crime and disorder implications

13.1 There may be crime and disorder implications arising from some of the items that will be included in the work programme (especially reviews) and these will need to be considered when preparing those items/scoping those reviews.

Background documents

Lewisham Council's Constitution
Centre for Public Scrutiny: The Good Scrutiny Guide

Appendices

Appendix A – Committee’s terms of reference

Appendix B – Provisional work programme

Appendix C – CfPS criteria for selecting scrutiny topics

Appendix D – Local assembly priorities

Appendix E – How to carry out reviews

Appendix F – Key decision plan

Appendix A

The following roles are common to all select committees:

(a) General functions

To review and scrutinise decisions made and actions taken in relation to executive and non-executive functions

To make reports and recommendations to the Council or the executive, arising out of such review and scrutiny in relation to any executive or non-executive function

To make reports or recommendations to the Council and/or Executive in relation to matters affecting the area or its residents

The right to require the attendance of members and officers to answer questions includes a right to require a member to attend to answer questions on up and coming decisions

(b) Policy development

To assist the executive in matters of policy development by in depth analysis of strategic policy issues facing the Council for report and/or recommendation to the Executive or Council or committee as appropriate

To conduct research, community and/or other consultation in the analysis of policy options available to the Council

To liaise with other public organisations operating in the borough – both national, regional and local, to ensure that the interests of local people are enhanced by collaborative working in policy development wherever possible

(c) Scrutiny

To scrutinise the decisions made by and the performance of the Executive and other committees and Council officers both in relation to individual decisions made and over time

To scrutinise previous performance of the Council in relation to its policy objectives/performance targets and/or particular service areas

To question members of the Executive or appropriate committees and executive directors personally about decisions

To question members of the Executive or appropriate committees and executive directors in relation to previous performance whether generally in comparison with service plans and targets over time or in relation to particular initiatives which have been implemented

To scrutinise the performance of other public bodies in the borough and to invite them to make reports to and/or address the select committee/Business Panel and local people about their activities and performance

To question and gather evidence from any person outside the Council (with their consent)

To make recommendations to the Executive or appropriate committee and/or Council arising from the outcome of the scrutiny process

(d) Community representation

To promote and put into effect closer links between overview and scrutiny members and the local community

To encourage and stimulate an enhanced community representative role for overview and scrutiny members including enhanced methods of consultation with local people

To liaise with the Council's ward assemblies so that the local community might participate in the democratic process and where it considers it appropriate to seek the views of the ward assemblies on matters that affect or are likely to affect the local areas, including accepting items for the agenda of the appropriate select committee from ward assemblies.

To keep the Council's local ward assemblies under review and to make recommendations to the Executive and/or Council as to how participation in the democratic process by local people can be enhanced

To receive petitions, deputations and representations from local people and other stakeholders about areas of concern within their overview and scrutiny remit, to refer them to the Executive, appropriate committee or officer for action, with a recommendation or report if the committee considers that necessary

To consider any referral within their remit referred to it by a member under the Councillor Call for Action, and if they consider it appropriate to scrutinise decisions and/or actions taken in relation to that matter, and/or make recommendations/report to the Executive (for executive matters) or the Council (non-executive matters)

(e) Finance

To exercise overall responsibility for finances made available to it for use in the performance of its overview and scrutiny function.

(f) Work programme

As far as possible to draw up a draft annual work programme in each municipal year for consideration by the overview and scrutiny Business Panel. Once approved by the Business Panel, the relevant select committee will implement the programme during that municipal year. Nothing in this arrangement inhibits the right of every member of a select committee (or the Business Panel) to place an item on the agenda of that select committee (or Business Panel respectively) for discussion.

The Council and the Executive will also be able to request that the overview and scrutiny select committee research and/or report on matters of concern and the select committee will consider whether the work can be carried out as requested. If it can be accommodated, the select committee will perform it. If the committee has reservations about performing the requested work, it will refer the matter to the Business Panel for decision.

The following roles are specific to the Sustainable Development Select Committee:

(a) To exercise all the functions and roles of the overview and scrutiny committee in relation to the following matters:

- to examine issues relating to the protection of the environment including 'green' issues such as the conservation of natural resources, energy efficiency and conservation and/or the reduction of all types of pollution and make recommendations to the Mayor and Cabinet as appropriate;

- to comment and consult on and make recommendations to the Mayor and Cabinet in relation to the following:

- i. sustainable development, economic development, business support, employment and training;

- ii. the formulation of the Council's planning policies, (including the preparation of the Council's Local Development Framework and other local plans for the use and development of land, but excluding planning control and building control functions);

- iii. highways, parking, traffic and transport, and urban regeneration;

- iv. the environment including waste disposal, environmental health, street and market trading (but not the granting of licences and related matters);

- v. public protection, refuse collection and disposal, street cleaning, consumer protection, cemeteries and crematoria;

- vi generally to examine the performance of the Mayor and Cabinet in relation to these matters.

- The review and scrutiny of the exercise by risk management authorities of flood risk management and coastal erosion risk management affecting the area.

