



AGENDA

MAYOR AND CABINET

**Date: WEDNESDAY, 7 SEPTEMBER 2016 at 6.00 pm,
or upon the rising of Mayor & Cabinet Contracts,
whichever is the later**

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

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MEMBERS

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

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Tuesday, 30 August 2016**



INVESTOR IN PEOPLE

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

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MAYOR & CABINET		
Report Title	Declarations of Interests	
Key Decision	No	Item No. 1
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: September 7 2016

Declaration of interests

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

1 Personal interests

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

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

2 Disclosable pecuniary interests are defined by regulation as:-

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

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

(6) Sensitive information

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

(7) Exempt categories

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

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

Agenda Item 2

MAYOR AND CABINET		
Report Title	Minutes	
Key Decision		Item No.2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: September 7 2016

Recommendation

It is recommended that the minutes of that part of the meeting of the Mayor and Cabinet which were open to the press and public, held on July 13 9 2016 (copy attached) be confirmed and signed as a correct record.

MINUTES OF THE MAYOR AND CABINET

Wednesday, 13 July 2016 at 6.00 pm

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

450. Declaration of Interests

The Mayor declared a prejudicial interest in the final recommendation of Item 13 as his wife was a Governor in that Federation and he withdrew from the meeting during consideration of that part of the item.

451. Minutes

RESOLVED that the minutes of the meeting held on June 29 2016 be confirmed and signed as a correct record.

452. Matters Raised by Scrutiny and other Constitutional Bodies

Matters referred by the Safer Stronger Communities Select Committee on the Lewisham Metropolitan Police Service update

Having considered an officer report, the Mayor:

RESOLVED that the comments and views of the Select Committee be received, and the Executive Director for Community Services be asked to prepare a response.

453. Outstanding Scrutiny Matters

The Mayor was informed there had been no slippage of items.

RESOLVED that the report be noted.

454. Financial Forecasts

Councillor Kevin Bonavia confirmed the forecast overspend was still £7.7m. Five areas of expenditure were highlighted as requiring particular attention, namely Children's Social Care, Strategic Housing, Fleet Vehicles, Adult Social Care, and Public Health.

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

RESOLVED that:

(1) the current financial forecasts for the year ending 31 March 2016 and the action being taken by the Executive Directors to manage down the forecasted year end overspend be noted; and

(2) the updated capital programme budgets be noted.

455. Medium Term Financial Strategy

Councillor Bonavia advised the Mayor the unknown repercussions of the nation's Brexit vote created wider uncertainty to an already bleak forecast.

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

RESOLVED that:

(1) the 2017/18 to 2019/20 Medium Term Financial Strategy be noted; and

(2) a further update be brought back as part of the savings and budget setting process to reflect any changes arising from the local government finance settlement.

456. Public Health Savings Consultation

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

RESOLVED that

(i) the consultation activity for preventative health services be approved following consideration by Healthier Communities Select Committee on 28 June 2016.

(ii) the consultation activity for health visiting and school nursing services be approved following consideration by Healthier Communities Select Committee on 28 June 2016;

(iii) the consultation activity for sexual health services be approved following consideration by Healthier Communities Select Committee on 28 June 2016.

(iv) the procurement activity for substance misuse services be approved following consideration by Healthier Communities Select Committee on 28 June 2016.

457. Library Savings Programme Update

The Mayor reported he had received a late submission from Councillor Paul Upex expressing full support for the recommendation concerning Forest Hill Library.

The Mayor was first addressed by Councillor Best who set the context of a library service forced to make £1m cuts. She then advised the Mayor that she was able to make positive recommendations about partners to run Forest Hill and Torridon libraries but that before proposals for Manor House Library could be considered, a further exercise was required. She further asked the Mayor to note the proposals for Catford Library with the deployment of two qualified library assistants.

The Mayor was next addressed by Mr Peter Richardson, Chair of the Friends of Manor House Library. He said major concerns still existed about the future of Manor House Library and that he was not surprised that the original proposals considered for the future of the library had not yielded any positive results. Mr Richardson raised a number of detailed questions about the future of Manor House Library and in response received an assurance from Cllr Best that there was no current intention to close Manor House Library and that any negative speculation to that effect was not helpful. The Executive Director for Community Service's representative confirmed that the next step would be a report to the Safer, Stronger Communities Select Committee in September.

The Mayor concluded by stressing his belief that libraries were important and highly regarded but were set in a context of a Council facing massive public spending reductions. He noted Forest Hill and Torridon Road were at different stages in the progress of a partnership but that he was happy to endorse both proposals. For Manor House Library he endorsed the further efforts that still needed to be made by Councillor Best and officers to find alternative interested parties.

The Mayor also referred to two referrals from the Safer, Stronger Communities Select Committee and asked the Executive Director for Community Services to prepare responses.

Having considered an officer report, and presentations by Mr Peter Richardson (Friends of Manor House Library) and by the Cabinet Member for Health, Well-Being & Older People, Councillor Chris Best, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) V22 be approved as the preferred partner for Forest Hill and authority be delegated to the Executive Director for Regeneration, in consultation with the Executive Director for Community Services and the Head of Law, to negotiate the terms of a lease for the Forest Hill Library building with V22 for a minimum term of 25 years at a nil rent to enable the provision of a community library in partnership with Lewisham Council;

(2) The Archibald Corbett Society working with the Corbett Residents Association be approved as the preferred partners for Torridon Road Library building and authority be delegated to the Executive Director for Community Services to negotiate the terms of a premises management agreement for an interim period whilst their business plan for the building is further developed in

order to be considered for a lease;

(3) Officers be instructed to carry out a further exercise, to identify a suitable partner organisation for Manor House Library and that interim arrangements for the management of the building be put in place, as described;

(4) an update on progress of the exercise for Manor House Library be reported to Safer Stronger Select Committee in September 2016 and the final outcome be reported back to Mayor and Cabinet for approval;

(5) the proposed arrangement for the provision of library services in Laurence House, Catford be noted;

(6) the Executive Director for Community Services be asked to prepare a response to the referral from the Safer Stronger Communities Select Committee on the Library Savings Programme Update; and

(7) the Executive Director for Community Services be asked to prepare a response to the referral from the Safer Stronger Communities Select Committee on DBS checks for library staff.

458. Phoenix Community Housing

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor, for the reasons set out in the report:

RESOLVED that:

(i) the rationale for allowing Phoenix Community Housing to retain Right to Buy receipts for sales in its stock in light of the changing housing context and to enable it to develop new affordable homes be noted;

(ii) the increase the number of new homes in the borough, and especially in the Bellingham, Downham and Whitefoot wards, and that the Council will have the right to nominate tenants to the new properties be noted;

(iii) the Council waives its right to any payments of Right to Buy receipts due to it under the Transfer Contract between the Council and Phoenix Community Housing from 1 April 2016, subject to any conditions agreed by the Council and Phoenix Community Housing.

(iv) authority be delegated to the Executive Director for Resources and Regeneration on the advice of the Head of Law to finalise the terms of the waiver.

459. Private Sector Leased Hostels transfer

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) the rationale for enabling Lewisham Homes to manage homeless hostels and the Private Sector Leased (PSL) portfolio be noted; and

(2) Lewisham Homes take over the management of the homeless hostels and the Private Sector Leased (PSL) portfolio on or after 1 September 2016.

460. Gypsy and Traveller Local Plan

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

RESOLVED that the final search parameters and site selection criteria be approved and the Council be recommended to do the same.

461. Local Authority Governor Nomination

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

RESOLVED that the following person be nominated to be a school governor:

Emilie Lemons

Torridon Junior

462. Federations revisions to instruments of government

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

RESOLVED that:

(1) the Instrument of Government for the federation of schools identified below be made by Local Authority order dated 13 July 2016.

The Brindishe Federation

The Eliot Bank and Gordonbrock Primary Schools Federation

Grinling Gibbons and Lucas Vale Federation

Having declared a prejudicial interest relating to the Oakbridge Federation, the Mayor withdrew from the meeting during consideration of the final item and Councillor Smith assumed the Chair. The Cabinet, in the absence of the Mayor;

RESOLVED that an Instrument of Government for the federation of schools identified below be made by Local Authority order dated 13 July 2016.

The Oakbridge Federation

463. Council Tax Reduction Scheme

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

RESOLVED that:

- (1) consultation takes place on a local CTRS for 2017/18 that passes on a cut in government funding to working age claimants;
- (2) consultation takes place on introducing a means test for applicants of working-age who receive UC in addition to their earnings. This will maintain the current position where all those with earnings are means tested;
- (3) there be a continuation of the provision of discretionary support in cases of exceptional hardship using Section 13(A) of the LGFA (2012).

464. Besson Street Re-development

In her capacity as a Ward Member, Councillor Joan Millbank welcomed the scheme which she believed would address a need that was not otherwise being addressed.

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (1) the process carried to date be noted;
- (2) the Council pursue the scheme for Besson Street, to deliver around 230 homes for private rent with 35% at “living rent” levels through partnership with a joint venture partner;
- (3) the Strategic case for this approach be approved;
- (4) the appropriation of the Council owned land shown hatched black in an attached plan 1, from housing purposes to planning purposes be approved under Section 122 of the Local Government Act 1972 as set out in section 10;
- (5) Officers investigate future sites for further delivery; and
- (6) the position and work carried out to date on the Achilles Street estate be noted.

465. Response to SSCSC referral on Crime Enforcement and Regulation

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

the Mayor:

RESOLVED that the proposed response to the comments and views of the Select Committee as set out be approved and reported to the Select Committee.

466. SDSC Referral - Lewisham Cyclist Cycling Strategy

Having considered an officer report, the Mayor:

RESOLVED that the comments and views of the Select Committee be received, and the Executive Director for Resources and Regeneration be asked to prepare a response.

467. SDSC Referral - Catford review interim report

Having considered an officer report, the Mayor:

RESOLVED that the comments and views of the Select Committee be received, and the Executive Director for Resources and Regeneration be asked to prepare a response.

468. Exclusion of Press and Public

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

20. Beeson Street Re-development Part 2

21. Campshill Road Extra Care Scheme

469. Besson Street Re-development Part 2

Having considered a confidential officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) the rationale for pursuing a joint venture approach to housing development be noted;

(2) the likely outline financial arrangements for the scheme be noted;

(3) officers commence a process to select an investment partner with whom to form that LLP, and to finalise with that partner the proposed detailed terms of the partnership;

(4) authority to select the shortlist of potential bidders be delegated to the Executive Director of Resources and Regeneration;

(5) authority to negotiate a variant to the proposed preferred 50:50 Joint Venture model be delegated to the Executive Director of Resources and Regeneration;

(6) the final proposal negotiated through this exercise be subject to final approval from Mayor and Cabinet, and that this is likely to be sought in early 2017;

(7) the position with the New Cross Gate Trust be noted and the key aspects of the Heads of Terms as set out be approved;

(8) delegated authority be given the Executive Director for Resources and Regeneration to enter into further negotiations with the New Cross Gate Trust.

(9) an additional stated capital programme budget be approved in order to fund the additional tasks that will be required throughout the procurement process, until the point of returning to Mayor and Cabinet in early 2017.

470. Campshill Road Extra Care Scheme

Having considered a confidential officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) the original rationale for delivering extra care housing at Campshill Road be noted;

(2) the selected partner, Notting Hill's, withdrawal of interest in the scheme owing to changes in legislation and funding available for supported housing be noted;

(3) from on-going discussions with partners about housing for older people an alternative model for delivering the scheme has been proposed by One Housing Group;

(4) the valuation advice be noted;

(5) the Council disposes of the site shown edged in red on an attached plan to One Housing on a 250 year leasehold basis for a stated premium; and

(6) authority be delegated to the Executive Director for Resources and Regeneration, in consultation with the Executive Director for Customer

Services and the Head of Law, to negotiate and agree the final terms of the documentation for the disposal.

The meeting closed at 7.30pm

Agenda Item 3

MAYOR & CABINET		
Report Title	Outstanding Scrutiny Matters	
Key Decision	No	Item No. 3
Ward	n/a	
Contributors	Head of Business and Committee	
Class	Part 1	Date: 7 September 2016

1. Purpose of Report

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

2. Recommendation

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

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Safer, Stronger, Communities Select Committee - Poverty Review	ED Resources & Regeneration	1 June 2016	7 September 2016	No
Sustainable Development Select Committee – Street Lighting Variable Lighting Policy	ED Resources & Regeneration	1 June 2016	7 September 2016	No
Sustainable Development Select Committee – Catford Regeneration	ED Resources & Regeneration	1 June 2016	7 September 2016	No
Children and Young People Select Committee -	ED Children & Young People	29 June 2016	28 September 2016	No

Information Advice and Guidance Review				
Sustainable Development Select Committee - Lewisham Cyclists' Cycling Strategy.	ED Resources & Regeneration	13 July 2016	19 October 2016	No
Sustainable Development Select Committee - Catford Review Interim report and Creative Lewisham 2001 report.	ED Resources & Regeneration	13 July 2016	19 October 2016	No
Safer Stronger Communities Select Committee on the Lewisham Metropolitan Police Service update.	ED Community	13 July 2016	19 October 2016	No
Safer Stronger Communities Select Committee on the Library Savings Programme Update;	ED Community	13 July 2016	19 October 2016	No
Safer Stronger Communities Select Committee on DBS checks for library staff.	ED Community	13 July 2016	19 October 2016	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 1 and 29 June and 13 July 2016 available from Kevin Flaherty 0208 3149327.

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

Agenda Item 4

MAYOR & CABINET		
Report Title	New Bermondsey (Formerly Surrey Canal Triangle)– Proposed Compulsory Purchase Order	
Key Decision	Yes	Item No.
Ward	New Cross	
Contributors	Executive Director for Resources and Regeneration, Head of Planning and Head of Law	
Class	Part 1	Date: 7 September 2016

1.0. Introduction

- 1.1 This Report updates Mayor and Cabinet on the progress of the New Bermondsey (formerly Surrey Canal Triangle) regeneration project by the Council and the developer, Renewal Group Limited, and the current land assembly position and asks the Mayor to agree a number of recommendations relating to the acquisition of the land interests required to enable the New Bermondsey re-development to proceed. For the purposes of this report, the developer is referred to throughout as “Renewal”. References to the Site are to the New Bermondsey site which is shown edged red on the plan annexed to this report and marked ‘Site Plan’.
- 1.2 This Report concerns the prospective use of compulsory purchase powers to assist with completion of the land assembly and acquisition of rights required to deliver the New Bermondsey scheme. A Report recommending that a compulsory purchase order (**CPO**) be made was on the Agenda for the Mayor and Cabinet meeting on 17 February 2016, but that Report was withdrawn due to last minute representations regarding an owner/occupier within the Site and the nature of her occupation, a matter which Officers considered required investigation. Officers have had regard to the issues raised in those representations and other representations received prior to the meeting on 17 February 2016 and those issues are addressed in this Report
- 1.3 At the Mayor and Cabinet meeting on 17 February 2016, Councillor Best (Chair for the agenda item) expressed a wish for urgent discussions to take place between Renewal and Millwall Football Club to see if their differences over the proposals could be resolved. An update on those discussions is also included in this Report.

2.0. Purpose of this Report

- 2.1 In addition to updating Mayor and Cabinet on progress with the New Bermondsey scheme, this Report seeks the Mayor's approval for the Council to use its

compulsory purchase powers under Section 226(1)(a) of the Town and Country Planning Act 1990 (1990 Act) and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to enable land assembly and acquisition of new rights so as to facilitate the comprehensive re-development of the New Bermondsey site (**the Scheme**) and in turn contribute to the wider regeneration of the Deptford/New Cross Area as supported by the Council's Core Strategy and other applicable policy. The land and rights proposed to be acquired are described in Section 6 of this Report.

- 2.2 This Report further seeks the Mayor's approval to the acquisition by the Council for planning purposes of Renewal's freehold interest (both its existing freehold and any freehold interest that Renewal may subsequently acquire by private treaty) in Phases 1A, 1B, 2 and 3 of the Site and the grant of a lease of that land to Renewal with an option for Renewal to then repurchase the freehold. The purpose of this arrangement is to facilitate the comprehensive re-development of the Site by ensuring that third party rights do not impede the carrying out of the development. Further details are provided in Section 8 of this Report. Consequential upon this proposed arrangement, a variation to the existing CPO Indemnity Agreement is proposed which is also addressed in Section 8 of this Report.
- 2.3 A draft Statement of Reasons ("draft SoR") for making the proposed CPO is attached to this Report at **Appendix 1**. Although the Statement of Reasons is non-statutory, it is an important document and if the CPO is made, it will be served on owners, lessees/tenants and occupiers with the relevant statutory notices of making of the CPO. The draft SoR has been prepared in accordance with the Government's Guidance on Compulsory Purchase process published in October 2015 (CPO Guidance) which replaces the previous advice in Circular 06/04. Should the Mayor resolve to proceed with the CPO, the draft SoR will be finalised to reflect matters as at the time the CPO is made and this is reflected in the delegation sought for the Executive Director of Resources and Regeneration.
- 2.4 This Report and the attached draft SoR describe the factors which are relevant to any decision on compulsory purchase, including the applicable planning policy framework for the Scheme, matters relevant to deliverability of the Scheme within a reasonable timeframe, its impact on affected land owners and occupiers and whether the proposals could be achieved by other means. It includes matters for the Mayor's consideration in relation to the Council's public sector equality duty and the implications for the Human Rights of third parties. It addresses the overall question of whether there is a compelling case in the public interest for compulsory acquisition.
- 2.5 References are made to the draft SoR throughout this Report, but Mayor and Cabinet are referred to the attached draft SoR generally and should read that alongside the content of this Report.

3.0. Policy Context

- 3.1 The applicable Planning Policy framework for the Scheme is set out in Section 4 of the draft SoR and is discussed further below. Also relevant are the Council's

regeneration and community strategies, as well as its Corporate priorities and asset management policies.

- 3.2 'People, prosperity, place', Lewisham's regeneration strategy 2008-2020, sets out the Council's aspiration for a vibrant, dynamic Lewisham focussed around the themes of people - investing in the individuals and communities which are Lewisham's greatest asset - prosperity - fostering the skills and economic opportunities for Lewisham to flourish and thrive - and place - developing high quality public spaces, sustainable buildings and protecting the areas which are sensitive to change. The strategy identifies the Site as a strategic site with the Borough. The strategy is also placed within the framework of the key national and regional policies which affect the Council's work around regeneration of the Borough, including the Mayor of London's London Plan Consolidated with Alterations Since 2011(March 2016) (**London Plan**).
- 3.3 'Shaping our future', Lewisham's Sustainable Community Strategy 2008 - 2020, includes the 'Dynamic and Prosperous' theme, where people are part of vibrant communities and town centres, well connected to London and beyond. It details the Local Strategic Partnership's commitment to 'improving the quality and vitality of Lewisham's town centres and localities', and aspirations to 'support the growth and development of our town centres by working with commercial partners and developers', and 'maximise the use of our town centres as places to engage the local community'.
- 3.4 'Shaping our future' identifies 'Active healthy citizens as a key priority – where the Council are committed to ensuring that people can actively participate in maintaining and improving their health and well-being, supported by high quality health and care services, leisure, culture and recreational activities'.
- 3.5 Strengthening the local economy is a corporate priority, emphasising the importance of 'gaining resources to regenerate key localities, strengthen employment skills and promote public transport'.
- 3.6 The Council's Asset Management Plan sets out the approach to using property effectively in order to achieve the Council's objective of making Lewisham the best place in London to live, work and learn. It acknowledges that the Council's assets have a key role to play in supporting the Borough's regeneration aims.
- 3.7 The Council's Local Development Framework sets the vision, objectives, strategy and policies that will guide development and regeneration in the Borough up to 2025. The Lewisham Core Strategy, the Lewisham Development Management Local Plan, the Lewisham Site Allocations Local Plan and the Lewisham Town Centre Local Plan, together with the London Plan form the statutory development plan for the Borough.

4.0. Recommendations

- 4.1 The Mayor is recommended to:

- (a) agree that, as set out in this Report at Section 7, the pre-conditions for compulsory purchase set by Mayor & Cabinet on 7th March 2012 have been met.
- (b) resolve to make a Compulsory Purchase Order pursuant to powers under Section 226(1)(a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (in accordance with the procedures in the Acquisition of Land Act 1981) for:
 - i) the acquisition of the land shown coloured pink on the plan attached to this Report at **Appendix 2**, save for the interests of the Council, Renewal and persons with the benefit of rights of light; and
 - ii) the acquisition of new rights over the land shown coloured blue on the plan attached to this Report at **Appendix 2**

for the purpose of facilitating the comprehensive redevelopment, development and improvement of the Site to provide a mixed use residential-led scheme.
- (c) grant delegated authority to the Executive Director for Resources and Regeneration in consultation with the Head of Law:
 - i) subject to a satisfactory Deposit or satisfactory alternative security being provided by Renewal pursuant to the CPO Indemnity Agreement dated 20 December 2013, to take all necessary and appropriate steps to secure the making, confirmation and implementation of the Compulsory Purchase Order (**CPO**) including the publication and service of all notices and promotion of the Council's case at any Public Inquiry, including but not limited to the steps described below;
 - ii) to carry out any further or additional land referencing as may be considered appropriate, including service of requisitions for information pursuant to Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 or Section 330 of the Town and Country Planning Act 1990;
 - iii) to make any amendments, deletions, or additions to the draft Order Map and/or draft Schedules to the CPO so as to include and describe all interests in land and rights required to facilitate the carrying out of the Scheme;
 - iv) to make such changes as may be considered necessary or appropriate to the draft Statement of Reasons prior to publication;
 - v) to acquire interests and new rights in the Order Land either by agreement or compulsorily (including pursuant to any blight or purchase notices) and dispose of the same to Renewal;
 - vi) to negotiate, agree terms and enter into agreements with interested parties, including agreements for the withdrawal of blight or purchase notices and/or objections to the CPO and/or undertakings not to enforce the CPO on specified terms, including where appropriate seeking the exclusion of land or rights from the CPO;

- vii) in the event that the Secretary of State notifies the Council that it has been given the power to confirm the CPO to confirm the CPO if the Executive Director for Resources and Regeneration, in consultation with the Head of Law, is satisfied that it is appropriate to do so;
 - viii) in the event the CPO is confirmed by the Secretary of State (or by the Council if given the power to do so), to complete all necessary statutory procedures and to take steps to implement the CPO, including by way of General Vesting Declaration and/or Notice to Treat/Notice of Entry;
 - ix) to take all steps in relation to any legal proceedings relating to the CPO, including defending or settling claims referred to the Upper Tribunal (Lands Chamber) and/or applications made to the courts and any appeals;
 - x) to retain and/or appoint external professional advisers and consultants to assist in facilitating the promotion, confirmation and implementation of the CPO, the settlement of compensation and any other claims or disputes;
 - xi) to take all such other steps as may be considered necessary or appropriate to acquire all interests and rights required for the Scheme (whether by agreement or CPO) and to dispose of the same to Renewal.
- (d) agree the acquisition by the Council for planning purposes pursuant to Section 227 of the Town and Country Planning Act 1990 of Renewal's freehold interest (both its existing freehold and any freehold interest that Renewal may subsequently acquire by private treaty) in land within Phases 1A, 1B, 2 and 3 as shown shaded grey on the plan attached to this Report at **Appendix 3** and the grant of a lease of that land to Renewal (with an option for Renewal to repurchase the freehold interest) on the terms set out in the Heads of Terms attached to this Report at **Appendix 4**, including any variation thereto as the Executive Director for Resources and Regeneration, in consultation with the Head of Law, may consider appropriate;
- (e) agree the variation of the CPO Indemnity Agreement of 20th December 2013 to ensure the agreement provides for the Council to be indemnified by Renewal in respect of all compensation and other costs arising in respect of any interference with rights affecting the land acquired by the Council and leased back to Renewal as provided for in recommendation (d) above.

5.0. Background

- 5.1 Renewal has been assembling the Site since 2004 with a view to its re-development. Renewal promoted the Site through the development plan process leading to the adoption of the Council's Core Strategy in 2011.

- 5.2 In January 2011, Renewal (through its subsidiary, Renewal New Bermondsey Two Limited) submitted an application for planning permission for comprehensive mixed use residential led re-development of the Site.
- 5.3 In March 2012, a report was presented to Mayor and Cabinet regarding in principle support for the use of CPO powers to assist with land assembly for the Scheme. The Mayor resolved in principle to use such powers, subject to certain pre-conditions being satisfied which are addressed in this Report.
- 5.4 On 30 March 2012, the Council granted outline planning permission (Outline Planning Permission) for the comprehensive phased, mixed-use development of the Site. The Outline Planning Permission permits the development of the Site based upon a set of planning parameters that would enable detailed proposals to come forward for the following:

The comprehensive, phased, mixed use development of the site for up to 240,000 square metres (Gross External Area) of development comprising Class A1/A2 (Shops and Financial and Professional Services) up to 3,000 square metres, Class A3/A4 (Cafes/Restaurants and Drinking Establishments) up to 3,000 square metres, Class A5 (Hot Food Takeaways) up to 300 square metres, Class B1 (Business) between 10,000 -15,000 square metres, Class C1 (Hotels) up to 10,000 square metres, Class C3 (Dwelling Houses) between 150,000 - 190,000 square metres (up to 2,400 homes of different sizes and types), Class D1 (Non-residential Institutions) between 400 - 10,000 square metres, Class D2 (Leisure and Assembly) between 4,260 - 15,800 square metres, involving the demolition of all existing buildings on the site with the exception of the Millwall FC Stadium (which is to be retained and its façade upgraded and /or re-clad), Plot Excelsior 2 – Guild House (which is to be retained and extended), and Plot Excelsior 5 – Rollins House (which is to be retained, but not altered or extended as part of the planning application); the demolition and replacement of the existing Millwall FC grounds-person’s store of approximately 140 sqm; redevelopment to provide a series of new buildings (including roof top and basement plant); re-profiling of site levels; alterations to Surrey Canal road and the re-alignment of the Bolina Road; new streets and other means of access and circulation, including pedestrian/cycle paths, carriageways and servicing areas; areas for parking for emergency services vehicles and outside broadcast units; external areas of land and soft landscaping and publicly accessible open space; car and coach parking areas and accesses to them; cycle storage; and, supporting infrastructure works and facilities including sub-stations, energy centre(s), District Heating Network (DHN) connections to and between each plot, the proposed energy centre and the adjoining South East London Combined Heat and Power (SELCHP) plant (to the extent to which they lie within the Planning Application Boundary) and an ENVAC waste storage and handling system (including DNH and ENVAC connections to plots south of Surrey Canal Road under the carriageway of Surrey Canal Road, as altered). Further details of the March 2012 outline consent are contained within Section 4 of the draft SoR.

- 5.5 The parameter plans approved for the purpose of the Outline Planning Permission provide for an increase in the crowd capacity of The Den from 20,146 to 26,500 should MFC secure promotion to the Premier League and require a larger

Stadium. The Outline Planning Permission was also subject to a Section 106 Agreement entered into on the same date and making provision as follows:

- Re-cladding of the MFC Stadium
- Provision of car parking spaces to be used by MFC both on event and non-event days
- Relocation of Millwall FC memorial garden and grounds keeps store
- Relocation of Millwall Community Scheme to a replacement facility
- Re-provision of coach parking spaces to be used by MFC on event days
- An increase sustainable accessibility to the Stadium by providing the proposed pedestrian link to South Bermondsey Station,
- Facilitation of the provision of a new Surrey Canal Road Station
- Improved connectivity with the surrounding area for pedestrians and cyclists
- Provision of a new bus terminus
- Delivery of new sports facilities
- Delivery of a multi faith centre
- Provision of not less than 12% affordable housing (by habitable room)
- Entering into of a CPO Indemnity Agreement with the Council
- Contribution towards the provision of additional school places in the area
- Contribution to improvements to Bridge House Meadows
- Provision of a creative industries hub
- Installation of ENVAC waste system

5.6 In October 2013, Renewal submitted an application pursuant to Section 73 of the 1990 Act to vary conditions on the Outline Planning Permission to reconfigure some of the uses within the Scheme, but the overall quantum of floorspace across the Site as a whole remained the same and the Section 73 application did not fundamentally change the nature or scale of the previously consented development. The revised proposals include providing the bulk of the sports facilities in a single building on Timber Wharf (Phase 2).

5.7 On 18 December 2015, the Council granted permission pursuant to the Section 73 application (**S73 Permission**). The S73 Permission is subject to a Section 106 Agreement which was completed on the same date and which includes (with appropriate variations) similar obligations to those contained in the S106 Agreement of 2012 and applies those obligations to the development under the S73 Permission.

5.8 On 20 December 2013, the Council entered into a conditional land sale agreement with Renewal relating to the disposal of the Council's freehold interest in the land leased to Millwall Football Club (**MFC**) (excluding the Stadium itself) and in the Lion's Centre, the latter being leased to Millwall Community Scheme (**MCS**). Further details of the agreement are provided below. On the same date, the Council entered into a CPO Indemnity Agreement which addresses the land assembly required for the Scheme and provides for Renewal to cover the costs of the process (including by way of CPO, should the Council decide to exercise its powers – it is under no obligation to do so).

- 5.9 Within the boundary of the land encompassed by the Outline Planning Permission and the S73 Permission is a property known as Rollins House. 'Rollins House' includes Rollins House itself and Unit 12 Excelsior Works. Both planning permissions refer to Rollins House being retained unaltered. In July 2014, Renewal submitted an application to redevelop the Rollins House site as part of the wider Scheme. A decision on that application was deferred twice by Strategic Planning Committee (SPC). In the event, the application was withdrawn by Renewal in June this year and the land forming the Rollins House site does not form part of this Report.

Scheme progress since March 2012

- 5.10 Following the grant of the Outline Planning Permission, in addition to continuing its efforts to assemble the Site, Renewal has focused on securing occupiers for the commercial spaces in the first three phases of development - Phases 1A, 2 and 1B.

- (a) Phase 1A: Hillsong church is currently in detailed discussions with Renewal over the terms for delivery and occupation of the permanent faith building within this phase. As part of their commitment to being in the Scheme, in 2013 Hillsong created a 3,000 sq m temporary home in a warehouse on the Site at Stockholm Road and have established a 2,600 person monthly congregation amongst the local community. It is envisaged that detailed design work for the permanent faith building and the remainder of Phase 1A will commence in quarter 1 2017 and estimated that construction work will start in quarter 2 2018 and will be completed by quarter 1 2020. The Scheme will not be progressed unless the land assembly is complete and this timetable assumes a confirmed CPO is in place by the end of 2017.
- (b) Phase 2: The re-development proposals include a 15,000 sq m sports facility, called Energize, which will be the largest indoor community multi sports complex in London since Crystal Palace was built in the 1960s. The Surrey Canal Sports Foundation Ltd (SCSF) was established in 2010 as a charitable trust, independent of Renewal, to oversee the fund raising of the required £40m for delivery of Energize and to ensure its long-term availability to the community at local authority rates.

So far the SCSF has received a pledge of the land from Renewal, valued at £10 million (as at 2011), along with in principle pledges of £2 m from Sport England and £500,000 from the Council. In July 2014, the SCSF formed a partnership with OnSide, a charity which has created a network of youth centres primarily in northwest England at a cost of £5 - £6 million each. OnSide is seeking to open several Youth Zones in London and would like to incorporate a Youth Zone within the fabric of Energize. The SCSF is also in the early stages of similar discussions with Greenhouse Sports who provide sports coaching in deprived areas, with a view to them having a permanent home in Energize. Both of these organisations would make capital contributions to the building and whilst the amount of space they require is still being finalised, their involvement would bring the pledges for Energize up to the region of £23.5m. Once confirmed, this amount would be enough to trigger detailed designs for the building and a reserved

matters planning application, which in turn would aid the fundraising of the remaining capital.

In order to facilitate sport in the local community today, in 2013 the SCSF leased 2,200 sq m on-site at Stockholm Road to London Thunder Basketball Club (formerly known as Lewisham Thunder Basketball Club) and Fusion Table Tennis Clubs in which they have created a new home complete with two basketball courts, 16 table tennis tables, changing and classroom space and spectator seating. Renewal advise that this sports facility currently attracts c. 2,800 visits a month.

It is envisaged that detailed design work for Phase 2 will commence in quarter 1 2017 and estimated that construction work will start in quarter 2 2018 and that Phase 2 will be completed by 2020. Again, this timetable assumes a confirmed CPO is required in order to complete the land assembly and that this is achieved by the end of 2017.

- (c) Phase 1B: With its close proximity to the new Overground station which will allow quick travel times between the creative hubs around Old Street and Shoreditch, Phase 1B is proposed for a mix of creative industries centred around a significant public square. As with the other phases, Renewal is looking for an established occupier to operate this phase and preliminary discussions have commenced with a number of established creative organisations. Renewal remains confident of securing a significant creative business to this phase once New Bermondsey station is formally announced by Transport for London.
- 5.11 On 20th February 2015, the Mayor of London and the Chancellor of the Exchequer announced that the Site had been designated as one of the first of the Mayor of London's Housing Zones. Housing Zone status has been awarded to areas identified as key opportunity sites, to maximise development, fast track homes and deliver much-needed infrastructure to boost development. As one of the first Housing Zones, the Site is recognised as a key development in London and is one of the few regeneration projects that has the capacity to deliver homes for Londoners faster by accelerating the development programme.
- 5.12 Following the Housing Zone designation, the GLA has allocated in principle funding of £20 million towards delivery of key infrastructure associated with the Scheme, including the new Overground Station at Surrey Canal Road. The GLA initially proposed that the allocated sum would be advanced to Renewal as loan funding. In a revised approach, however, the GLA now proposes that a grant agreement (known as a Borough Intervention Agreement) is entered into between the Council and the GLA whereby the GLA will provide grant funding of c. £12 million which will be passed by the Council to TfL with a requirement that TfL deliver the new Overground Station at Surrey Canal Road and open it within a set period. The balance of the £20 million allocation will remain available for Renewal to take up through a second intervention, following due diligence and subject to contract (and therefore the current financial modelling does not take this into account at this stage). A clear benefit of this approach is that as the new station will now be grant funded, this enables the sum which would otherwise be paid by Renewal towards the new station to be applied to the provision of additional affordable housing within the Scheme. Thus, not only will the GLA's current

funding approach allow early delivery of the station and development of the first two phases of the Scheme (Phases 1A and 2) to proceed ahead of schedule delivering 532 new homes, it will also secure delivery of more additional affordable homes than were originally to be provided within the Scheme.

- 5.13 A programme of regular monitoring meetings will be agreed between the GLA, Renewal and the Council to focus on accelerated delivery and delivery of the new station and additional affordable housing.

6.0. Land and rights to be included in the Compulsory Purchase Order

- 6.1 The boundary of the proposed Order Land is shown outlined red on the plan attached to this Report at **Appendix 2 (CPO Resolution Plan)**, with the land to be acquired shaded pink and the land in respect of which new rights are to be acquired shaded blue.

- 6.2 It should be noted that whilst much of the Site is shaded pink on the CPO Resolution Plan, this area includes interests already held/controlled by Renewal and the Council and the CPO would not include those interests. It would also exclude any rights of light which it is proposed should be addressed in the manner set out in Section 8 of this Report.

- 6.3 The land already owned/controlled by Renewal is identified on the plan attached to this Report at **Appendix 5**. The Council owns the freehold interest in the Millwall FC Stadium which is leased to MFC and the Lion's Centre which is leased to MCS, together with other small surplus areas of land transferred back to the Council by Rail for London (**RfL**) following completion of the East London Line extension. The land around the Stadium, MCS's interest and the RfL surplus areas are subject to the conditional Land Sale Agreement entered into between the Council and Renewal in December 2013 providing for disposal to Renewal of the Council's freehold interest.

- 6.4 The freehold and leasehold interests proposed to be included in the CPO are listed in the Table attached to this Report at **Appendix 6**. Column 1 within the Table includes a plan reference and the relevant plans are included within Appendix 6. Also included within Appendix 6 is a plan identifying the third party interests to be acquired. As indicated in the Table at Appendix 6, as at the time of preparing this Report, 22 freehold and leasehold interests remain to be acquired as follows:

- **Phase 1A:** Four interests are outstanding comprising one freehold and three leasehold interests, all in respect of industrial units. Three of the four outstanding interests are minor interests where Renewal already owns a substantive long leasehold interest.
- **Phase 1B:** Five interests are outstanding, all of which are freehold interests. Three of the five interests are industrial units and two are live-work units, of which only one (Unit 17 Excelsior Works) is currently occupied; the other (Unit 18 Excelsior Works) is understood to be currently unoccupied.

- **Phase 4:** One leasehold interest is outstanding, comprising the Millwall Football Club car park and Stadium surrounds.
- **Phase 5:** Nine interests are outstanding comprising seven freehold and two leasehold interests, all in respect of industrial units.
- **Phase 5A:** Two leasehold interests are outstanding, comprising the Millwall Community Scheme sports complex, together with the apparatus of a telecommunications operator.

In addition to the above, freehold parcels of land are to be acquired from Network Rail in Phases 2, 3, 4 & 5. The above summary also excludes highways plots, interests of utility providers, interests of occupational tenants of Renewal where Renewal expects to gain possession without the need for CPO (e.g. by exercise of a break clause), land which is under contract with Renewal and any business tenancies of land not in the ownership of Renewal. The CPO will include these interests in land to ensure the Scheme can be delivered.

6.5 The following are also proposed to be included in the Order:

- (a) mines and minerals which have been reserved out of titles where the areas concerned are likely to be impacted by piling/foundations required for the Scheme;
- (b) highways plots (sub-soil interests);
- (c) four substations that are on land to be redeveloped, plus existing rights of statutory undertakers with service connections within the Site which are likely to require removal or relocation to facilitate the Scheme. The existing services are shown on the Utility Services plan attached to this Report at **Appendix 7**;
- (d) existing rights of way in favour of Network Rail providing access to railway embankments etc and which are likely to be interfered with as a result of the Scheme.