Appendix B - Provisional Work Programme 2016-17

Work Item	Type of review	Comments	Priority	Strategic Priority	Delivery deadline	18-Apr-16	12-May-16	29-Jun-16	14-Sep-16	25-Oct-16	29-Nov-16	24-Jan-17	08-Mar-17
Election of the Chair and Vice-Chair	Constitutional req		High	CP6	Apr								
Select Committee work programme	Constitutional req		High	CP6	Ongoing								
Street lighting - proposals for variable lighting as part of improving efficiency	Performance monitoring	suggestion 2015-16 Committee - timing confirmed officers		CP3	April								
Modern Roads review - M&C response and update	In-depth review	response referral		CP 3		M&C timeline					6 month update		
Catford Town Centre Regeneration quarterly updates	Performance Monitoring	suggestion 2015-16 Committee - timeline TBC		CP3	Ongoing								
Lewisham Community Trust - use of section106 and CIL	Policy development	suggestion 2015-16 Committee - timing TBC		CP3, CP 5									
High Streets review - M&C response and update	In-depth review	response referral		CP 5			M&C timeline				6 month update		
Catford Regeneration Programme Review final report	In-depth review	2015-16 work programme		CP3				report and recommendations					
Asset Register Update - SharePoint Demonstration	Performance monitoring	item + timing suggestion 2015-16 Committee		CP3	June								
Space for (additional item)													

Work Item	Type of review	Comments	Priority	Strategic Priority	Delivery deadline	18-Apr-16	12-May-16	29-Jun-16	14-Sep-16	25-Oct-16	29-Nov-16	24-Jan-17	08-Mar-17
In-depth review	In-depth review							scoping paper		evidence session	evidence session	evidence session	report and recommendations
Lewisham Future Programme	Standard item	item + timeline officer suggestion		CP 10	Ongoing								
Planning obligations and regulations - Update	Performance monitoring	annual item - timing similar last year		CP3, CP 5						timing last year			
Planning key policies and procedures	Policy development	suggestion 2015-16 Committee - timing TBC											
Annual Parking Report	Performance monitoring	annual item - timing similar last year		CP 3, CP 5						timing last year			
(space for additional item)													
Planning service annual monitoring report	Information Item	annual item - timing similar last year		CP3, CP 5							timing last year		
Work and Skills Strategy Implementation	Standard item	ToR Committee - timing tbc		CP5								timing TBC	
Sustainable Energy	Standard item	ToR Committee - timing confirmed		CP 3									
Waste Strategy Implementation and performance monitoring	Performance monitoring	ToR Committee - timing confirmed with officers		CP 3									
(space for additional item)													

Shaping Our Future: Lewisham's Sustainable Community Strategy 2008-2020		
	Priority	
1	Ambitious and achieving	SCS 1
2	Safer	SCS 2
3	Empowered and responsible	SCS 3
4	Clean, green and liveable	SCS 4
5	Healthy, active and enjoyable	SCS 5
6	Dynamic and prosperous	SCS 6

Corporate Priorities		
	Priority	
1	Community Leadership	CP 1
2	Young people's achievement and involvement	CP 2
3	Clean, green and liveable	CP 3
4	Safety, security and a visible presence	CP 4
5	Strengthening the local economy	CP 5
6	Decent homes for all	CP 6
7	Protection of children	CP 7
8	Caring for adults and older people	CP 8
9	Active, healthy citizens	CP 9
10	Inspiring efficiency, effectiveness and equity	CP 10

Appendix C – Criteria for selecting topics

The Centre for Public Scrutiny (CfPS) has developed a useful set of questions to help committees prioritise items for scrutiny work programmes:

General questions to be asked at the outset

- Is there a clear objective for scrutinising this topic – what do we hope to achieve?
- Does the topic have a potential impact for one or more section(s) of the population?
- Is the issue strategic and significant?
- Is there evidence to support the need for scrutiny?
- What are the likely benefits to the council and its customers?
- Are you likely to achieve a desired outcome?
- What are the potential risks?
- Are there adequate resources available to carry out the scrutiny well?
- Is the scrutiny activity timely?

Sources of topics

The CfPS also suggest that ideas for topics might derive from three main sources: the public interest; council priorities; and external factors. These are described below.

Public interest

- Issues identified by members through surgeries, casework and other.
- Contact with constituents.
- User dissatisfaction with service (e.g. complaints).
- Market surveys/citizens panels.
- Issues covered in media

Internal council priority

- Council corporate priority area.
- High level of budgetary commitment to the service/policy area (as percentage of total expenditure).
- Pattern of budgetary overspend.
- Poorly performing service (evidence from performance indicators/ benchmarking).

External Factors

- Priority area for central government.
- New government guidance or legislation.
- Issues raised by External Audit Management Letters/External Audit reports.
- Key reports or new evidence provided by external organisations on key issue.

Criteria to reject items

Finally, the CfPS suggest some criteria for rejecting items:

- issues being examined elsewhere - e.g. by the Cabinet, working group, officer group, external body;
- issues dealt with less than two years ago;
- new legislation or guidance expected within the next year;

- no scope for scrutiny to add value/ make a difference;
- the objective cannot be achieved in the specified timescale.

Bellingham

- Children and young people.
- Older people's issues
- Community events and festivals
- The promotion and development of Bellingham as a community

Blackheath

- Environment and Community.
- Provision for Older people, Young People and Children
- Parking, Streets and Waste.
- Crime and Anti-Social Behaviour

Brockley

- Creating a high-quality living environment – improving our local living environment and making Brockley a safer, cleaner and greener place to live, work and learn
- Connecting communities – bringing Brockley residents together and fostering a sense of community spirit, mutual understanding and respect, through community projects, events and activities

Catford South

- Streetscape and environment (litter, dog fouling, fly tipping, street furniture).
- Developing local opportunities for children (aged 16 and under) and young people (aged 17–25)
- Increase opportunities for older people
- Improvements to shopping hubs
- Community cohesion

Crofton Park

- Streetscape (litter, dog fouling, fly tipping, street furniture).
- Roads and pavement maintenance.
- Traffic and parking issues.
- Youth provision.
- Community cohesion.

Downham

- Crime and ASB
- Youth Provision
- The Environment
- Provision for the Elderly
- Adult Education

Evelyn

- Young people and children.
- Provision for older people.
- Community support on anti-social behaviour, crime and drug issues.
- Housing issues/developments.
- Community capacity building.

Forest Hill

- youth engagement and provision
- making Forest Hill more attractive
- community events and publicity

Grove Park

- Traffic congestion.
- Community communication.
- Neighbourhood security.
- Cleaner and better environment.
- More activities for the young and elderly

Ladywell

- Environment and landscape.
- Antisocial behaviour and crime.
- Local shops.
- Lack of youth and community facilities.
- Traffic.

Lee Green

- Safe healthy living – improving health services, crime reduction, improved environment, provision of outdoor spaces / exercise spaces, promote measures to reduce air pollution / promoting cleaner air.
- Roads and streets – road safety and traffic calming measures, road maintenance, cleaner streets, tree

planting, rubbish collection, improved road use, provision of cycling tracks, addressing parking and CPZ issues.

- Leisure and amenities – improved parks and open spaces, more meeting spaces / community centres, provision of cycling tracks, improved shops, Leegate, provision of more local events.
- Services and infrastructure – better social housing, provision of jobs locally, more services for the elderly and young people, increased use and access to local use for recreational activities, more school spaces.

Lewisham Central

- Improving health and well-being.
- Cleaner, better environment.
- Better access to activities and facilities for young people.
- Better access to training and employment for all inhabitants of the ward.
- Promoting and improving community cohesion.

New Cross

- Unemployment.
- Child poverty and young people.
- Community facilities.
- Environment.
- Community cohesion and engagement.
- Crime and antisocial behaviour.

Perry Vale

- The environment.
- Roads and traffic.
- Activities for younger people.
- Antisocial behaviour and crime.
- Activities for the whole community.

Rushey Green

- activities for children, young people or older people
- community cohesion (including the Rushey Green Festival)
- culture and the arts
- development of a Rushey Green Community Hub
- local streetscape, environment and ecology

Sydenham

- Bringing the community together – intergenerational and intercultural activities.
- Health, wellbeing and community safety – increasing wellbeing including supporting people who cannot get out as much.
- Vibrant high street.
- Clean and green – helping to keep Sydenham streets clean and appealing.
- Transport improvements