6.6 New rights are also required to fulfil certain requirements of the Section 106 Agreement. These affect land owned by Network Rail, London Underground Limited and MFC. The rights include in summary (and subject to detailed drafting):

- (a) The right to construct, use (in common with others) and maintain a pedestrian and cycle access route from the north west corner of the Site to South Bermondsey Railway Station;
- (b) The right to carry out works to upgrade railway arches and underpasses at South Bermondsey Station, Zampa Road, Stockholm Road, Rollins Street, Bolina Road and the route to Surrey Quays and thereafter maintain the works;
- (c) The right to carry out works to landscape and thereafter maintain railway embankments adjoining the Site and to carry out habitat creation works on the said land;

- (d) The right to install and maintain conducting media under the railway arch between the South East London Combined Heat and Power facility and the Site to the extent it is required for the installation of the proposed district heating network that is to provide heat and power to the Scheme;
 - (e) The right to carrying out and complete works to replace and improve the existing façade of the MFC Stadium, as required by the S106 Agreement.
- 6.7 The position regarding negotiations with landowners is considered in more detail in Section 7 of this Report. Renewal will continue, with the support of Officers, to seek to acquire the outstanding interests by agreement. Officers have also written a number of times to the remaining landowners encouraging them to engage with Renewal and offering to engage directly with the landowners, should they be unwilling for any reason to deal with Renewal. The most recent letter was sent to landowners by the Executive Director for Resources and Regeneration on 8 August 2016 notifying them of the intention to present this Report to Mayor and Cabinet. As at the date of publication of this Report, seven responses have been received to these letters. Renewal and G L Hearn are following up on each of these responses.
- 6.8 If the CPO is made, it will include a Schedule of the interests, including new rights, to be acquired, as well as those who have interests over the land to be acquired (e.g. rights of way etc) which may be affected by the development works. The Order Map required to accompany the CPO will identify the land and new rights to be acquired. Terraquest, experienced land-referencing agents, have been appointed by Renewal to carry out the necessary referencing and preparation of the CPO Map. Further requisitions for information relating to ownership will be served as necessary before the Order Map and Schedule are finalised. Final versions of the Map and Schedule will be published with the CPO when made.
- 6.9 If the CPO resolution is made, this will be recorded in the Local Land Charges Register and disclosed on searches so that any potential purchasers will be aware that the land is subject to compulsory purchase.

7.0. Pre-conditions to CPO Resolution

- 7.1 As already referred to, on the 7th March 2012, the Mayor resolved 'in principle' to use CPO powers to support the land assembly required for the Scheme, subject to the following pre-conditions:
- i) the Mayor being satisfied that Renewal has used its reasonable endeavours to complete the assembly of the Site by agreement/private treaty and that the redevelopment proposals cannot otherwise be delivered;
 - ii) the requirements of Section 122 of the Local Government Act 1972 and Sections 226, and 237 of the Town and Country Planning Act 1990 (now Section 203 of the Housing and Planning Act 2016) being met;
 - iii) the Mayor being satisfied that there is a compelling case in the public interest to make a Compulsory Purchase Order;

- iv) the Mayor being satisfied that there is a delivery mechanism with Renewal and/or others in place, which ensures that there is a comprehensive redevelopment of the whole Site and that the new development will be built and completed within a reasonable time period;
- v) the Mayor being satisfied that Renewal has a viable business plan and funding strategy to deliver a comprehensive regeneration scheme, together with a full and sufficient indemnity agreement(s) and appropriate financial bond covering the costs of making and confirming any such CPO/appropriation for the purposes of Section 237 (now Section 203 of the Housing and Planning Act 2016); and
- vi) consideration of any issues raised by the Equalities Impact Assessment on the potential impact of the CPO.

7.2 Officers consider that these pre-conditions have now been met, as discussed below under the relevant headings.

(i) Negotiations with landowners

7.3 GL Hearn have been jointly appointed by the Council and Renewal as CPO valuers to advise on property cost estimates for the compulsory acquisition of interests and to negotiate agreements with landowners and others with an interest in the proposed Order Land.

7.4 As referred to above, Renewal owns a significant proportion of the Site required for the Scheme, having actively been acquiring property by private treaty since 2004. 22 identified land interests remain outside of Renewal's ownership (or control if not formally conveyed) which are required in order to complete land assembly to bring forward the Scheme in its entirety. These exclude highways plots, interests of occupational tenants of Renewal where Renewal expects to gain possession without the need for CPO, utilities interests, land under contract to Renewal and any business tenancies of land not in the ownership of Renewal. The 22 outstanding interests comprise mainly freehold or long leasehold interests in the industrial estates within the Site. They also include two live/work units at 17 and 18 Excelsior, the former being occupied by an artist/sculptor, the latter being understood to be currently unoccupied. Certain interests are also required from Network Rail for which agreement has been reached in principle and Renewal is confident a formal agreement will be concluded in due course. In terms of utilities interests, these relate to telecommunications equipment and substations. Discussions have taken place with the providers, although concluding any agreement will be subject to the CPO being progressed.

7.5 Additionally, new rights will be required as set out in paragraph 6.6 above.

7.6 Renewal has provided the Council with details, including copy correspondence, of the extent of and current position on negotiations with landowners undertaken by both Renewal and GL Hearn. Officers have examined the material provided and are satisfied that Renewal has used reasonable endeavours over a substantial

period to acquire the outstanding interests by negotiation. It is continuing and will continue to try and move those negotiations forward with the support of Officers. Renewal has also submitted a relocation strategy which has been approved by the Council under the Section 106 requirements setting out its intentions with regard to continued occupation of the Site by tenants until possession is required and steps taken regarding assistance with relocation. A copy of the relocation strategy is included at Appendix J to the draft SoR.

- 7.7 In negotiations with the landowners, Renewal has also provided contact details for Council officers and encouraged landowners to contact the Council if they would prefer to deal with the Council, rather than Renewal. The Council has also written to the landowners encouraging them to negotiate with Renewal and offering to treat with them and to provide formal valuations if they are unable or unwilling to reach agreement with Renewal. The most recent letters to remaining owners/occupiers were sent on 11 December 2015, 19 January 2016 and most recently on 8 August 2016 notifying them of the intention to present this Report to Mayor and Cabinet.
- 7.8 Renewal continue to make progress with land acquisitions by private treaty. Since the previous Report to Mayor and Cabinet was withdrawn in February 2016, Renewal has acquired the freehold with vacant possession of Bridge House, Excelsior Works (previously a House in Multiple Occupation, but currently vacant), as well as the leasehold interest in Unit 4 and part of Units 5 & 6 of the Yard, Orion Business Centre.
- 7.9 Notwithstanding the efforts made, however, attempts to acquire all the outstanding interests by agreement have to-date not been successful. Prior to the Mayor and Cabinet meeting on 17 February 2016, representations were received by solicitors acting on behalf of four owner/occupiers that the impact on a CPO on the owners affected had not been properly assessed and that the necessary human rights balancing/proportionality exercise had not been properly carried out. The units in question are three industrial units on the Bolina Estate (a furniture and cabinet maker and a car repair and MOT business) and a live/work unit at Excelsior Works currently occupied by an artist/sculptor. The position regarding human rights is considered in paragraphs 7.38 to 7.44 below and Section 12 under the heading 'Human Rights'.
- 7.10 In terms of negotiations with the four owner/occupiers concerned, the information provided by Renewal is as follows:
- Unit 17 Excelsior Works: Negotiations have taken place with the owner/occupier, GL Hearn's valuation has been provided and an offer made by Renewal for the purchase of the unit, although the valuation has been carried out without inspection as access has not been afforded. Renewal has paid for the owner/occupier to receive independent valuation advice, although the owner/occupier has declined to share the valuation report with Renewal/GL Hearn. The parties remain some way apart on valuation. The owner/occupier has been in touch with Kalmars but has advised Renewal there are no suitable alternative properties available for her. Discussions, are

ongoing and a meeting is due to take place in September at which the parties have also agreed to discuss relocation opportunities.

- Unit 35 Bolina Industrial Estate: Negotiations have taken place with the owner/occupier, GL Hearn's valuation has been provided following an internal inspection and an offer made by Renewal for the purchase of the unit. The owner/occupier has received independent valuation advice, and whilst his agent has said the difference in valuation is significant, the owner/occupier has not shared the valuation with Renewal/GL Hearn. Possible relocation properties have been provided to the owner/occupier, but he maintains a direct replacement unit should be purchased for him. GL Hearn have explained the compensation process which is based on the value of the existing unit. The owner/occupier has been in touch with Kalmars but has advised Renewal that there are no suitable alternative properties available. GL Hearn and Renewal remain in contact with the owner/occupier.
- Units 31 & 32 Bolina Industrial Estate: The owner/occupiers have not responded to Renewal/GL Hearn regarding correspondence in relation to relocation/ negotiation. GL Hearn's valuation has been provided and an offer made for the purchase of the unit, although the valuation has been carried out without inspection as access has not been afforded. Renewal met with the owner/occupiers some months ago to explain likely timescales and the prospective CPO process, but received no further response. The owner/occupiers have written to the Council maintaining that Renewal's offer is too low and it is unrealistic to find alternative premises. Renewal is continuing to try and engage with the owner/occupiers and has provided Kalmars contact details to assist them with finding a suitable alternative property and has also offered to pay for independent valuation advice.

7.11 In other cases, negotiations appear to have stalled with landowners unwilling to negotiate until the Council has made a decision regarding compulsory acquisition.

MFC and MCS

7.12 The largest remaining interests by area yet to be acquired are those vested in MFC and MCS.

MFC

7.13 MFC's land is required in order to deliver the wider scheme for which planning permission has been granted and which accords with the Council's regeneration objectives as set out in the Core Strategy which seeks comprehensive redevelopment of the Site as set out in Sections 3 and 11 of this Report. The Core Strategy recognises the importance of MFC and the Stadium to the Borough and it has been made clear to MFC that the Council considers it essential that MFC

should be able to continue to operate the Stadium and that appropriate rights will be granted in favour of MFC to ensure that this will happen. MFC has provided information to the Council and Renewal regarding the rights it will require over the land around the Stadium in the event the land is acquired by CPO and discussions have taken place in relation to the grant of those rights. The Council and Renewal will pursue negotiations with MFC regarding agreement in respect of the rights required.

- 7.14 Discussions have also taken place between Renewal, MFC and the Council over a number of years in relation to the acquisition of MFC's leasehold interest in the land around the Stadium. Renewal have submitted a formal offer to MFC for that interest, but MFC has so far remained unwilling to negotiate any agreement for the surrender of its interest, maintaining that its wishes to itself redevelop the land around the Stadium (**MFC Land**) and the land leased to MCS (**MCS Land**) in a manner consistent with Renewal's proposals.
- 7.15 MFC has asserted that the Council has refused to consider its development proposals for the MFC Land and the MCS Land. That is not correct. Correspondence and discussions have taken place over a lengthy period in which MFC stated its intention to bring forward proposals of its own and in which Officers repeatedly stressed that in order for the Council to be able to give proper consideration to any proposals, it would require detailed drawings and other information including a business case and funding strategy and the delivery mechanism to ensure comprehensive delivery of the wider site consistent with the Council's key regeneration/policy objectives. Despite being advised what is required and being given ample opportunity to provide it, no detailed plans or any planning application, nor any of the other required information has been submitted by MFC. In August 2013, MFC submitted some high level proposals in a document prepared by McKay and Partners entitled 'Millwall Masterplan 22 August 2013' (**MFC Proposals**). This document is considered further at paragraphs 7.21 to 7.27 below under the heading 'Could the CPO purpose be achieved by other means?' At the time of this report going to print, information was received regarding some revisions to the MFC Proposals. This information is being reviewed and an update will be provided in due course.
- 7.16 As mentioned above, at the Mayor and Cabinet meeting on 17 February 2016, Councillor Best encouraged Renewal and MFC to meet to see if they could resolve their differences in relation to the development. To facilitate this, the Council appointed Strutt & Parker to act as an intermediary with the aim of bringing the parties together to see if an agreed position could be reached which would ensure comprehensive regeneration of the Site. Strutt & Parker corresponded and met separately with the parties to encourage an all-party meeting to discuss whether and how the regeneration of the Site could be progressed in a spirit of cooperation. Discussions have been held between MFC and Renewal during which MFC confirmed that its aim in seeking to develop the MFC Land and the MCS Land is to secure an ongoing revenue stream to support the operation of the football club. To-date, however, no agreement has been reached between the parties with a view to achieving that aim.
- 7.17 More broadly, Renewal has made its position clear to MFC via Strutt & Parker that

- It does not consider there is a realistic prospect of MFC bringing forward its own proposals on the MFC Land and the MCS Land;
- It should lead on the development having made considerable investment in the Site over the last 12 years, demonstrated its commitment to the Scheme and being the only party in a position to deliver on a reasonable timescale;
- It is not prepared to contemplate any joint venture with MFC, having concluded after 9 years of dealings that the respective organisations' vision, objectives and philosophy are not compatible.

7.18 Renewal has, however, committed to working with MFC to find a financial solution and believes that progress could be made if MFC engage with Renewal regarding a surrender of the lease of the MFC Land and if MFC quantifies the level of an on-going revenue stream it requires. Officers will continue to assist with efforts to progress discussions between the parties.

MCS

7.19 With regard to MCS's interest, the Council and Renewal have engaged in detailed negotiations with MCS regarding the Heads of Terms for the surrender of their leasehold interest in the Lion's Centre and subsequent relocation to the new sports facilities (Energize) within Phase 2 of the Scheme. A series of meetings has taken place between the Council, Renewal and a representative from the MCS Board of Trustees to discuss surrender of their lease and the relocation of MCS. The Council has also funded legal advice to enable MCS to conclude negotiations. Agreement has previously been reached on Heads of Terms, subject to agreement as to the level of compensation, the management model of Energize to which MCS would relocate and the costs to rent the office and storage space within that new facility. Following a pause in negotiations, Renewal and MCS are again in dialogue.

7.20 Making a CPO will not mean that attempts to acquire by agreement will cease. The CPO Guidance makes clear that compulsory purchase is intended as a last resort in the event that efforts to acquire by agreement fail. However, the CPO Guidance also recognises that valuable time might be lost if an authority waits until negotiations do fail before making a CPO. Authorities are advised that it may often be sensible to plan a compulsory purchase timetable as a contingency measure and initiate formal procedures. The CPO Guidance notes that this will also help to make the seriousness of the authority's intentions clear which might in turn encourage those affected to enter more readily into meaningful negotiations. Efforts will continue by Renewal, supported by the Council, to acquire the remaining interests by agreement and any interests acquired by private treaty will not be included in the CPO or (where acquisition is achieved after the CPO is made) a request made that the CPO be not confirmed in respect of such interest, as appropriate.

Could the Order purpose be achieved by other means?

- 7.21 The Site is allocated as a strategic site within the Council's Core Strategy. A key requirement of the Core Strategy is that the Site is brought forward for comprehensive development in accordance with a Masterplan. The purpose for which land and rights are proposed to be acquired is to enable comprehensive redevelopment of the Order Land in accordance with the adopted planning policy framework. The Outline Planning Permission and the S73 Permissions encompass comprehensive redevelopment in accordance with those policies.
- 7.22 The CPO Guidance advises that in deciding whether to confirm an order made under Section 222(1)(a) of the 1990 Act, as is proposed here, one of the factors the Secretary of State can be expected to consider is whether the purpose for which the order is being made could be achieved by any other means. This may include the appropriateness of alternative proposals put forward by owners of the land, or any other persons, for its reuse, as well as examining the suitability of any alternative locations for the purpose for which the land is being acquired.
- 7.23 In addition to seeking to bring the parties together, as part of their appointment, Strutt & Parker were asked to advise on the MFC Proposals in terms of their viability, deliverability and overall fit within the Council's Core Strategy and regeneration objectives for the area. This is not a case where any scheme on the MCS land and the land around the Stadium could simply be 'dropped in' to the wider Scheme and the Strutt & Parker report highlights that there are a number of significant delivery constraints and other implications for the wider Scheme as discussed below. Moreover, Strutt & Parker have considered the viability of the MFC Proposals and advise that they are unlikely to be viable in isolation.
- 7.24 GL Hearn have also reported on the deliverability implications for the wider Scheme if the MCS Land and the MFC Land were to be excluded. They conclude that not only would removal of the MCS Land and the MFC Land cause a significant negative impact on financial viability, it would also result in a significant level of delivery uncertainty relating to land ownership, planning, deliverability and place-making. In those circumstances, GL Hearn conclude that no developer (including Renewal) would be likely to implement the Scheme. Officers accept that conclusion.
- 7.25 The principal deliverability constraints are:
- MFC does not have control of the land required for the MFC Proposals. The proposals require the MCS Land but MFC has no legal interest in the MCS land and in any event the various restrictions under the leases to MFC and MCS and the duration of those leases, do not enable the re-development of the landholdings.
 - The Council has contracted to sell its freehold interest in the MCS Land and the land around the Stadium to Renewal and is not in a position to deal with that interest. It is worth noting that MFC has complained it was not allowed to bid for the Council's freehold interest. This is not correct. It was open to MFC to put in a bid for the Council's freehold interest at any time. Indeed, in November 2013 and prior to the Land Sale Agreement

with Renewal in December 2013, MFC's consultants expressed an interest on behalf of MFC in making a bid and the Council advised it was a matter for MFC whether to do so. No bid was received;

- The MFC Proposals do not accord with the existing consents which would need to be varied to accommodate the proposals. The Core Strategy requires a comprehensive approach across the whole site in accordance with an approved Masterplan and a Delivery Strategy which demonstrates how comprehensive development will be achieved. A standalone piecemeal proposal would be contrary to adopted policy and would not provide the transformational development the Council's regeneration objectives require;
- The surrounding land remains in the ownership/control of Renewal. Delivery of key infrastructure and access routes to the edge of the land would be required with associated rights/easements. No information has been provided by MFC either to Renewal or the Council as to the infrastructure and rights it requires for the MFC Proposals and there is no assurance that the MFC Proposals would be brought forward on a timescale which is compatible with the wider Scheme. Infrastructure provision across the wider Site will require phasing, particularly in respect of the ENVAC and SELCHP connections and these will not be able to be delivered by MFC at a later stage in isolation;
- A joint venture arrangement/development agreement or similar agreement would be required between Renewal and MFC. The negotiation of any terms would be extremely complex and time consuming with an uncertain outcome. Leaving aside the key issue of viability, significant issues around key infrastructure and rights, phasing requirements, apportionment of planning obligations and other planning requirements and landowner equalisation arrangements would need to be resolved, creating significant uncertainty and delay and threatening delivery of key regeneration objectives for the Borough;
- As is typical of comprehensive schemes of this nature, profit is not realised until later phases and so such schemes rely on the whole site to be developed to achieve an acceptable level of viability. The viability of the wider Scheme is dependent on the place-making uplift applied to later phases and as such relies on it coming forward as a whole.

7.26 Given that it owns or controls the majority of the interests in the Site, Renewal is the obvious partner to bring forward the Scheme. Not only would removal of separate parcels of land from the currently consented wider scheme render it unviable from a financial and delivery perspective, the separate development of other parcels would be likely to result in piecemeal development, risk the non-achievement of comprehensive development of the Site and thus the regeneration objectives for the Site and surrounding area not being realised. At best it could lead to substantial delays in the regeneration coming forward. To ensure comprehensive re-development, a significant degree of co-operation would be required between the current owners, even assuming satisfactory terms could be

reached, which to-date there has not been. In all the circumstances, Officers do not consider that the MFC Proposals provide an appropriate means by which the purpose of the Order might be achieved within a reasonable timeframe.

7.27 Nor are there any other alternative, credible development proposals currently proposed or likely to be capable of coming forward and implemented to secure the comprehensive development of the Site within a reasonable timescale without the need for CPO. The Site is unique in terms of size, scale and location of development. The Site is almost assembled, ready for implementation. Officers consider the planning objectives cannot be achieved from pursuing any alternative site for this scale of major regeneration - there is no comparable area available for this scale of development, even if the Council had the resources to assemble a similar site in a reasonable timescale.

7.28 A continuing dialogue between Renewal and MFC and efforts to reach agreement must continue to be encouraged and supported. Given the anticipated development programme, however, if the regeneration proposals are to move towards realisation, Officers consider that formal CPO procedures should commence so that delivery of the necessary land assembly can be secured. Negotiations with Renewal, MFC and all other landowners will continue in parallel with the CPO process with every effort being made to try and conclude the remaining acquisitions by agreement ahead of confirmation of the CPO.

7.29 **Officers consider pre-condition (i) has been met.**

(ii) **Statutory powers, CPO Guidance**

7.30 Section 226(1)(a) of the Town and Country Planning Act 1990 (**1990 Act**) empowers the Council, on being authorised by the Secretary of State, to acquire compulsorily land in its area if it thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. The Council must not, however, use this power unless it also thinks that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objects:

- (a) the promotion or improvement of the economic well-being of the Council's area;
- (b) the promotion or improvement of the social well-being of the Council's area;
- (c) the promotion or improvement of the environmental well-being of the Council's area.

(Section 226(1A) of the 1990 Act).

7.31 The Mayor is directed to Section 3 of the draft SoR which sets out how the proposed compulsory acquisition is considered to fall within the provisions of Section 226 and delivers the well-being objectives required by Section 226(1A).

7.32 In some circumstances, only new rights over land might be required, such as a new right of access. This being the case, it is usually not necessary to acquire the freehold or leasehold interest. Instead, section 13 of the Local Government

(Miscellaneous Provisions) Act 1976 enables the Council, subject to authorisation by the Secretary of State, to create and acquire new rights over land. That is proposed here where only a right is required and not the entire land interest, the new rights proposed being referred to in paragraph 6.6 of this Report.

- 7.33 Section 227 of the 1990 Act provides an equivalent power for the Council to acquire land (including rights over land) by agreement (as opposed to compulsorily) for the purposes described in paragraph 7.30. As set out in this Report and as is reflected in the CPO Guidance, it is intended that efforts to acquire the necessary land and rights by agreement will continue in tandem with the CPO process.
- 7.34 As indicated above, the Council and Renewal has entered into a CPO indemnity Agreement which governs the process of land assembly. The Council has power under Section 233 of the 1990 Act, subject to the requirements of that Section, to dispose of any land acquired for planning purposes. It is intended that land acquired pursuant to the terms of the CPO Indemnity Agreement will be disposed of to Renewal pursuant to Section 233.
- 7.35 Upon completion of any compulsory acquisition, Section 236 of the 1990 Act provides that any rights of way or rights to apparatus are automatically extinguished (save those of statutory undertakers etc which are subject to separate procedures). In addition, where land is acquired or appropriated by a local authority for planning purposes (whether by CPO or private treaty), Section 203 of the Housing and Planning Act 2016 (**2016 Act**) makes provision for certain third party rights to be overridden when the land is developed in accordance with planning permission. Development and use of such land in accordance with planning permission, either by the local authority or by a person deriving title under the authority, will be authorised, even though it interferes with a third party right, such as an easement, or it breaches a restrictive covenant on the use of the land. Any third party whose rights are overridden in consequence of Section 203 is entitled to statutory compensation, assessed in accordance with provisions in Section 204 of the 2016 Act regarding compensation.
- 7.36 In terms of the Stadium land, it is proposed that the CPO includes the acquisition of MFC's leasehold interest in the land surrounding the Stadium and also new rights over the Stadium land to enable the carrying out of the works to the Stadium façade. The Council will retain the freehold interest in the Stadium itself. As referred to above, the freehold interest in the land around the Stadium is subject to the Land Sale Agreement entered into with Renewal in December 2013.
- 7.37 **Officers consider pre-condition (ii) has been met.**
- (iii) Compelling case in the public interest**
- 7.38 The relevant considerations for the purposes of any resolution to use compulsory purchase powers are set out in this Report and the attached draft SoR. The CPO Guidance also sets out the considerations to be applied when making a resolution to exercise such powers and the factors which will weigh with the Secretary of

State when deciding whether to confirm a CPO. These factors include what might be described as the overarching consideration as follows:

“A compulsory purchase Order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.”

- 7.39 Human Rights considerations are addressed further in Section 10 of the draft SoR and in Section 12 of this Report. As set out in Section 12 of this Report, Article 8 of the Convention provides that everyone has the right to respect for his private and family life, his home and his correspondence and that there should be no interference with the existence of the right except in accordance with the law and as necessary in a democratic society in the interest of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of Protocol 1 provides that no-one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law.
- 7.40 Article 1 of the First Protocol and Article 8 of the Convention are qualified rights and as such interference within them is permissible only in accordance with the law and the pursuit of the permissible aims set out in those Articles. Further, any interference must achieve a fair balance between the general interests of the community and the protection of individual rights – there must be reasonable proportionality between the means employed and the aim pursued. Case law has determined that there is no requirement to set out in any formulaic way the extent to which specific human rights are interfered with and that the necessary human rights balancing exercise has been held to be encompassed by the test of a compelling case in the public interest required in CPO cases. The availability of compensation to affected persons is also relevant in assessing whether a fair balance has been struck.
- 7.41 Where it has acquired units within the Site, Renewal has, where possible, kept existing tenants in the unit and amended tenancy agreements to include break clauses of 3 to 6 months to ensure it can achieve vacant possession as and when required. Renewal intends to continue with that strategy of only requiring units to be vacated as and when required for the development. The Convention rights of persons occupying the Site will, however, be interfered with through a confirmed CPO and they will ultimately be displaced from their properties. Those whose properties are acquired under the CPO will be entitled to compensation.
- 7.42 Officers consider that the degree of interference is necessary in the interests of the economic well-being of the country (in the terms set out in Article 8), is in the public interest (in the terms set out in Article 1, Protocol 1 rights) and is proportionate when weighed against the significant benefits which will be delivered by the Scheme for the Borough and the wider community as set out in this Report and the draft SoR. In summary, these benefits entail:

- Approximately 1,500 new permanent jobs and 470 temporary construction jobs;
- Approximately 2,400 new homes, including affordable housing;
- A new station on the East London Line;
- 2 new bus routes linking the Site to Lewisham and Central London;
- Energize, a £40m state-of-the-art regional sports complex;
- New cycling and pedestrian routes linking the Site to the wider area;
- A new faith and community centre;
- A new multi-faith and multicultural resources centre;
- A 150 bed hotel and conferencing centre;
- New GP facilities with other health services, which may include specialisms in sports injury;
- The refurbishment of the park at Bridgehouse Meadows;
- A creative/digital quarter;
- A new and improved setting for The Den and Millwall Football Club and allowing for an increase in capacity of the Stadium from 20,146 to 26,500;
- A new home for the Millwall Community Scheme;
- 5 new public squares and private gardens for residents;
- Improvements to 14 surrounding railway arches and underpasses creating links into the surrounding areas;
- Surrounding junction improvements;
- Enhanced security and safety across the Site and surrounding areas

7.43 Mayor and Cabinet are referred to Section 9 of the draft SoR which brings together the key aspects of the CPO case. The significant benefits of the Scheme are further amplified in the Regeneration and Equalities Statement at Appendix K to the draft SoR. Social benefits will be provided from the delivery of sustainably constructed new homes that will make a significant contribution to meeting private and affordable housing need in the Borough, as well as new community and leisure facilities. The concentration of development will be better able to access new and existing public transport. By land assembly, rationalising, improving and providing new uses and infrastructure on the Site, there will be significant environmental benefits. The Scheme will give rise to economic benefits in terms of major investment in the Borough, with jobs created from construction, new commercial, community and leisure uses. The new resident and business population will contribute to the local economy. Further details of the compelling case in the public interest are also set out in the draft SoR.

7.44 Officers are satisfied that there is a compelling case in the public interest for the use of CPO powers.

7.45 The CPO Guidance also makes clear that if the acquiring authority is unable to show how the CPO land is to be used and that the necessary resources are likely to be available to achieve the purpose of acquisition within a reasonable timescale, it is unlikely to be able to show the acquisition is justified in the public interest. These aspects, as follows, are discussed elsewhere in this Report and the draft SoR:

- whether the purpose for which the land is being acquired fits in with the adopted planning framework for the area. In addition to this specific requirement, the general requirements of the CPO Guidance states that any programme of land assembly must be set within a clear strategic framework and that such framework will need to be founded on an appropriate evidence base and to have been subject to consultation processes including those whose property is directly affected (see Section 11 of this Report and Section 4 of the draft SoR);
- the extent to which the proposed purpose of acquisition would contribute to the achievement of the promotion and/or improvement of the economic, social or environmental well-being of the Council's area (see paragraphs 7.42 and 7.43 above and Section 3 of the draft SoR);
- that the necessary resources, including funding, are likely to be available to achieve the purpose of the CPO within a reasonable timescale (see paragraphs 7.50 to 7.71 of this Report and Section 6 of the draft SoR);
- that the scheme is unlikely to be blocked by physical or legal impediments (see elsewhere in this Section 7 and Section 8 of this Report and Section 6 of the draft SoR);
- whether the purposes for which the land is to be acquired could be achieved by any other means. This can include considering the appropriateness of any alternative proposals put forward by the owners of the land or others, or examining the suitability of alternative locations for the purpose for which the land is being acquired (see paragraphs 7.21 to 7.28 of this Report and Section 6 of the draft SoR).

7.46 Officers consider pre-condition (iii) has been met.

(iv) Viability/delivery mechanism

7.47 As explained above, the CPO Guidance makes clear that if a CPO is to be confirmed, there must be a compelling case in the public interest and the purpose for which the CPO is made must justify interfering with the human rights of those affected. If the acquiring authority is unable to show how the CPO land is to be used and that the necessary resources are likely to be available to achieve the purpose of acquisition within a reasonable timescale, it is unlikely to be able to show the acquisition is justified in the public interest. When preparing its justification, the acquiring authority further needs to show the scheme is unlikely to be blocked by any physical or legal impediments to implementation. The acquiring authority is also required to provide substantive information regarding sources of funding, including as to how potential shortfalls may be met if funding has not yet been finalised.

7.48 The Site is one of five strategic sites identified within, and considered key to, the delivery of the Council's Core Strategy. The Core Strategy sets out the ambition to transform the physical environment and achieve place-making objectives by delivering a comprehensive range of regeneration outcomes in the Borough. In

conjunction with the Council, Renewal has spent almost 12 years shaping and facilitating the comprehensive regeneration of the Site. During this time Renewal has acquired by private treaty the vast majority of property interests required to assemble the Site and has secured the Outline Planning Permission and the S73 Permission for the scheme which will deliver significant and comprehensive regeneration to this deprived area. In doing so, Renewal has incurred significant capital expenditure in acquisition, design, planning and consultants'/advisors' costs. There can be little doubt that Renewal has made a significant financial commitment and has demonstrated a long term outlook and how serious it is about ensuring that this comprehensive Scheme is brought forward.

- 7.49 That of itself this is not enough, however, and the Council needs to be satisfied that if it proceeds with a CPO to assemble the remaining interests, the necessary resources are likely to be in place to achieve the purpose of the acquisition within a reasonable timescale. As such, it needs to be satisfied the scheme is viable, deliverable and fundable.
- 7.50 In April 2014, GL Hearn (a leading property consultancy) reported on the viability of the Scheme on behalf of the Council. They concluded that the Scheme was financially viable on the basis of delivery of all aspects of the Scheme by a single developer. At the request of the Council, in June 2015 Renewal appointed GL Hearn to take their evaluation a step further by bringing together the detailed information regarding viability and the approach to funding into a single report and then reviewing and assessing the proposed delivery strategy. The Council appointed PriceWaterhouseCoopers LLP (**PwC**) to provide financial and real estate due diligence and to review the GL Hearn report and updates to it. The costs, values and other information included in the GL Hearn report has been updated to reflect the cost and values as at August 2016 and the revised approach to Housing Zone funding, and also to include commentary on market sentiment following the EU Referendum vote. The additional information provided by Renewal/GL Hearn has been reviewed by PwC's and PwC's key conclusions/considerations, which Officers accept, are set out below.
- 7.51 GL Hearn have developed detailed, bottom up, appraisals using industry standard software to assess the viability and deliverability of Renewal's intended delivery strategy using current planning permission and market cost and revenue assumptions. PwC consider those cost and revenue inputs to be reasonable and supported by market benchmarks. Furthermore, following a review of the outputs and funding assumptions made, PwC conclude that Renewal's intended delivery strategy is appropriate and capable of delivering a commercial return and therefore would have a reasonable chance of being delivered in line with Renewal's proposals.
- 7.52 Renewal has established that the most appropriate strategy for delivering the comprehensive redevelopment is a Master Developer Strategy (MDS). Under the MDS, Renewal will enter into development agreements and grant long leasehold interests to house builders/sub-developers in respect of individual development plots/phases in an ordered manner over the development period. Under this arrangement, Renewal will retain the freehold interest in the plots/phases, with sub-developers developing out and receiving a long lease of the residential elements

with the commercial units being handed back to Renewal at nil premium to be held as investments to drive long term revenue or sold. There is strong developer demand for residential development opportunities in this part of London, particularly of the size of development that each phase represents and the assumed price point of the residential units.

- 7.53 Under the proposed strategy, Renewal will maintain responsibility for the delivery of the Community Sports Facility (Energize) in Phase 2, the transport interchange and the urban/public realm. In addition, Renewal will retain design control across the whole development and retain the commercial property in each phase. The Housing Zone proposals mean the new Overground Station will be delivered through grant funding, enabling additional funds to be applied to more affordable housing in the Scheme.
- 7.54 The MDS approach will allow Renewal to offset much of the delivery risk but at the same time retain overall control to ensure that a comprehensive scheme and quality shared places/public realm can be delivered. All are important public benefits that underpin the case for the CPO and facilitate the much-needed housing and policy ambition for comprehensive redevelopment in the area.
- 7.55 PwC have confirmed that a MDS approach is a recognised commercial approach for large, complex, multifaceted schemes. There are a number of examples of this delivery route being employed elsewhere, including the Olympic Park in Stratford. PwC also note that the transfer of construction and residential market risk to a specialist sub-developer helps to dissipate the delivery risk borne by the master developer.
- 7.56 As noted above, the GL Hearn appraisal model uses current market assumptions about a range of variable factors to evaluate the attractiveness of the MDS approach and potential returns. Within their appraisal, GL Hearn set out their assumptions regarding the absorption rate of residential sales into the market place, build costs and sales receipts. Renewal/GL Hearn have appointed DBK (a recognised project management, cost management and building consultancy with experience of large scale developments) to provide the build cost advice whilst sales values are based on GL Hearn's own research.
- 7.57 PwC have reviewed the modelling developed by GL Hearn and conclude:
- The profit on cost and IRR (internal rate of return) assumed to be achieved are likely to be acceptable returns to a commercial developer for taking a Master Developer role and initiating a complex development such as the Scheme.
 - The assumed profit allowance of the sub-developers would be acceptable to commercial housebuilders in the current market, immediately post-Brexit, for serviced plots in Greater London with the benefit of outline planning consent.
 - Build costs and sales values, at Aug 2016 on a unit basis, are considered broadly reasonable

7.58 Officers consider that the information provided and the review supports the premise that the Scheme is viable and that there is an appropriate delivery mechanism in place. This conclusion is augmented by a number of legal agreements/proposed agreements which Officers consider combine to further support the delivery mechanism for the Scheme in support of the potential CPO, these are;

- The Conditional Land Sale Agreement between the Council and Renewal dated 20th December 2013 relating to the Council's freehold interest in the land around the Stadium and the Lions Centre. The sale is conditional upon Renewal entering into agreements with MFC and MCS or the interests being acquired by CPO if a private treaty agreement cannot be reached. The Agreement also includes provision for the transfer of the land back to the Council if the comprehensive scheme has not been commenced within 4 years of the transfer of the Council's interest to Renewal. There is therefore an incentive on Renewal to commence the Scheme as soon as is reasonably practicable within the 4 year period.
- The Section 106 Agreements entered into in March 2012 and December 2015. The requirements of the Agreements are summarised elsewhere in this Report, but it is noteworthy that financial commitments early on in the Scheme incentivise the development of later phases if returns are to be realised. Given the upfront costs of the development, including major Section 106 contributions, the returns on the Scheme do not start to be realised until Phase 3 of the development which also supports the comprehensive development.
- The Borough Intervention Agreement to be entered into with the GLA in connection with the Housing Zone status of the Site which will accelerate delivery of the new Overground Station on the East London Line and enable development of the first two phases of development (1A and 2) to proceed ahead of schedule delivering 532 homes earlier. The balance of the £20 million funding is expected to be available towards further infrastructure requirements in relation to the Scheme, following due diligence and subject to contract (and therefore as already noted, the current financial modelling does not take this into account at this stage). A separate report on the Housing Zone funding aspects will be presented to Mayor and Cabinet in due course.

7.59 Those opposed to the Scheme have referred to Renewal's lack of a track record in regeneration schemes of this nature and the absence of any development obligations with the Council. There is no policy requirement for a development agreement to be in place or to demonstrate *certainty* of delivery. Objectors have complained that Renewal will profit from any CPO, but developers reasonably require a profit if they are to bear the cost and risk of bringing forward development. It has been alleged that the Mayor and Cabinet report in February 2016 confirmed that Renewal intends to simply sell plots and seek to make an immediate profit. It is not clear whether this is a misunderstanding of the MDS approach which is clarified above, but Renewal has confirmed that at no stage has it or its shareholders sought to dispose of its interest in the Scheme nor does

it intend to. Further, Renewal and its shareholders will only achieve positive cash flows in the later phases and will therefore be incentivised to continue with the Scheme once started.

7.60 Whilst the Council does not have a directly enforceable obligation from Renewal to deliver the whole of the scheme, any such obligation would not in any event guarantee delivery. Officers remain of the opinion that the necessary resources will be available and that the Scheme will provide a sufficient return to Renewal (or another developer/developers), such that the Council can be confident that if the CPO is confirmed, Renewal will wish to proceed with the Scheme (for the reasons given above), and the Scheme will be delivered.

7.61 in all the circumstances, Officers consider that the scheme has been independently verified as viable with appropriate delivery mechanisms in place and that pre-condition IV has been met

(v) Business Plan / Funding Strategy

7.62 Renewal's intended MDS approach will significantly reduce the level of funding which would otherwise be required, as the majority of costs and risks for the development of individual plots/phases will be passed to sub-developers who are likely to be national house builders.

7.63 GL Hearn have modelled the programme cash flows and these indicate that regardless of whether or not sunk costs are included, the peak debt funding requirement is reached in year 3 with the scheme only in surplus from year 7 onwards.

7.64 PWC have confirmed that they consider that the appraisals presented by GL Hearn have been properly considered and reflect Renewal's development intentions.

7.65 The other more immediate funding need and of direct focus to the Council is the ability for Renewal to fund the remaining acquisitions and support any CPO costs and expenses that arise. In the event the Council resolves to proceed with a CPO, the CPO Indemnity Agreement provides for a cash deposit or satisfactory alternative security to be in place before the Council proceeds to make a CPO. Renewal have offered a performance bond from RBS to cover the liabilities under the CPO Indemnity Agreement to the value of approximately 175% of the estimate total costs, thereby providing a significant surplus. This is an 'on-demand' bond enabling the Council to require payment from RBS if Renewal fail to pay under the CPO Indemnity Agreement. Officers consider this is an acceptable form of security for the Council. It is noteworthy that the performance bond is to be given by RBS which is still in majority Government ownership. RBS will have independently assessed Renewal's ability to cover these costs prior to it agreeing to provide such bond, which further confirms the security. The bond is further referred to in Section 8 of this Report.

7.66 Renewal has set up a project company/special purpose vehicle as the delivery vehicle for the Scheme – this is a widely recognised approach to large scale project/programme delivery. The project company is not established with sufficient

resources to deliver the scheme utilising its own funds. It has always been represented that the funding for the project would be provided by the shareholders of Renewal who are Incorporated Holdings Ltd and Independent Advisors Incorporated. The Renewal Group Ltd (registered in the Isle of Man) is a 100% subsidiary of Renewal Holdings Ltd (registered in the Isle of Man) which in turn is owned on a 50/50 basis by Incorporated Holdings Ltd (IHL) (registered in the Isle of Man) and Independent Advisors Incorporated (registered in the British Virgin Isles).

7.67 PwC have confirmed that the delivery structure and funding mechanism adopted is not unusual and is common place in the delivery of large and complex developments. PwC have also reviewed the audited accounts of Renewal as at 31 December 2015 and whilst there are no audited accounts for the parent shareholders (by reason of them not being based in the UK) the financial information provided by the shareholders indicates significant net assets. On the basis of this information PwC suggest that IHL has the potential to utilise or leverage its balance sheet to cover both the initial funding and the peak debt (excluding sunk costs) finance required by the project. Furthermore, whilst Renewal has stated the intention that future funding from shareholders will be 100% shareholder debt in nature, the option to raise further bank debt exists and may be utilised. However, if for any reason the shareholders failed to do this then there are alternative funding strategies for the project to proceed as set out in paragraphs 7.69 and 7.70 below.

7.68 There is perhaps natural caution about reliance on offshore funding but it is considered that a number of factors should be taken into consideration in this regard, as follows:

- Funding for the project to date has been provided almost entirely by shareholders, with only circa 18% funded by bank debt provided by RBS. The debt provided by the shareholders is unsecured with no fixed repayment date and has 10% annual interest charges applied to the debt – the interest charges are included in the appraisal modelling. The implication therefore is that the shareholders will only see their principal investment and interest returned as the scheme is delivered.
- Therefore, PwC note that whilst there is no absolute binding commitment on behalf of the shareholders to further fund the project they have significant investment in the project already which suggests that commercially further investment is highly likely.
- PwC also note that, as is the norm at this stage of a project of this nature, Renewal has supplied a Development Agreement between themselves and its shareholders which covenants the shareholders to provide future cash flow requirements for the project. Whilst this is subject to the shareholders having the funds and the appraisal at the time being able to demonstrate a 10% development profit the sensitivity analysis carried out by GL Hearn shows that property prices would need to fall substantially below those assumed for Phases 1A and 2 of the Scheme for a 10% development profit not to be achieved. Whilst they note that such a fall in

house prices is not unprecedented, PwC agree that even taking account of the uncertainties created by the Brexit vote, it is more likely there will be a gradual reduction in house prices and not a fall of that magnitude.

- PwC also note that a collapse in the housing market would not occur in isolation and that the impact on any appraisal would be mitigated by other market adjustments such as a fall in build costs which they would anticipate during a property recession. Renewal, in common with other master developers, would have the option to pause the development until such time as house prices recovered.
- The GLA has designated the whole Scheme as one of the first Housing Zones and has agreed in principle to provide £20m of funding towards the Scheme.

7.69 There are a number of other factors which also need to be taken into consideration when assessing the business plan/funding strategy and the justification for the use of CPO powers. With

- an assembled site;
- Outline Planning Permission/S73 Permission for the comprehensive scheme, and
- the MDS delivery approach

the Scheme is generally considered bankable/fundable. If for any reason Renewal's shareholders decide not to fund the scheme, it would be expected in those circumstances that traditional debt funding would be available to a developer to meet the maximum deficit arising during the course of the project. Given the residual value of the Site post completion of the land assembly exercise, such debt funding could be secured at favourable rates. Therefore assessing the Scheme on a non-developer specific basis, it is likely that the maximum deficit could be funded by another developer.

7.70 PwC have also commented that based on the viability of the Scheme and the assumed returns, if Renewal were not to proceed with the intended development the opportunity would exist for an alternative commercial developer to come forward. This of course pre-supposes that the Site assembly was complete and that Renewal wished to dispose or needed to dispose of the assembled Site.

7.71 It is Officers' opinion that, if the Council wishes to see the comprehensive redevelopment come forward, this is only likely to occur if the Site (against which the Outline Planning Permission/S73 Permission has been granted) is assembled and that the regeneration scheme will only be achieved in a reasonable time period if the Council assist the land assembly by the exercise of its CPO powers.

7.72 The Indemnity aspects are covered in the financial implications at Section 9 below.

7.73 In all the circumstances, Officers' are of the view that the Scheme is viable and deliverable, and has a reasonable prospect of coming forward in a reasonable timescale in the event the Council secures compulsory purchase powers to complete the land assembly exercise.

7.74 **Based on the above considerations, Officers believe that a suitable business plan and funding strategy exists to ensure that the Scheme can be brought forward in a reasonable timescale and that pre-condition V has been met.**

(vi) Equalities Impact

7.75 The Council's statutory duty pursuant to the Equality Act is summarised in Section 12 of this Report. A Regeneration and Equalities Statement has been completed in respect of the proposed Compulsory Purchase Order.

7.76 A summary of the Regeneration and Equalities Statement is included within Section 11 of the draft SoR.

7.77 **Officers consider pre-condition (vi) has been met.**

8.0. Acquisition of land currently owned by Renewal

8.1 As indicated above, Renewal already own a significant proportion of the land required for the development. Renewal has analysed the position regarding third party rights over the land it already owns (and land to be acquired) which may affect its ability to implement the scheme. Renewal has appointed Bilfinger GVA (GVA) to provide specialist input on rights of light.

8.2 GVA have been provided with the parameter plans for the permitted Scheme which detail the maximum and minimum heights of the various buildings. Using accepted methods of assessment, including computer modelling, land registry documents and any information that they can source regarding the internal layout of buildings, GVA have undertaken an assessment to identify the level of impact on rights of light of neighbouring properties. In identifying properties that would be 'injured' by the proposed development, an assessment is taken to identify whether the level of light entering through a window will change as a result of the construction of a new development. This is evaluated by assessing the amount of sky visibility (at 0.2%) available on the working plane, which is defined as the top of a table 850mm from the floor, on a 'before development' and 'after development' basis.

8.3 Based on case law, GVA have classified that a property is injured where the extent of a room that is lit at the 0.2% sky visibility level reduces to a level below 50%. Where a room already is lit to a level of below 50% of its area, then any further reduction, regardless of extent, will constitute an injury. The conclusion that a property has had an injury in respect to its right of light does not suggest that a room no longer receives any light (although in extreme cases this may be the case), just that the new development will result in an interference which results in the lit area of the room falling below 50%.

- 8.4 GVA conclude that an actionable level of interference will be caused to 54 properties as a result of the proposed development. Of these, 21 are held by the Council in a single freehold title, 32 are private residential units and the other interest affected is the MFC Stadium. A plan is attached to this Report at Appendix 8, which shows the residential properties affected and the buildings which will interfere with the rights of light. These comprise flats and maisonettes within the apartment blocks at Bridge Meadows, Chilham House, and Reculver House (which are occupied by a mix of secure tenants and long leaseholders who have exercised the right to buy) and also by the MFC Stadium. The Council owns the freehold interest in Chilham House and Reculver House and the right of light attaching to the Council's interest will also be interfered with. The impact on rights of light vary between minor, moderate, significant or severe.
- 8.5 A further plan is attached at Appendix 8 which shows the cutbacks in the development which would be required to avoid the interference. Avoiding such interference is, however, unworkable in that it is not a matter of simply moving or re-orientating buildings to avoid an interference with rights of light; a significant number of buildings would have to reduce in size considerably. Four of the towers (one in phase 1A one in phase 1B and two in phase 3) would be reduced to the height of the podiums they sit upon reflecting a cumulative loss of over 60 storeys of residential accommodation alone, 3 other buildings are lost completely (over 20 storeys of development) and 12 other structures, including the sports centre, would need to reduce in height. The accommodation to be provided in these buildings could not be replaced elsewhere on the Site given the design already maximises the potential of other blocks.
- 8.6 To avoid interfering with rights of light would mean the number of units delivered on the Site would have to be significantly reduced. The impact on the level of residential accommodation which could be delivered on the Site would be substantial and would result in the development opportunity not being maximised. A portion of the new sports facility would also be lost. GL Hearn has advised that the loss of the residential accommodation would have a significant impact on the development's viability, likely prejudicing the delivery of other aspects of the Scheme and the public benefits of the wider development being realised.
- 8.7 In terms of assessing whether it is necessary to interfere with the rights in question, this involves both consideration not only as to whether the interference is physically necessary, but also as to whether agreement might be reached with those with the benefit of the right for release of the right. GL Hearn or the Council has approached those with the benefit of the rights to light with a view to reaching agreement regarding release of the rights, subject to payment of consideration. Those affected have been notified of the potential impact and offered an opportunity to meet to discuss the matter further and undertake a survey of their property in order to accurately assess any impact. To date only one response has been received, with the respondent requesting a survey. This has now been carried out and Renewal are in the process of instructing GVA to assess the impact.
- 8.8 Unless the rights of light are released or overridden, those with the benefit of the rights could seek to prevent the re-development scheme proceeding so far as it interferes with their rights. Section 203 of the 2016 Act authorises interference with

third party rights such as easements, restrictive covenants etc in respect of land acquired (by agreement or compulsorily) or appropriated by a local authority for planning purposes, where the interference results from development in accordance with planning permission. Rights of light are considered to be rights encompassed by Section 203 of the 2016 Act. Note that an authority can only appropriate land it already owns, so appropriation is not relevant for present purposes.

- 8.9 Note also that if and to the extent the land affected by the rights of light might be acquired by the Council through CPO, then as that would be an acquisition for planning purposes under Section 226 of the 1990 Act, by virtue of Section 203, Section 203 will be engaged through that process. We are therefore only dealing here with land already owned by Renewal or which might be acquired by Renewal by private treaty.
- 8.10 The protection in Section 203 applies not only to the local authority, but also to anyone deriving title from it. Where Section 203 is engaged, any interference with a third party right is converted to an entitlement to compensation based on the reduction in value of the third party's land attributable to the interference with the rights attaching to it.
- 8.11 As indicated above, Section 203 is engaged by an acquisition by a local authority for planning purposes. The power to acquire land for planning purposes is contained in Sections 226 (compulsory acquisition) and 227 (acquisition by agreement) of the 1990 Act. Under Section 227, a local authority can acquire land for the purposes for which they might be authorised to acquire it compulsorily under Section 226. Thus, when acquiring by agreement, the local authority must be satisfied the acquisition fulfils the same tests as apply to power of compulsory acquisition under Section 226. The Section 226 tests are set out in paragraph 7.29 of this report which cross refers to the relevant section of the draft SoR.
- 8.12 Officers consider that the acquisition of Renewal's land for planning purposes, with the consequence that this will engage Section 203 of the 2016 Act, will facilitate the carrying out of the development, re-development or improvement of the Site. It will enable the development to be constructed pursuant to the planning permissions which have been granted notwithstanding it involves interference with third party rights which might otherwise impede the development.
- 8.13 Officers propose that the land owned by Renewal (including land shown on the Acquisition Plan which may subsequently be acquired by Renewal by private treaty) upon which the construction of the consented buildings will interfere with rights should be acquired by the Council and disposed back to Renewal, thus engaging Section 203 of the 2016 Act. It is considered that this will facilitate the development by ensuring the third party rights do not prejudice delivery of the Scheme. It will also contribute to delivery of the well-being benefits in the greater public interest, as identified in Section 3 of the SoR.
- 8.14 The arrangement will enable third party rights to be interfered with and in considering whether to proceed, consideration should be given to the protections under Human Rights legislation. Section 12 addresses the application of Article 8 of the Convention (of relevance to residential occupiers) and Article 1 of the First

Protocol applies to both individuals and other legal persons and so is also of application to the rights held by corporate entities for example.

- 8.15 In considering the approach, the action must be proportionate and represent a fair balance between public interest and private rights: Is it proportionate? Having regard to the significant regenerative, well-being and other public and economic benefits to be delivered through the re-development proposals, it is considered that the degree of interference is necessary in the interests of the economic well-being of the country (in the terms set out in Article 8), is in the public interest (in the terms set out in Article 1, Protocol 1 rights) and is proportionate in each case. As referred to above, any third party interference with third party rights will carry a right to compensation in respect of any diminution in value caused to the third parties' property as a result of the interference.
- 8.16 Once acquired, Section 233 of the 1990 Act authorises the Council to dispose of any land held for planning purposes, in such manner and subject to such conditions as appear to the local authority to be expedient to secure the best use of that land/buildings or works which have been, or are to be, erected, constructed or carried out on the land or to secure the erection, construction or carrying out of buildings or works appearing to them to be needed for the proper planning of their area. Section 233 requires Secretary of State consent to any disposal which is for a consideration less than that reasonably obtainable and is not a disposal/assignment of a lease of 7 years or less. The Council has been advised by GL Hearn in respect of valuation matters concerning the Section 203 transaction, including certifying that the disposal under such transaction satisfies the requirements of Section 233 of the 1990 Act. The Council has also been advised that the proposed structure gives rise to minimal SDLT liabilities which in any event will be Renewal's responsibility.
- 8.17 Heads of terms for the proposed transaction have been agreed, subject to Mayor and Cabinet approval, between Officers and Renewal. These are attached at Appendix 4.
- 8.18 Renewal as developer will be primarily responsible for any compensation payable under Section 204 of the 2016 Act. The Council will, however, retain residual liability in the event Renewal fails to discharge its liability. It is therefore appropriate that Renewal should indemnify the Council in respect of such residual liability. Officers recommend that the CPO Indemnity Agreement should be varied to encompass any such liability, thus ensuring the performance bond to be given by RBS also provides security for this potential additional liability
- 8.19 Members are asked to approve the acquisition and disposal and the variation to the CPO Indemnity Agreement for the reasons set out in this report.

9.0. Financial implications

- 9.1 As provided for in the CPO Indemnity Agreement, all costs incurred by the Council in connection with the acquisition process are to be met by Renewal, including, by way of summary:

- administrative costs of the CPO, including time spent by Council staff and fees incurred on consultants in advising on land acquisition/CPO aspects and progressing the CPO and land referencing aspects;
- legal costs (including in respect of time incurred by the Council's legal section and also fees incurred by the external legal advisers and in engaging Counsel);
- other CPO related expenses, including all costs, fees and expenses relating to any public inquiry (if there is one) in respect of the CPO, any costs related to purchase or blight notices etc;

(The above costs are subject to interim invoicing to Renewal under the terms of the CPO Indemnity Agreement).

- Land acquisition and compensation costs (including land value, acquisition costs and disturbance payments to all affected landowners, lessees or tenants which arise from the acquisition of their interest;
- Any compensation payments payable (in addition to those arising from acquisition), including for example, statutory disturbance payments, payments in respect of injurious affection, interference with third party rights etc, in consequence of the Scheme.

9.2 As set out in Section 8 of this Report, it is proposed that the CPO Indemnity Agreement is varied to ensure it covers the compensation and other costs which the Council may incur in consequence of the proposed acquisition of Renewal's freehold interest (both the existing freehold and any freehold interest which may subsequently be acquired by Renewal by private treaty) in land within Phase 1A, 1B, 2 and 3 as identified on the Acquisition Plan, and the lease back of the relevant land on the terms set out in Appendix 8. The comments on the CPO Indemnity Agreement apply equally to the agreement as proposed to be varied.

9.3 As explained elsewhere in this Report, the CPO Indemnity Agreement provides for a cash deposit or alternative security to be put in place following a CPO Resolution to cover the costs secured under the CPO Indemnity Agreement. Renewal proposes to provide an on-demand performance bond from RBS in respect of all costs and expenses payable under the CPO Indemnity Agreement. In the event that Renewal does not provide the bond then the Council is not obliged to proceed with the CPO or to undertake any other steps under the CPO Indemnity Agreement until security for the costs is in place. Officers advise that the Council should not proceed to make the CPO unless a satisfactory Deposit or alternative security is in place.

9.4 In terms of project management, the CPO project is being led by the Council's Executive Director for Resources and Regeneration, with support from the Head of Planning and Head of Law. Joint working has taken place with Renewal and their professional advisors on the preparation and making of the CPO and will continue in its progress through to confirmation and implementation.

- 9.5 In terms of risk management, Renewal will continue to negotiate with landowners and wherever possible acquire all necessary land and rights by agreement during the preparation and making of the CPO and thereafter, and until such time as the Council considers it reasonable to take over the negotiations and/or acquire the land compulsorily.
- 9.6 The Council's costs which include internal and external costs (e.g. legal input and other consultants) and costs incurred on land acquisition matters, including compensation matters, are rechargeable to Renewal under the CPO Indemnity Agreement. Any financial exposure of the Council is currently minimised as costs are billed regularly to Renewal. Any failure to pay entitles the Council to 'down tools' under the CPO Indemnity Agreement. Once a CPO resolution is made, as explained above, provisions are in place for a cash deposit or alternative security to be provided. Officers consider the proposed RBS on-demand performance bond to provide appropriate security.
- 9.7 Once the CPO process gets underway, the Council may be legally obliged to take steps at certain stages which will result in expense. With the performance bond in place, however, any financial exposure to the Council is mitigated. Any risk of the performance bond being insufficient to cover the costs of the CPO has also been mitigated by the amount of the bond being substantially higher than the amount currently estimated as being required to cover the costs of the CPO, including any rights of light claims. Should it transpire at any time that the bond is considered insufficient to cover the likely costs, then the CPO Indemnity Agreement provides a process for increasing the amount under the security with the Council not being obliged to take further steps until the amount has been increased.
- 9.8 Throughout the process Officers would seek to ensure that the security is adequate to cover the Council's exposure through full monitoring and anticipation of costs and ensuring, should it become necessary, additional sums are secured under the security.
- 9.9 In terms of holding any land acquired under the CPO, the intention is to transfer all interests to Renewal as soon as practicable. In order to minimise this risk the transfer will be made as soon as possible after the land has been acquired, and mechanisms such as holding irrevocable deeds of transfer to Renewal will be explored so that the risk (if any) only lasts for the minimum possible time.
- 9.10 Officers are satisfied that the arrangements outlined above mean that any financial exposure to the Council in relation to the CPO process can be mitigated to avoid material exposure. The CPO Indemnity Agreement has been drafted to minimise the risk to the Council, and Renewal has a strong and proven track record of meeting the Council's costs to date.
- 9.11 In relation to the acquisition under Section 227 and disposal to Renewal, the Council has been advised by GL Hearn that in terms of compliance with Section 233 Town and Country Planning Act 1990 there are no issues and following the CPO order the Council has been advised that the initial acquisition by the Council

of a third party land interest will be SDLT exempt and only Renewal will incur SDLT on the transfer to them (which will be its responsibility).

Financial due diligence (linked to pre-conditions (iv & v))

- 9.12 In September 2013, at the point of recommending to the Mayor that the Council enter into the Conditional Land Sale Agreement, Officers noted that the recommendation for the CPO resolution would not be brought forward until such time as "full financial due diligence has been undertaken and officers are satisfied that Renewal Group Limited has a viable business plan and funding strategy to deliver the scheme."
- 9.13 To this end the Council commissioned independent advice from PwC to undertake a due diligence review of Renewal's overall ability to deliver the New Bermondsey development scheme and its financial standing. PwC's review is based in large part on their assessment of the GL Hearn report commissioned by Renewal and which included a review of the viability of the Scheme. The key conclusions of both the PwC report and GL Hearn report are as set out in Section 7 of this Report.
- 9.14 Overall the conclusions are that the scheme is viable, that the costs of the CPO will be covered by the on-demand performance bond (once signed) and that the Scheme can either be financed by Renewal's shareholder companies (though it should be noted that financial information provided by the shareholders is unaudited as the shareholders are based offshore) or potentially through debt finance or on the basis the assembled Scheme would be attractive to another developer.
- 9.15 Renewal Group Limited (registered in the Isle of Man) is a 100% subsidiary of Renewal Holdings Limited (also registered in the Isle of Man) which in turn is owned on a 50/50 basis by Incorporated Holdings Ltd (IHL) (registered in the Isle of Man) and Independent Advisors Incorporated (IAA) (registered in the British Virgin Isles). Renewal has confirmed that IAA is ultimately controlled by a family trust and that IHL is ultimately controlled by a charitable trust. The Council should note that the nature of the unaudited information provided including ownership means that it has not been independently verified.
- 9.16 In relation to the RBS performance bond, paragraphs 9.1 – 9.8 above set out the Council's rights under the CPO Indemnity Agreement and this is considered to mitigate material financial exposure to the Council. The bond must be in place before the Council proceeds with any CPO.

10.0. Risk Assessment

- 10.1 A risk register has been prepared for this project and a Project Implementation Document (PID) has been prepared and will be monitored by the Council's SCT Proposed CPO Board. The CPO Indemnity Agreement of December 2013 is considered to provide the Council with a robust mitigation mechanism for all the protection it needs to avoid almost all financial risks, and Section 9 discusses any financial risk to the Council.

11.0. Comments from the Head of Planning

- 11.1 The Core Strategy Development Plan Document (DPD) sets out the vision, objectives, strategy and policies to manage development in the Borough over the next 15 years (2011 to 2026). The Core Strategy is the Council's key planning policy document and together with Development Management Local Plan and the London Plan forms the development plan for the Borough. The Core Strategy allocates five sites in the north of the Borough as 'strategic sites' one of which is New Bermondsey under its former name of the Surrey Canal Triangle (Core Strategy Strategic Site Allocation 3, SSA3).
- 11.2 The strategic sites are considered central to the achievement of the Core Strategy as redevelopment can collectively transform the physical environment and achieve place making objectives by delivering a comprehensive range of regeneration outcomes in the Borough's most deprived areas. This includes significant numbers of new homes, a range of economic, employment and training opportunities, accessibility improvements (public transport, pedestrian and cycle), and infrastructure provision and public realm improvements.
- 11.3 The Scheme represents an opportunity to transform the environment and infrastructure and create a new destination around the Borough's premier sporting destination (the MFC Stadium) which currently is not enhanced or improved by the surrounding industrial estates.
- 11.4 The Core Strategy policy (SSA3) allocates the Site for mixed use development and requires a comprehensive phased approach to redevelopment in line with an approved Masterplan. For the purposes of this Site, the outline planning application and supporting documentation which the Council resolved to approve on 13th October 2011, also carried through to the Section 73 application, represents the Site's masterplan. The policy seeks to create a 'destination' that could act to focus and attract other regeneration opportunities. It ensures development facilitates and takes advantage of the proposed new station on the London Overground network and the existing sporting and leisure facilities at the MFC Stadium to create a new high quality destination in an area which is relatively devoid of local facilities. Specifically the policy:
- ensures the continued operations of Millwall Stadium and supports its potential redevelopment;
 - seeks a range of uses including employment, retail, housing (up to 2,400 new homes), leisure and community;
 - makes provision for a range of infrastructure including the London Overground Station at Surrey Canal Road and substantial improvements to walking and cycling routes, including on-site amenity space;
 - ensures high quality design of all new buildings and spaces.
- 11.5 The Core Strategy is intended to encourage third party landowners and developers to bring forward their land and buildings for re/development where

appropriate. The Council has been working with landowners and their agents to assist the process of bringing forward development within the earliest possible period. This particularly applies to the strategic site allocations. However, it is accepted that there may be instances where landowners may be reluctant or unwilling to bring forward their land for development. In such circumstances the Core Strategy acknowledges that the Council may choose to use its compulsory purchase powers to achieve the Core Strategy's wider regeneration objectives (paragraph 9.24, Core Strategy).

12.0. Legal implications

- 12.1 The Mayor is being asked to consider the exercise of the powers under Section 226(1)(a) of the 1990 Act and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to make a CPO for the acquisition of land and new rights. The legal requirements and appropriate cross-references to the draft SoR are covered within this Report and the draft SoR.
- 12.2 In exercising the powers, the Council must also have regard to the CPO Guidance. The overarching requirement to demonstrate a compelling case in the public interest is set out in paragraph 7.38 – 7.44 of this Report, together with the additional factors which the Council must have regard to in making its decision.
- 12.3 The Mayor is also being asked to authorise the acquisition for planning purposes under Section 227 of the 1990 Act of Renewal's current and future freehold interests in land at 1A, 1B, 2, 3 and 4 and the lease back of that land to Renewal (with an option for Renewal to repurchase the freehold interest). The circumstances and implications of this arrangement are set out in Section 8 of this Report.

Section 203

- 12.4 Land acquired by the Council for the Scheme whether by private treaty or pursuant to CPO will be acquired for planning purposes under Section 226 or 227 of the 1990 Act. The land will be acquired subject to any existing interests and rights belonging to third parties, including rights of light, and the land will be sold subject to any such interests and rights on disposal. However, under Section 203 of the 2016 Act, the development of land which has been acquired or appropriated for planning purposes in accordance with planning permission is authorised, notwithstanding that it would interfere with any interests or rights affecting the land. The benefit of Section 203 passes to persons deriving title from the local authority, provided the interference is caused by development with planning permission and there remains sufficient connection between the development and the original purpose of acquisition. The ability to rely upon Section 203 removes the potential for excessive compensation claims and the ability for owners to obtain injunctions preventing the redevelopment or claim damages.
- 12.5 Where rights are interfered with, the owners of any such interests are entitled to compensation as provided for in Section 204 of the 2016 Act. The primary responsibility for payment of compensation rests with the developer, but the local authority retains residual liability in the event the developer defaults. The CPO

Indemnity Agreement requires Renewal to pay any Section 237 (now Section 203) compensation. This is considered to be in respect of third party land, however, and not any Section 204 compensation which would arise from the acquisition and lease back of Renewal's land as set out in Section 8 of this Report. It is therefore proposed that the CPO Indemnity Agreement is varied to ensure Renewal is responsible for the compensation and costs arising in respect of any interference with rights in respect of the land the subject of that proposed transaction.

Equality Act 2010 Implications

- 12.6 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The duty 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.
- 12.7 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not;
 - foster good relations between people who share a protected characteristic and those who do not.
- 12.8 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have regard to the need to achieve the goals listed at paragraph 12.7 above.
- 12.9 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 12.10 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the

equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

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

- The essential guide to the public sector equality duty;
- Meeting the equality duty in policy and decision-making;
- Engagement and the equality duty: A guide for public authorities;
- Objectives and the equality duty. A guide for public authorities;
- Equality Information and the Equality Duty: A Guide for Public Authorities.

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

12.13 Paragraph 7.75 of this Report refers to the Regeneration and Equalities Statement which has been carried out in this case and cross-refers to the summary of that assessment in Section 11 of the draft SoR.

Human Rights Act 1998 Implications

12.14 The Human Rights Act 1998 effectively incorporates the European Convention on Human Rights into UK law and requires all public authorities to have regard to Convention Rights. In making decisions Members therefore need to have regard to the Convention. The rights that are of particular significance to the Mayor's decision are those contained in Articles 8 (right to home life) and Article 1 of Protocol 1 (peaceful enjoyment of possessions).

12.15 Article 8 provides that everyone has the right to respect for his private and family life, his home and his correspondence. The right is qualified to the effect that there should be no interference with the right except in accordance with the law and as necessary in a democratic society in the interest of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of Protocol 1 provides that every natural or legal person is entitled to the peaceful enjoyment of his possessions. Again the right is qualified to the effect that no one is to be deprived of his possessions except in the public interest

and subject to the conditions provided for by law and by the general principles of international law. Further, the right does not in any way impair the right of a state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.

12.16 As qualified rights, interference with the Article 8 and Article 1, First Protocol rights is permissible only if what is done has its basis in law, is done to secure the permissible aim set out in the relevant Article (for present purposes, economic wellbeing (Article 8) or the public interest (Article 1)) and is necessary in a democratic society. The interference must pursue the legitimate aim and be proportionate to the aim being pursued. In determining the level of permissible interference, the courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals – there must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck. Case law in a CPO context has determined that there is no requirement to set out in any formulaic way the extent to which individual human rights are interfered with and that the necessary human rights balancing exercise is encompassed by the test of a compelling case in the public interest.

12.17 If a CPO is made and confirmed, this will result in the taking of property and the rights of persons occupying the Site will be interfered with. The nature of the properties/occupations involved is set out elsewhere in this Report. Officers consider that the degree of interference is necessary in the interests of the economic well-being of the country (in the terms set out in Article 8), is in the public interest (in the terms set out in Article 1, Protocol 1 rights). In making the recommendations in this Report, Officers have carefully considered the balance to be struck between individual rights and the wider public interest and have also had regard to the alternative means of securing the redevelopment of the Order Land and the associated regeneration of the area. Officers have concluded the interference is proportionate when weighed against the significant benefits which will be delivered by the Scheme for the Borough and the wider community as set out in this Report, the draft SoR and the Regeneration and Equalities. Compensation will be payable in accordance with law including compensation for property on the basis of the market value of the interest acquired, together with disturbance, statutory loss payment and where appropriate home loss payments.

13.0. Environmental Implications

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

14.0. Crime and disorder implications

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

15.0. Conclusion

- 15.1 Each of the Pre-Conditions to making a CPO set out in the 7th March 2012 Report, have been addressed and considered by Officers.
- 15.2 On balance, the Mayor is recommended to resolve to make a CPO and to agree the other recommendations set out in Section 4 of this Report.

16.0. Background Papers

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

<u>Short title of document</u>	Date	File Location	Contact Officer
Strategic Planning Committee Report Land to the North and South of Surrey Canal Road	13.10.11	Laurence House	Michael Forrester
Strategic Planning Committee Report Land to the North and South of Surrey Canal Road	13.12.13	Laurence House	Michael Forrester
SCT "in principle" CPO and land appropriation report	7.3.12	Laurence House	Kplom Lotsu
Surrey Canal Triangle Regeneration – Update on Land Assembly and Conditional Land Sale Agreement between LBL and Renewal.	13.9.13	Laurence House	Kplom Lotsu
Regeneration and Equalities Statement - Quod	26.08.16	Laurence House	Kplom Lotsu
GL Hearn – Review of Implications of Omission of MFC and MCS Land for Scheme Viability	30.08.16	Laurence House	Kplom Lotsu
GVA Rights of Light Report	December 2016	Laurence House	Kplom Lotsu

If any person would like further information on this report, please contact Kplom Lotsu on 0208 314 9283 or Kplom.Lotsu@lewisham.gov.uk

List of Annexures/Appendices

Site Plan

Appendix 1: Draft Statement of Reasons

Appendix 2: CPO Resolution Plan

Appendix 3: Section 227 Acquisition Plan

Appendix 4: Section 227 Acquisition Heads of Terms

Appendix 5: Plan of Renewal's Existing Ownership

Appendix 6: Table of Freehold and Leasehold Interests to be Acquired, plans of freehold, head leasehold and under leasehold interests, plan showing third party interests to be acquired.

Appendix 7: Utilities Plan

Appendix 8: Rights of Light Plans

The London Borough of Lewisham (Land to the North and South of Surrey Canal Road, London SE14, 15 and 16 forming part of the New Bermondsey Site,) Compulsory Purchase Order 2016

The Town and Country Planning Act 1990

and

The Local Government (Miscellaneous Provisions) Act 1976

and

The Acquisition of Land Act 1981

Statement of Reasons

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THE LONDON BOROUGH OF LEWISHAM (LAND TO THE NORTH AND SOUTH OF SURREY CANAL ROAD, LONDON SE14, 15 AND 16 FORMING PART OF THE NEW BERMONDSEY SITE) COMPULSORY PURCHASE ORDER 2016

STATEMENT OF REASONS

1. INTRODUCTION

- 1.1 This document is the Statement of Reasons for the above Compulsory Purchase Order, namely, The London Borough of Lewisham (Land to the north and south of Surrey Canal Road, London SE14, 15 and 16 forming part of the New Bermondsey Site) Compulsory Purchase Order 2015 (**Order**). The land and the interests in the land included within the Order are referred to as '**the Order Land**'.
- 1.2 The London Borough of Lewisham (the **Council**) is the local planning authority and acquiring authority for the administrative area that includes the Order Land. The Council has made the Order and has submitted it to the Secretary of State for Communities and Local Government (**Secretary of State**) for confirmation. The Order was made under Section 226(1)(a) of the Town and Country Planning Act 1990 as amended (**1990 Act**), Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (**1976 Act**) and the Acquisition of Land Act 1981. The Order will, if confirmed by the Secretary of State, authorise the compulsory acquisition of land and new rights to enable the comprehensive regeneration of the Order Land in accordance with adopted planning policy, which it is intended will take place through the delivery of the Scheme (as defined below).
- 1.3 The Order Land lies to the north and south of Surrey Canal Road. It forms part of land known as the New Bermondsey Site (**Site**). The Site was formerly known as the Surrey Canal Triangle site.
- 1.4 A location plan of the Site is attached at **Appendix A**. References to the '**Site**' in this Statement of Reasons are references to the site as shown edged red on the location plan. The Order Land is shown shaded pink and blue on the Order Map attached at **Appendix B**.¹ References to the '**Scheme**' are to the development as currently consented, but should be taken to include any variations as the development evolves and proceeds.
- 1.5 The Council considers that acquisition of the Order Land will facilitate the carrying out of development, redevelopment or improvement on the Order Land, in accordance with the requirements of Section 226(1)(a) of the 1990 Act. In considering whether to make the Order the Council also had regard to the requirements of Section 226(1A) of the 1990 Act, and it considers that the proposed redevelopment will contribute significantly to the promotion and/or improvement of the economic, social and environmental well-being of its administrative area.
- 1.6 Re-development of the Site is a key regeneration priority for the Council, and the purpose of the Order is to facilitate the development and re-development of the Site in line with relevant planning policy and the Council's corporate objectives. The purposes for which the Order Land is required meets the objectives of the London Plan (Consolidated with Alterations since 2011)², The Lewisham Core Strategy (Adopted June 2011) (**Core Strategy**) and the National Planning Policy Framework March 2012 (**NPPF**). Accordingly, it fits with the adopted/applicable planning framework for the area within which the Order Land and the Site are situated.

¹ Order Map as per CPO when made.

² The Spatial Development Strategy for London Consolidated with Alterations since 2011 (March 2016).

- 1.7 The Site is situated within New Cross ward in the north west corner of the Borough of Lewisham (**Borough**), adjacent to the London Borough of Southwark. The Core Strategy is the Council's principal planning policy document; this sets out the vision, objectives, strategy and policies to manage development in the Borough over the period 2011 to 2026.
- 1.8 The Core Strategy allocates five sites in the north of the Borough as 'strategic sites'. Four of the strategic sites are within the Deptford/New Cross area of the Borough. They include the Site under its former name of Surrey Canal Triangle.
- 1.9 Pursuant to Strategic Site Allocation 3 (**SSA3**) within the Core Strategy, the Site is allocated for comprehensive mixed use development. The supporting text to SSA3 describes the Site as presenting a degraded low quality environment which is overwhelmingly industrial in character, and notes that the industrial estates are closed off and inward looking. It states that the Site and wider area suffers from a good deal of severance caused by railway lines on wide viaducts, leading to an environment which discourages pedestrian access and connectivity.
- 1.10 The Core Strategy identifies the Site as an opportunity to transform the environment and infrastructure and create a new destination around the Borough's premier sporting destination, Millwall Football Stadium, which currently is not enhanced or improved by the surrounding industrial estates. It highlights that re-development of the Site, with the retention or replacement of existing employment uses on-site, would contribute to the economy of Lewisham, increase its diversity and offer new types of jobs and training opportunities that are currently limited locally.
- 1.11 The Core Strategy in turn builds on the vision outlined in 'Shaping our Future', Lewisham's Sustainable Community Strategy 2008 – 2020. This includes the 'Dynamic and Prosperous' theme, where people are part of vibrant communities and town centres, well connected to London and beyond. It details the Local Strategic Partnership's commitment to 'improving the quality and vitality of Lewisham's town centres and localities', and its aspirations to 'support the growth and development of our town centres by working with commercial partners and developers', and to 'maximise the use of our town centres as places to engage the local community'.
- 1.12 'People, prosperity, place', Lewisham's Regeneration Strategy 2008-2020, sets out the Council's aspiration for a vibrant, dynamic Lewisham focused around the themes of people - investing in the individuals and communities which are Lewisham's greatest asset - prosperity - fostering the skills and economic opportunities for Lewisham to flourish and thrive - and place - developing high quality public spaces, sustainable buildings and protecting the areas which are sensitive to change. The strategy is also placed within the framework of the key national and regional policies which affect the Council's work around regeneration of the Borough, including the London Plan.
- 1.13 Renewal Group Limited (the **Developer**) has achieved planning permission for development that accords with Council, regional and national policy, and proposes to develop the Site. Further details of how it intends to deliver the Scheme are contained in Section 6 of this Statement of Reasons.
- 1.14 In January 2011, the Developer submitted an outline planning application to the Council in respect of the re-development of the Site. On 30 March 2012, the Council granted outline planning permission under reference number DC/11/76357 (**Outline Planning Permission**) for the comprehensive, phased, mixed use development of the site for up to 240,000 square metres (GEA) of development comprising:
- Class A1/A2 (Shops and Financial and Professional Services) up to 3,000 square metres;
 - Class A3/A4 (Cafes/Restaurants and Drinking Establishments) up to 3,000 square metres;
 - Class A5 (Hot Food Takeaways) up to 300 square metres;

- Class B1 (Business) between 10,000 -15,000 square metres;
- Class C1 (Hotels) up to 10,000 square metres;
- Class C3 (Dwelling Houses) between 150,000 - 190,000 square metres (up to 2,400 homes of different sizes and types);
- Class D1 (Non-residential Institutions) between 400 - 10,000 square metres;
- Class D2 (Leisure and Assembly) between 4,260 - 15,800 square metres

involving the demolition of all existing buildings on the site with the exception of the Millwall FC Stadium (which is to be retained and its façade upgraded and /or re-clad), Plot Excelsior 2 – Guild House (which is to be retained and extended) and Plot Excelsior 5 – Rollins House (which is to be retained, but not altered or extended as part of the planning application).