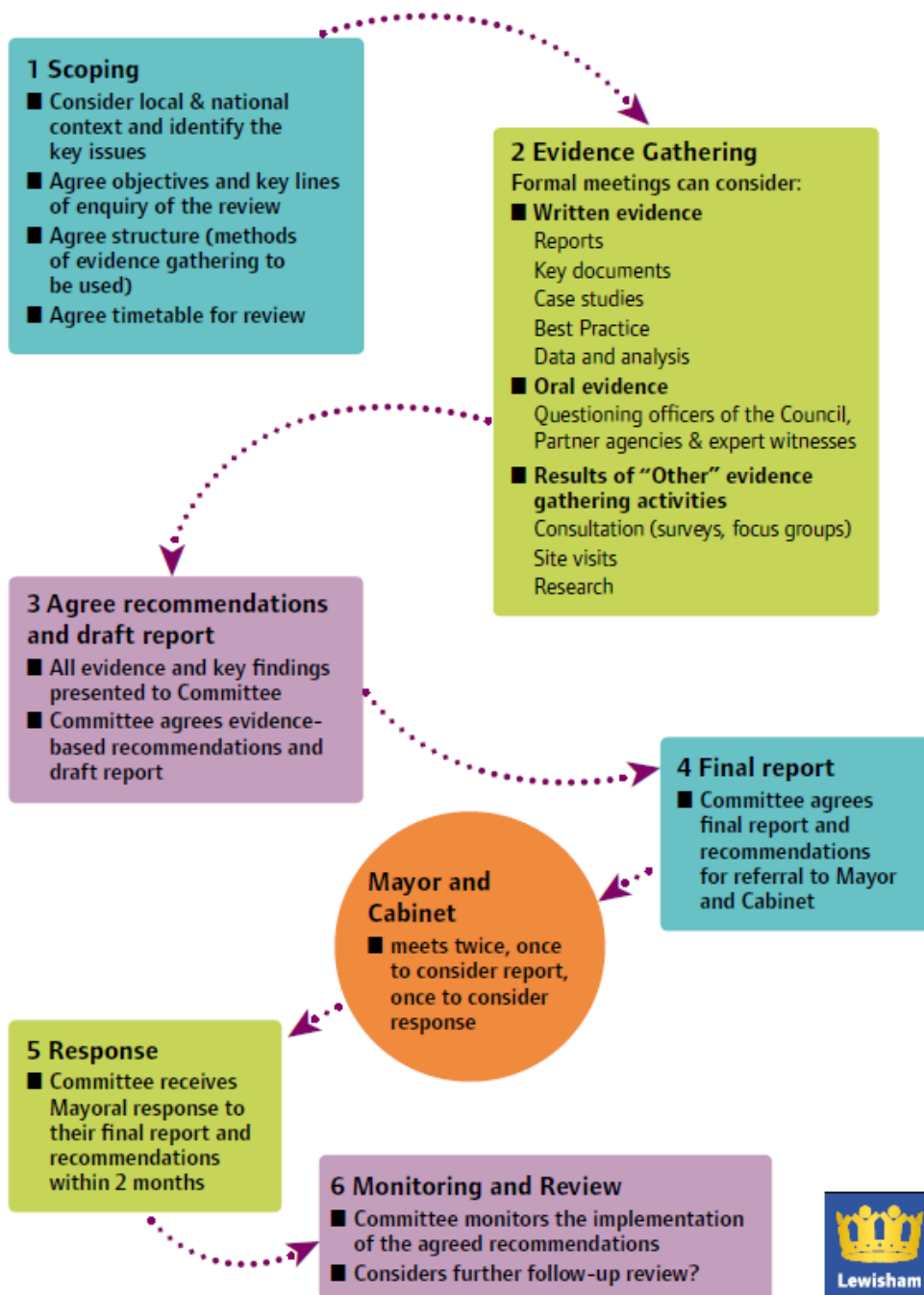
Telegraph Hill

- Safety, crime and antisocial behaviour.
- Youth activities and support projects.
- Traffic calming and transport.
- Community activities.
- Cleaning up dirty streets.

Whitefoot

- Crime and ASB
- Lack of Community Facilities
- Activities for Children and Young people
- Roads and Traffic
- Lack of Community Spirit

How to carry out an in-depth review



FORWARD PLAN OF KEY DECISIONS

Forward Plan April 2016 - July 2016

This Forward Plan sets out the key decisions the Council expects to take during the next four months.

Anyone wishing to make representations on a decision should submit them in writing as soon as possible to the relevant contact officer (shown as number (7) in the key overleaf). Any representations made less than 3 days before the meeting should be sent to Kevin Flaherty, the Local Democracy Officer, at the Council Offices or kevin.flaherty@lewisham.gov.uk. However the deadline will be 4pm on the working day prior to the meeting.

A "key decision"* means an executive decision which is likely to:

- (a) result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates;
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more wards.

December 2015	'A natural Renaissance for Lewisham (2015-2020)' The Borough's Biodiversity Action Plan.	23/03/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Rachel Onikosi, Cabinet Member Public Realm		
January 2016	Brasted Close Housing Development	23/03/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan,		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Cabinet Member Housing		
February 2016	Comprehensive Equalities Scheme	23/03/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Joan Millbank, Cabinet Member Third Sector & Community		
December 2015	Deferred Payment Agreement Arrangements Care Act 2014	23/03/16 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
February 2016	Disposal of Land at Corner of Deptford Church Street and Creekside	03/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
August 2015	Housing Allocations Policy	23/03/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
January 2016	Lewisham Homes Management Agreement	23/03/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
February 2016	OFSTED Inspection of Services	23/03/16	Sara Williams, Executive		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
	for Children in Need of Help and Protection, Children Looked After and Care Leavers and Lewisham Safeguarding Children Board OFSTED Action Plan	Mayor and Cabinet	Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
January 2016	Phoenix Homes Community Housing Development Agreement	23/03/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
February 2016	Contract Award for Community Nutrition and Physical Activity	23/03/16 Mayor and Cabinet (Contracts)	Sara Williams, Executive Director, Children and Young People and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
February 2016	Annual Pay Statement	30/03/16 Council	Andreas Ghosh, Head of Personnel & Development and Councillor Kevin Bonavia, Cabinet Member Resources		
January 2016	Catford Regeneration Partnership Ltd Business Plan 2016-17	30/03/16 Council	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
January 2016	Contract Variation and Single Tender Action for	05/04/16 Overview and	Kevin Sheehan, Executive Director for		