- 1.15 The Outline Planning Permission also encompasses the demolition and replacement of the existing Millwall FC grounds-person's store of approximately 140 square metres, re-profiling of site levels, alterations to Surrey Canal Road, the re-alignment of the Bolina Road, new streets and other means of access and circulation, including pedestrian/cycle paths, carriageways and servicing areas, areas for parking for emergency services vehicles and outside broadcast units, external areas of land and soft landscaping and publicly accessible open space, car and coach parking areas and accesses to them, cycle storage and, supporting infrastructure works and facilities including sub-stations, energy centre(s), District Heating Network (DHN) connections to and between each plot and the proposed energy centre and the adjoining South East London Combined Heat and Power (SELCHP) plant (to the extent to which they lie within the planning application Boundary) and an ENVAC waste storage and handling system (including DNH and ENVAC connections to plots south of Surrey Canal Road under the carriageway of Surrey Canal Road, as altered.
- 1.16 The Outline Planning Permission was subject to a Section 106 Agreement (**Original S106 Agreement**) entered into on the same date and securing a number of commitments and obligations. Details of the Original S106 Agreement are in Section 4 below.
- 1.17 In October 2013, the Developer submitted an application under Section 73 of the 1990 Act (reference number DC/13/85143) for minor material amendments to the Outline Planning Permission to vary conditions on the Outline Planning Permission to enable reconfiguration of buildings on plots known as Timber Wharf, Stockholm 1 and 2 and Senegal Way 1 and 2 and the redistribution of land uses between these plots. On 18 December 2015, the Council granted permission in respect of the S73 Application (**S73 Permission**). The S73 Permission is subject to a Section 106 Agreement entered into on the same date and applying (with appropriate modifications) the obligations in the Original Section 106 Agreement to the development comprised in the S73 Permission. References below to '**S106 Agreement**' include the Original Section 106 Agreement and the Section 106 Agreement entered into in respect of the S73 Permission.
- 1.18 In February 2015 the Site was designated as one of the first of the Mayor of London's Housing Zones. Housing Zone status has been awarded to areas identified as key opportunity sites, to maximise development, fast track homes and deliver much-needed infrastructure to boost development. As one of the first Housing Zones, the Scheme is recognised as a key development in London and it is one of the few regeneration projects that has the capacity to deliver homes for Londoners within a relatively short timescale, reducing the estimated build programme from 11 years to 8 years. As a result of Housing Zone status, the Site has been allocated in principle funding of £20 million from the GLA/Treasury which will facilitate delivery of key infrastructure, including the new New Bermondsey Station and other transport infrastructure, providing significant benefit for the 40,000 people already living within a 15 minute walk of the Site and will also enable the Developer to start phases 1A and 2 at the same time, rather than consecutively, accelerating delivery of 532 new homes. It is currently proposed that c.£12 million of funding will be paid to the Council as grant funding under a

Borough Intervention Agreement, and that this sum will be advanced to TfL to provide and open the station within a set period. Previously the Developer was required to fund the station works, but as the sum for the station works will no longer be required to be paid by the Developer, the Developer will apply an equivalent sum to the delivery of additional affordable housing within the Scheme. A programme of regular monitoring meetings will be agreed between the GLA, the Developer and the Council to monitor delivery of the new station and the new homes, including the additional affordable housing.

1.19 Layout plans of the development authorised by the Outline Planning Permission and the S73 Permission are attached at **Appendix C**. The Developer intends to implement the S73 Permission rather than the Original Outline Consent.

1.20 In addition to securing the wider regeneration of a poor and deprived area of North Lewisham and contributing the regeneration of the wider area, the Scheme will deliver a number of key benefits, the principal ones being as follows:

- facilitating the redevelopment of the Order Land to create a new, high quality mixed use neighbourhood on an allocated strategic site to provide a place to work, shop, be entertained and live;
- the delivery of a range of modern employment and business space including retail and leisure premises (including hotel), office accommodation, and space for creative/digital industries which will diversify the local economy and provide new employment opportunities;
- the delivery of new housing in a range of tenure types in a highly publicly accessible and sustainable location;
- the creation of a new transport interchange including the provision of a new station on the East London Line and two new bus routes;
- improving the physical of the Site and the neighbouring area and connectivity between the site and neighbouring areas through the creation of new cycling and pedestrian routes, enhancement of metropolitan open land and parkland (Bridge House Meadows), creation of new public squares and improvements to existing pedestrian access routes resulting in a new and improved setting for Millwall Football Club and local residents;
- the delivery of a modern, state-of-the-art regional sports complex which will provide specialist training facilities for local residents and athletes across the south-east of England and provide a new location for Millwall Community Scheme;
- the provision of new community facilities including GP facilities, medical centre, a new faith and community centre and a new home for the Council's multi-faith and multi-cultural resources centre.

Further details of these key outputs are discussed elsewhere in this Statement of Reasons.

1.21 The Scheme is intended to be implemented in seven phases numbered 1A, 1B, 2, 3, 4, 5 and 5A. A plan identifying the Phases is attached at **Appendix D**.

1.22 The Developer has been assembling the Site since 2004, and now owns or controls the majority of the land interests required for the Scheme, excluding highways plots and utilities interests and land currently vested in the Council. In summary, there are a total of 96 separate titles within the Site. The Developer has completed the purchase of 69 titles, entered into sale agreements in respect of five titles and there remain 22 titles to be acquired which are comprised in the Order land. The 22 titles exclude highways plots, utilities interests, interests of occupational tenants (where the Developer expects to gain possession without recourse to the Order), land which is under contract with the Developer and any business tenancies of land not currently in the ownership of the Developer) which are comprised within the Order Land.

Of the 22 outstanding interests, three are minor reversionary interests with the Developer already holding a substantive long leasehold interest. A plan identifying the Developer's ownership (**Developer's Land**) is attached at **Appendix E**, together with a table setting out the interests acquired and the title numbers.³

- 1.23 The Order includes all outstanding land interests and new rights necessary to facilitate the carrying out of the Scheme. The Council owns the freehold interest in the land identified on the Order Map as Plots [].
- 1.24 The Council has entered into a conditional land sale agreement with the Developer, under which the Council has agreed to sell and the Developer agreed to buy the Council's freehold interests in Plots [], excluding the land upon which the Millwall FC Stadium sits.
- 1.25 The Order includes interests in land where the Council owns the freehold interest.
- 1.26 The Scheme is large and complex and has taken a long time to come to fruition. On 7 March 2012, the Council resolved in principle to use its compulsory purchase powers under section 226(1)(a) of the 1990 Act to facilitate re-development of the Site. The resolution was subject to a number of pre-conditions, all of which are considered to have been satisfied as discussed elsewhere in this Statement of Reasons. The resolution also delegated authority to relevant Council Officers to negotiate and enter into an Indemnity Agreement with the Developer. That agreement was duly completed on 20 December 2013 and varied on [] 2016.
- 1.27 In the time since the resolution in principle, the Developer has continued to acquire remaining interests by agreement. The Scheme has been revised with a Section 73 application being approved to enable reconfiguration of buildings on plots known as Timber Wharf, Stockholm 1 and 2 and Senegal Way 1 and 2 and the redistribution of land uses between these plots. The Site has secured Housing Zone designation status which will enable the first two phases of the development to be delivered concurrently rather than consecutively with a proposed funding approach which will deliver the new Overground Station and enable delivery of additional affordable homes to an equivalent value. The Developer has established itself on the Site and has been working to raise the profile of the Site and the Scheme, introducing meanwhile uses and taking positive steps towards creating a sense of place. At the same time, the Council has taken steps to address the various pre-conditions set by Mayor and Cabinet in March 2012.
- 1.28 Bolina Road is no longer a through road. It provides access to the industrial units at Bolina Road and the Enterprise Industrial Estate, both of which will be replaced by the new development. As part of the scheme the road will be integrated with the urban realm surrounding the new buildings. As the existing road is maintained at the public expense, the local highway authority will not permit certain surface treatments on account of the cost of maintenance falling on the public purse. Whilst not essential to enable the scheme to be carried out, stopping up the road and transferring the land to the Developer will allow the Developer to upgrade the road surface to create a consistent urban realm and manage and maintain the road. If required, rights of access will be granted to Network Rail and neighbouring landowners who need to pass over the road.
- 1.29 It is proposed that a stopping up order in respect of Bolina Road will be sought under Highways Act powers. It is anticipated that any other requirements for road closures will be dealt with through appropriate Orders under the Road Traffic Regulation Act 1984.
- 1.30 The Order Land is required for the Council to achieve its regeneration objectives for the area within a realistic timescale. Although reasonable efforts have been made, and will continue to be made, to acquire the necessary land and rights by agreement, it is clear that the Order is required to ensure there is sufficient certainty that the Scheme can come forward within a reasonable timescale. Compulsory purchase will enable the re-development to take place in a timely fashion in order to derive the wider public benefits that the Scheme will secure and

³ To be included and reflect position when Order made.

also provide certainty for the programming of the Scheme and realisation of the policy objectives.

- 1.31 The Developer, with the Council's assistance continues to seek to acquire the outstanding interests by agreement and details of negotiations are contained within Section 8 of this Statement of Reasons. Discussions will continue with landowners of relevant interests who are willing to sell by agreement at market value in accordance with the compensation code, with a view to limiting the number of interests which need to be acquired compulsorily. The approach adopted by the Council is in accordance with Government's 'Guidance on Compulsory purchase process and The Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion' issued by the Department for Communities and Local Government in October 2015 (**CPO Guidance**).
- 1.32 This Statement of Reasons has been prepared in accordance with the advice set out in Section 1 of Tier 2 of the CPO Guidance and has regard to the other requirements of the CPO Guidance. The Statement of Reasons sets out the Council's reasons for making the Order. It provides a description of the Order Land, outlines the Council's purposes in seeking to acquire it and the case for compulsory purchase in the context of national and local policy. It is intended to be as comprehensive as possible so as to form the basis of the Council's Statement of Case which is required to be served under Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007.
- 1.33 The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest. The Council considers that a compelling case in the public interest exists in this case.

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2. THE ORDER LAND

- 2.1 The Order Land totals [] hectares⁴ and comprises all interests in the Site (not otherwise owned by the Developer or the Council) required in order to carry out the Scheme. Table 1 to the Order details the address, title number and registered proprietor of each interest within the Scheme yet to be acquired. Currently 22 interests (excluding highways plots and utilities interests) remain to be acquired and these are identified in the Schedule which accompanies the Order Map at **Appendix B** of this Statement of Reasons. The Developer continues, with the assistance of the Council, to seek to acquire the remaining interests by agreement and a number of other interests are at agreed sale stage.
- 2.2 The Site of which the Order Land forms part is situated in the Deptford and New Cross area in the north of the Borough and close to the boundary with the London Borough of Southwark. The Site as a whole presents as a degraded, low quality environment, predominantly industrial in character with industrial estates which are closed off and inward looking. The estates were established in the 1970s/1980s as part of a previous package of economic funding. The Site is set within a wider area which suffers from a significant degree of severance caused by railway lines on wide viaducts creating an environment which discourages pedestrian access and connectivity.
- 2.3 Current pedestrian access into and out of the Site is limited by a number of constraints including the railway lines, poor pedestrian crossing facilities and no direct access to South Bermondsey Station. Bridgehouse Meadows is a relatively large public open space to the south-east of the Site. This open space is proposed to be enhanced to meet the needs of the Scheme.
- 2.4 The MFC Stadium is located at the heart of the Site. The Core Strategy highlights the potential of the football club to form the core of a new location in an area largely devoid of identifiable features such as local shops, community and leisure facilities.
- 2.5 The Site is within Flood Zone 3a of the River Thames floodplain, although in an area shown to be benefiting from existing flood defences to a 1 in 1,000 year standard. Mitigation measures are to be provided as part of the Scheme to address the remote possibility of flood defences failing.
- 2.6 In terms of transport links, South Bermondsey Station, which provides a rail service to London Bridge station that runs approximately every 15 minutes, is located immediately adjacent to the Site with indirect access via Ilderton Road or by a new public footpath that extends from South Bermondsey Station to Surrey Canal Road with an exit point that brings you to the north end of Bolina Road.. Ilderton Road also serves as the location for the only local bus route, the number P12 which runs from Brockley Rise to Surrey Quays approximately every 10 minutes. Phase 2 of the East London Line Extension included extending the line from Surrey Quays to Clapham Junction via Peckham. This route opened in December 2012 and trains run approximately every 9 minutes. As part of the works completed in 2012, the foundations for the platform and new station at Surrey Canal Road were put in place. As explained above, the new station is to be delivered by TfL with grant monies passed through the Council under a Borough Intervention Agreement. The Developer and TfL have agreed that the new station will be called New Bermondsey Station.
- 2.7 The Site is has a total area of 10.74 hectares and is comparatively under-utilised. It currently represents an inefficient use of land and buildings which does not maximise the Site's potential and has job rates at well below the average per hectare for the Borough and the adjoining Borough of Southwark. The Site currently accommodates 400,000 square metres of floor space within a series of existing buildings including:
- Land to the south east of Surrey Canal Road – Excelsior Works;

⁴ To be completed once Order finalised.

- Land to the south west of the Surrey Canal Road – including Rollins Street;
 - Land to the north of Surrey Canal Road – The Orion Industrial Estate;
 - Land to the South of Stockholm Road;
 - Land to the north and west of Bolina Road – including Enterprise Industrial Estate;
 - The Lions Centre (Millwall Community Scheme);
 - The MFC Stadium and surrounding land to the south east and south west.
- 2.8 Due to the low lying nature of the Site and the fact that the existing buildings are generally low rise, the existing railway lines which run along the north eastern boundaries currently dominate the Site.
- 2.9 There are a number of waste transfer sites amongst and beyond the railway embankments adjoining the Site. To the north east of the Site lies the South East London Combined Heat and Power facility (**SELCHP**).
- 2.10 The majority of the buildings within the Order Land comprise industrial units. There are two live/work units within the Order Land, one of which (Unit 17 Excelsior Works) is occupied by an artist/sculptor, the other (Unit 18 Excelsior Works) is currently understood to be empty. The Order Land also encompasses the land round the Millwall FC Stadium which is leased to The Millwall Football and Athletic Company (1985) PLC (**MFC**) and the land known as the Lion's Centre, currently leased to the Millwall Community Scheme (**MCS**).
- 2.11 New rights are also required to fulfil certain requirements of the S106 Agreement. These affect land owned by Network Rail, London Underground Limited and MFC. The rights are in summary:
- 2.11.1 Rights to construct, use (in common with others) and maintain a pedestrian and cycle access route from the north west corner of the Site to South Bermondsey Railway Station.
- 2.11.2 Rights to undertake railway arch and underpass works in relation to railway arches and underpasses that surround the Site (as illustrated on the Order Map) at South Bermondsey Station, Zampa Road, Stockholm Road, Rollins Street, the route to Surrey Quays and Bolina Road.
- 2.11.3 Rights to carry out works to landscape and thereafter maintain railway embankments adjoining the Site and to carry out habitat creation works on the said land.
- 2.11.4 Rights to install and maintain conducting media under the railway arch between the South East London Combined Heat and Power facility and the Site to the extent it is required for the installation of the proposed district heating network that is to provide heat and power to the Scheme.
- 2.11.5 Rights to carrying out and complete works to replace and improve the existing façade of the MFC Stadium, as required by the Section 106 Agreement relating to the outline planning permission (and as to be applied to the Section 73 Permission).
- 2.12 Various rights and covenants also affect the Order Land as identified in Table 2 of the Order Schedule.
- 2.13 In respect of those Plots where the Council owns the freehold interest, the Schedule includes the acquisition of the leasehold interests and existing rights of statutory undertakers that subsist in such Plots. The Council has had regard to the CPO Guidance in respect of using compulsory purchase powers in such circumstances.

- 2.14 It is intended that unless acquired by private treaty negotiations, all land including certain existing rights over land and new rights within the Order Land will be acquired by the Council pursuant to the Order. Where landowners have rights affected by the Order, where appropriate, the Council will consider the grant of equivalent or replacement rights where consistent with the Scheme.
- 2.15 On [] 2016, the Council's Mayor and Cabinet resolved to use its compulsory purchase powers under s226(1)(a) of the 1990 Act and Section 13 of the 1976 Act to acquire the land, including existing rights over land, and new rights comprised in the Order Land to facilitate the carrying out of the Scheme. Both prior to and subsequent to the Council's resolution, the Developer with the Council's assistance has used and continues to use all reasonable efforts to acquire the outstanding interests by negotiation. A summary of the position on negotiations is included in Section 8 below. However, it has become increasingly apparent to the Council that it will not be possible to acquire all of the interests required for the Scheme by agreement. The use of compulsory purchase powers is therefore required in order to acquire all the land and rights needed for the Scheme. Efforts to acquire interests by agreement will continue notwithstanding the making of the Order.
- 2.16 The Scheme will be delivered comprehensively across the whole of the Site in accordance with adopted planning policy. Given that most of the Scheme value will not be realised until the later phases, the Scheme is unlikely to proceed before all of the interests that are required to deliver the entire Scheme are under control of the Developer. It is essential therefore that all existing interests in the Site are acquired, including those that subsist in land that the Council already owns, at the same time in order to ensure comprehensive redevelopment of the whole Site. Thus, the Order must be confirmed in its entirety.

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3. **POWERS**

- 3.1 The Council seeks to acquire compulsorily the Order Land for the purposes of development, redevelopment or improvement pursuant to Section 226(1)(a) of the 1990 Act. The Council also seeks to acquire new rights pursuant to Section 13 of the 1976 Act.
- 3.2 Section 226(1)(a) of the 1990 Act provides the power to acquire land compulsorily where an acquiring authority thinks the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the Order Land. Furthermore, the power may only be exercised where the acquiring authority thinks the development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the authority's administrative area: 1990 Act, 226(1A).
- 3.3 The CPO Guidance recognises the use of the Section 226 power as a positive tool to help acquiring authorities to assemble land where this is necessary to implement proposals in their Local Plans or where strong planning justification for the use of the power exists; and provides guidance to acquiring authorities on the use of the Section 226 power and compulsory purchase powers generally. The Council has had regard to the CPO Guidance in making the Order.
- 3.4 For the reasons set out in this Statement of Reasons, the Council considers that the acquisition of the Order Land will facilitate the development, redevelopment and improvement of the Order Land, and that the redevelopment will promote and improve the environmental, social and economic well-being of the area.
- 3.5 The Order further seeks the acquisition of new rights pursuant to powers in Section 13 of the 1976 Act, in order to fulfil certain requirements of the Section 106 Agreement. These affect land owned by Network Rail, London Underground Limited and MFC and are summarised at paragraph 2.11 above.
- 3.6 The Council considers that acquisition of the Order Land is necessary in order to facilitate development, redevelopment and improvement so as to secure the wider regeneration of a poor and deprived area of North Lewisham, so contributing to the regeneration of the wider area. The purposes underlying the Order are intended to be achieved through the delivery of the Scheme, which will deliver a number of significant benefits, as follows:
- Approximately 1,500 new permanent jobs plus 470 temporary construction jobs;
 - Approximately 2,400 new homes, including affordable housing;
 - A new station on the East London Line;
 - 2 new bus routes linking the Site to Lewisham and Central London;
 - Energize, a £40m state-of-the-art regional sports complex;
 - New cycling and pedestrian routes linking the Site to the wider area;
 - A new faith and community centre;
 - A new multi-faith and multicultural resources centre;
 - A 150 bed hotel and conferencing centre;
 - New GP facilities with other health services, which may include specialisms in sports injury;
 - The refurbishment of the park at Bridgehouse Meadows;

- A creative/digital quarter;
- A new and improved setting for The Den and Millwall Football Club and allowing for an increase in capacity of the Stadium from 20,146 to 26,500;
- A new home for the Millwall Community Scheme;
- 5 new public squares and private gardens for residents;
- Improvements to 14 surrounding railway arches and underpasses creating links into the surrounding areas;
- Surrounding junction improvements;
- Enhanced security and safety across the Site and surrounding areas.

3.7 The Scheme will contribute to the promotion or improvement of economic, social and environmental well-being of the area, including in the following ways, taking each in turn:

3.7.1 In terms of **economic** well-being, the Scheme will deliver:

- The regeneration of a relatively poor and deprived area;
- Approximately 1,500 new permanent jobs (there are currently 366 jobs on the Site) and 470 temporary construction jobs;
- A new Overground station on the East London Line;
- Two new bus routes for the area;
- A new creative/digital quarter;
- A network of new cycle and pedestrian routes linking the site to the surrounding areas;
- A new hotel and enhanced conferencing facilities;
- Space for new business start-ups;
- An overall package of Section 106 contributions by the developer totalling £40 million.

3.7.2 In terms of **social** well-being, in addition to providing a significant number of new homes, including much needed affordable housing, a key part of the Scheme is 'Energize', the largest indoor sports complex for community use to be built in London since Crystal Palace in 1964. Energize will promote healthy living and increase the local community's wellbeing and self-esteem. Alongside sports facilities, Energize will provide a series of outreach programmes from clubs and tenants from the sports centre to encourage participation in sport and provide education on nutrition, fitness and a healthy lifestyle.

3.7.3 In 2014, the OnSide Charity revealed plans to expand their network of Youth Zones to New Bermondsey. The Surrey Canal Sports Foundation (Charity number 1141811) (**SCSF**) formed a partnership with Onside to incorporate a Youth Zone within the fabric of Energize. The Youth Zone within Energize will have its own dedicated space attracting approximately 3,000 visits by young people every week.

- 3.7.4 Discussions are currently ongoing between the Greenhouse Sports Charity and the SCSF about a long-term presence within Energize. Greenhouse Sports aim to develop the social, thinking, emotional and physical skills of young people in London's inner-city communities. During 2014-15 Greenhouse's coaches worked with almost 8,000 young people across London. Both OnSide and Greenhouse would contribute towards the capital cost of Energize in exchange for access to the facilities.
- 3.7.5 London Thunder Basketball Club (formerly known as Lewisham Thunder Basketball Club), a future occupier, is already on the Site in temporary facilities and is delivering a Hoops4Health programme in 16 local schools. Fusion Table Tennis club are also on the Site in temporary facilities. These facilities attract c. 2,800 visits per month. Further social well-being benefits include:
- Enhanced permeability through new streets, paths and cycle routes;
 - A new home for the Lewisham's multi-faith and multicultural resources centre;
 - The creation of new faith and community space, which will act as a local meeting place, exhibition space and conduit for social cohesion;
 - New health facilities;
 - New crèche facilities;
 - New public meeting places;
 - The relocation of the Lion's Centre;
 - A safer and more secure environment achieved through increased permeability, footfall, lighting and CCTV which will lead to a reduction in crime.
- 3.7.6 The SCSF is already working to raise the money to build and run the sports complex and to date has £18.5 million pledged, and a further £5 million request for funds being considered, bring total potential pledges to £23.5 million. The SCSF has been established to ensure that the facilities remain for community use at local authority rates. It will be responsible for encouraging the tenant clubs to run their programmes in the local authority and for increasing sports participation locally.
- 3.7.7 In terms of **environmental** wellbeing, in addition to the regeneration of an area currently presenting a degraded low quality environment with an environment which discourages pedestrian access and connectivity, the Scheme will deliver the following benefits:
- A refurbished park at Bridgehouse Meadows;
 - 5 new public squares;
 - High quality new public realm at ground level and high quality private realm at the podium level;
 - Extensive roof planting providing new wildlife habitats;
 - A connection to SELCHP for heat and power;
 - ENVAC underground waste system;
 - A new setting for Millwall Football Club;

- A safer and more secure environment achieved through increased permeability, footfall, lighting and CCTV, which will lead to a reduction in crime;
- A new Overground station on the East London Line;
- Two new bus routes for the area;
- Improvements to several road junctions;
- A new network of cycle and pedestrian routes linking the site to the surrounding areas.

3.8 The Regeneration and Equalities Statement (Section 11 and **Appendix K**) further demonstrates the economic, social and environmental well-being outputs and regeneration benefits of the Scheme.

3.9 The purposes for which the Order has been made, and the case for the compulsory acquisition of the land and interests included in it, are addressed in Section 9 of this Statement of Reasons. Information about how the Council has had regard to the European Convention on Human Rights are set out in Section 10.

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4. PLANNING FRAMEWORK AND PLANNING POSITION IN RELATION TO THE SCHEME

- 4.1 The re-development of the Order Land will deliver comprehensive mixed use development in accordance with SSA3 of the Core Strategy, and will also facilitate sustainable development in line with both national, regional and local policy objectives including the Core Strategy the London Plan, the NPPF, Lewisham's Regeneration Strategy: People, Prosperity, Place', and Lewisham's Sustainable Community Strategy 2008 – 2020: 'Shaping our future'.
- 4.2 A mix of national, regional and local planning policy objectives have informed the planning process in respect of the Scheme. Relevant planning policies are listed in **Appendix F**.
- 4.3 The Development Plan for the area including the Site comprises the London Plan, the Core Strategy, the Lewisham Site Allocations Local Plan June 2013, and the Lewisham Development Management Local Plan November 2014.
- 4.4 In addition to the statutory development plan, various other documents form part of the overall 'policy framework' for the area and are relevant to decision-taking in a planning context. These include, amongst other things, Government Guidance, draft plans and supplementary planning documents.
- 4.5 The NPPF contains the Government's guidance for local planning authorities in relation to plan-making and decision-taking.
- 4.6 The NPPF states that there is a presumption in favour of sustainable development. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and 'decision-takers at every level should seek to approve applications for sustainable development' (paragraph 187).
- 4.7 In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is confirmed the planning system should play an active role in guiding development to sustainable solutions (paragraph 8).
- 4.8 Paragraph 49 of the NPPF specifically states that 'housing applications should be considered in the context of the presumption in favour of sustainable development'.
- 4.9 The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system (paragraph 19).
- 4.10 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development. It is indivisible from good planning and should contribute positively to making places better for people (paragraph 56). It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (paragraph 57).
- 4.11 In addition to the Development Plan, various Supplementary Planning Documents (SPD) are relevant including the Mayor's Supplementary Planning Guidance on Housing and the Council's Residential Development Standards (updated version 2012).

Regional policy

- 4.12 The London Plan provides the strategic planning policy context for all London Boroughs and in turn provides the regional contextual policy background for the Borough, and a framework for local planning policy. It sets out an integrated social, economic and environmental, transport and social framework for the development of London to 2036. It brings together the geographic and locational aspects of the Mayor's strategies, including those dealing with Transport, economic development, housing, culture and a range of social issues such as

children and young people and health inequalities. The London Plan seeks to promote development in the most suitable locations with a preference on the delivery of previously developed sites, such as the Site. It also supports the aspirations of reducing reliance on the private car and promoting development in sustainable locations.

4.13 The Site falls within the South East London Sub-Region, whereby policy seeks to encourage new development that underpins the sub-region's dynamism and potential, and delivers the priority for delivering regeneration and transport improvements and links from the capital and the Thames Gateway. The London Plan encourages the Borough to accommodate substantial growth for London's economy and population, whilst optimising the development of Opportunity Areas and ensuring that housing provision is supported by social and community infrastructure.

4.14 Key London Plan policies relevant to the regeneration of the Site are:

- Policy 1.1 Delivering the strategic vision and objectives for London;
- Policy 2.13 Opportunity Areas and Intensification Areas;
- Policy 2.14 Areas for regeneration;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.7 Large residential developments;
- Policy 3.19 Sports facilities;
- Policy 4.1 Developing London's economy;
- Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision;
- Policy 5.10 Urban greening;
- Policy 6.13 Parking;
- Policy 7.1 Lifetime neighbourhoods;
- Policy 7.2 An inclusive environment;
- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;
- Policy 7.7 Location and design of tall and large buildings.

4.15 Map 2.4 within the London Plan identifies a series of Opportunity and Intensification Areas throughout the Greater London area. The Lewisham, Catford and New Cross area is identified as such an Opportunity Area (Table A1.1, Area 20) with the policy seeking to ensure that developments:

- optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses;

- contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing and/or indicative estimates for employment capacity, tested as appropriate through opportunity area planning frameworks and/or local development frameworks;
 - realise scope for intensification associated with existing or proposed improvements in public transport accessibility, such as Crossrail, making better use of existing infrastructure and promote inclusive access including cycling and walking;
 - support wider regeneration (including in particular improvements to environmental quality) and integrate development proposals to the surrounding areas especially areas.
- 4.16 Map 2.5 within the London Plan identifies a number of Regeneration Areas where Boroughs should, inter alia, identify areas for regeneration and set out policies that bring together regeneration, development and transport proposals with improvements in learning and skills, health, safety, access, employment, environment and housing in locally based plans, strategies and policies.
- 4.17 Policy 3.3 in the London Plan recognises the requirement for an increase in the supply of homes in London to meet need through provision of at least an annual average of 42,000 net additional homes across London. Table 3.1 identifies a minimum target for Lewisham of 1,385 new homes per annum throughout the period from 2015-2025. Policy 3.3 states Boroughs should seek to achieve and exceed their average housing target.
- 4.18 Policy 3.4 seeks to optimise housing output for different types of location within the relevant density range taking into account local context and character, design principles and transport capacity.
- 4.19 Chapter 7 seeks to promote high quality design that inter alia, respects local context; is sustainable in terms of its design and construction; has the highest standards of accessible and inclusive design and addresses security issues.
- 4.20 Policy 7.1 states that development should be designed so that layout, tenure and mix of uses interfaces with surrounding land and improves peoples access to social and community infrastructure and other facilities/amenities as well as public transport. Design should also contribute to people's sense of place, safety and security and new building design and the spaces it creates should reinforce/enhance character, legibility, permeability and accessibility of the neighbourhood.

Core Strategy

- 4.21 The Core Strategy outlines a number of Drivers of Change, which set out the most significant issues expected to impact the Borough up to 2026 including:

Housing provision

The need to ensure provision of affordable housing is reflected through increasing house prices and low household incomes when compared to the London average. The opportunity to provide new housing in a highly developed borough is limited, so reviewing opportunities to better utilise underused employment areas and town centres as housing locations is necessary. This can protect established residential neighbourhoods, particularly conservation areas. The need to provide sustainably designed new housing and ensure existing homes improve energy efficiency is crucial to address climate change issues and improve living conditions.

Growing the Local Economy

Growing the relatively small Borough economy is a priority of the Council and is essential to the creation of a sustainable community. A key priority is the need to provide and strengthen local employment opportunities and enhance employment prospects by improving training opportunities, and accessibility to jobs within and beyond the sub-region. To contribute to economic growth and address deprivation issues, the Council will need to facilitate the strong growth in the number of small businesses, support creative industries, focus on the economic potential of town centres, local shopping areas and small parades (including street and farmers' markets), and better use of underused employment areas. Identified growth areas include a range of diverse business services, and the creative and food industries.

Building a sustainable community

The benefits of new development need to be maximised for all in the community and will be central to addressing and reducing issues related to deprivation in order to improve education, employment and training opportunities, and reduce health inequalities. New development can contribute to both the provision and enhancement of existing services and facilities, where demand for them arises from the new populations. There is also a role to play in creating a sense of place and community through the high quality design of buildings and spaces that are safe and contribute to a healthy environment.

- 4.22 The Spatial Strategy within the Core Strategy identifies Deptford and New Cross/New Cross Gate as Regeneration and Growth Areas. Spatial Policy 2 provides that the Regeneration and Growth Areas will provide key regeneration and development opportunities. It identifies five strategic sites (four in Deptford/New Cross including the Site) which are to act as a catalyst for regeneration of the area. The Deptford, Deptford Creekside, New Cross/New Cross Gate area is to accommodate 2,300 new homes by 2016 and a further 8,325 new homes by 2026. This is considered to be a prime location for delivering a substantial portion of the identified housing need and required employment floorspace within the Borough.
- 4.23 Strategic Site Allocation 3 (**SSA3**) in the Core Strategy identifies the Site for comprehensive mixed use development and sets out specific requirements for a comprehensive phased approach to re-development in line with an approved Masterplan that delivers the following priorities:
- a new 'destination' development that capitalises on the opportunities presented by Millwall Stadium and allows for the long term future of the football club including future requirements for stadium improvement and expansion; it should also seek to enhance the existing football and sports facilities, and make these accessible to the public and allow for the long term future of the Millwall Community Scheme;
 - provides at least 20% of the built floorspace developed on the Site (excluding the Millwall Stadium area) for a mix of business space (B1(c), B2, B8) as appropriate to the site and its wider context;
 - creates a sustainable high density residential environment at a density commensurate with the existing public transport accessibility level (PTAL) of the site or the future PTAL achieved through investment in transport infrastructure and services;
 - provides for a mix of dwelling types accommodating, subject to an acceptable site layout, scale and massing, up to 2,500 new homes (C3) with a proportion of on-site affordable housing;
 - makes provision for the Surrey Canal Road Overground Station (to be known as New Bermondsey Station) which will be located to the south of Surrey Canal Road and a new pedestrian and cycle bridge adjacent to Phase 2 of the East London Line extension;

- provides retail uses to serve local needs that do not adversely impact existing town centres (A1, A2);
 - provides for a mix of restaurant, food and drink uses to serve the site and immediate neighbourhood;
 - enhances Bridgehouse Meadows, and provides appropriate amenity open space within the development including children's play space to provide health and recreational opportunities for new residents;
 - improves connectivity of the Site and locality to the other strategic sites, the rest of the Borough and adjoining sites within the London Borough of Southwark, through the provision of new pedestrian and cycling facilities and public transport services to increase permeability and accessibility;
 - ensures the design enables the continued functioning of the adjoining Surrey Canal Road Strategic Industrial Location, including the waste transfer and processing uses on Surrey Canal Road;
 - ensures appropriate noise mitigation against the surrounding railway viaducts;
 - take opportunities to use energy generated by SELCHP for district heating or other suitable sources of decentralised energy;
- 4.24 SSA3 goes on to set out the urban design principles required to be key features of any Masterplan for the Site.
- 4.25 Chapter 9 (paragraph 9.24) of the Core Strategy explains that the Core Strategy is intended to encourage landowners to bring forward land and buildings for development where appropriate. Accepting that there may be instances where landowners may be reluctant or unwilling to bring forward their land, it states that in such circumstances, the Council may choose to use its compulsory purchase powers to achieve the Core Strategy's wider regeneration objectives.

The Council's Regeneration Strategy: People, Prosperity, Place'

- 4.26 The Council's Regeneration Strategy defines six priority outcomes to be achieved by 2020, covering the Strategic Partnership's ambitions also outlined in the Sustainable Community Strategy, 'Shaping our Future'. The aim is to build communities that are:
- Ambitious and achieving – where people are inspired and supported to fulfil their potential.
 - Safer – where people feel safe and live free from crime, antisocial behaviour and abuse.
 - Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities.
 - Clean, green and liveable – where people live in high quality housing and can care for and enjoy their environment.
 - Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being.
 - Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond.

The Council's Asset Management Plan

- 4.27 The Council's Asset Management Plan sets out the approach to using property effectively in order to achieve the Council's objective of making Lewisham the best place in London to live work and learn. It acknowledges the Council's assets have a key role to play in supporting the Borough's regeneration aims.
- 4.28 The above documents should be read in conjunction with each other in order to provide the Site specific and broader context for the proposed redevelopment of the Site and the need for compulsory acquisition of the Order Land.

Planning position in relation to the Site

- 4.29 On 30 March 2012, the Council granted Outline Planning Permission for the comprehensive, phased, mixed use development of the site for up to 240,000 square metres (GEA) of development as more particularly described in Section 5 of this Statement of Reasons. The Outline Planning Permission was subject to prior completion of the S106 Agreement to regulate a number of aspects of the development and to deliver a number of commitments, again as set out in Section 5.
- 4.30 The Scheme was considered to comply with the applicable planning framework, although the amount of permitted business space does not meet the requirements of SSA3 in the Core Strategy. It was, however, considered when granting permission that the business space within the Scheme still represents a substantial amount of new accommodation; specifically it includes a significant provision of sports and leisure facilities, which while falling under different use classes not recognised by SSA3, will make a significant contribution toward employment within the Scheme. The Scheme includes a business centre (incubation space) and a creative industries hub and (together with other non-residential uses) provides much needed employment opportunities. The parameters established for permitted business space ensure viability and flexibility of use with appropriate floor to ceiling heights and delivery and goods handling arrangements and ensure that this use is capable of functioning in a way that minimises disturbance to occupiers of the permitted residential accommodation, in accordance with SSA3 in the Core Strategy.
- 4.31 On 18 December 2015, the Council granted the S73 Permission. The S73 Permission authorises revisions to the parameter plans (and associated changes to the Development Specification) approved under the Outline Planning Permission. The effect of the changes is to maintain the overall quantum of development, and within the specified limits on floorspace by use across the site as a whole, but to allow alteration to the configuration of the buildings within the Timber Wharf, Stockholm and Senegal Way plots which will enable much of the sports use to be accommodated in one building at Timber Wharf rather than distributed more widely around the Site. This means that the sports provision can be delivered in one phase, running costs are more economical and a seated arena for 3000 spectators can be provided. The S73 Permission is subject to a Section 106 Agreement providing for the obligations in the Original Section 106 Agreement (with appropriate variations) to apply to the development under the S73 Permission.

Regeneration of the Wider Area

- 4.32 The re-development of the Site should also be considered in the context of the broader regeneration programme for the Deptford/New Cross Area.
- 4.33 Four of the five Strategic Site Allocations (Convoys Wharf, Surrey Canal Triangle, Oxestalls Road and Plough Way) within the Core Strategy relate to sites in the Deptford/New Cross area and together these four sites are expected to deliver 60% of the Council's housing target of 13,847 dwellings between 2015 and 2025. These sites are recognised as being of a scale and significance that make them central to the success of the Core Strategy and which will play a crucial role in place making by creating new places and enabling a transformation of the wider area.
- 4.34 The position in relation to other strategic sites within the Deptford/New Cross area is set out below. The majority of these sites are not hindered by land assembly issues.

Convoys Wharf – (Strategic Site Allocation 2)

- 4.35 At 16.6 hectares, Convoys Wharf is the single largest development site in the Borough. The site occupies approximately half of the Borough's river frontage to the Thames. Strategic Site Allocation 2 identifies the site for mixed use development in line with an approved Masterplan.
- 4.36 A planning application for re-development of the site was called in by the Mayor of London for his own determination. On 10 March 2015, following completion of a Section 106 Agreement, the Mayor granted outline planning permission for the comprehensive redevelopment of the site to include:
- up to 3,500 new homes (at least 525 of which are to be affordable);
 - shops, restaurants, cafes;
 - a hotel;
 - public open spaces;
 - public transport improvements including a river bus service and new/diverted bus routes;
 - 1,840 car parking spaces;
 - renovation of the Olympia Building, a Grade II listed warehouse;
 - three tall buildings (two at 38 storeys and one at 48 storeys).

Oxestalls Road (now known as 'The Timberyard') – Strategic Site Allocation 4

- 4.37 The Oxestalls Road site extends to approximately 4.5 hectares. The site is in close proximity to the Pepys Estate and lies between Evelyn Street and the Thames river frontage, and between Deptford Park and Convoys Wharf. The Site is currently occupied by low quality commercial buildings, storage and open service yards, a scrap metal yard, a petrol filling station, a dwelling-house and a public house. It provides limited commercial opportunities and little in the way of amenity to local residents
- 4.38 On 30 March 2012, the Council granted planning permission (part detailed/part outline) for the re-development of the Site to include:
- 905 homes;
 - 16,393 square metres non-residential floorspace, including shops/offices/restaurants/cafes/drinking establishments/hot food take aways/non-residential institutions and assembly and leisure uses);
 - commercial uses;
 - an energy centre;
 - improvements to public realm including a water body along the former route of the Grand Surrey Canal;
 - improved transport connections.
- 4.39 The permission was subject to a Section 106 Agreement.

4.40 The planning permission has been implemented. Applications have been submitted and approved under Section 96A of the 1990 Act in respect of non-material amendments to the permission, along with applications to discharge certain pre-commencement conditions.

4.41 In May 2015 a part outline/part detailed planning application was submitted for a revised scheme for the comprehensive redevelopment of the site to include:

- 1,132 homes;
- 10,413 square metres non-residential floorspace, including shops/offices/restaurants/cafes/drinking establishments/hot food take aways/non-residential institutions and assembly and leisure uses);
- commercial uses;
- an energy centre;
- improvements to public realm including along the former route of the Grand Surrey Canal;
- improved transport connections.

4.42 On 23 March 2016, the Council granted planning permission in respect of the revised scheme following completion of a Section 106 Agreement.

Plough Way - (Strategic Site Allocation 5)

4.43 The Plough Way site comprises three main areas:

- Cannon Wharf
- Marine Wharf East and West
- Sites on Yeoman Street and Croft Street

4.44 The composite site covers 8.22 hectares. It is located in the north-western corner of the Borough adjacent to the border with the London Borough of Southwark.

Cannon Wharf

4.45 Planning permission was granted (subject to a Section 106 Agreement) for development of this part of the Plough Way site on 30 March 2012. The scheme comprises:

- 679 new homes (including two tall buildings of 20 and 23 storeys);
- a purpose-built business centre;
- a children's nursery;
- landscaping along the former route of the Surrey Canal.

4.46 Applications under Section 96A of the 1990 Act for non-material amendments to the permission have been submitted to the Council and approved. The development commenced on site in August 2013 and is anticipated to be completed by September 2018. All buildings except the Cannon Business Centre have been demolished and the site has been divided into two sections. The northern section has been separated from the southern section (which accommodates the Business Centre) to enable the Business Centre to continue to operate whilst construction is taking place. Phase 1 of the development, including the new Business Centre has been completed. Construction of further phases of the scheme is underway.

Marine Wharf West

4.47 Planning permission was granted for this part of the Plough Way site (subject to a Section 106 Agreement) on 20 September 2011. The scheme includes:

- 532 new homes including 78 units provided as extra care;
- space for shops and businesses (approximately 4,000 square metres);
- landscaping along the 30 metres wide former route of the Surrey Canal to provide a new public park and pedestrian and cycle route providing access from Oxestalls Road through to the Thames.

4.48 Applications for non-material amendments under Section 96A of the 1990 Act have been submitted to and approved by the Council. The first two phases including new homes, extra care homes and commercial premises is complete. Construction is underway on the subsequent phases, providing further homes. On 10 March 2015 planning permission was granted subject to conditions and a Section 106 Agreement for the erection of 34 residential units and 361 square metres of office floorspace (B1 Use Class) together with associated access, car parking, cycle parking and landscaping at Block K (Phase 7) of the development. The remainder of the development is anticipated to be complete by the end of April 2017.

Marine Wharf East:

4.49 Planning permission was granted subject to conditions and a Section 106 Agreement in July 2014 for this part of the Plough Way site to demolish the existing office building on the site and provide 183 residential dwellings, together with flexible commercial floorspace (A1, A2, A3, B1 and D2 Use Classes). The permission has been implemented.

4.50 An application was submitted on 26 February 2015 for demolition of existing office building and redevelopment to provide 225 residential dwellings and 1,045 square metres of flexible commercial floorspace in buildings up to 10 storeys. Planning permission was granted on 13 November 2015, following completion of a Section 106 Agreement.

4.51 Both parts of the development are expected to be completed by late 2018.

5. PROPOSALS FOR REDEVELOPMENT OF SITE, INCLUDING THE ORDER LAND

Outline Planning Permission

5.1 The Outline Planning Permission granted permission for the comprehensive, phased, mixed use development of the site for up to 240,000 square metres (GEA) of development comprising:

- Class A1/A2 (Shops and Financial and Professional Services) up to 3,000 square metres;
- Class A3/A4 (Cafes/Restaurants and Drinking Establishments) up to 3,000 square metres;
- Class A5 (Hot Food Takeaways) up to 300 square metres;
- Class B1 (Business) between 10,000 -15,000 square metres;
- Class C1 (Hotels) up to 10,000 square metres;
- Class C3 (Dwelling Houses) between 150,000 - 190,000 square metres (up to 2,400 homes of different sizes and types);
- Class D1 (Non-residential Institutions) between 400 - 10,000 square metres;
- Class D2 (Leisure and Assembly) between 4,260 - 15,800 square metres,

involving the demolition of all existing buildings on the site with the exception of the Millwall FC Stadium (which is to be retained and its façade upgraded and /or re-clad), Plot Excelsior 2 – Guild House (which is to be retained and extended) and Plot Excelsior 5 – Rollins House (which is to be retained, but not altered or extended as part of the planning application).

5.2 The Outline Planning Permission also encompasses the demolition and replacement of the existing Millwall FC grounds-person's store of approximately 140 square metres, re-profiling of site levels, alterations to Surrey Canal road, the re-alignment of the Bolina Road, new streets and other means of access and circulation, including pedestrian/cycle paths, carriageways and servicing areas, areas for parking for emergency services vehicles and outside broadcast units, external areas of land and soft landscaping and publicly accessible open space, car and coach parking areas and accesses to them, cycle storage and, supporting infrastructure works and facilities including substations, energy centre(s), District Heating Network (DHN) connections to and between each plot and the proposed energy centre and the adjoining South East London Combined Heat and Power (SELCHP) plant (to the extent to which they lie within the planning application Boundary) and an ENVAC waste storage and handling system (including DNH and ENVAC connections to plots south of Surrey Canal Road under the carriageway of Surrey Canal Road, as altered.

5.3 The parameter plans approved under the Outline Planning Permission provide for an increase in the crowd capacity of the MFC Stadium from 20,146 to 26,500 should Millwall Football Club secure promotion to the Premier League and require a larger stadium. The Outline Planning Permission is also subject to a Section106 Agreement entered into on the same date and making provision for the following:

- Re-cladding of the Millwall FC stadium;
- Provision of car parking spaces to be used by MFC both on event and non-event days;
- Relocation of Millwall FC memorial garden and ground keepers store;
- Relocation of Millwall Community Scheme to a replacement facility;

- Re-provision of coach parking spaces to be used by MFC on event days;
- An increase sustainable accessibility to the Stadium by providing the proposed pedestrian link to South Bermondsey Station;
- Facilitation of the provision of the new Surrey Canal Road Overground station (to be known as New Bermondsey station);
- Improved connectivity with the surrounding area for pedestrians and cyclists;
- Provision of two new bus routes and a terminus;
- Delivery of new sports facilities, Energize;
- Delivery of a multi faith centre and community centre;
- Provision of not less than 12% affordable housing (by habitable room);
- Entering into of a CPO Indemnity Agreement with the Council;
- Contribution towards the provision of additional school places in the area;
- Contribution to improvements to Bridgehouse Meadows;
- Provision of a creative industries hub;
- Installation of ENVAC waste system.

5.4 The business space within the Scheme represents a substantial amount of new accommodation. It includes a business centre (incubation space) and a creative industries hub and (together with other non-residential uses) providing much needed employment opportunities. The parameters established for permitted business space ensure viability and flexibility of use with appropriate floor to ceiling heights and delivery and goods handling arrangements and ensure that this use is capable of functioning in a way that minimises disturbance to occupiers of the permitted residential accommodation, in accordance with SSA 3 in the Core Strategy.

5.5 On 18 December 2015, the Council granted the S73 Permission. The S73 Permission is subject to a Section 106 Agreement that applies the obligations in the Original S106 Agreement (with appropriate variations) to the S73 Permission. The Section 73 Permission authorises revisions to the parameter plans (and associated changes to the Development Specification) approved under the Outline Planning Permission. The changes relate only to Plots Timber Wharf 1 and 2, Stockholm 1 and 2 and Senegal Way 1 and 2. There are no changes to the description of development, and there is no proposed increase to the overall floorspace of the development. The effect of the changes is to maintain the overall quantum of development, and within the specified limits on floorspace by use across the site as a whole, but simply to alter the configuration of the buildings within the Timber Wharf, Stockholm and Senegal Way plots.

5.6 The changes made enable much of the sports use to be accommodated in one building at Timber Wharf rather than distributed more widely around the site. This means that the sports provision can be delivered in one Phase, running costs are more economical and a seated arena for 3000 spectators can be provided.

5.7 The floorspace within the Scheme is proposed to be provided as follows:

A1/A2	Shops & financial & professional services	3,000 square metres
A3/A4	Cafes/restaurants and	3,000 square metres

	drinking establishments	
A5	Hot food takeaways	300 square metres
B1	Business	10,000 – 15,000 square metres
C1	Hotel	10,000 square metres
C3	2,400 apartments	150,000-190,000 square metres
D1	Non-residential institutions	400 – 10,000 square metres
D2	Leisure and assembly	4,260 – 15,800 square metres
		Total 240,000 square metres

- 5.8 It is envisaged that the redevelopment of the Site will take approximately eight years. The phasing of the Scheme is anticipated to generally be from south to north. The current indicative phasing sequence, accelerated by Housing Zone designation, is as follows (these timescales assume that a confirmed Order is required and that confirmation will be achieved at the end of 2017):

Phase	Buildings	Anticipated commencement of detailed design	Estimated date for start on Site	Estimated date for completion of Phase
Phase 1A	Orion	Q1 2017	Q2 2018	Q1 2020
Phase 1B	Excelsior 1-4	Q1 2019	Q2 2020	Q1 2022
Phase 2	Timber Wharf 1 & 2	Q1 2017	Q2 2018	Q2 2020
Phase 3	Stockholm 1 & 2	Q2 2019	Q3 2020	Q2 2022
Phase 4	Senegal 1 & 2 plus Stadium	Q2 2020	Q3 2021	Q1 2023
Phase 5	Bolina North 1 & 2 and Bolina West	Q2 2021	Q3 2022	Q4 2024
Phase 5A	Bolina East	Q4 2021	Q1 2023	Q3 2024

- 5.9 When developed, the Site will be served by two railway stations, South Bermondsey and a new station at Surrey Canal Road (to be called New Bermondsey station) on the East London Overground line. These will form a transport interchange with the provision of two new bus routes. The main bus interchange will be adjacent to the new station. A network of cycling and pedestrian routes will be provided across the Site.
- 5.10 The scheme will provide around 2,400 new homes and 50,000 square metres of commercial space with the full range of Class A uses, business space, hotel space, non-residential institutions and assembly and leisure uses. The built development will consist of a series of podiums with residential towers above. The only residential floorspace to come down to ground floor level will be the homes on the southern boundary of the Site.
- 5.11 Public realm will be substantially improved with improvements to Bridgehouse Meadows, the provision of five new public squares and a 28 metre wide boulevard linking the two railway stations. Private amenity space will be provided at the podium level.
- 5.12 The Scheme includes major sports facilities, principally focused (under the S73 Permission) in one building and providing the largest sporting facilities constructed in London since Crystal Palace in

the 1960s. Interim use sports facilities have been developed in an existing warehouse on Site and are currently in use pending delivery of the permanent facility.

- 5.13 It is proposed that Bolina Road be stopped up and thereafter realigned and treated as an estate road and maintained as part of the new estate. There will be improvement works to several road junctions and 12 locations for bus stop off and on-street parking.
- 5.14 There will be 1,048 parking spaces on the scheme, all underground or under-croft. Of these 720 will be residential (0.3 per home unit), 318 spaces for non-residential parking which will include 22 spaces for a car pool. From these spaces, Millwall Football Club will be allocated 150 underground spaces on match days, 80 on days when conferences are being held, and 40 on a normal day.
- 5.15 Ten coach parking spaces for match days will be provided above ground to the west of the football stadium. Underground spaces will be provided for broadcasting vehicles when matches are being televised. Entrances to underground parking and service areas are identified on parameter plan ITL835-SK-002.
- 5.16 The seven Phases of the Scheme are as follows:

Phase 1A Orion

- 5.17 This Phase will consist of circa 6,000 square metres of faith space which will contain the new faith centre and community space including a new home for Lewisham's multi-faith and multicultural resources centre. The Developer is in advanced discussions for the letting of the 6,000 square metres of D1 space. Above this will be two residential towers totalling 19,837 square metres of residential floor space equating to approximately 261 private apartments. One tower will be 10-12 storeys, the other 17-21 storeys.
- 5.18 **Appendix G⁵** identifies the land interests still to be acquired for this Phase. These are interests in Unit 11 of the Orion Estate and three individual minor interests that also need to be acquired. The interests are required as the premises to which the land interests relate are to be demolished to enable construction of the new faith centre, community space and residential units within this Phase.
- 5.19 In addition, it is proposed to acquire mines and minerals reserved in respect of land within this Phase which are likely to be encroached upon by the Scheme, as well as existing rights of statutory undertakers which will need to be interfered with as a result of the Scheme.
- 5.20 New rights are proposed to be acquired in respect of this Phase to enable the landscaping and habitat creation works to be carried out to railway embankments.

Phase 1B (Excelsior 1-4)

- 5.21 Phase 1B consists of six buildings housing circa 1700 square metres of bars, cafes, convenience stores and local retail as well as circa 5700 square metres of space for a creative quarter. It will also provide 19,108 square metres of residential floorspace, comprising approximately 251 apartments.
- 5.22 The Phase also includes major improvement works to the 7-acre public park, Bridgehouse Meadows, which lies immediately to the south of this Phase.
- 5.23 **Appendix G** identifies the land interests still to be acquired for this Phase. These comprise interests in units 10, 11, 14, 15, 17, 18 and 19 of Excelsior Works. These units are required as they fall within the footprint of the commercial and residential units to be built in this Phase. In addition, the land occupied by the units is required to deliver better access, permeability, new public realm,

⁵ Note: Appendix G to be included and reflect position regarding remaining interests at time CPO made

underground parking and a major new transport interchange connecting the new station at Surrey Canal Road to the London Overground.

- 5.24 In addition, it is proposed to acquire mines and minerals reserved in respect of land within this Phase which are likely to be encroached upon by the Scheme, as well as existing rights of statutory undertakers which will need to be interfered with as a result of the Scheme.

Phase 2 (Timber Wharf 1 and 2)

- 5.25 Phase 2 will house a 19700 square metre building containing 8560 square metres of sports space and 3230 square metres of commercial space contained within one building. The Developer is in advance discussions with sports occupiers for the building, to be called Energize, and pre-lets will be secured following confirmation of the Order. The complex will house four floors of sports facilities as follows:

- A multi-purpose 3000 seat arena that can be used for regional and national competitions in sports such as Basketball, Netball, Table Tennis, Amateur Boxing and Handball.
- An indoor 3G Football pitch that will be made available to Millwall Community Scheme (negotiations with MCS regarding surrender of the lease on their existing premises and relocation to the new facility are currently ongoing) and which will divide into 5-a-side pitches for hire to the local leisure market.
- A third arena will be sub divided into areas for Table Tennis, Gymnastics and a multi-use sports area.
- A fourth arena will house a 6-lane swimming pool and learner pool, a 150-station gym and a home for the London Amateur Boxing Association and two local boxing clubs.

- 5.26 Elsewhere in the sports building, a large climbing/bouldering area will be provided, together with changing and showering facilities, classrooms, offices, cafes and sports related retail space and 3020 square metres for Onside, a new 'Youth Zone'.

- 5.27 The rest of the buildings in Phase 2 will contain 20,497 square metres of residential floorspace from ground level up to 17 storeys at the highest point. This will accommodate approximately 271 apartments.

- 5.28 Save as referred to in paragraphs 5.29 and 5.30, all the land in this Phase is already owned by the Developer.

- 5.29 In addition it is proposed to acquire existing rights of statutory undertakers in respect of this Phase which will need to be interfered with as a result of the Scheme.

- 5.30 There is also a parcel of land along the western boundary of the Phase to be acquired from Network Rail and some unregistered land within this Phase which is of unknown ownership and is also included in the Order.

- 5.31 New rights are proposed to be acquired in respect of this Phase to enable the landscaping and habitat creation works to be carried out to railway embankments.

Phase 3 (Stockholm 1 and 2)

- 5.32 At ground floor level within Phase 3, there will be bars, cafes, restaurants and local retail facilities (circa 2035 sq. m), a 33 metre pool scuba diving centre (circa 5450 square metres) and office space (circa 1350 square metres). At upper floor level there will be 34,298 square metres of residential space accommodating approximately 450 apartments.

- 5.33 The building on the west side of this Phase has two towers, one of 23 storeys, one of 13 - 14 storeys. Smaller blocks of three to four storeys separate these towers, whilst the building on the east side has a residential tower rising to 23 storeys.
- 5.34 Save as referred to in paragraphs 5.35 and 5.36, all land interests in this Phase are already owned by the Developer.
- 5.35 There is a parcel of land along the western boundary of the Phase to be acquired from Network Rail. In addition it is proposed to acquire existing rights of statutory undertakers in respect of this Phase which will need to be interfered with as a result of the Scheme.
- 5.36 New rights are proposed to be acquired in respect of this Phase to enable the landscaping and habitat creation works to be carried out to railway embankments.

Phase 4 (Senegal 1 and 2, plus Stadium)

- 5.37 Phase 4 will provide 878 square metres of retail, cafes and bars, 2311 square metres of start-up business space, a 150-bed hotel and 12,221 square metres of residential floorspace. In total this phase includes approximately 161 apartments.
- 5.38 The hotel will rise to 11 – 12 storeys with one floor of cafes/bars, two floors for start-up businesses and two floors of residential accommodation. The hotel will have associated catering and conference facilities.
- 5.39 Apart from a small element of retail/cafes on the ground floor, the building on the east of this Phase will contain residential space and will rise to nine and then 13 storeys.
- 5.40 **Appendix G** identifies the land interests still to be acquired for this Phase. The MFC leasehold of the land surrounding (but not including) the Stadium is required in order to deliver all development in this Phase, including the residential, commercial and hotel floorspace as well as new public realm including Stadium Avenue, a major new boulevard running alongside the football club. New rights will also be required in order to carry out the works to improve the Stadium façade.
- 5.41 It is also proposed to acquire existing rights of statutory undertakers in respect of this Phase which will need to be interfered with as a result of the Scheme.
- 5.42 There is also a parcel of land along the western boundary of this Phase to be acquired from Network Rail and some unregistered land within this Phase which is of unknown ownership and is also included in the Order.
- 5.43 New rights are proposed to be acquired in respect of this Phase to enable the landscaping and habitat creation works to be carried out to railway embankments.

Phase 5 (Bolina North 1 and 2 and Bolina West),

- 5.44 Phase 5 will comprise predominantly residential floorspace in three blocks/four towers (56,212 square metres), which will accommodate approximately 739 apartments. In addition, circa 400 square metres will be provided for crèche facilities with circa 1400 square metres for bars, restaurants, cafes and convenience shops. The building on the west side of this Phase consists of two towers of 21 and 13 storeys with a podium of seven storeys joining them. The clusters in the north of the Phase rise to 18, 22 and 26 storeys.
- 5.45 **Appendix G** identifies the land interests still to be acquired for this Phase. These comprise Units 2, 3, 28, 31, 32, 35, 36, 38 and 39 Enterprise Industrial Estate. These properties are required to be demolished to make way for the residential and commercial space to be built in this Phase. In addition, the land occupied by the units is required to create new public realm and a new access to South Bermondsey station.
- 5.46 There is a parcel of land along the western boundary of this Phase to be acquired from Network Rail. In addition, it is proposed to acquire mines and minerals reserved in respect of land within

this Phase which are likely to be encroached upon by the Scheme, as well as existing rights of statutory undertakers which will need to be interfered with as a result of the Scheme.

- 5.47 New rights are proposed to be acquired in respect of this Phase to enable the landscaping and habitat creation works to be carried out to railway embankments. New rights are also proposed to be acquired to provide the access route to South Bermondsey station.

Phase 5A (Bolina East)

- 5.48 This Phase will accommodate a health centre on the first two floors amounting to approximately 3663 square metres. It is envisaged that the health centre will not only include doctors and dentists, but will also administer care in the community and provide specialisms in sports medicine including diagnostics, day surgery and rehabilitation including physiotherapy.
- 5.49 The upper floors will accommodate 17,904 square metres of residential space providing approximately 239 apartments grouped in 3 towers of 10, 13 and 17 storeys.
- 5.50 **Appendix G** identifies the land interests still to be acquired for this Phase. The land currently occupied by Millwall Community Scheme is required in order to deliver all the development in this Phase.
- 5.51 It is also proposed to acquire existing rights of statutory undertakers in respect of this Phase which will need to be interfered with as a result of the Scheme.
- 5.52 New rights are proposed to be acquired in respect of this Phase to enable the landscaping and habitat creation works to be carried out to railway embankments.

6. DELIVERY

- 6.1 The Developer has been assembling the Site since 2004, to-date by private treaty using its own equity with c.18% funded by bank debt. The Developer now has 85 tenancies in total with three tenancies 'at will', 65 tenancies outside the Landlord and Tenant Act 1954, two inside the 1954 Act (although both have expired and the tenants are holding over), and 15 assured shorthold tenancies. The Developer is in a position to deliver vacant possession across its ownership within six months by exercising landlord break clauses which will be triggered by the on-going development schedule and, subject to acquiring the remainder of the land required for the Scheme and to reserved matters/discharge of conditions, is in a position to commence construction in early course.
- 6.2 Since the Outline Planning Permission was granted, the Developer has concentrated on completing the land assembly exercise and developing a detailed delivery strategy with major sustainable non-residential occupiers for Phases 1A, 1B and 2, and securing Housing Zone designation enabling delivery of the Scheme to be accelerated.
- 6.3 On 19 April 2013, planning permission was granted under reference DC/13/82738 for provision of office accommodation and a presentation suite at Guild House within the Site. This facility has been constructed at a cost to the Developer of £1 million. The accommodation is now the Developer's headquarters for the Scheme where work is in preparation for the preliminary works, launches, commencement on-Site and delivery of the first three Phases of the Scheme.
- 6.4 Temporary planning permission was granted on 12 September 2013 under reference DC/13/82738 to provide temporary church facilities. Hillsong Church has entered into a four year lease with the Developer and has moved into the temporary facilities. The Church intends to grow its congregation in the area and work with the Developer to deliver a new permanent faith facility within the Scheme. The temporary facilities are understood to attract around 2,600 visits per month.
- 6.5 Similarly, temporary planning permission was granted on 19 September 2013 under reference DC/13/83681 to enable the Surrey Canal Sports Foundation (**SCSF**), the independent charitable trust which will oversee and run the new sports complex, to permit use of space on the Site and rent-free, to London Thunder Basketball Club (formerly known as Lewisham Thunder Basketball Club) and Fusion Table Tennis Club. The facilities provide changing rooms, meeting rooms, classrooms and offices as well as 500 seats for spectators. Both clubs are currently and successfully operating out of the temporary space. The temporary facilities on-site attract c. 2,800 visits per month and the Clubs will become core occupiers in Phase 2 of the Scheme.
- 6.6 The SCSF to-date has £18.5 million pledged, and a further £5 million request for funds being considered, bringing total potential pledges to £23.5 million. This phase has been accelerated by the Housing Zone designation and the detailed design and planning for this phase will commence when the Housing Zone agreement is completed with the GLA.
- 6.7 In February 2015 the Scheme was one of the first schemes to be awarded Housing Zone status by the Mayor of London. Housing Zone status has been awarded to areas identified as key opportunity sites, to maximise development, fast track homes and deliver much needed infrastructure to boost development. As one of the first Housing Zones, the Scheme is recognised as a key development in London and it is one of the few regeneration projects that has the capacity to deliver homes for Londoners, faster by reducing the estimated build programme from 11 years to 8 years. The funding secured as a result of Housing Zone status will be applied to key transport links which will not only provide significant benefit to those already living in the area but will also enable Phases 1A and 2 to proceed at the same time, rather than consecutively, therefore accelerating delivery of 532 new homes. The proposed funding structure with c.£12 million being advanced as grant funding for delivery of the new station will free up c.£12 million to be applied to additional affordable housing within the Scheme. A programme of regular monitoring meetings has been agreed between the GLA, the

Developer and the Council to monitor delivery of the new station and new homes, including the additional affordable housing.

- 6.8 The Developer has to-date incurred significant capital expenditure in acquiring land within the Site, as well as securing planning permission and undertaking preparation for commencement of the Scheme. The process to appoint architects for Phase 1A has commenced and interviews of shortlisted practices took place at the end of April 2014. An appointment is expected once the Housing Zone agreement is completed with the GLA, with reserved matters applications being submitted in 2017.
- 6.9 Meetings have taken place with Transport for London (TfL) in relation to the design and delivery of the new station on the East London Line at Surrey Canal Road (to be known as New Bermondsey Overground station). A programme of regular meetings has now been agreed between TfL, the Developer and the Council to develop the design for the station and the programme for delivery. The appointment of contractors and a programme of works will be developed once the Housing Zone agreement has been completed with the GLA.
- 6.10 The Scheme is proposed to be delivered in Phases over approximately 8 years.. The Developer intends to retain the freehold interest in the Site and ensure control over the quality of build, delivery, public realm and place making. The Developer has advised that there is strong interest for the residential in Phase 1A from the large national house builders/ developers and Private Rented developers and that it is in detailed discussions with several interested parties to deliver the 261 units of residential on this Phase, and the commercial space, as per the specification defined by Hillsong church. Under the terms of the Housing Zone designation by the GLA, Phases 1A and 2 will be delivered together to accelerate housing delivery.

CPO Guidance and potential impediments to delivery

- 6.11 The Council has had regard in particular to the advice in Tier 1 and Tier 2 Section 1 of the CPO Guidance.
- 6.12 The matters that the Guidance identified as being relevant to the making and confirmation of s.226 CPOs include:
- whether the purposes for which the land is being acquired fits in with the adopted planning framework;
 - the extent to which those purposes will contribute to the achievement of the statutory well-being objectives;
 - whether the necessary resources, including funding, are likely to be available to achieve the Order's purpose within a reasonable timescale;
 - whether the scheme is likely to be blocked by any physical or legal impediments;
 - whether the purposes for which the land is to be acquired might be achieved by other means, including the appropriateness of any alternative proposals put forward by the owners of the land others, or examining alternative locations for the purpose for which the land is being acquired.
- 6.13 Site investigations undertaken to date have not revealed any physical factors which would impede delivery of the development.
- 6.14 There are no "special kinds of land" within the Order Land, such as common land, open space or allotments.
- 6.15 There is some operational land of statutory undertakers within the Order Land. All statutory undertakers have been identified so far as possible and discussions are progressing with them.

There are electricity substations and also leasehold interests that encompass telecommunication apparatus and masts operated by electronic communications code operators. It is hoped that agreement will be reached in all cases.

- 6.16 There are rights of light in favour of neighbouring properties which will be interfered with by buildings constructed under the Scheme on land owned by the Developer. These have been addressed by the transfer of the Developer's land to the Council for planning purposes and the grant of a lease back (with an option to purchase the freehold) by the Council to the Developer, thus engaging Section 203 of the Housing and Planning Act 2016 which authorises interference with such rights where done in accordance with planning permission, subject to the payment of compensation.
- 6.17 In conjunction with the Council, the Developer has spent almost 12 years shaping and facilitating the comprehensive regeneration of the Site. During this time, the Developer has acquired by private treaty the majority of property interests required to assemble the Site and has secured the Outline Planning Permission and S73 Permission for the Scheme which will deliver significant and comprehensive regeneration to this deprived area in London. In doing so, the Developer has incurred significant capital expenditure in acquisition, design, planning and consultants'/advisors' costs and has demonstrated a long term outlook and how serious it is about ensuring that the Scheme is brought forward.
- 6.18 In April 2014, GL Hearn (a leading planning and property consultancy) reported on the viability of the Scheme on behalf of the Council. They concluded that the Scheme was financial viable working on the basis of delivery of all aspects of the Scheme by a single developer. At the request of the Council, in June 2015 GL Hearn were appointed by the Developer to take their evaluation a step further by bringing together the detailed information regarding viability and the approach to funding into a single report and then reviewing and assessing the proposed delivery strategy.
- 6.19 In July 2013, the Council engaged PriceWaterhouseCoopers LLP (PwC) to advise on the prospects for Scheme delivery. The scope of their appointment has included financial and real estate due diligence and reviewing the GL Hearn report and updates to it. The costs, values and other information included in the GL Hearn report have been updated recently to reflect costs and values as at August 2016 and the revised approach to Housing Zone funding, and to include commentary on market sentiment following the EU Referendum vote. The additional information provided by the Developer/GL Hearn has been reviewed by PwC, whose principal conclusions are set out below.
- 6.20 The work carried out by GL Hearn included detailed appraisals using industry standard software to assess the viability and deliverability of the Developer's intended delivery strategy using the current planning permission and market cost and revenue assumptions. PwC consider those cost and revenue inputs to be reasonable and supported by market benchmarks. A review of the outputs and funding assumptions made enabled PwC to conclude that the Developer's intended delivery strategy is appropriate, and that the development is viable with a reasonable prospect of being delivered in line with Developer's proposals.
- 6.21 The Developer proposes to adopt a Master Developer Strategy (MDS) approach to advance the Scheme. Under the MDS, the Developer will enter into development agreements and grant long leasehold interests to house builders/sub-developers in respect of development of individual plots/phases in an ordered manner over the development period. Under this arrangement, the Developer will retain the freehold interest in the plots/phases, with sub-developers developing out and receiving a long lease of the residential elements with the commercial units being handed back to Renewal at nil premium to be held as investments to drive long term revenue or sold. There is strong developer demand for residential development opportunities in this part of London, particularly of the size of development that each phase represents and the price point of the residential units.
- 6.22 Under the proposed strategy, the Developer will maintain responsibility for the delivery of the Community Sports Facility (Energize) in Phase 2, the transport interchange to be provided in Phase 1B, and the urban/public realm. In addition, the Developer will retain design control

across the whole development and retain the commercial property in each phase. The Housing Zone proposals mean the new Overground Station will be delivered through grant funding, enabling additional funds to be applied to more affordable housing in the Scheme.

- 6.23 The MDS approach will significantly reduce the funding requirements placed on the Developer. With an overall programme of approximately 8 years, the majority of costs and risks for the development of individual plots/phases will be passed to sub-developers who are likely to be national house builders. Whilst the MDS approach will allow the Developer to offset much of the delivery risk, at the same time the Developer will retain overall control to ensure that a comprehensive scheme and quality shared places/public realm can be delivered, as is envisaged in the Core Strategy.
- 6.24 The MDS approach is a recognised commercial approach for large, complex, multifaceted schemes. There are a number of examples of this delivery route being employed elsewhere, including the Olympic Park in Stratford. The transfer of construction and residential market risk to a specialist sub-developer also helps to dissipate the delivery risk borne by the Developer.
- 6.25 The GL Hearn appraisal model uses current market assumptions about a range of variable factors which include the cost of finance and the attractiveness of the MDS approach and potential returns. Within their appraisal, assumptions are also made regarding the absorption rate of residential sales into the market place, build costs and sales receipts. DBK (a recognised project management, cost management and building consultancy with experience of large scale developments) provided the build cost advice, whilst sales values are based on GL Hearn's own research.
- 6.26 PwC's review of the GL Hearn work concludes that:
- The profit on cost and IRR (internal rate of return) assumed to be achieved by the Developer are likely to be acceptable returns to a commercial developer for taking a Master Developer role and initiating a complex development such as the Scheme.
 - The assumed profit allowance for the sub-developers would be acceptable to commercial housebuilders in the current market, immediately post-Brexit, for serviced plots in Greater London with the benefit of outline planning consent.
 - Build costs and sales values, at Aug 2016 on a unit basis, are considered broadly reasonable
- 6.27 The Council considers, on the basis of the GL Hearn work and PwC's review of it, that the Scheme is viable and is likely to be delivered within a reasonable time-scale.
- 6.28 This conclusion is reinforced by provisions contained in the following legal agreements and proposed legal agreement:
- The Conditional Land Sale Agreement between the Council and the Developer dated 20th December 2013 relating to the Council's freehold interest in the land around the Stadium and the Lions Centre. The sale is conditional upon the Developer entering into agreements with MFC and MCS or the interests being acquired by CPO if a private treaty agreement cannot be reached. The Agreement also includes provision for the transfer of the land back to the Council if the comprehensive scheme has not been commenced within 4 years of the transfer of the Council's interest to the Developer. There is therefore a strong incentive on the Developer to commence the Scheme as soon as is reasonably practicable within the 4 year period.
 - The Section 106 Agreements entered into in March 2012 and December 2015. The requirements of the Agreements are summarised elsewhere in this Statement of Reasons, but it is noteworthy that financial commitments early on in the Scheme incentivise the development of later phases if returns are to be realised. Given the upfront costs of the development, including substantial Section 106 contributions, the

cumulative cash flow for the Scheme does not become positive until year 7. This means that, once the Scheme is underway, the Developer will wish to continue to completion in order to achieve the anticipated return on its investment.

- The Borough Intervention Agreement to be entered into with the GLA in connection with the Housing Zone status of the Site, which will accelerate delivery of the new Overground Station on the East London Line and enable development of the first two phases of development (1A and 2) to proceed ahead of schedule delivering 532 homes earlier. The balance of the £20 million funding is expected to be available towards further infrastructure requirements in relation to the Scheme, following due diligence and subject to contract (and therefore the current financial modelling does not take this into account at this stage).
- 6.29 The GL Hearn appraisals have been used to estimate the quantum of deficit/surplus in the master developer's cash flow, and PwC consider the appraisals to have been properly considered and reflect the Developer's development intentions. This cash flow demonstrates a peak funding requirement in year 3 which will need to be met by the Developer, as described below.
- 6.30 The Developer has set up a project company/special purpose vehicle as the delivery vehicle for the Scheme. This is a widely used and recognised approach to large scale project/programme delivery. The Developer does not have sufficient resources to fund the Scheme itself; instead, funding for the project will be provided by the shareholders of the Developer.
- 6.31 The Developer is a company incorporated in the Isle of Man. It is a wholly owned subsidiary of Renewal Holdings Ltd (also registered in the Isle of Man) which in turn is owned on a 50/50 basis by Incorporated Holdings Ltd (IHL) (registered in the Isle of Man) and Independent Advisors Incorporated (registered in the British Virgin Isles). It is these companies which will provide the required funding for the development. Funding for the project to date has been provided almost entirely by shareholders, with only circa 18% funded by bank debt provided by RBS. Whilst the Developer has stated that the intention is that future funding from shareholders will be debt in nature and not equity, the option to raise further bank debt exists and may be utilised.
- 6.32 The debt provided by the shareholders is unsecured with no fixed repayment date and has 10% annual interest charges applied to the debt. These assumptions are included in the appraisal modelling. The shareholders are therefore only likely to see their principal investment and interest returned if the Scheme is delivered which is viewed as a strong commercial driver for further investment by them. The Developer and the shareholders have entered into a development and funding agreement, which formalises the long standing arrangement and provides a commitment that the shareholders will provide the necessary funding to deliver the Scheme conditional on the funding being available and the Scheme achieving a 10% development profit.
- 6.33 Sensitivity analysis shows that property prices would need to fall to levels substantially below those assumed for Phases 1A and 2 of the Scheme for a 10% development profit not to be achieved. Whilst such a fall in house prices is not unprecedented, even taking account of the uncertainties created by the Brexit vote it is more likely that there will (if anything) be a gradual reduction in house prices and not a fall of that magnitude. The Developer, in common with other master developers, would also have the option to pause the Scheme until such time as house prices recovered.
- 6.34 IHL is likely to be able to leverage or utilise its balance sheet to cover the initial funding needs to complete the land assembly and the longer term net peak funding requirement in year 3. However, if for any reason the shareholders failed to provide the funding, there are alternative funding strategies for the project. The fact that there would be an assembled site, with Outline Planning Permission/S73 Permission for the comprehensive Scheme, combined with the MDS delivery approach, would make the Scheme generally bankable/fundable. It could be expected in those circumstances that further traditional debt funding would be available to a developer

to meet the maximum deficit arising during the course of the project. Given the residual value of the Site post completion of the land assembly exercise, such debt funding could be secured at favourable rates.

- 6.35 Therefore, assessing the scheme on a non-developer specific basis, it is likely that the maximum deficit could be funded by another developer.
- 6.36 In the Council's view, if the comprehensive redevelopment is to come forward within a reasonable time-scale, this is only likely to occur if the Site is assembled with the assistance of CPO powers.

Could the Order purposes be achieved by other means?

- 6.37 The Site is allocated as a strategic site within the Council's Core Strategy. A key requirement of the Core Strategy is that the Site is brought forward for comprehensive development in accordance with a Masterplan. The purpose for which land and rights are proposed to be acquired is to enable the comprehensive redevelopment of the Order Land in accordance with the adopted planning policy framework. The Outline Planning Permission and the S73 Permission encompass comprehensive redevelopment in accordance with those policies.
- 6.38 The CPO Guidance advises that, in deciding whether to confirm an order made under Section 222(1)(a) of the 1990 Act, as is proposed here, one of the factors which the Secretary of State can be expected to consider is whether the purpose for which the order is being made could be achieved by any other means. This may include the appropriateness of alternative proposals put forward by owners of the land, or any other persons, for its reuse, as well as examining the suitability of any alternative locations for the purpose for which the land is being acquired.
- 6.39 The attempts made to acquire the Order land by agreement are addressed in Section 8 of this Statement of Reasons. As is set out in that Section, the Council appointed Strutt & Parker with a view to facilitating discussions between the Developer and the leaseholders of the largest areas of land required for the Scheme – Millwall Football Club (**MFC**) and Millwall Community Scheme (**MCS**). MFC maintains it wishes to carry out development on its own land (**MFC Land**) together with the land leased to MCS (**MCS Land**) and further maintains that it is able to do so consistent with the wider Scheme.
- 6.40 In August 2013, MFC provided the Council with a document prepared by McKay and Partners described as the Millwall Masterplan (**MFC Proposals**) and containing high level proposals in respect of the MFC Land and the MCS Land. Correspondence and discussions took place over a lengthy period both before and after the MFC Proposals were submitted in which the Council repeatedly stressed that in order for the Council to be able to give proper consideration to any proposals, it would require detailed drawings and other information including as to viability and the funding strategy, as well as the delivery mechanism to ensure comprehensive delivery of the wider site consistent with the Council's key regeneration/policy objectives. That information has not been forthcoming, nor has any planning application been submitted by MFC in respect of the MFC Proposals.
- 6.41 As part of their appointment, Strutt & Parker were asked to advise on the MFC Proposals in terms of their viability, deliverability and overall fit within the Council's Core Strategy and regeneration objectives for the area. The Strutt & Parker report raises a number of significant delivery constraints in respect of the MFC Proposals and other implications for the wider Scheme as discussed below. Moreover, Strutt & Parker have examined the viability of the MFC Proposals and conclude that they are unlikely to be viable in isolation.
- 6.42 GL Hearn have also reported on the deliverability implications for the wider Scheme if the MCS Land and the MFC Land were to be excluded. They conclude that not only would removal of the MCS Land and the MFC Land cause a significant negative impact on financial viability of the wider Scheme, it would also result in a significant level of delivery uncertainty relating to land ownership, planning, deliverability and place-making. GL Hearn conclude that in those

circumstances, no developer (including the Developer) would be likely to implement the Scheme. The Council accepts this conclusion.