FORWARD PLAN – KEY DECISIONS					
Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
	PLACE/Ladywell	Scrutiny Business Panel	Customer Services and Councillor Damien Egan, Cabinet Member Housing		
February 2016	Contract Award for works to convert Hamilton Lodge to Hostel Accommodation	05/04/16 Overview and Scrutiny Business Panel	Janet Senior, Executive Director for Resources & Regeneration and Councillor Janet Daby, Cabinet Member Community Safety		
February 2016	2016 School Minor Works Contract	05/04/16 Overview and Scrutiny Education Business Panel	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
	LED Lighting Project Laurence House	05/04/16 Overview and Scrutiny Business Panel	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
February 2016	Annual Lettings Plan	04/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
January 2016	Beeson Street Scheme Approval and Proposed form of Investment partnership/procurement route	04/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
February 2016	Development Agreement with the Education Commission for the Archdiocese of Southwark	04/16 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
November 2015	Discharge into Private Rented Sector Policy	04/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
February 2016	Disposal of Saville Centre Lewisham High Street	04/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
January 2016	Miscellaneous Debts Write Off	04/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
June 2014	Surrey Canal Triangle (New Bermondsey) - Compulsory Purchase Order Resolution	05/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
January 2016	New Bermondsey Housing Zone Bid Update	06/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources &		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Regeneration and Councillor Alan Smith, Deputy Mayor		
May 2015	Formal Designation of Crystal Palace & Upper Norwood Neighbourhood Forum and Area	04/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
November 2015	Temporary Accommodation Procurement Strategy	04/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
February 2016	Health and Social Care Devolution Pilot	05/16 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
January 2016	Hostels/Private Sector Leased Service Transfer to Lewisham Homes	05/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
February 2016	Processing of Dry Recyclables Contract	05/16 Mayor and Cabinet (Contracts)	Kevin Sheehan, Executive Director for Customer Services and Councillor Rachel Onikosi, Cabinet Member Public Realm		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
	Lewisham Adoption Service Statement of Purpose and Children’s Guides	06/16 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
	Lewisham Fostering Service Statement of Purpose and Children’s Guides	06/16 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
February 2016	Contract Award Security	06/16 Mayor and Cabinet (Contracts)	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
February 2016	Contract Award Cleaning	07/16 Mayor and Cabinet (Contracts)	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
February 2016	Contract Award Planned and Preventative Maintenance	07/16 Mayor and Cabinet (Contracts)	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
	Campshill Road Extra Care	07/16	Kevin Sheehan,		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
	Scheme	Mayor and Cabinet	Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
February 2016	Insurance Renewal	09/16 Overview and Scrutiny Business Panel	Janet Senior, Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		

Sustainable Development Select Committee			
Report Title	Street lighting: variable lighting policy		
Key Decision	No	Item:	7
Ward	All		
Contributors	Asset Management Planning Manager	Date:	18 April 2016

1. Purpose

- 1.1 The purpose of this report is to provide the Sustainable Development Select Committee with an update on the Council's approach to variable lighting for street lighting.
- 1.2 The report is an opportunity to highlight issues on variable lighting and follows a discussion at the Committee's meeting on 30 June 2015 and a trial of variable lighting in a number of streets across the borough. Variable lighting is one of the reserved decisions under the Lewisham and Croydon Street Lighting Governance Agreement and the intention is that a variable lighting policy will be tabled at Mayor and Cabinet for agreement.

2. Recommendations

- 2.1 The Sustainable Development Select Committee is asked to note the contents of this report, and in particular:
 - The proposal at 5.15 to implement dimming of 50% in designated streets
 - The proposal at 5.16 to cut 20 minutes of lighting time per day
 - The draft variable lighting policy at Annex A

3. Policy Context

- 3.1 *Shaping our future*, Lewisham's Sustainable Community Strategy for 2008-2020, sets out a vision for Lewisham: 'Together, we will make Lewisham the best place in London to live, work and learn'. *Shaping our future* includes the following priority outcomes relevant to street lighting:
 - Safer – where people feel safe and live free from crime, antisocial behaviour and Abuse
 - Clean, green and liveable – where people live in high quality housing and can care for and enjoy their environment.
- 3.2 The Council also has ten corporate priorities which support delivery of the Sustainable Community Strategy. Street lighting is particularly relevant to three of these corporate priorities:
 - Clean, green and liveable – environmental management, cleanliness and care for roads, pavements and a sustainable environment.

- Safety, security and a visible presence – partnership working with the police and others to further reduce crime levels, and using Council powers to combat anti-social behaviour.
 - Inspiring efficiency, effectiveness and equity – ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community.
- 3.3 The Council's Strategic Asset Management Plan 2015-2020 describes the Council's approach to management of its assets, including street lighting. It includes four interlinked objectives:
- Compliance with regulation and responsiveness to risk.
 - Improving the quality of services delivered by the corporate asset function.
 - Reducing expenditure associated with the Council's assets.
 - Increasing the level of income generated by the Council's assets.