6.43 The principal deliverability constraints are:

- MFC does not have control of the land required for the Millwall Proposals. The proposals require the MCS Land but MFC has no legal interest in the MCS Land, and in any event the various restrictions under the leases to MFC and MCS and the duration of those leases do not enable the re-development of the landholdings for residential uses.
- The Council has contracted to sell its freehold interest in the MCS Land and the MFC Land around the Stadium to the Developer and is not in a position to deal with that interest.
- The MFC Proposals do not accord with the existing consents which would need to be varied to accommodate them.
- The Core Strategy requires a comprehensive approach across the whole Site in accordance with an approved Masterplan and a delivery strategy which demonstrates how comprehensive development will be delivered. A standalone piecemeal proposal would be contrary to adopted policy and would not provide the transformational development the Council's regeneration objectives require.
- The surrounding land remains in the ownership/control of the Developer. Delivery of key infrastructure and access routes to the edge of the MFC Land and the MCS Land would be required with associated rights/easements. No information has been provided by MFC to the Council or the Developer as to the infrastructure and rights they require for the MFC Proposals and there is no assurance that then MFC Proposals would be brought forward on a timescale which is compatible with the wider Scheme. Infrastructure provision across the wider Site will require phasing, particularly in respect of the ENVAC and SELCHP connections and these will not be able to be delivered by MFC at a later stage in isolation.
- A joint venture arrangement/development agreement or similar agreement would be required between the Developer and MFC. The negotiation of any terms would be extremely complex and time consuming with an uncertain outcome. Leaving aside the key issue of viability, significant issues around key infrastructure and rights, phasing requirements, apportionment of planning obligations and other planning requirements and landowner equalisation arrangements would need to be resolved, creating significant uncertainty and delay and threatening delivery or timely delivery of key regeneration objectives for the Borough.
- As is typical of comprehensive schemes of this nature, profit is not realised until later phases and so such schemes rely on the whole Site to be developed to achieve an acceptable level of viability. The viability of the wider Scheme is dependent on the place-making uplift applied to later phases and as such relies on it coming forward as a whole.

6.44 Given that it owns or controls the majority of the interests in the Site, the Developer is the obvious person to bring forward the Scheme. Not only would removal of separate parcels of land from the currently consented wider scheme render it unviable from a financial and delivery perspective, the separate development of other parcels would be likely to result in piecemeal development, risk the non-achievement of comprehensive development of the Site and thus the regeneration objectives for the Site and surrounding area not being realised. At best it would be likely to lead to substantial delays in the regeneration coming forward. To ensure comprehensive re-development, a very high degree of co-operation would be required between the current owners, even assuming satisfactory terms could be reached, which to-date there has not been.

- 6.45 In all the circumstances, the Council does not consider that the MFC Proposals provide an appropriate means by which the purposes of the Order might be achieved within a reasonable timeframe, nor are there any other alternative, credible development proposals currently proposed or likely to be capable of coming forward and implemented to secure the comprehensive development of the Site within a reasonable timescale without the need for the Order.
- 6.46 Despite significant land assembly being undertaken by the Developer, land ownership across the Site is still fragmented. In order to achieve the public benefits of the Scheme and the ambition of comprehensive development, the process of land assembly needs to be completed. There is little prospect of this occurring without the Order.
- 6.47 Nor could the re-development take place elsewhere. The Site is unique in terms of size, scale and location of development which is reflected in being one of only five sites allocated in the Core Strategy as a Strategic Site. These sites have been identified due to their potential to collectively transform the physical environment and achieve place making objectives by delivering a comprehensive range of regeneration outcomes is the Borough's most deprived areas. Whilst there are other sites within the Borough which will contribute to the delivery of the Core Strategy, none deliver the range of benefits of the strategic sites. Collectively, the four strategic sites in Deptford/New Cross are expected to deliver 60% of the Council's ten year housing target in addition to a range of employment opportunities and infrastructure, and accessibility and public realm improvements. These planning objectives cannot be realised from any alternative site for this scale of major regeneration
- 6.48 It is therefore considered that the Scheme for which planning permission has been granted is viable, that funding will be available to enable implementation of the Scheme if the Order is confirmed, and that it is likely that the Scheme will be delivered within a reasonable timescale. Consequently, if the Order is confirmed the Council is confident that there will be no impediments to implementation.

7. CONSULTATION

- 7.1 The Council has undertaken a series of consultation exercises in respect of the regeneration and planning policies applicable to the Site and surrounding area. In turn the Developer has carried out consultation in respect of the specific Scheme proposals and there has been statutory consultation on the planning applications. There has thus been extensive consultation over a number of years both in respect of the policies and principles underpinning the Scheme through to detailed proposals.
- 7.2 Appropriate consultation was undertaken by the Developer throughout the pre-application consultation process and meetings took place with a wide range of local groups and all relevant stakeholders. Up until the outline planning application was submitted in February 2011 overall the Developer promoted the scheme to 76,074 community members, and spoke to approximately 4,825 people directly.
- 7.3 Since February 2011 the Developer has continued to respond to all enquiries from the local community (including residents, local businesses and MFC supporters). The Developer has developed relationships with both local (South London Press, Southwark News, New Shopper and Lions Live radio show) and regional press (Evening Standard) who publish stories on the Scheme when there is a significant development. The Developer has launched a newsletter, the first issue of which was published in Spring 2015 and circulated to 1,500 neighbouring properties and published online. Since the grant of the Outline Planning Consent the Developer has received weekly enquiries from local residents and businesses. The Developer responds to every enquiry within 48 hours and records of all correspondence are kept.
- 7.4 The outline application was publicised and consulted upon in accordance with the requirements of the Town and Country Planning (Development Management Procedure) Order 2010. In addition, the application was advertised and consulted upon in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Internal consultations were carried out with relevant departments at the Council. The required external consultations were also undertaken.
- 7.5 In February 2015 the Scheme was launched as New Bermondsey to coincide with the Mayor of London's announcement regarding Housing Zone designation. The launch included new branding, the newsletter and a new website www.newbermondsey.com
- 7.6 Up until submission of the outline planning application, consultation activities consisted of pre application meetings with elected Members, MPs, London Assembly Members, the Mayor and Cabinet and representatives from local organisations including the Police, Lewisham College, Goldsmiths College, local schools, MFC, the MCS and Lewisham Hospital.
- 7.7 Specific consultation activities include:

Lewisham People's Day: July 2010

The Scheme was launched to the public at Lewisham People's Day on the 10th July 2010. People's Day is Lewisham's longest running community festival attracting over 30,000 people, with the majority attending from the north of the Borough.

Lewington Centre exhibition

Following People's Day, the Developer held a more detailed three day exhibition at the Lewington Centre on the Silwood Estate immediately to the north of the Site from Sunday 25th to Tuesday 27th July 2010.

Scotney Hall exhibition

A further exhibition was held on Friday 1st and Saturday 2nd October 2010 at Scotney Hall on the Winslade Estate immediately to the south of the Site in order to engage with those were not able to attend either People's Day or the Lewington Centre exhibition because they were away during the summer.

Young People

The Developer identified the importance of speaking with as many young people as possible given the number of young people in the Surrey Canal area is very high (27.4% of the local population are aged between 15-25 compared with 11.5% across London).

In partnership with the Deptford X visual arts festival, the Developer commissioned the 'A Load of Rubbish' project. The project enabled Turner Prize nominated artist Mark Titchner to run workshops with Deptford Green students to create three pieces of artwork which were displayed on the three refuse trucks which serve North Lewisham.

The Developer presented to the Council's Young Mayor and Cabinet and their feedback had a direct impact on development of the Scheme, notably in relation to the type of sports facilities such as the inclusion of a climbing wall and a diving centre. Following initial presentation to the group, the Developer kept in close contact with them, invited them to events and kept them updated with the plans for the Emerging Scheme as they developed.

The Developer presented to the Ministry of Youth group who are based immediately to the south of the Surrey Canal area on the Winslade Estate and they have worked closely with the Ministry of Youth on the proposals for an enhanced community park at Bridgehouse Meadows.

Faith Leaders and Groups

The Developer spoke to Faith Leaders and Groups through surveys, and one to one meetings with Faith Leaders, the Faith Officer at the London Borough of University and Dr Chris Hewson from the University of Manchester who is conducting research into multi-faith spaces.

Overall the Developer spoke to over 100 Faith & Community organisations and appointed Michael Wakelin, former Head of Religion and Diversity at the BBC and current Director of Coexist Programmes at Cambridge University, to assist with finding suitable occupiers for phase 1 of the scheme. Mr Wakelin assisted the Developer with shortlisting six potential Faith occupiers, developing their proposals with them, understanding their organisations, and commercially testing their requirements. From those six organisations, the Developer selected to work with the Pentecostal Church, Hillsong. Hillsong are now operating from interim facilities on site at Stockholm Road pending development of Phase 1A. The interim facilities are understood to attract circa 2,600 visits per month

Millwall Football Club

The Developer engaged with MFC fans, staff and management through fans forums, meetings at the two public exhibitions, advertisements in match day programmes and an interview on the Lions Live (MFC fans) radio show on 18th November 2010. Overall the Developer spoke directly to 975 MFC fans.

Bridgehouse Meadow workshop

A CABE Spaceshaper workshop was held with local residents and stakeholders in October 2010 to investigate the current use and potential of the space at Bridgehouse Meadows which will inform the design team's approach to creating a revitalised community park.

S73 application consultation

- 7.8 The S73 application was publicised and consulted upon in accordance with the requirements of the Town and Country Planning (Development Management Procedure) Order 2010. In addition, the application was advertised and consulted upon in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Internal consultations were carried out with relevant departments at the Council. The required external consultations were also undertaken.

- 7.9 The Developer consulted widely with Sport England and the various National Governing Bodies of sport, including the English Table Tennis Association, the British Amateur Boxing Association, England Netball, the Amateur Swimming Association, Basketball England and British Gymnastics who all supported the proposals for condensing the sports facilities from four buildings into one.
- 7.10 Details of the S73 Application were uploaded to surreycanal.com.
- 7.11 On 22nd May 2013 MCS was updated on the S73 application and the Scheme.
- 7.12 The Council sent out 362 letters to residents and business in the surrounding area. In addition, ten site notices were displayed within the vicinity of the Site on the 23rd October 2013 and Ward Councillors were notified.
- 7.13 Two local representations were received in response to the communication sent out. One letter of support from a property on Ilderton Road and one letter of objection from solicitors acting on behalf of MFC.
- 7.14 The Developer owns all the land affected by the changes proposed in the S73 Permission. All tenants on these plots have been kept informed of the progress of the Master plan and their leases are structured accordingly.

Online

- 7.15 Since the Outline Planning Permission was granted, the Developer has launched the New Bermondsey website (www.newbermondsey.com) which includes statements from the Developer and all planning application documents submitted to the Council. A stand-alone website has been developed for the SCSF (www.surreycanalsportsfoundation.org.uk). In February 2012 the New Bermondsey website was launched to coincide with the Mayor of London's designation of New Bermondsey as a Housing Zone, with all traffic from the former www.surreycanal.com website re-directing to the New Bermondsey website.

8. ATTEMPTS TO ACQUIRE BY AGREEMENT

- 8.1 The Developer has been assembling the Site since 2004 and wherever practicable, the Developer has sought to acquire properties by agreement. The Council has provided support to the Developer in the acquisition process and remains fully aware of the requirements of the CPO Guidance and the intention that CPO should be a matter of last resort.
- 8.2 To assist with the land acquisition process, GL Hearn have been jointly appointed by the Council and the Developer to advise on property cost estimates for the compulsory acquisition of interests and to negotiate settlements with landowners and others with an interest in the Order Land. The Council has also written separately to the landowners encouraging them to negotiate with Developer and offering to treat with them and to provide formal valuations if they are unable or unwilling to reach agreement with the Developer. Where the developer is in dialogue with interest holders, or a protected characteristic has been identified, the Developer has offered to pay for independent advice, translation or interpretation for the interest holders.
- 8.3 The Council has also appointed property consultants Strutt & Parker, with part of their brief being to try and bring the Developer and MFC together to see if an agreed position could be reached between the parties which would ensure comprehensive regeneration of the Site.
- 8.4 The Developer has provided the Council with regular reports setting out the details of the extent of and current position on negotiations with landowners, together with copy correspondence undertaken by both the Developer and GL Hearn. The Council is satisfied that the Developer has used reasonable endeavours over a substantial period to acquire the outstanding interests by negotiation. It is continuing and will continue to try and move those negotiations forward with the support of the Council notwithstanding the making of the Order.
- 8.5 The Developer has also submitted a relocation strategy which has been approved by the Council under the S106 Agreement requirements setting out its intentions with regard to continued occupation of the Site by tenants until possession is required and steps taken regarding assistance with relocation. As part of the relocation strategy the Developer has appointed Kalmars, local agents, to assist the remaining interest holders with finding suitable alternative premises. A copy of the approved strategy is appended to this Statement of reasons at **Appendix H**. The S106 Agreement requires the Developer to implement the approved strategy.
- 8.6 At the time of preparation of this Statement of Reasons, some 22 interests (excluding highways land and occupational tenancies where the Developer expects to gain possession without recourse to the Order, utilities interests, land under contract to the Developer and business tenancies of land not currently owned by the Developer) required for the Scheme remain to be acquired within the Site. The Developer continues to seek to acquire interests by agreement and a number of other interests are at an agreed sale stage.
- 8.7 The Developer has corresponded extensively with landowners regarding the acquisition of their interests. In such correspondence, the Developer has provided contact details for relevant officers at the Council encouraging the landowner to contact the Council should they wish to do so. Further, in June 2014 the Council wrote to those parties with remaining land interests in the Site who have not yet reached a negotiated settlement with the Developer for the acquisition of their interest. The letter encouraged landowners to negotiate with the Developer, but also stated that the Council remained willing to treat directly with them for the acquisition of their interest should they not wish to negotiate with the Developer. The Council again wrote to landowners on 11th December 2015, explaining that Officers were in the course of preparing a report to the Council's Mayor and Cabinet to consider whether a CPO should be made. The letter again invited negotiations for the acquisition of the interests by private treaty and stated the Council's and the Developer's intention that in the event of a CPO being made, the process should run in parallel with continued negotiations, the clear preference being acquisition by agreement and not the use of CPO powers.
- 8.8 The Council again wrote to landowners on 19 January 2016 advising of Officers' intention to submit a report to Mayor and Cabinet in relation to the CPO resolution. In the event, that

Report was withdrawn and a further letter was sent to landowners on 8 August 2016 advising of Officers' intention to again submit a report to Mayor and Cabinet on 7 September 2016. Again, that letter urged landowner to engage with the Developer or the Council regarding acquisition by agreement of their interest.

- 8.9 The Developer has kept all of the existing tenants informed about progress with the Scheme and the likely timescales for the relevant Phase that their unit is located in, to ensure that they can manage their business and property matters. Existing tenants and owner/occupiers have been informed about the relocation strategy and that Kalmars Commercial Agents have been appointed to assist tenants with finding new accommodation. The Relocation Strategy is published on the New Bermondsey website. New tenants are advised of the planned regeneration of the area and the estimated timeline for each of the proposed Phases before entering into their leases, and all new leases have the appropriate breaks to ensure that the Developer can obtain vacant possession with not more than six months' notice.
- 8.10 The Developer has actively assisted those tenants who have sought advice on relocation. It has identified vacant industrial space within ½ mile of the Site that is equal to the currently occupied space within the red line boundary of the Scheme and which may provide suitable alternative accommodation. One previous tenant at unit 24 Orion Business Centre signed a new lease with the landlord of the neighbouring Surrey Canal Trade Park following an introduction by the Developer, and has recently relocated there.
- 8.11 In May 2015, the Developer appointed Kalmars Commercial to assist current commercial owners with advice on relocation and available alternative commercial properties on the market. GL Hearn, who have been appointed jointly by the Council and the Developer on valuation matters, have also corresponded with individual landowners and where appropriate provided desk top valuations on outstanding interests to be acquired. All landowners have been asked to allow GL Hearn to visit their land. To date, of the remaining interests to be acquired, Units 2 and 3 Enterprise Industrial Estate, Units 28, 35 and 38 Bolina Industrial Estate, Unit 11 Orion Industrial Estate and Units 10, 11, 14, 15 and 19 Excelsior Works Industrial Estate have allowed GL Hearn access for an internal inspection. Subsequent valuation reports by GL Hearn have been issued to the landowners as a basis for negotiation. This is with the exception of Units 14, 15 and 19 Excelsior Works where a formal valuation report has not been submitted but negotiations have progressed and GL Hearn's opinion of value has been detailed to the owner's surveyor. The position can be summarised as follows:

Address	Inspected	Comments
Unit 2 & 3 Enterprise	Yes	
Unit 28 Bolina	Yes	
Unit 31 Bolina	No	No response to any correspondence
Unit 32 Bolina	No	No response to any correspondence
Unit 35 Bolina	Yes	
Unit 36 Bolina	No	No response to any correspondence.
Address	Inspected	Comments

Unit 38 Bolina	Yes	
Unit 39 Bolin	No	No response to any correspondence
Unit 11 Orion	Yes	
Unit 10 & 11 Excelsior	Yes	
Unit 14 & 15 Excelsior	Yes	
Unit 17 Excelsior	No	GL Hearn have not been provided access. The Developer has paid for the owner to have their own independent valuation undertaken, but they have refused to share this with GL Hearn or the Developer. The developer has had some success in progressing discussions in that meetings have been held with the owner, but the parties are some distance apart on value.
Unit 18 Excelsior	No	There has been correspondence between GLH and the owner's representatives but a date to inspect has not been established.
Unit 19 Excelsior	Yes	

8.12 The largest remaining interests by area yet to be acquired are those vested in MFC and MCS.

MFC

8.13 Paragraphs 5.37 and 5.38 of this Statement of Reasons set out the content of the Scheme to be delivered on MFC's land. The land is required in order to deliver the wider scheme for which planning permission has been granted, which accords with the Council's regeneration objectives as set out in the Core Strategy and which seeks a comprehensive redevelopment of the Site as set out in Section 4 of this Statement of Reasons. The Core Strategy recognises the importance of MFC and the Stadium to the Borough and it has been made clear to MFC that the Council considers it essential that MFC can continue to operate the Stadium and that appropriate rights will be granted in favour of MFC to ensure that this will happen. MFC has provided information to the Council and the Developer regarding the rights it will require over the land around the Stadium in the event the Order is confirmed and discussions have taken place in relation to the grant of those rights. The Council and the Developer will pursue negotiations with MFC regarding agreement in respect of the rights required.

8.14 Discussions have also taken place between the Developer, MFC and the Council over a number of years in relation to the acquisition of MFC's leasehold interest in the land around the Stadium. The Developer has submitted a formal offer to MFC for that interest, but MFC has so far remained unwilling to negotiate any agreement for the surrender of its interest, maintaining that its wishes to itself redevelop the land around the Stadium (including the land leased to MCS) in a manner consistent with the Scheme. The issues arising in respect of the MFC Proposals are addressed in paragraphs 6.41 to 6.45 above.

- 8.15 In an effort to facilitate discussions between MFC and the Developer, the Council appointed Strutt & Parker to act as an intermediary with the aim of bringing the parties together to see if an agreed position could be reached which would ensure comprehensive regeneration of the Site. Discussions have been held during which MFC confirmed that its aim in seeking to develop the MFC Land and the MCS Land is to secure an ongoing revenue stream to support the operation of the football club. To-date, however, no agreement has been reached between the parties with a view to achieving that aim.
- 8.16 More broadly, the Developer has made its position clear to MFC via Strutt & Parker that:
- It does not consider there is a realistic prospect of MFC bringing forward its own proposals on the MFC Land and the MCS Land;
 - The regeneration should be led by the Developer who has made considerable investment in the Site over the last 12 years and has demonstrated its commitment to the Scheme which it is in a position to deliver;
 - It is not prepared to contemplate any joint venture with MFC, having concluded after 9 years of dealings that the respective organisations' vision, objectives and philosophy are not compatible.
- 8.17 The Developer has, however, committed to working to find a financial solution with MFC and believes that progress could be made if MFC respond to the Developer's formal offer regarding a surrender of the lease of the MFC Land and that if MFC quantifies the level of an on-going revenue stream it requires. The Council will continue to assist with efforts to progress discussions between the parties.

MCS

- 8.18 With regard to MCS's leasehold interest, the Council and the Developer have engaged in negotiations with MCS regarding the Heads of Terms for the surrender of MSC's interest in the Lions Centre and subsequent relocation to the new sports facilities (Energize) within Phase 2 of the Scheme. A series of meetings has taken place between the Council, the Developer and a representative from the MCS Board of Trustees to discuss surrender of their lease and the relocation of MCS to Energize. The Council has also funded legal advice to enable MCS to conclude negotiations. Agreement has previously been reached on Heads of Terms, subject to agreement as to the level of compensation, the management model of Energize to which MCS would relocate and the costs to rent the office and storage space within that new facility. Following a pause in negotiations, the parties are again in dialogue.
- 8.19 Efforts will continue to be made by the Developer, supported by the Council, to acquire the remaining interests by agreement and any interests acquired by private treaty if achieved prior to confirmation of the Order will be the subject of a request made that the Order be not confirmed in respect of such interest.
- 8.20 Negotiations with MFC and MCS and other landowners will continue in parallel with the Order process, as encouraged by the CPO Guidance, and efforts will be made to reach agreement for disposal of their interests to the Developer or the Council. Negotiations will also continue with MFC regarding the grant of appropriate rights being reserved to MFC in respect of the land around, and required for continued operation of, the Stadium.
- 8.21 Updated details as to the position regarding acquisition will be provided in due course.

9. THE CASE FOR COMPULSORY PURCHASE

- 9.1 The Order Land forms part of the Site and is situated within New Cross ward in the north west corner of the Borough, adjacent to the London Borough of Southwark. The Order Land and the Site are within an area which presents as a degraded low quality environment which is overwhelmingly industrial in character with industrial estates established in the 1970s and 1980s as part of a previous package of funding for economic development. The industrial estates are closed off and inward looking and within a wider area severed by wide viaducts with an environment which discourages pedestrian access and connectivity. Access into and out of the Site is limited by a number of constraints including railway lines, poor pedestrian crossing facilities and no direct access to South Bermondsey Station. The area is largely devoid of identifiable features such as local shops, community and leisure facilities.
- 9.2 The area within which the Order Land is situated suffers from serious physical, social and economic deprivation including a lack of accessibility in a poor physical environment, with high levels of unemployment, low skills and qualification attainment, health inequality, and issues of housing affordability and overcrowding. **Appendix I** contains details of the New Cross Ward profile (2014), compared with the Borough as a whole.
- 9.3 The Site is within the New Cross Ward which is one of the most deprived wards in the Borough and one of the most deprived areas in London and the UK with deprivation particularly acute in terms of crime, unemployment, health, housing, income and living environment (see paragraph 7.6 of Appendix K). In response, the Core Strategy seeks to promote social inclusion and strengthen the quality of life and well-being for new and existing residents of the Borough by addressing deprivation and health inequalities in New Cross and other more deprived parts of the Borough, creating safer and stronger communities by reducing crime and fear of crime through innovative design and land use policies, as well as providing physical, social and green infrastructure including high quality health and education facilities that are accessible and suitable to all of the Borough's residents to foster independent community living.
- 9.4 The applicable policy framework for the Order Land includes, inter alia, the London Plan, Core Strategy and the NPPF.
- 9.5 The NPPF provides a presumption in favour of sustainable development where economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Paragraph 49 of the NPPF specifically states that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. Planning should operate to encourage and not act as an impediment to sustainable growth. Good design is indivisible from good planning and should contribute positively to making places better for people.
- 9.6 The Site falls within the South East London Sub-Region, where policy seeks to encourage new development that underpins the sub-region's dynamism and potential, and delivers the priority for delivering regeneration and transport improvements and links from the capital and the Thames Gateway. The London Plan encourages the Council to accommodate substantial growth for London's economy and population, whilst optimising the development of Opportunity Areas and ensuring that housing provision is supported by social and community infrastructure.
- 9.7 The Spatial Strategy within the Core Strategy identifies four Regeneration and Growth Areas where the majority of the Borough's new housing, retail and employment uses will be focused. The Regeneration and Growth Areas will provide key regeneration and development opportunities and provide a clear basis and focus for new homes and jobs which contribute to local regeneration, thus addressing deprivation and improving social inclusion. Deptford, Deptford Creekside and New Cross/New Cross Gate is one of the four Regeneration and Growth Areas where the scale of change will be most pronounced in this part of the Borough and has the potential for long term physical and socio-economic benefits. It is considered to be a prime location for delivering a substantial portion of the identified housing need and required employment floorspace within the Borough and is proposed to accommodate 2,300 new homes by 2016 and a further 8,325 new homes by 2026.

- 9.8 Spatial Policy 2 within the Core Strategy identifies five strategic sites which are to act as a catalyst for regeneration of the area. The Site is one of such strategic sites. SSA3 within the Core Strategy identifies the Site for comprehensive mixed use development and sets out specific requirements for a comprehensive phased approach to re-development. Within the priorities in SSA3, the Site is identified as representing an opportunity to transform the environment and infrastructure and create a new destination around Millwall Football Stadium, which currently is not enhanced or improved by the surrounding industrial estates. It is considered that the re-development of the Site, with the retention or replacement of employment uses on site would contribute to the economy of the Borough, increase its diversity and offer new types of jobs and training opportunities that are currently limited locally.
- 9.9 The purposes for which the Order Land is required meet the objectives of the London Plan, the Core Strategy and the NPPF and fit within the adopted/applicable planning framework for the area within which the Order Land and the Site are situated. It is against this background that the Outline Planning Permission and the S73 Permission were granted.
- 9.10 The Order Land is required to facilitate the comprehensive delivery of the Scheme, which in turn is considered to deliver a number of key social, economic and environmental benefits. These are addressed more fully in Section 3 of this Statement of Reasons. Key outputs are, in summary:
- The regeneration of a deprived area;
 - Approximately 2,400 new homes of a variety of types and tenure, including affordable housing;
 - Approximately 1,500 new permanent jobs plus 470 temporary construction jobs;
 - A new Overground station on the East London Line, enhanced public transport and accessibility and new new pedestrian and cycle routes;
 - Other infrastructure, including highway/junction improvements;
 - New and enhanced public realm;
 - A significant new sports facility;
 - New and enhanced security and safety measures;
 - Hotel and conferencing facilities;
 - New social infrastructure including health, faith, community space, library and health facilities;
 - Roof planting to assist habitat creation;
 - A new creative quarter and space for business start-ups.
- 9.11 The Scheme will deliver significant social, environmental and economic benefits and fully realise the planning and regeneration policy objectives set at National, Regional and Local level as well as delivering against other relevant policy including the Council's Regeneration and Sustainable Community Strategies.
- 9.12 The Order Land comprises a number of discrete ownerships which are required in order to ensure comprehensive delivery of the Scheme and achieve the planning and other policy objectives for the area within a reasonable timescale. Although reasonable efforts have been made, and will continue to be made, to acquire the necessary land and rights by agreement, to-date it has not been possible to achieve acquisition by negotiation. The Council considers that the Order is necessary to acquire all the land and rights needed for the Scheme to give

certainty that the Scheme can come forward within a reasonable timescale and so that the wider public benefits that the Scheme and realisation of the policy objectives can be achieved.

- 9.13 Following the making of the Order, the Developer and the Council will continue to seek to acquire the necessary land and rights by agreement.
- 9.14 Section 6 of this Statement of Reasons addresses the question of delivery of the Scheme and the likelihood of it coming forward within a reasonable timescale. For the reasons given in Section 6, the Council has concluded that the development would be viable, has a clear and achievable delivery strategy and that the necessary resources, including funding, will be available to achieve the purpose of the Order within a reasonable timescale.
- 9.15 The Council has also considered whether the purposes for which land and rights are proposed to be acquired could reasonably be achieved by any other means, including by other existing landowners, within a reasonable timescale. For the reasons given in paragraphs 6.37 to 6.47 of this Statement of Reasons, the Council does not consider the purposes for which the Order Land is required could reasonably be achieved by other means or that the objectives might be realised elsewhere.
- 9.16 As set out in Section 10 of this Statement of Reasons, the Council has had regard to the Human Rights implications of pursuing the Order and taken into account the economic well-being of the locality in terms of regeneration, housing need, sustainable communities and environmental improvements and has carefully considered the balance to be struck between individual rights and the wider public interest. In this instance, the Council considers that the Order is required in the public interest and is consistent with the ECHR and 1998 Act in that the public purpose of securing the Order Land for the Scheme and concomitant economic, social and environmental benefits are of sufficient weight to override the interference with human rights that the Order necessarily involves, and that compulsory acquisition is necessary to achieve that purpose. It is also considered that the Order is proportionate having regard to the alternative means of securing the redevelopment of the Order Land and the associated regeneration of the area.
- 9.17 In all the circumstances, the Council considers there is a compelling need in the public interest for compulsory acquisition.

Special considerations

- 9.18 None of the existing buildings within the Order Land or on the Site are listed or locally listed and none of the Order Land/Site is in a conservation area. The Order Land is, however, within an Archaeological Priority Zone.
- 9.19 In addition there are 119 designated 'heritage assets within 1km of the boundary of the Site, including listed buildings, non-listed buildings of local interest, conservation areas and Southwark Pier (a Registered Grade II Park and Garden) and Greenwich Maritime World Heritage Site, which is to the south east of the Site. These heritage assets are listed in **Appendix J**

Government Departments

- 9.20 No correspondence has been received from Government Department regarding the Scheme.

10. HUMAN RIGHTS

- 10.1 The European Convention on Human Rights (“the Convention”) was incorporated into domestic law in England and Wales by the Human Rights Act 1998 (“the 1998 Act”). The 1998 Act prevents public authorities from acting in a way which is incompatible with rights protected by the Convention.
- 10.2 Of particular relevance to the compulsory purchase process are Articles 6 and 8 of the Convention regarding entitlement to a fair and public hearing by an independent and impartial tribunal and respect for privacy and family life respectively and Article 1 of the First Protocol which concerns the protection of property.
- 10.3 The CPO Guidance advises that *“a compulsory purchase order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights, and in the case of a dwelling, Article 8 of the Convention”*.
- 10.4 As regards Article 6 rights the Scheme has been publicised and consultation has taken place with parties potentially affected by the Order. All those parties whose interests are identified and included in the Order will be notified and have the right to make objections or other representations to the Secretary of State for Communities and Local Government and to be heard at a public inquiry or by means of written representations. The statutory process and right for affected parties to pursue remedies in the High Court where appropriate, are compliant with Article 6.
- 10.5 Article 8 provides that everyone has the right to respect for his private and family life, his home and his correspondence. The right is qualified to the effect that there should be no interference with the right except in accordance with the law and as necessary in a democratic society in the interest of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of Protocol 1 provides that every natural or legal person is entitled to the peaceful enjoyment of his possessions. Again the right is qualified to the effect that no one is to be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. Further, the right does not in any way impair the right of a state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.
- 10.6 As qualified rights, interference with the Article 8 and Article 1, First Protocol rights is permissible only if what is done has its basis in law, is done to secure the permissible aim set out in the relevant Article (for present purposes, economic wellbeing (Article 8) or the public interest (Article 1)) and is necessary in a democratic society. The interference must pursue the legitimate aim and be proportionate to the aim being pursued. In determining the level of permissible interference, the courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals – there must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck. Case law in a CPO context has determined that there is no requirement to set out in any formulaic way the extent to which individual human rights are interfered with and that the necessary human rights balancing exercise is encompassed by the test of a compelling case in the public interest.
- 10.7 The Order if confirmed will result in the taking of property and the rights of persons occupying the Site will be interfered with. The nature of the properties/occupations involved is set out elsewhere in this Statement of Reasons. The Council considers that the interference is

necessary in the interests of the economic well-being of the country (in the terms set out in Article 8), is in the public interest (in the terms set out in Article 1, Protocol 1 rights).

- 10.8 In coming to this conclusion, the Council has carefully considered the balance to be struck between individual rights and the wider public interest and have also had regard to the alternative means of securing the redevelopment of the Order Land and the associated regeneration of the area. The Council has concluded the interference is proportionate when weighed against the significant concomitant economic, social and environmental benefits which will be delivered by the Scheme for the Borough and the wider community as set out in this Report, the draft SoR and the Regeneration and Equalities. Compensation will be payable in accordance with the law including compensation for property on the basis of the market value of the interest acquired, together with disturbance, statutory loss payments and where appropriate home loss payments.
- 10.9 In all the circumstances, the Council considers that the Order constitutes a fair balance between the public benefits accruing from the acquisition and implementation of the Scheme and the private rights affected by the Order and that the Order is proportionate having regard to the alternative means of securing the redevelopment of the Order Land and the associated regeneration of the area.

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11. REGNERATION AND EQUALITIES STATEMENT

11.1 A Regeneration and Equalities Statement has been produced. A summary of the key findings are detailed below and the full copy of the document can be found at **Appendix K**. This sets out:

- the regeneration effects of the Scheme on the local and wider area, particularly in terms of increasing housing provision as well as social, community and economic opportunities that will redress local deprivation and inequalities; and
- how the development, which gained Outline Planning Permission in 2012 (and the S73 Permission in 2015), and the proposed compulsory purchase of land, has taken due account of any potential impact on equalities groups as stipulated by the Equality Act 2010.

Problems of deprivation

11.2 North Lewisham, and New Cross ward in particular, currently face a number of serious socio-economic inequalities (including unemployment, low skills and qualification attainment, health inequality, issues of housing affordability and overcrowding and an inaccessible, poor physical environment) that need co-ordinated intervention to redress.

How the Scheme will address deprivation

11.3 The Scheme represents an opportunity to address the challenges outlined above by delivering a comprehensive mixed use regeneration project that can provide a step-change in both the perception of the area and the realities faced by local residents. The increased accessibility, jobs and business space, and new homes, as well as regionally-significant sports facilities provision, provision of other community facilities and improved public realm improvements, can provide major benefits to existing residents as well as future occupiers. The Scheme will help to redress a number of aspects of social inequality and deprivation for groups that are particularly vulnerable, promote social inclusion, and help to foster good relationships between people.

11.4 The overwhelming public benefits of the Scheme will help to transform the area and improve the quality of life of existing and future residents, kick-starting a process of regeneration in the local area, by:

- Bringing an uplift of around 2,400 homes in a range of sizes, types and tenures with sensitive design and accessibility standards;
- Facilitating a new Overground station on the East London Line in the south-east corner of the site;
- Creating around 1,500 new permanent jobs, plus 470 temporary construction jobs and new business space through private sector investment in growing sectors, and contributing to a new growth hub for North Lewisham;
- Connecting with the wider economy in central London through attracting new visitors and residents and retaining spending in local businesses and services;
- Supporting local residents with employment and training packages tailored to address specific needs, so that residents can take advantage of additional local jobs and compete for higher skilled jobs in the wider London labour market;
- Delivering physical improvements, including good quality street scene, public open spaces and new buildings to establish this as an attractive new neighbourhood, and opening up a previously inaccessible area to all current and future residents;

- Providing the scale and critical mass of development to change perceptions of the area; and
- Providing opportunities to lead healthy lifestyles and access to community facilities in an active environment.

Equality and protected characteristics

- 11.5 In undertaking a major development, including compulsory purchase, it is critical to identify any potential disproportionate effects of the process on people as a result of any protected characteristics they may have (as defined by the Equality Act 2010). If a disproportionate effect is identified as a result of protected characteristics, effects should be assessed and mitigated to redress imbalances.
- 11.6 Each element of the Scheme and the compulsory purchase process has been assessed with protected characteristics in mind, with mitigation and monitoring identified where appropriate, and set in the context of the overwhelming public benefit gained from the development.

Existing Live/Work Premises

- 11.7 The Developer and the Council have engaged with the owners/occupiers of the two live/ work units (one of which is occupied and one of which is understood to be currently unoccupied) throughout the planning application and consultation programme, and have engaged in discussions regarding the proposed development and the Order as required by the compulsory purchase process.
- 11.8 Through this engagement, the Developer has been able to ascertain the protected characteristics of any occupiers that have the potential to lead to an adverse effect from the process, and develop measures to ensure that the process does not discriminate against owners/occupiers on this basis. The actions taken are detailed at Appendix K.

Existing Businesses

- 11.9 The Developer manages all of the existing units in-house and have made a policy of informing all of the existing tenants of the planning application process, and the likely timescales for the relevant phase that their units fall within to ensure that they can manage their business and property matters.
- 11.10 The Developer recognises that some protected characteristics of business owners could have the potential to unfairly affect their ability to engage with the Order, compared to those without those protected characteristics. The Developer and the Council have been able to identify protected characteristics and tailor correspondence and activities to ensure that no tenant is unfairly treated as a result of these characteristics.
- 11.11 The specific process undertaken by the Developer in consulting and engaging with tenants, identifying and managing the process and risks in terms of protected characteristics, and acting on information to ensure protected characteristics are taken into account in the designing of mitigation are outlined at Appendix K.
- 11.12 As such, the effect on protected groups is likely to avoid inequality in decision making, meet legislative standards for compulsory purchase, and offer support in finding appropriate replacement workspace.

Housing

- 11.13 At present, the local area faces problems in terms of overcrowding, a long housing waiting list and unaffordability. Access to affordable, decent standard housing is essential for building sustainable communities and reducing pressure on housing waiting lists, offering more housing

opportunities for vulnerable groups (e.g. older people, younger people, low-income households) who are disproportionately affected by housing need.

- 11.14 The approved range of dwelling sizes and tenure mix (private, intermediate and social rented) and commitments to meeting accessibility standards, and the 10% provision of wheelchair accessible and easily adaptable housing – provide a positive benefit in terms of housing accessibility and accords with requirements of the Core Strategy and housing policies in the London Plan.

Tenures and Allocation

- 11.15 Social rented units in a range of sizes will be provided within the Scheme, with the allocation of these dwellings subject to the usual legal protections on equalities as applied by the Council or commissioned housing management company under the Housing Act and Lewisham's Housing Allocation Scheme Policy (October 2012). Housing allocations in the Borough are intended to prioritise vulnerable groups including people with medical needs and disabilities, or those moving due to racial, sexual or other harassment.

Employment

- 11.16 The needs of unemployed and economically inactive local residents differ from other areas, partly due to the local demographic profile. Within the local area there are a higher number of students, a younger population with shorter duration of job seeker allowance claims, and a different profile of occupational skills, including between men and women, compared to other areas.
- 11.17 Some protected groups may be unevenly represented in terms of barriers to accessing work, skills and qualification level, language and cultural factors, family requirements and need for flexible and/or part-time working.
- 11.18 When the Scheme is operational, with a mixture of retail, commercial, hospitality, community and healthcare uses, it will offer a range of different jobs with different skill levels, including many opportunities for local people requiring entry-level jobs. It is anticipated that there will be around 2,000 new permanent jobs created by the development, compared to 366 currently on-site.
- 11.19 The retail and hotel floorspace will be particularly important for local employment and addressing local deprivation as it will provide many opportunities that are suitable for people without high level qualifications.
- 11.20 Additionally, the proposals include a Section 106 commitment, to fully participate in the Local Labour and Business Scheme, and to achieve a target of at least 50% employment of local people and businesses through a Local Employment Strategy which sets out reasonable endeavours to promote and recruit employees, contractors and suppliers from the Borough during the construction and operational phase of the Scheme to ensure that benefits are felt locally.
- 11.21 As such, the proposals offer significant benefit to protected groups through the creation of jobs that meet skills and operational needs, and these benefits are ensured and enhanced through committed brokerage schemes tailored to local 'hard to reach' groups.

Community and Stakeholder engagement and consultation activities

- 11.22 The Statement of Community Engagement (February 2011) which supported the planning application highlights the diversity of the area.
- 11.23 As a company founded and based in the local area, the Developer recognises the importance of placing the local community at the centre of the Scheme. As part of the planning application in 2011, and since the Outline Planning Permission was granted, the Developer has carried out extensive, open, transparent and inclusive consultation and engagement over a number of

years both in respect of the policies and principles underpinning the Scheme through to detailed proposals. The consultation was led by the socio-economic profile of the local community in order to maximise the incorporation of views and concerns of groups and people with protected characteristics, who can be hard to reach.

- 11.24 To monitor the equalities requirements of interest holders and their representatives and any changes to their requirements over time, the Developer is in on-going and regular contact with all remaining interest holders through a range of media and on at least a quarterly basis.
- 11.25 As information on protected characteristics is gained, the Developer and the Council can (and have) worked with people to identify the best way to manage the process in respect of any protected characteristics identified. Full details are outlined in relevant parts of section 4, Appendix K.
- 11.26 The Statement of Community Engagement (February 2011) also includes the full list of all meetings and events held as part of the pre-application process.
- 11.27 The operation of facilities and selection of occupiers has been (and will continue to be) managed to be inclusive and in line with the aspirations of the local community, making particular efforts to eliminate discrimination and foster good relations between people.

Conclusion

- 11.28 North Lewisham currently suffers from serious physical, social and economic deprivation including a lack of accessibility in a poor physical environment, with high levels of unemployment, low skills and qualification attainment, health inequality, and issues of housing affordability and overcrowding.
- 11.29 The Scheme will bring forward jobs and business space, homes, and community facilities including regionally significant sports facilities, within a well-designed publicly accessible environment. This could lead to an overwhelming public benefit and help to transform the area and improve the quality of life of existing and future residents, including by redressing a number of aspects of social inequality and deprivation that exist here for groups that are particularly vulnerable.
- 11.30 In undertaking a major development, including the compulsory purchase process, it is critical to identify any potential disproportionate effects of the process on people as a result of any protected characteristics they may have (as defined by the Equality Act 2010). These effects should be assessed and mitigated to redress imbalances, if a disproportionate effect is identified as a result of protected characteristics.
- 11.31 The Scheme will necessitate the removal of two live/work units, although one of these is understood to be currently unoccupied. Through consultation, the Developer has been able to identify protected characteristics that may be affected by the process and develop and agree processes to alleviate any undue adverse effects related to these characteristics.
- 11.32 The Scheme will create a significant uplift in homes (up to 2,400), including affordable homes, helping to alleviate problems faced by residents in terms of accessing homes – and particularly affecting some groups with protected characteristics. The new homes will be designed to be accessible, meet Lifetime Homes standards as a minimum, and 10% will be wheelchair accessible.
- 11.33 A number of business units will need to be removed from the site through the Order. This process will have a long lead-in time given the phasing of the Scheme, and all affected businesses will be given help in finding new premises via a Relocation Strategy⁶. The

⁶ The Developer will take into account any identified protected characteristics that would affect the level to which the Relocation Strategy and other mitigations would be effective – for example, users may prefer face-to-face meetings rather than accessing a website, or require information in alternative languages, and/or require their customer base to be informed in an alternative language. The Developer will

Developer and the Council have taken steps to understand how the consultation process and the mitigation strategies would need to be tailored to ensure that they do not discriminate against people with protected characteristics.

- 11.34 The uplift of approximately 1,500 operational jobs and 470 construction jobs created by the development represents a potentially significant benefit to local residents. They will be in a range of sectors and skill levels, with a mix of flexible employment and entry-level jobs that can be particularly accessible to hard-to-reach groups including some of those with protected equalities characteristics. Additionally, the Developer and the Council have committed to local employment and brokerage schemes to maximise the employment benefits for local people.
- 11.35 The Scheme will also bring forward a significant offer in terms of community facilities. The operation of these facilities and selection of occupiers has been (and will continue to be) managed to be fully inclusive and to engage with the local community, making particular efforts to eliminate discrimination and foster good relations between people.
- 11.36 The design and accessibility improvements will provide new setting for residents, businesses and community uses and events, minimising perception and fear of crime and opening up a previously inaccessible area to all current and future residents.
- 11.37 The re-development of the Site will take due regard of the impacts on current users and occupiers of the Site. The area already has a strong sporting heritage through Millwall FC and the Lions Community Scheme – which will be able to continue its good work in engaging with hard-to-reach groups in the community in new high-quality floorspace within the new sports facility on-site (Energize).
- 11.38 Throughout the process, the Developer has engaged in detailed and frequent community engagement and consultation, with a particular focus on hard-to-reach groups. Consultation has been inclusive of all stakeholders and community groups, and recognises the importance of key demographic groups prevalent in the area.
- 11.39 Overall, the Scheme represents an opportunity for the comprehensive delivery of a mixed use regeneration project in an area of socio-economic deprivation and need. The offer of increased accessibility, jobs and business space accessible to local people and fostering entrepreneurship and skills development, and new homes in a range of tenures can provide major public benefits to existing residents as well as occupiers of new space in the future. This is set in the context of a regionally-significant range and quantum of sports facilities, and other beneficial and inclusive community facilities that will help to redress current social inequalities in the area.

continue to engage with tenants to ensure the most appropriate course of action is taken

12. ENQUIRIES

Website

12.1 Information about the Scheme and the Order as it progresses is available on the Council's website at:

[HTTP://WWW.LEWISHAM.GOV.UK/INMYAREA/REGENERATION/DEPTFORD/NORTH-DEPTFORD/PAGES/SURREY-CANAL.ASPX](http://www.lewisham.gov.uk/inmyarea/regeneration/deptford/north-deptford/pages/surrey-canal.aspx)

12.2 Additional information is available at:

www.newbermondsey.com

12.3 The Order documents and other documents listed below can be inspected during normal office hours at [TBC] and may also be viewed at:

12.4 Every effort will be made to assist parties affected by the Order to relocate where required. Any such party should in the first instance contact SCT@lewisham.gov.uk.

12.5 Further contact details are as follows:

12.5.1 General Enquiries

Council Officers –Kpolm Lotsu or Tim Chaudhry

SCT@lewisham.gov.uk

020 8314 3530

Regeneration & Asset Management

4th Floor Laurence House

Catford

SE6 4RU

12.5.2 Land/Compensation Enquiries.

David Conboy

CPO and Regeneration Director

GL Hearn Limited

280 High Holborn

London

WC1V 7EE

Tel: 020 7851 4811

Email: david.conboy@glhearn.com

12.5.3 Planning Enquiries

020 8314 7400

planning@lewisham.gov.uk

12.5.4 Legal Enquiries

Jocelyn Denton

Bond Dickinson LLP – Legal Director

0345 415 0000

12.6 Should the reader wish to contact the Developer, the relevant contact details are:

Renewal, Roof Top, Guild House, Rollins Street, London SE15 1EP.

T: +44(0) 20 7358 1933

E: info@renewalgroup.co.uk

www.newbermondsey.com]

Public inquiry rules and documents

12.7 This is a Statement of Reasons which is not intended to discharge the Council's statutory obligations under the Compulsory Purchase (Inquiries Procedure) Rules 2007.

12.8 A list of documents to be referred to is attached at **Appendix M**. The Council reserves the right to amend the list of documents or any other part of its Statement of Case in due course.

APPENDIX A - LOCATION MAP

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APPENDIX B - ORDER MAP⁷

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⁷ Note: Map to be as per Order Map when CPO made.

APPENDIX C - SCHEME LAYOUT (ILLUSTRATIVE)

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APPENDIX D - PHASING PLAN

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APPENDIX E - LAND OWNERSHIP PLANS⁸

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⁸ Note: Not attached. The plans will be as per the ownerships when the CPO is made.

APPENDIX F - PLANNING POLICIES

1. To include:
 - 1.1 Lewisham Core Strategy (June 2011)
 - 1.2 Lewisham Development Management Local Plan (November 2014)
 - 1.3 London Plan Consolidated with Alterations since 2011 (March 2016)
 - 1.4 National Planning Policy Framework
 - 1.5 National Planning Policy Guidance
 - 1.6 Mayor of London's Transport Strategy (2010)
 - 1.7 Mayor of London's Housing Strategy (2014)
 - 1.8 Mayor of London's Air Quality Strategy (2010)
 - 1.9 Mayor of London's Biodiversity Strategy (2002)
 - 1.10 Mayor of London's Economic Development Strategy for London (2010)
 - 1.12 Mayor of London's Energy Strategy (2004) and draft Climate Change Mitigation and Energy Strategy (2010)
 - 1.13 Mayor of London's Securing London's Water Future (2011)
 - 1.14 Mayor of London's Sustainable Design and Construction SPG (2014)
 - 1.15 Mayor of London's London View Management Framework SPG (2012)
 - 1.16 Mayor of London's Accessible London – Achieving an Inclusive Environment SPG (2014)
 - 1.17 Mayor of London's Play and Informal Recreation SPG (2012)
 - 1.18 Mayor of London's Planning for Equality and Diversity in London SPG (2007)
 - 1.19 Mayor of London's Land for Industry and Transport SPG (2012)
 - 1.20 Living Roofs and Walls – Technical Report Supporting London Plan Policy (2008)
 - 1.21 Mayor of London's The Control of Dust and Emissions during Construction and Demolition SPG (2014)
 - 1.22 Mayor of London's Social Infrastructure (2015)
 - 1.23 Mayor of London's Housing Strategy (2015) and Draft Interim Housing SPG (2015)
 - 1.24 Lewisham Residential Development Standards SPD (2006, updated 2012)
 - 1.25 Lewisham Planning Obligations SPD (2015)
 - 1.26 Lewisham Strategic Housing Market Assessment 2014
 - 1.27 Lewisham Open Space Strategy (2012-2017)
 - 1.28 Lewisham Tall Buildings Study (2012)

- 1.29 Millwall Building Heights Assessment (2010)
- 1.30 Hatcham Conservation Area Appraisal (2006)
- 1.31 Tall buildings, Historic England Advice Note 4 (2015)

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APPENDIX G - LAND INTERESTS TO BE ACQUIRED⁹

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⁹ Note: Not included. The final table will reflect position regarding interests remaining to be acquired when CPO made.

APPENDIX H – RELOCATION STRATEGY

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APPENDIX I - NEW CROSS WARD PROFILE

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APPENDIX J - HERITAGE ASSETS

(within 1km of the boundary of the Site)

Archaeology
Undesignated archaeological deposit
Listed Buildings
Church of St Augustine, Lynton Road (Grade II*) (Southwark)
Former Vicarage of above Church (Grade II) (Southwark)
3-41 New Cross Road (Grade II)
Southwark Park School (Grade II) (Southwark)
Former Clare College Mission Church (Grade II) (Southwark)
Licensed Victuallers Benevolent Institute (Grade II) (Caroline Gardens) (Southwark)
10, 1-100, 101-110 111-176 Asylum Road (Grade II) (Southwark)
North and South Lodge, Railings and Gates 12 and 14 Asylum Road (Grade II) (Southwark)
326 to 332 and 302-304 Commercial Way(Grade II) (Southwark)
720 Old Kent Road (Grade II) (Southwark)
The Kentish Drovers PH (Grade II) (Southwark)
Charlton Cottages, 6-8 and 10-12 New Cross Road (Grade II)
880,882 and 884 Old Kent Road (Grade II)
32 and 34 New Cross Road (Grade II)
24-54 and 56 Kender Street (Grade II)
96 New Cross Road (Grade II)
The Five Bells PH, 115 New Cross Road (Grade II)
K2 Telephone Kiosk, Monson Road (Grade II)
2-9 (con) Canal Grove (Grade II) ??
Gas standard light (Grade II) (Southwark)
Statue of George Livesey, Old Kent Road (Grade II) (Southwark)
Camberwell Public Library/Livesey Museum (Grade II) (Southwark)
Registered Park and Garden
Southwark Park (Southwark)

Conservation Area
Hatcham Conservation Area
Non Listed Buildings of Local Interest
Victorian Chapel, Ilderton Road (east side) (Southwark)
Victorian School buildings, Ilderton/Verney Road (Southwark)
Slipper Baths, Ilderton/Stockholm Road (Southwark)

Notes:

The Environmental Statement (ES) submitted with the outline application [and updated for the Section 73 application] identifies the regeneration and community benefits that would come from the proposals as mitigation for the identified built heritage adverse effects. Taking account of these perceived benefits, the assessment identifies the following residual effects on built heritage assets during the construction and operation phases:

- Grade II* Listed Buildings – Minor adverse/Neutral;
- Grade II Listed Buildings – Minor adverse;
- Conservation Areas - Minor adverse;
- Registered Parks and Garden (Southwark Park) – Minor adverse; and
- Non listed buildings of local interest – Minor adverse.

No cumulative effects are identified during the construction phase. The proposed scale of the nearest major consented schemes (Silwood Estate, 763 Old Kent Road and Grinstead Road) are considered to limit any cumulative effect. The increase in construction traffic is identified, but it is not considered that this would have a significant effect on heritage assets because of its temporary nature. No significant cumulative adverse effects are therefore identified.

APPENDIX K- REGENERATION AND EQUALITIES STATEMENT

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APPENDIX L - DOCUMENTS TO BE REFERRED TO

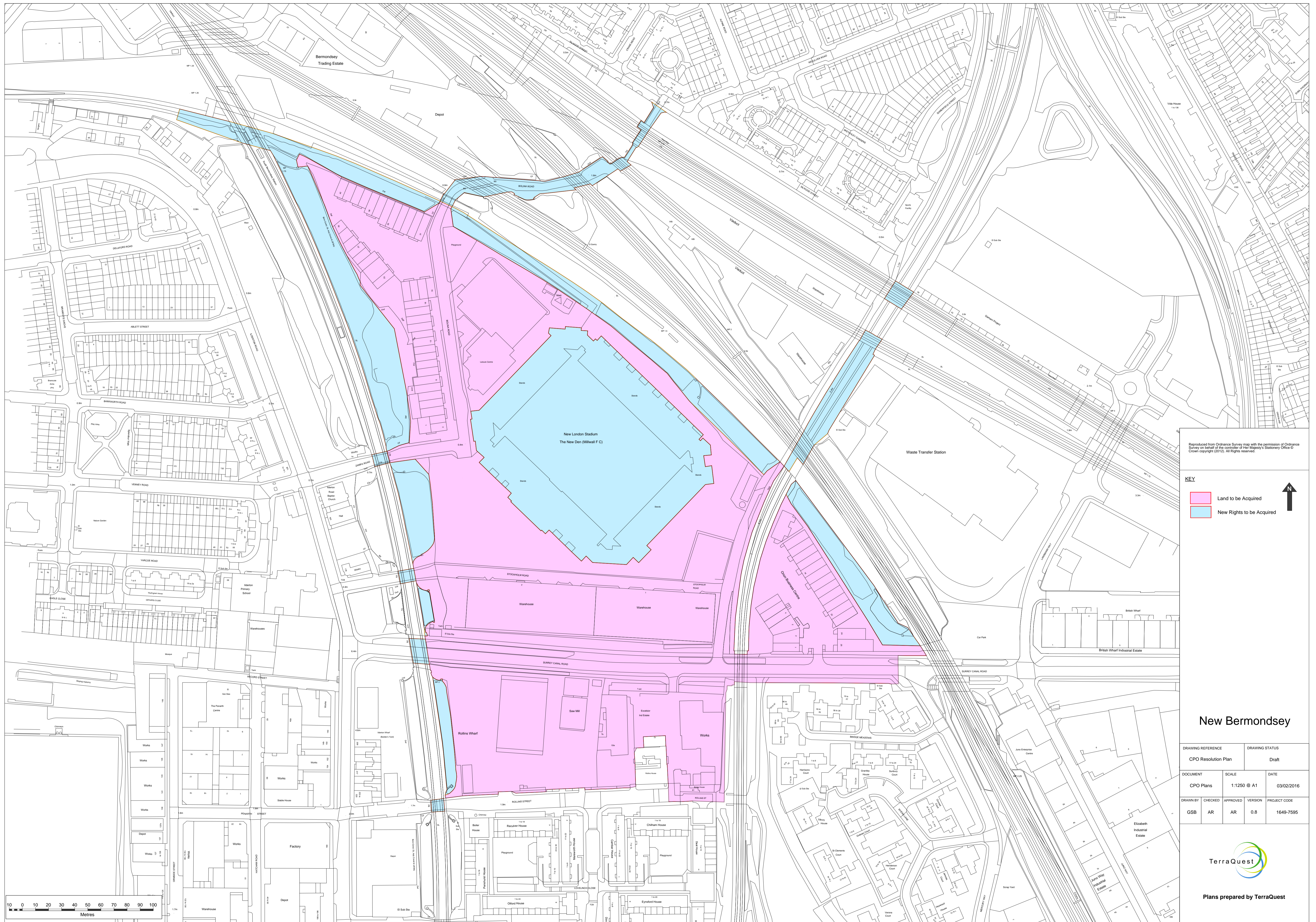
1. PLANNING POLICY

- 1.1 Lewisham Core Strategy (June 2011)
- 1.2 Lewisham Development Management Local Plan (November 2014)
- 1.3 London Plan Consolidated with Alterations since 2011 (March 2016)
- 1.4 National Planning Policy Framework
- 1.5 National Planning Policy Guidance
- 1.6 CIL Regulations 2010
- 1.7 Mayor of London's Transport Strategy (2010)
- 1.8 Mayor of London's Housing Strategy (2014)
- 1.9 Mayor of London's Air Quality Strategy (2010)
- 1.10 Mayor of London's Biodiversity Strategy (2002)
- 1.11 Mayor of London's Economic Development Strategy for London (2010)
- 1.12 Mayor of London's Energy Strategy (2004) and draft Climate Change Mitigation and Energy Strategy (2010)
- 1.13 Mayor of London's Securing London's Water Future (2011)
- 1.14 Mayor of London's Sustainable Design and Construction SPG (2014)
- 1.15 Mayor of London's London View Management Framework SPG (2012)
- 1.16 Mayor of London's Accessible London – Achieving an Inclusive Environment SPG (2014)
- 1.17 Mayor of London's Play and Informal Recreation SPG (2012)
- 1.18 Mayor of London's Planning for Equality and Diversity in London SPG (2007)
- 1.19 Mayor of London's Land for Industry and Transport SPG (2012)
- 1.20 Living Roofs and Walls – Technical Report Supporting London Plan Policy (2008)
- 1.21 Mayor of London's The Control of Dust and Emissions during Construction and Demolition SPG (2014)
- 1.22 Mayor of London's Social Infrastructure (2015)
- 1.23 Mayor of London's Housing Strategy (2015) and Draft Interim Housing SPG (2015)
- 1.24 Lewisham Residential Development Standards SPD (2006, updated 2012)
- 1.25 Lewisham Planning Obligations SPD (2015)
- 1.26 Lewisham Strategic Housing Market Assessment 2014

- 1.27 Lewisham Open Space Strategy (2012-2017)
 - 1.28 Lewisham Tall Buildings Study (2012)
 - 1.29 Millwall Building Heights Assessment (2010)
 - 1.30 Hatcham Conservation Area Appraisal (2006)
 - 1.31 Homes and Communities Agency's Investment and Planning Obligations – Responding to the Downturn Good Practice Note (2009)
 - 1.32 Tall buildings, Historic England Advice Note 4 (2015)
 - 1.33 EIA Scoping Opinion July 2010 (ref: DC/10/74106)
2. **REGENERATION COMMUNITY POLICY**
- 2.1 'People, prosperity, place': Lewisham's Regeneration Strategy 2008-2020
 - 2.2 'Shaping our future': Lewisham's sustainable community strategy 2008-2020
 - 2.3 Lewisham's Asset Management Plan
3. **GOVERNMENT GUIDANCE**
- 3.1 Guidance on Compulsory purchase process and The Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion (DCLG, October 2015)
4. **PLANNING PERMISSIONS/AGREEMENTS**
- 4.1 Outline Planning Permission 30 March 2012
 - 4.2 S73 Permission 18 December 2015
 - 4.3 Section 106 Agreement 30 March 2012
 - 4.4 Section 106 Agreement 18 December 2015
5. **OTHER EVIDENCE/INFORMATION**
- 5.1 Equalities Impact Assessment
6. **COUNCIL CABINET AND COMMITTEE PAPERS**
- 6.1 **Cabinet Papers**
 - 6.1.1 Agenda, Report and Minutes – [] 2016
 - 6.1.2 Agenda, Report and Minutes – 12 March 2012
 - 6.2 **Strategic Planning Committee Reports**
 - 6.2.1 Agenda, Report and Minutes – 13 October 2011
 - 6.2.2 Agenda, Report and Minutes – 13 December 2013
7. **CONSULTATIONS**

- 7.1 Exhibitions, workshops, consultation reports etc
- 7.2 Consultation in relation to the outline planning application
- 7.3 Consultation in relation to the Section 73 application
- 7.4 Miscellaneous correspondence and consultation documentation

DRAFT



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KEY

- Land to be Acquired
- New Rights to be Acquired

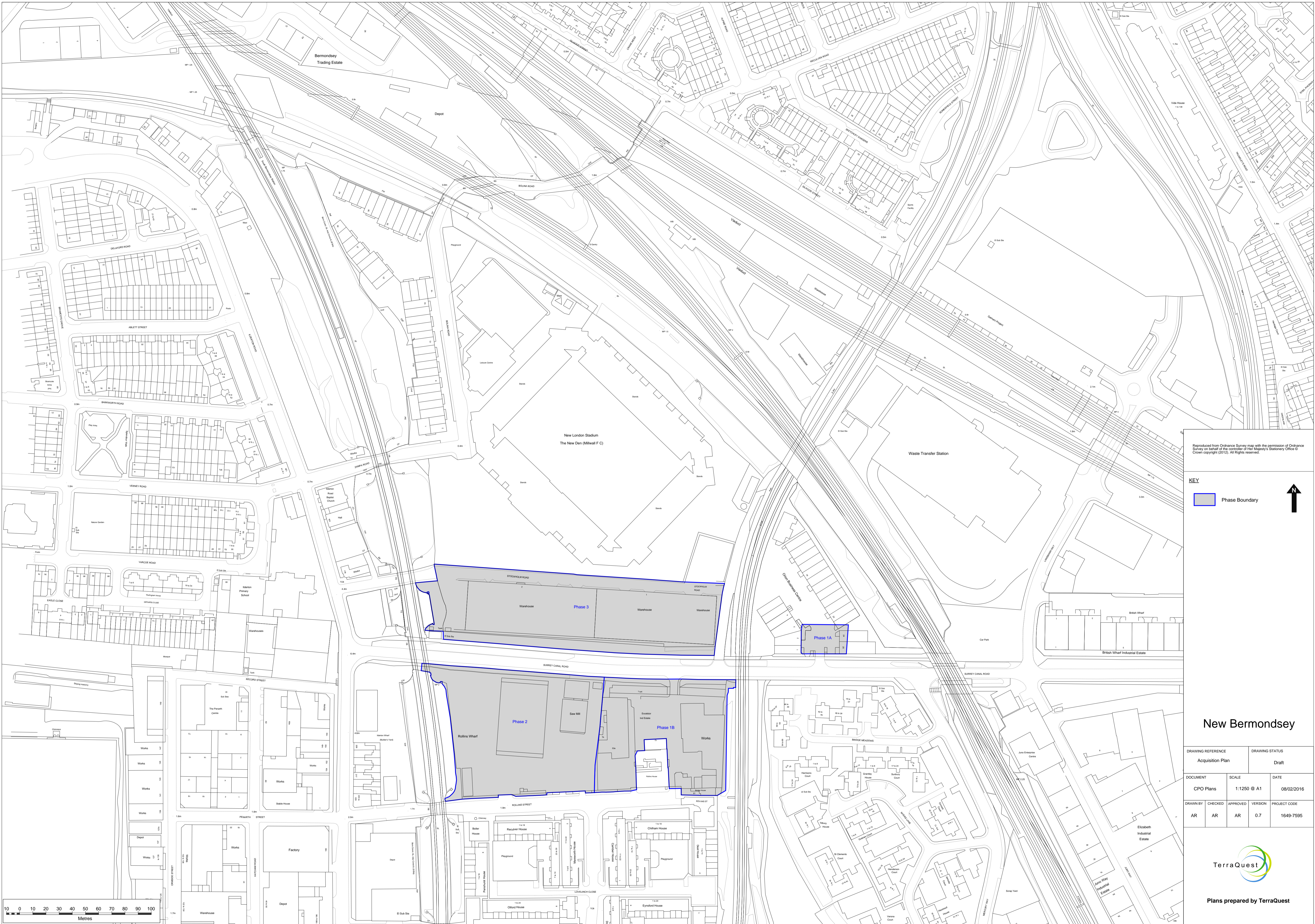


New Bermondsey

DRAWING REFERENCE		DRAWING STATUS	
CPO Resolution Plan		Draft	
DOCUMENT	SCALE	DATE	
CPO Plans	1:1250 @ A1	03/02/2016	
DRAWN BY	CHECKED	APPROVED	VERSION
GSB	AR	AR	0.8
PROJECT CODE		1649-7595	





Plans prepared by TerraQuest



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KEY

 Phase Boundary

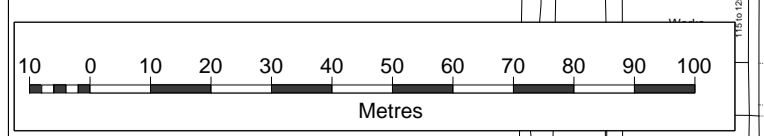


New Bermondsey

DRAWING REFERENCE		DRAWING STATUS	
Acquisition Plan		Draft	
DOCUMENT	SCALE	DATE	
CPO Plans	1:1250 @ A1	08/02/2016	
DRAWN BY	CHECKED	APPROVED	VERSION
AR	AR	AR	0.7
PROJECT CODE		1649-7595	

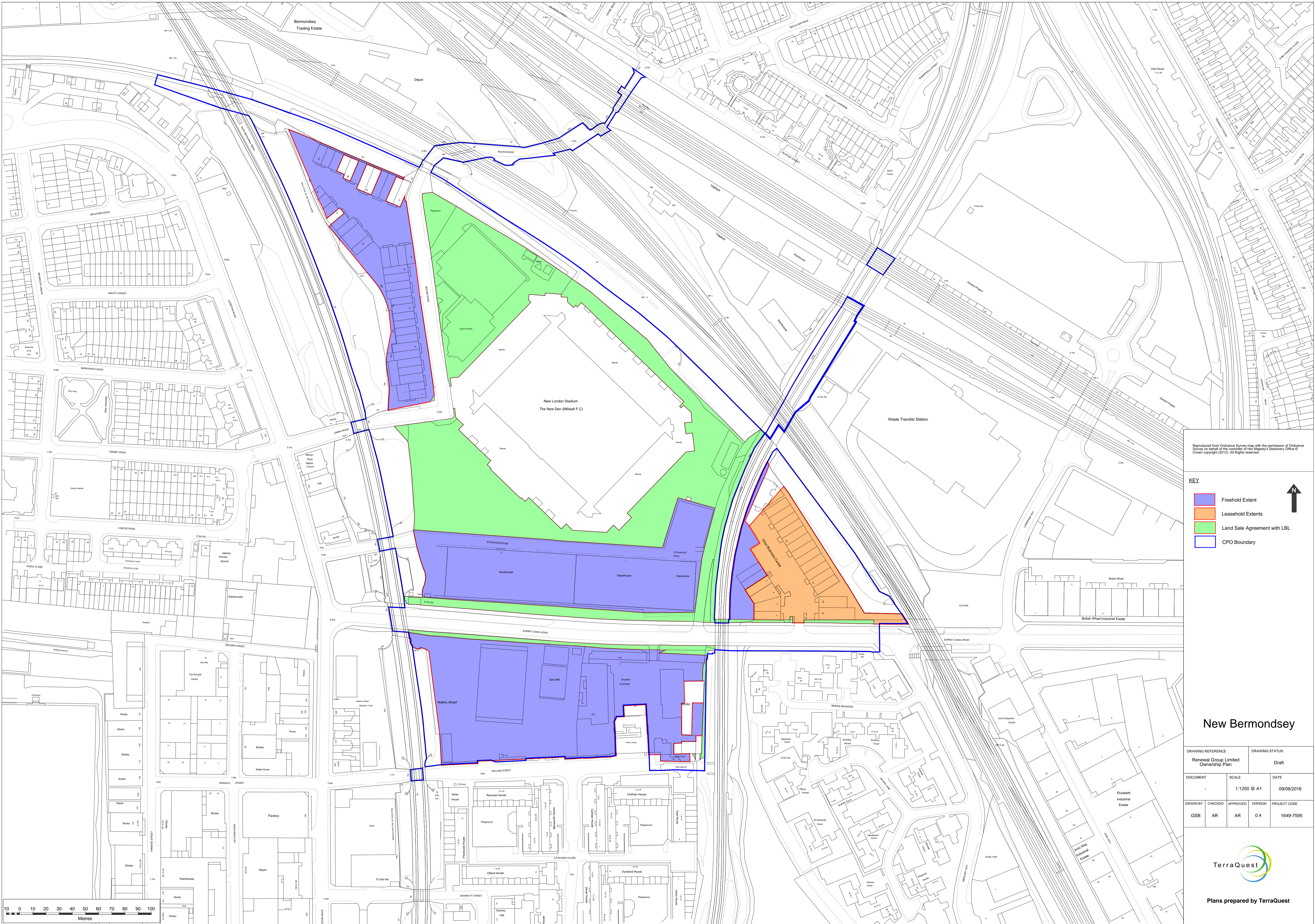


Plans prepared by TerraQuest



Heads of Terms for the acquisition of Renewal freehold land:

- 1. Transaction Structure:** The proposed transaction will adopt the following structure:
 - Step 1: Agreement:** Renewal and LBL will enter into an agreement which will provide for:
 - (a) The sale of freehold land owned by Renewal (whether existing or acquired in the future by private treaty outside of the CPO process) to the Council;
 - (b) The grant of a long lease from the Council to Renewal;
 - (c) The grant of an option for Renewal to purchase back the freehold land originally transferred to the Council.
 - Step 2: Transfer:** Completion of the transfer from Renewal to the Council.
 - Step 3: Leaseback:** Simultaneously with Step 2, completion of the grant of the long lease from the Council to Renewal.
 - Step 4: Buyback:** Exercise of the Option by Renewal and completion of the transfer of the freehold land from the Council to Renewal.
- 2. Phased/Staged Transactions:** It is agreed and acknowledged that the Transaction Structure and steps set out at paragraph 1 above are to be capable of occurring on any number of occasions in respect of any Renewal freehold land within any Phase of the Development.
- 3. Land to form part of the Acquisition:** The Acquisition Plan (contained at Appendix 3 of this Report) shades grey the land that is capable of being subject to acquisition by the Council.
- 4. Consideration:** In respect of the consideration that will be payable in connection with the transactions:
 - Step 1:** No consideration will be payable by either the Council or Renewal in respect of the entering into of the Agreement.
 - Step 2:** The Council will pay Renewal £1 in respect of the transfer from Renewal to LBL.
 - Step 3:** Renewal will not make any payment to the Council in respect of the grant of the long lease from the Council to Renewal, and the lease will reserve only a peppercorn rent.
 - Step 4:** Renewal will pay the Council £1 in respect of the exercise of the Option and completion of the transfer of the freehold land from the Council to Renewal.
- 5. Timings:** The timings for completion of each step as set out at paragraph 1 above are to be agreed between Renewal and the Council, and will in part be dictated by the acquisition of further freehold interests by Renewal. However, it is acknowledge that a sale and leaseback transaction between Renewal and the Council could be completed immediately after the Mayor & Cabinet resolution.



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KEY

- Freehold Extent
- Leasehold Extents
- Land Sale Agreement with LBL
- CPO Boundary

New Bermondsey

DRAWING REFERENCE		DRAWING STATUS	
Renewal Group Limited Ownership Plan		Draft	
DOCUMENT	SCALE	DATE	
-	1:1250 @ A1	09/08/2016	
DRAWN BY	CHECKED	APPROVED	VERSION
GSB	AR	AR	0.4
PROJECT CODE		1649-7595	



Plans prepared by TerraQuest

NEW BERMONDSEY

LAND INTERESTS TO BE ACQUIRED

Excludes any titles vested with utilities providers, occupational leases or land under contract.