4. Lewisham and Croydon Street Lighting PFI

- 4.1 The Lewisham and Croydon Street Lighting PFI is a joint procurement project to replace the ageing street lighting stock of both London Boroughs. The aims of the project are:
- Improving efficiency, including energy savings and reduced carbon emissions;
 - Improving overall safety;
 - Providing a better living and working environment;
 - Providing value for money;
 - Improved street lighting standards;
 - Reduction in crime and the fear of crime; and
 - Supporting the night-time economy.
- 4.2 The project scope includes the replacement of approximately 17,500 Lewisham street lights over an initial 5-year Core Investment Programme, with an on-going 25-year responsibility for maintenance and repair. Works to replace Lewisham's street lighting stock were substantially complete in 2015.
- 4.3 Lewisham and Croydon Councils have put in place agreed governance and joint working arrangements for the project, with a Joint Committee to discharge on their behalf the functions set out in the Governance Agreement. Day to day operations are undertaken by a joint co-located Client Monitoring Team consisting of officers from each of the Authorities.
- 4.4 Decisions or actions which are not set out in the agreement as having been delegated to the Joint Committee are reserved for the Authorities themselves (Reserved Decisions). Variable lighting is one of the reserved decisions requiring specific agreement of Lewisham Council.
- 4.5 The Street Lighting PFI project includes the installation of a centrally managed control system (CMS) connected to each street light.
- 4.6 The CMS will enable:
- Energy consumption and performance data to be collected remotely;
 - Automatic fault reporting;
 - Lights to be switched off or on or the level of lighting to be adjusted remotely
- 4.7 The ability to vary lighting intensity and times creates an opportunity to reduce the cost of energy for street lighting, as well as associated carbon emissions. It is also an

opportunity to reduce the carbon emissions associated with energy consumption. Dimming lighting levels will also reduce light pollution levels and consequently may have potentially beneficial effects for biodiversity.

- 4.8 Energy savings applicable to changes in the dimming and/or switching regimes applied on the PFI contract are managed financially by the payment mechanism (Schedule 8 of the Contract). This works as follows:
- During procurement the Service Provider forecast energy for 25yrs, a calculation in the Payment Mechanism ensures that the Service Provider pays for all energy above that forecast.
 - If the actual consumption is below that forecast by the Service Provider then a calculation in the Payment Mechanism ensures that the Service Provider takes the first 5% and anything below that is shared by way of an annual reconciliation. This does not however apply to dimming and / or switch regime changes instructed by the Authority.
 - Another section in the Payment Mechanism ensures that energy savings from dimming and / or switch regime changes instructed by the Authority are retained by the Authority.
- 4.9 An alternative to the introduction of a variable light level policy would be significant capital investment in the recently developed LED lighting technology. This option has however been discounted because it would take approximately 5 to 7 years before any savings would be realised. This position is one that the joint client monitoring team will continue to monitor.

5. Proposed approach to variable lighting in Lewisham

- 5.1 Dimming and switching off street lighting are well established options for local authorities looking to make savings. Local authorities that have implemented a variable lighting policy include Blackpool MBC, Derby City Council, Wokingham MBC, Cornwall County Council, Northamptonshire County Council, Cambridgeshire County council and Birmingham City Council, and a number of other authorities are progressing plans to follow suit.
- 5.2 Any decision to reduce lighting levels needs to consider the potential impacts. Street lighting plays an important role in relation to crime prevention including the operation of CCTC, and well-lit streets are likely to reduce fear of crime. Street lighting is also relevant to traffic management and road safety. Lighting is also a factor in relation to promoting the night time economy for example in town centres.
- 5.3 Given these potential impacts fully switching off lights as opposed to dimming is considered outside the scope of this report, though proposals can be put forward if members request it.
- 5.4 The CMS system can be set at the level of individual lighting columns. It is therefore possible to deploy variable lighting that takes account of the characteristics of different areas. The CMS can be used to maximise the potential benefits of dimming while ensuring other objectives are not compromised. The CMS also means that light level changes can be implemented quickly, if necessary instantly, without the need to be physically present at the site.
- 5.5 The basic premise of the approach set out in this report is that the timing and degree of dimming should be determined by the requirements of the area the street light is

situated. This is to mitigate against any adverse impacts, while retaining the opportunity to reduce energy consumption.

- 5.6 Following the report to the Committee in June 2015 a trial of dimming took place from November 2015. The following 3 options were trialled in 3 residential streets in each ward:

Option 1		Option 2		Option 3	
Before midnight	After midnight	Before midnight	After midnight	Before midnight	After midnight
25% reduction	25% reduction	25% reduction	50% reduction	50% reduction	50% reduction

Table 1: three options for dimming

- 5.9 A list of streets involved in the trial is included in Annex B. No resident feedback has been received since the start of the trial. A similar trial has been conducted in Croydon and has also not generated any feedback.
- 5.10 The Client Monitoring Team working on behalf of both councils with Skanska has modelled the impact of applying the different options across the borough. As described above in 5.2-5.5 the proposed approach is based on adopting a different approach in areas depending on the nature of lighting requirements. The approach taken is set out below in table 2.

Highway type	Proposed dimming regime
Residential	Dimming applied from dusk to dawn
Town and district centres	Dimming applied from midnight
Link roads	Dimming applied from midnight
Strategic routes and main distributors	Dimming applied from 9pm
Secondary distributors	Dimming applied from dusk to dawn

Table 2: proposed approach across different highway types

- 5.11 The CMS allows pre-identified streets to be exempted from any dimming. It is proposed that officers in Regeneration and Asset Management division liaise with colleagues in crime reduction, road safety and highways to identify and monitor exemptions. The exemptions will focus on areas characterised in the list below. Where there are location-specific reasons identified for granting an exemption outside the scope of the list below these can be considered on a case-by-case basis. It is proposed that the initial list of exemptions is drawn up before dimming is applied. Changes to the list of exempted areas will be implemented on an ongoing basis and the list of exemptions reviewed on an annual basis by Regeneration and Asset Management division. Officers will also maintain details of 24 hour contacts at Skanska to allow lights to be switched to full intensity with immediate effect. Locations where exemptions will be applied include:
- Lights at major junctions/ roundabouts.
 - Outside schools.
 - In town centres where there is CCTV, high security businesses such as banks, and/or lots of people at night, for example near night clubs and train stations.
 - Areas where street lights are needed to reduce road accidents or where the Authority considers it has a specific duty of care.
 - Areas where there could be an increase in crime through reduced lighting, like pubs, clubs and specific night-time use in residential areas.
 - Areas where for operational reasons the police require the highest levels of lighting.
 - Remote alleys linking residential streets.

- Where there is sheltered housing for the elderly.

5.12 Table 3 sets out indicative financial benefits forecast for each of the options set out above.

	Energy reduction	Annual saving
Option 1	16%	95,000
Option 2	25%	£148,000
Option 3	32%	£190,000

Table 3: Estimated financial benefit by model

5.13 The above forecast includes the following assumptions:

- That dimming is operational for a full financial year
- That the price per kilowatt hour of energy saved is £0.09. Any increase in energy costs will increase the financial benefit of dimming lights, but will also erode any budget saving that might be considered.
- That a maximum of 20% of lights are given an exemption, where no dimming is implemented.
- Lewisham Council is not required to pay for allowances relating to street light energy consumption under the Carbon Reduction Commitment or successor carbon tax scheme.
- A trimming policy (see 5.16) has been implemented saving 2% from the street lighting energy bill.

5.14 It should be noted that the forecast annual saving does not automatically translate into a cashable saving. Although in the last 12 months electricity prices have fallen slightly the long-term trend is for rising prices. Implementing dimming should reduce pressures on already stretched budgets and it is recommended that following the introduction of dimming actual expenditure is monitored against the modelling of benefits forecast by the Client Monitoring Team.

5.15 Based on the results of the dimming trial and the forecast of savings across the three options it is proposed that the Council opts for option 3. This is in line with the approach under consideration in Croydon.

5.16 An additional energy saving of approximately 2% could be achieved by switching the lights on and off slightly later at dusk and dawn respectively (based on ambient light levels). This approach has historically been implemented by most local authorities in the UK by changing photo-cells at each lighting point, in Lewisham we can implement the change quickly via the CMS. It is proposed that we implement this as part of the wider policy on dimming.

6. Financial implications

6.1 There are no specific financial implications arising from this report, although a key purpose of any dimming policy would be designed to reduce the Council's exposure to rising energy costs associated with street lighting. In 2014/15 the cost of electricity for streetlights was £698,200. The forecast for 2015/16 is £650,000.

7. Legal implications

- 7.1 As the Highway Authority the Authority has a discretionary power under S.97 of the Highway Act 1980 to provide street lighting on roads for which it is responsible. However in exercising its powers as to the extent, nature, maintenance and operation of street lighting the Highway Authority must act reasonably and in the interests of road safety.
- 7.2 Case law suggests that a Highway Authority would not be negligent for accidents arising from a failure to light a highway unless an accident arises because the authority has failed to take reasonable steps to prevent a hazard it has placed or caused to be placed in or around the highway (for example signs, bus shelters, lighting columns) from becoming a danger to the public. It can therefore be concluded that it is within the Council's discretionary powers to modify the lighting levels on its streets.
- 7.3 Where the Highway Authority chooses to exercise its power to light a highway, BS EN 13201:2003 can be used as guidance for lighting class, or hours of operation. Consideration should be given to the implications of Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006) and the potential impact on lower light levels on crime and disorder. Consideration should also be given to the Council's equalities duties under the Equalities Act 2010.

8. Crime and disorder implications

- 8.1 The dimming of street lights has the potential to give rise to crime and disorder implications, and as noted above consideration must be given to the implications of Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006).
- 8.2 The views of Lewisham Police and the Council's Crime Reduction Service have been sought in developing the Council policy. Officers from the Crime Reduction Service have confirmed that there is recognition that a balance of efficiency and safety needs to be met and that the flexibility outlined in the report and exempt areas goes as far as possible to mitigate concerns whilst ensuring key potential crime hotspots are sufficiently supported by street lighting.

9. Equalities implications

- 9.1 The dimming of street lights has the potential to give rise to equality implications, particularly, in the context of the characteristics protected under the Equalities Act 2010, in relation to age, gender and disabilities. Paragraph 5.11 above identifies a range of street lights that could be exempted from any dimming and where concerns emerge about particular locations sites officers will be able to amend the instruction to Skanska for immediate implementation.

10. Environmental implications

- 10.1 The dimming of street lights has the potential to support environmental objectives for reducing carbon emissions. Dimming street lights may also have a positive impact on light pollution and therefore potentially has benefits for biodiversity.

11. Conclusion

- 11.1 The cost of electricity to run street lighting is approximately £650k a year, and energy costs are expected to continue to rise over the coming years. The new street lighting infrastructure installed under the joint Lewisham and Croydon private finance

initiative creates the potential to vary levels of street lighting using a central management system.

- 11.2 Estimates based on the Client Monitoring Team's modelling of dimming indicate that there is the potential to reduce energy consumption by up to 32% and this is something that a number of local authorities have already implemented. It is proposed that Lewisham implements the dimming policy set out in this report including a reduction in lighting of 50% in residential areas.

If there are any queries on this report please contact **Martin O'Brien, Asset Management Planning Manager**, 020 8314 6605.

Background Documents

10 March 2015 Street Lighting PFI Contract report to Public Accounts Committee
<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=123&MId=3442&Ver=4>

30 June 2015 Street lighting: variable lighting policy
<http://councilmeetings.lewisham.gov.uk/documents/s37215/06StreetLighting300615.pdf>

Annex A: Draft Variable Lighting Policy

1. The Variable Lighting Policy for Lewisham seeks to use the technology installed under the Lewisham and Croydon Street Lighting PFI to reduce the consumption of energy from street lighting without compromising objectives for crime reduction, safety and economic development.
2. It is proposed that street lights are dimmed by 50% as follows:

Highway type	Proposed dimming regime
Residential	Dimming applied from dusk to dawn
Town and district centres	Dimming applied from midnight
Link roads	Dimming applied from midnight
Strategic routes and main distributors	Dimming applied from 9pm
Secondary distributors	Dimming applied from dusk to dawn

3. Specific street lights and streets can be exempted from the variable lighting. The following criteria are proposed for these exemptions:
 - Lights at major junctions/ roundabouts.
 - Outside schools.
 - In town centres where there is CCTV, high security businesses such as banks, and/or lots of people at night, for example near night clubs and train stations.
 - Areas where street lights are needed to reduce road accidents or where the Authority considers it has a specific duty of care.
 - Areas where there could be an increase in crime through reduced lighting, like pubs, clubs and specific night-time use in residential areas.
 - Areas where for operational reasons the police require the highest levels of lighting.
 - Remote alleys linking residential streets.
 - Where there is sheltered housing for the elderly.
4. It will be possible to revert any street light to 100% lighting and key Council officers and other nominated organisations will be provided with contact details at Skanska providing a 24 hour response.
5. Implementation of the policy will be kept under review with an annual report to Sustainable Development Select Committee, or other committee as directed by Lewisham's Chair of Overview and Scrutiny.

Annex B: List of street included within the trial of dimming

<u>Bellingham</u>	No. Cols	
Winchfield Road	6	Dim 1
Hawkins Way	9	Dim 2
Otterden Street	7	Dim 3
<u>Blackheath</u>		
Oppenheim Road	7	Dim 1
Heathlee	8	Dim 2
Eliot Park	7	Dim 3
<u>Brockley</u>		
Millmark Grove	7	Dim 1
Alpha Road	6	Dim 2
Ashby Road	10	Dim 3
<u>Catford South</u>		
Hafton Road	10	Dim 1
Killearn Road	11	Dim 2
Ardoch Road	11	Dim 3
<u>Crofton Park</u>		
Whatman Road	7	Dim 1
Brockely View	9	Dim 2
Gabriel Street	10	Dim 3
<u>Downham</u>		
Belgravia Gardens	7	Dim 1
Camlan Road	6	Dim 2
Galahad Road	8	Dim 3
<u>Evelyn</u>		
Alloa Road	7	Dim 1
Arklow Road	9	Dim 2
Eugenia Road	9	Dim 3
<u>Forest Hill</u>		
Horniman Drive	18	Dim 1
Netherby Road	7	Dim 2
Plane Street	6	Dim 3
<u>Grove Park</u>		
Pennington Way	12	Dim 1
Luffman Road	8	Dim 2
Ashwater Road	8	Dim 3

Ladywell

Undercliff Road	8	Dim 1
Malyons Road	12	Dim 2
Veda Road	6	Dim 3

Lee Green

Pascoe Road	7	Dim 1
Murillo Road	8	Dim 2
Hedgley Street	5	Dim 3

Lewisham Central

Thornford Road	6	Dim 1
Elthruda Road	6	Dim 2
Longbridge Way	10	Dim 3

New Cross

Achilles Street	7	Dim 1
Mornington Road	8	Dim 2
Farrow Lane	8	Dim 3

Perry Vale

Carholme Road	8	Dim 1
Inglemere Road	10	Dim 2
De Frene Road	14	Dim 3

Rushey Green

Glenwood Road	6	Dim 1
Jutland Road	10	Dim 2
Blythe Hill Lane	9	Dim 3

Sydenham

Peak Hill	10	Dim 1
Bishopsthorpe Road	12	Dim 2
Sunnydene Street	6	Dim 3

Telegraph Hill

Brockill Crescent	11	Dim 1
Selden Road	7	Dim 2
Mantle Road	11	Dim 3

Whitefoot

Brockman Rose	11	Dim 1
Cranmore road	6	Dim 2
Cotton Hill	14	Dim 3