As at: 13/08/2016

*TerraQuest Plan Reference: Please refer to Freehold (FH) plan, Leasehold Head Lease (HL) plan or Leasehold Under Lease (UL) plan

PART A: ENTERPRISE INDUSTRIAL ESTATE, BOLINA ROAD, LONDON SE16 3LF [PHASE 5]

TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership
UL_5	TGL29710 0	Unit 2	Industrial	L/H (125 years (less 3 days) from 3 November 1987)	Den Investments Limited (no. 05652498)	1
UL_4	TGL29976 2	Unit 3	Industrial	L/H (125 years (less 3 days) from 3 November 1987)	Den Investments Limited (no. 05652498)	2
Sub-total						2

PART B: BOLINA INDUSTRIAL ESTATE, BOLINA ROAD, LONDON SE16 3LF [PHASE 5]

TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership
FH_17	TGL11556	Unit 28	Industrial	F/H	Mark Stephen Fogg	1
FH_13	SGL509523	Unit 31	Industrial	F/H	Hai Van Hguyen	2
FH_12	TGL14633	Unit 32	Industrial	F/H	Van Thi Ngoc Huynh	3
FH_9	SGL457716	Unit 35	Industrial	F/H	Sylvanus Woodcraft Limited (no. 3797572)	4
FH_8	SGL461489	Unit 36	Industrial	F/H	Jia Cheng Wan	5
FH_6	TGL14632	Unit 38	Industrial	F/H	Dong Ping Wan	6
FH_5	TGL11553	Unit 39	Industrial	F/H	Vi Van Duong	7
Sub-total						7

PART C: ORION BUSINESS CENTRE, SURREY CANAL ROAD, LONDON SE14 3RT [PHASE 1A]

TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership
FH_30	SGL399705	Units 1-25	Industrial	F/H	Guardwood Limited	1 (Minor Interest)
HL_24	SGL437309	Unit 2	Industrial	L/H (999 years from 29 Sep 1983)	John David Berman, Lawrence Anthony Phillips, Beth Melanie Rinder and Frank Richard Lewis	2 (Minor Interest)
HL_8	SGL433908	Unit 11	Industrial	L/H (999 years from 29 Sep 1983)	Antonio Rocco	3
HL_18	SGL438966	Unit 19	Industrial	L/H (999 years from 29 Sep 1983)	David Simmons	4 (Minor Interest)
Sub-total						4

PART D: EXCELSIOR WORKS INDUSTRIAL ESTATE, ROLLINS STREET, LONDON SE15 1EP [PHASE 1B]

TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership
FH_56	TGL5837	Units 10 & 11	Industrial	F/H	Paul Robert Ervin	1
FH_58	TGL7613	Units 14 & 15	Industrial	F/H	Giuseppe Fermi and Joseph Alan Partridge	2
FH_60 FH_54a	TGL176841 TGL404032	Unit 17 + Land adjoining	Live/Work	F/H	Willow Winston	3
FH_61	TGL14635	Unit 18 (formerly Units 18 & 19)	Live/Work	F/H	Thomas Ostenberg	4
FH_62	TGL46919	Unit 19 (formerly Units 18 & 19)	Industrial	F/H	Giuseppe Fermi and Joseph Alan Partridge	5
Sub-total						5

PART E: STOCKHOLM ROAD, LONDON SE16 3LP [PHASE 3]

TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership	
						Sub-total	0

PART F: ILBERTON WHARF, ROLLINS STREET, LONDON SE15 1EP [PHASE 2]

TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership	
						Sub-total	0

PART G: LEWISHAM BC LAND (INCLUDING THE STADIUM [PHASE 4] AND LIONS CENTRE [PHASE 5A])

TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership	
HL_6	TGL90994	Football Stadium and car park	Other: Car park and stadium surrounds	L/H (150 years from 24 June 1993)	The Millwall Football and Athletic Company (1985) plc	1	
HL_5	TGL249139	Lion's Centre	Other: Sports Complex	L/H (25 years from 19 November 2004)	Millwall Community Scheme	2	
						Sub-total	2

PART H: NETWORK RAIL LAND [PHASES 2,3,4 & 5]

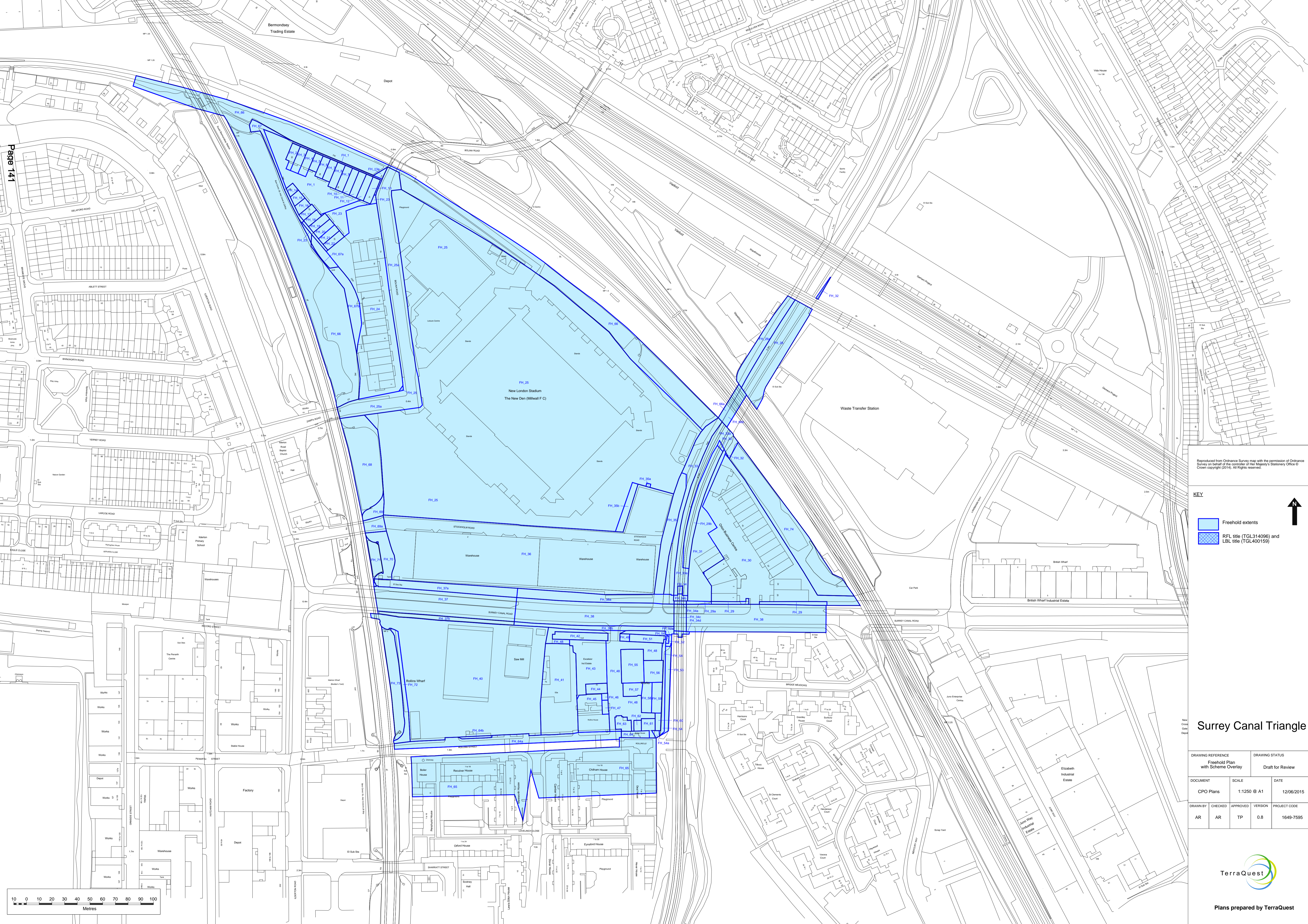
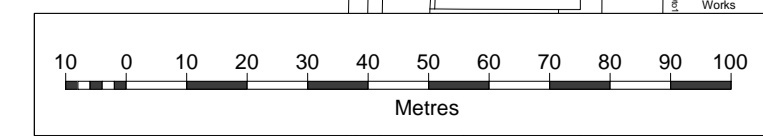
TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership	
FH_67, FH_67a, FH_67b, FH_69, FH_70, FH_72	N/A	Land in and around Surrey Canal	Other: Network Rail land	F/H	Network Rail	1	
						Sub-total	1

PART J: MASTS [PHASE 5A]

TerraQuest Plan Reference*	Title No.	Unit/Property	Property Type	Title Type	Registered Owner	Rolling Count of Titles in third party ownership	
HL_5	N/A	Land in and around Surrey Canal	Other: Masts	L/H (20 years from 24 March 1993)	Vodafone Limited	1	
						Sub-total	1

SUMMARY ACROSS NEW BERMONDSEY

	Property Type: Industrial	Property Type: Live/ Work	Property Type: Other	Total Titles in third party ownership
Enterprise Industrial Estate	2	0	0	2
Bolina Industrial Estate	7	0	0	7
Orion Business Centre	4	0	0	4 (includes 3 Minor Interests)
Excelsior Industrial Estate	3	2	0	5
Stockholm Road	0	0	0	0
Ilderton Wharf	0	0	0	0
Lewisham BC Land	0	0	2: Car park and Stadium surrounds; Sports Complex	2
Network Rail Land	0	0	1: Network Rail land	1
Masts	0	0	1: Masts	1
	16	2	4	22



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KEY

- Freehold extents
- RFL title (TGL314096) and LBL title (TGL400159)

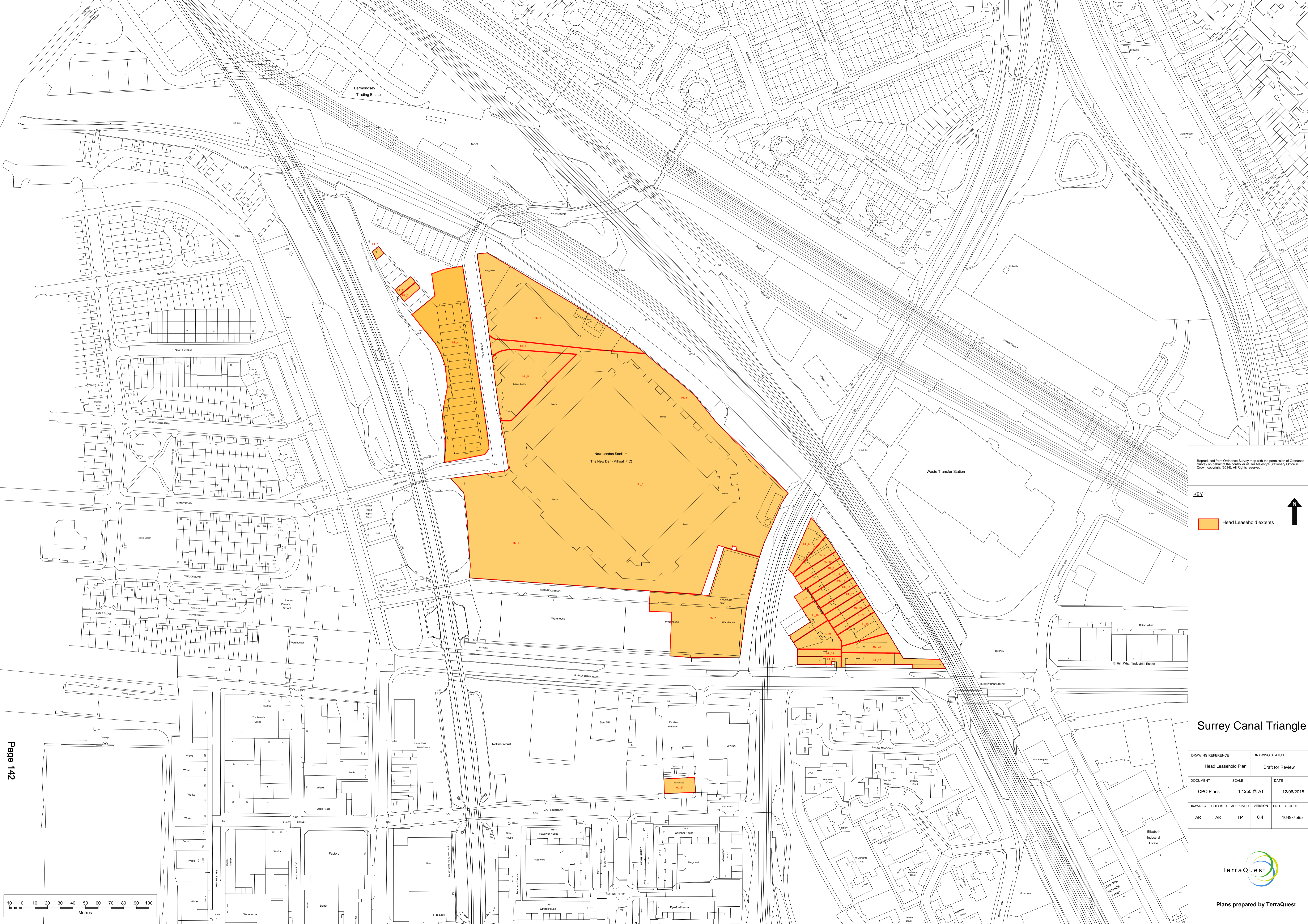


Surrey Canal Triangle

DRAWING REFERENCE		DRAWING STATUS	
Freehold Plan with Scheme Overlay		Draft for Review	
DOCUMENT	SCALE	DATE	
CPO Plans	1:1250 @ A1	12/06/2015	
DRAWN BY	CHECKED	APPROVED	VERSION
AR	AR	TP	0.8
PROJECT CODE		1649-7595	




Plans prepared by TerraQuest



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KEY

 Head Leasehold extents

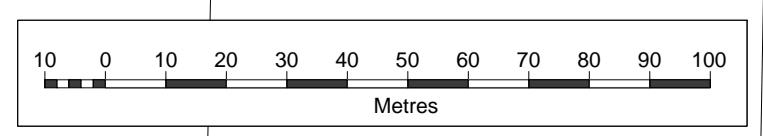


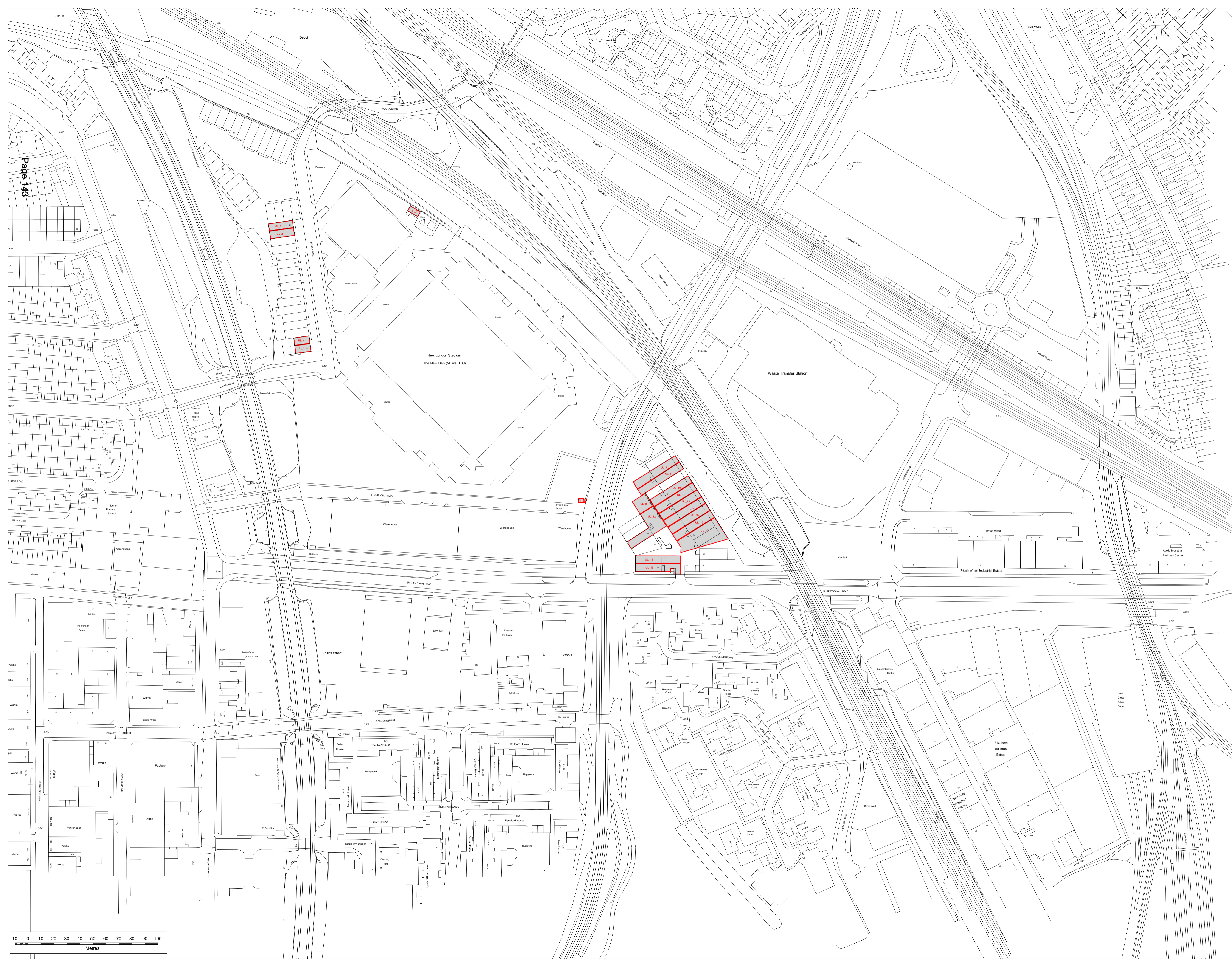
Surrey Canal Triangle

DRAWING REFERENCE		DRAWING STATUS	
Head Leasehold Plan		Draft for Review	
DOCUMENT	SCALE	DATE	
CPO Plans	1:1250 @ A1	12/06/2015	
DRAWN BY	CHECKED	APPROVED	VERSION
AR	AR	TP	0.4
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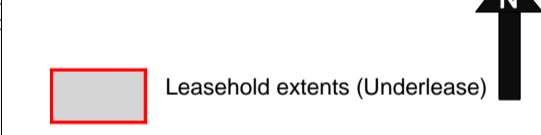
Plans prepared by TerraQuest





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KEY

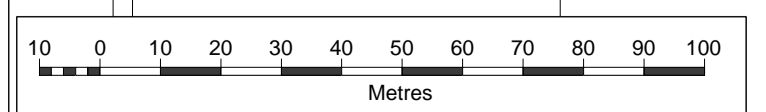


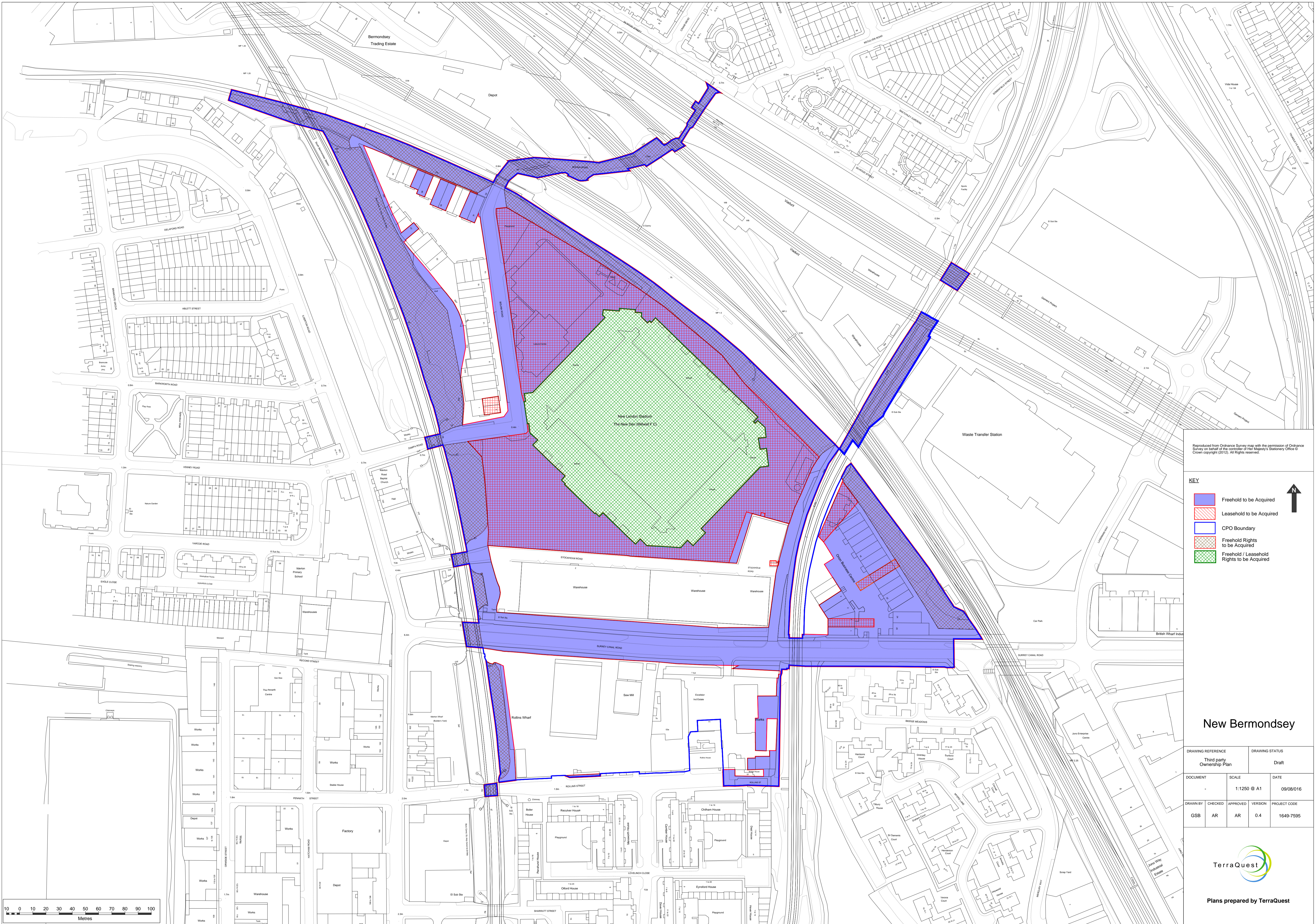
Surrey Canal Triangle

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Leasehold Plan (Underlease)		Draft for Review	
DOCUMENT	SCALE	DATE	
CPO Plans	1:1250 @ A1	12/06/2015	
DRAWN BY	CHECKED	APPROVED	VERSION
AM	AR	TP	0.3
PROJECT CODE		1649-7595	



Plans prepared by TerraQuest





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- KEY**
- Freehold to be Acquired
 - Leasehold to be Acquired
 - CPO Boundary
 - Freehold Rights to be Acquired
 - Freehold / Leasehold Rights to be Acquired



New Bermondsey

DRAWING REFERENCE Third party Ownership Plan		DRAWING STATUS Draft	
DOCUMENT	SCALE 1:1250 @ A1	DATE 09/08/016	
DRAWN BY GSB	CHECKED AR	APPROVED AR	VERSION 0.4
PROJECT CODE 1649-7595			



Plans prepared by TerraQuest



The information shown upon this drawing regarding existing services has been based upon details provided by either the utility supply authorities or survey companies. Hilson Moran Partnership Ltd. do not accept any responsibility for the correctness or accuracy of this information and advise that any party make their own enquiries prior to its use.

Legend

	S	Foul Water Sewer.
	W	Water.
	BT	BT.
	VM	Virgin Media.
	FibreNet	FibreNet.
	GMP	Gas (Intermediate Pressure).
	GLP	Gas (Low Pressure).
		UK Power Networks High and Low Voltage.
	EHV	UK Power Networks Extra High Voltage (EHV).
		Existing UK Power Networks Substation.
		Site Boundary.

FOR INFORMATION ONLY

Revision	Date	Description	Initials	Checked
01	10.12.10	Issued for Information.	CJA	KWH
00	24.11.10	Issued for Information.	CJA	KWH



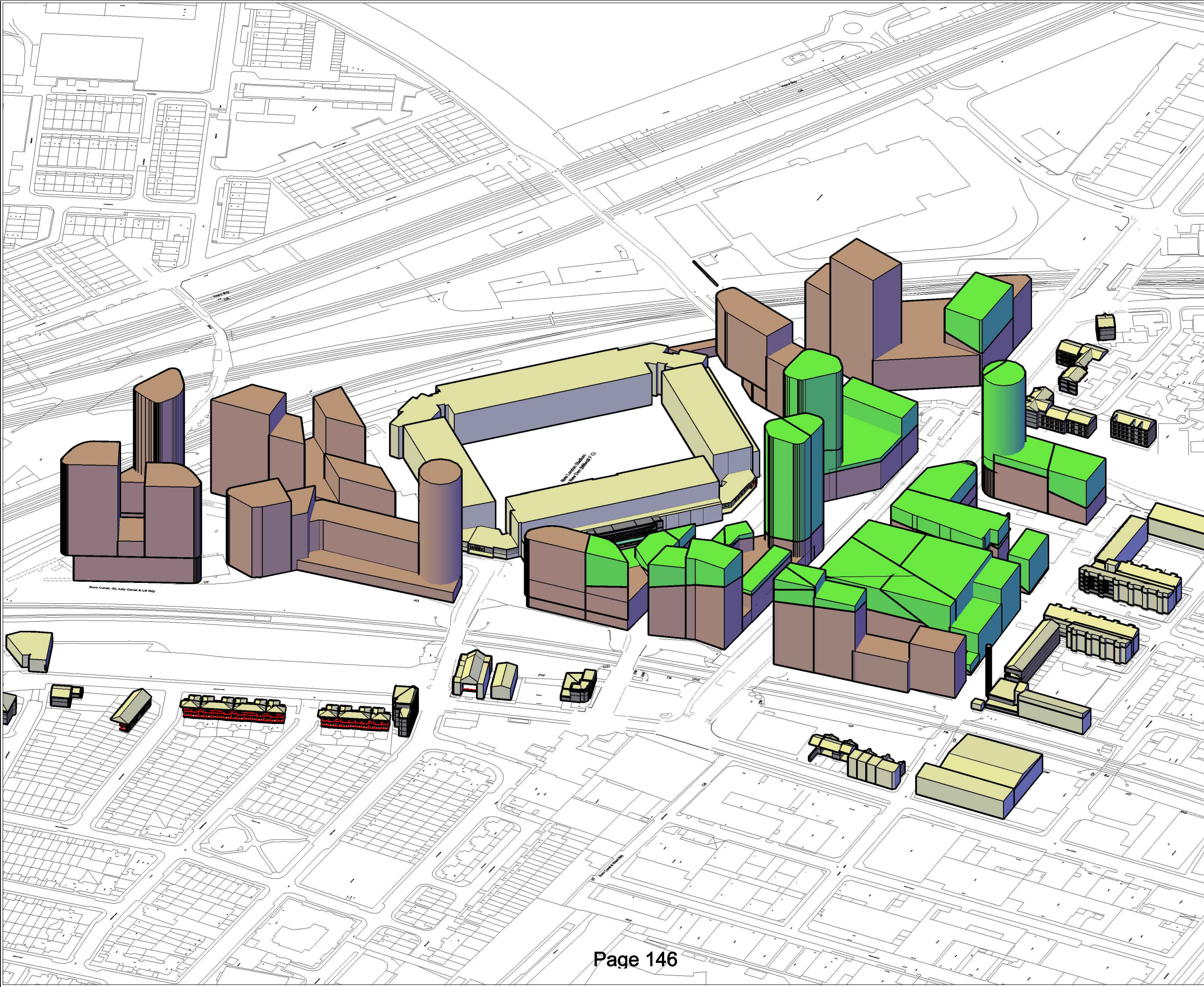
HILSON MORAN • CONSULTING ENGINEERS
 Farnborough: T: + 44(0) 1252 550 500 F: + 44(0) 1252 550 501
 London: T: + 44(0) 20 7940 8888 F: + 44(0) 20 7940 8801
 Manchester: T: + 44(0) 161 876 4890 F: + 44(0) 161 877 4989

Architect
SEW
 1 Compton Courtyard
 40 Compton Street
 London EC1V 0AP
 Client/Project

Renewal
 Surrey Canal

Title
 Existing Site Plan
 Existing Utility Services

Drawn	Checked	Approved
CJA	KWH	-
Date: October 2010	Sheet Size: A0	Scale: 1:1000
HMP Drawing Number	File Ref: 8450-ST-4000-01.dwg	Revision



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 Do not scale this drawing.
 All dimensions to be checked on site. Drawing to be read in conjunction with any specifications, schedules and Consultants drawings and details.

Legend

Rights of Light

Existing
 Proposed
 1ft Grid Loss Hatching
 Room Layout

Existing 0.2% Daylight Contour
 Proposed 0.2% Daylight Contour

Sources of Information

Surrey Canal design & access statement
 Rollins House drop in application June 2014
 in PDF format

Site Survey O.S Plan and Survey Elevations
 AutoCAD dwg format

Studio Egret West
 Project number: 0102
 Drawing number: 004 Rev 25 (dated 07.07.2014)

Room sizes and uses estimated



08449 02 03 04
 GVA Schatunowski Brooks
 10 Stratton Street, London, W1J 8JR
 www.gva.co.uk

Project Name
 New Bermondsey, London

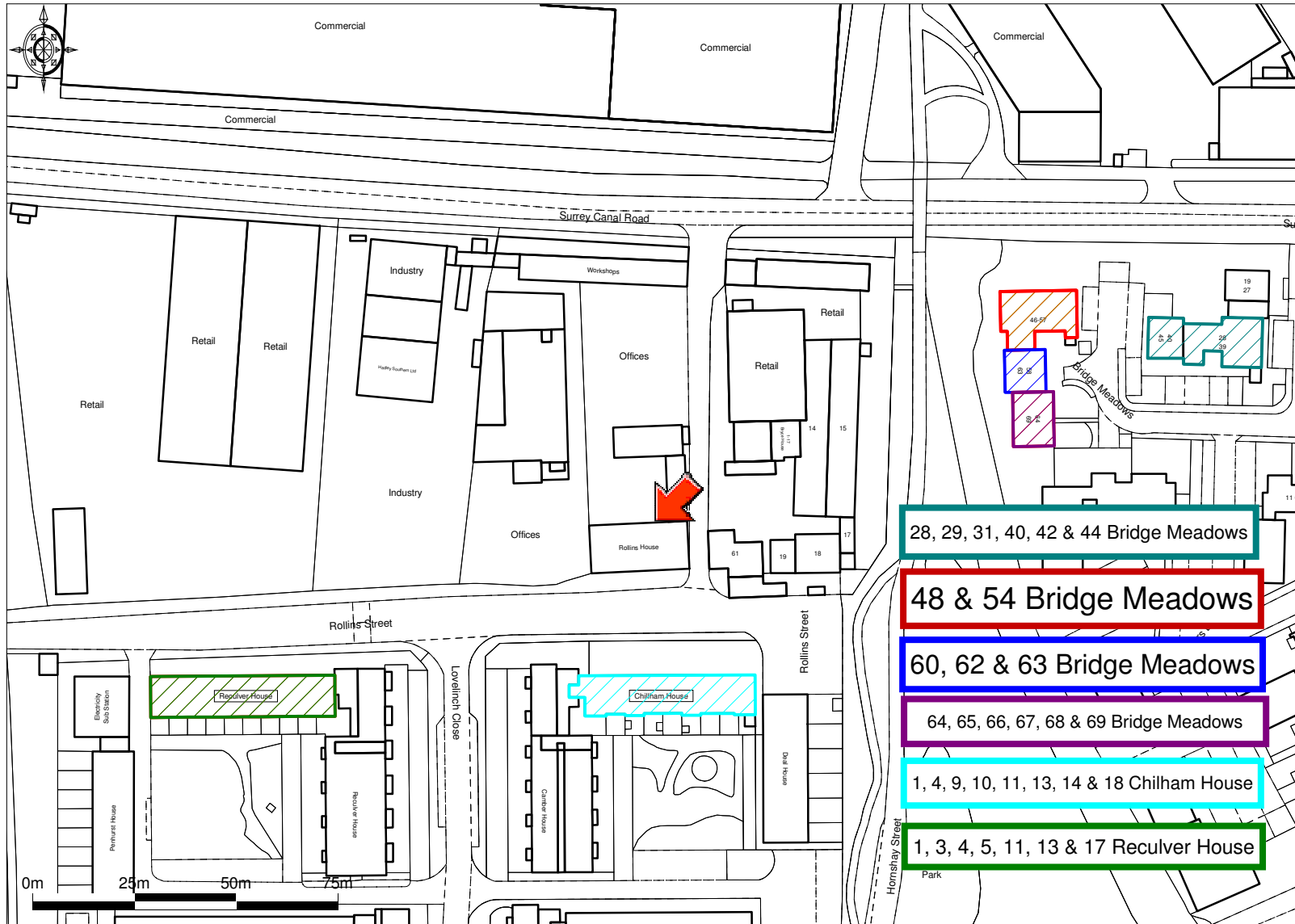
Client

Drawing Title
 3D view showing areas of building causing Rights of Light losses in green

Drawn By AC	Chk'd By -	Scale @ A3 N/A	Date 27 Jan 2016
-----------------------	----------------------	--------------------------	----------------------------

Project No. SU01/07	Drawing No. ROL/45	Revision
-------------------------------	------------------------------	-----------------

Plan highlighting properties whose Rights of Light are interfered with by the New Bermondsey development

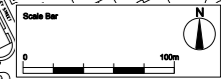
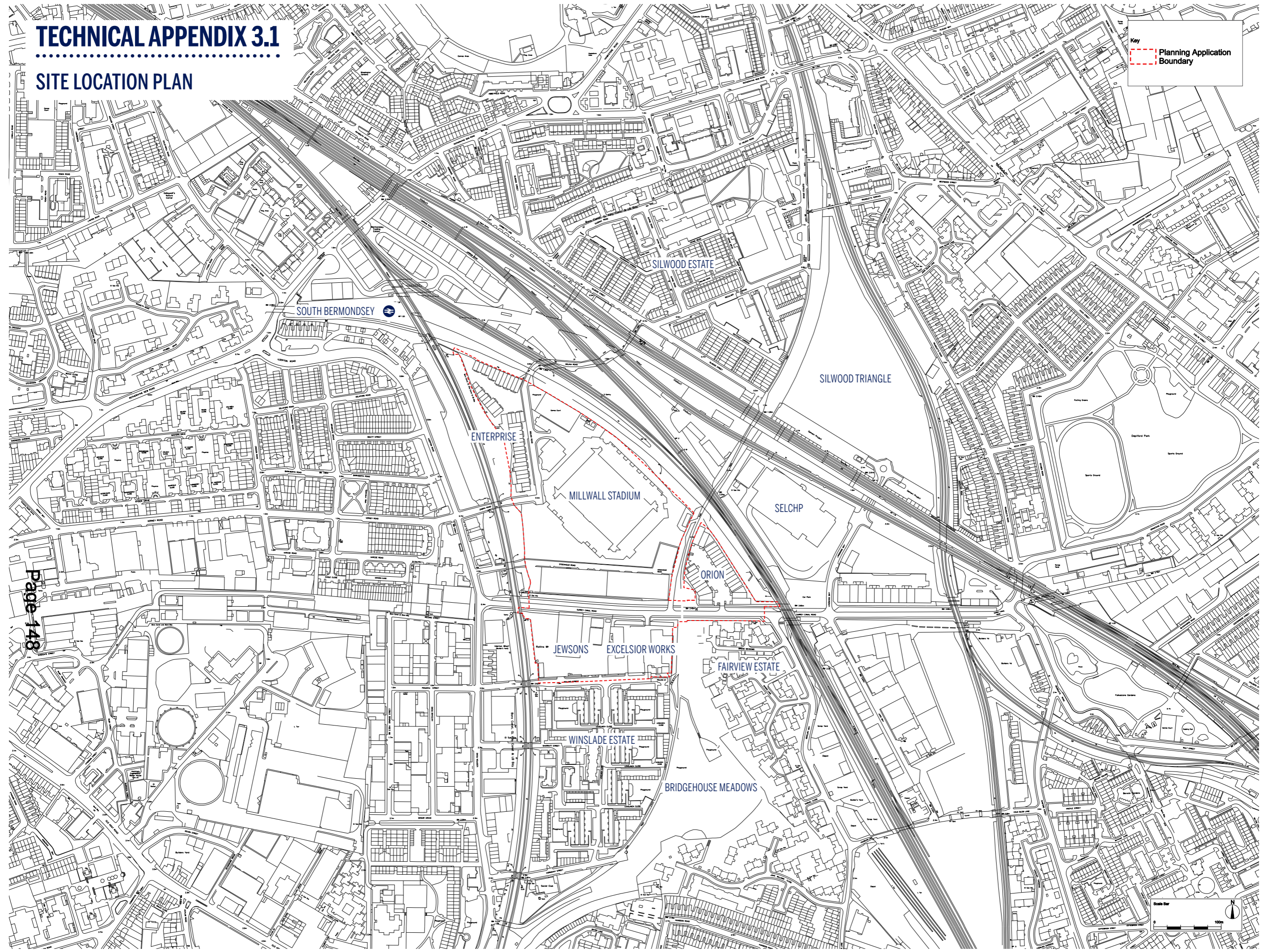


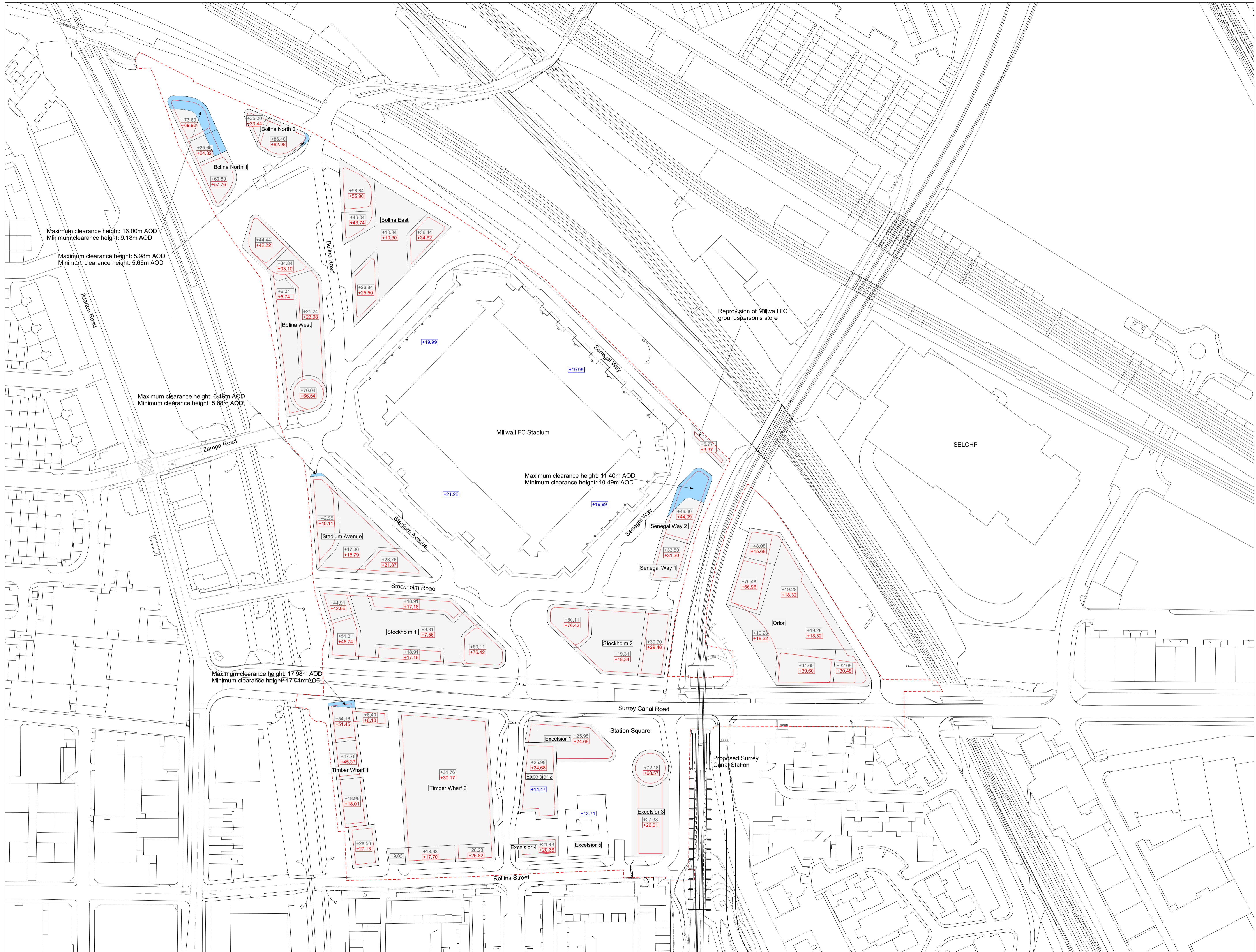
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TECHNICAL APPENDIX 3.1

SITE LOCATION PLAN

Key
- - - - - Planning Application Boundary





No implied licence exists. This drawing should not be used to calculate areas for the purposes of valuation. Do not scale this drawing, except using scale bar below. All dimensions to be checked on site by the contractor and such dimensions to be their responsibility. All work must comply with relevant British Standards and Building Regulations requirements. Drawing errors and omissions to be reported to the architect.

- Key**
- Planning Application Boundary
 - Maximum plot extent
 - Minimum plot extent
 - Plot extent at lower level with a tolerance of +/- 1m
 - Maximum extent of overhang
 - Extent of Stadium facades subject to upgrade and/or re-cladding
 - +00.00 Number denotes maximum height of finished roof level in metres AOD and excludes building parapet
 - +00.00 Number denotes minimum height of finished roof level in metres AOD and excludes building parapet
 - +00.00 Existing building heights in metres AOD to be retained
 - Number denotes minimum distance in metres between building facades

- Notes:**
1. All heights are in metres AOD and are subject to a +/- 1 metre construction tolerance in addition.
 2. All heights exclude building parapets. Parapets are to extend a maximum of 1.1 metre above specified AOD height.
 3. Plot extents are subject to an additional allowance of up to 2m for balconies projecting out from plot extent limited to within Planning Application Boundary.
 4. All plant and machinery is not to exceed 3 metres in height above specified minimum or maximum heights, and to be set back from the outer face of the building parapet by 5 metres.
 5. Lift motor rooms and extracts not to exceed 6 metres in height above specified minimum or maximum heights, and to be set back from the outer face of the building parapet by 5 metres.

General Notes:
Levels are in metres Above Ordnance Datum (AOD).

Keyplan

Revisions

Rev	Date	Description	By	CHK

sew
 1 Coniston Courtyard
 40 Coniston Street
 London EC1Y 0AP
 020 7549 1730
 info@sewgroup.com
 sewgroup.com
 © 2009 SEW

Client
 ReNEWAL

Project
 Surrey Canal

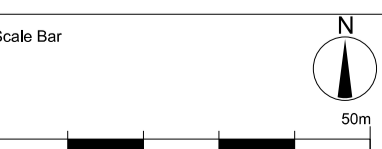
Drawing
 Parameter Plan 04: Proposed Minimum & Maximum Plot Extent & Heights

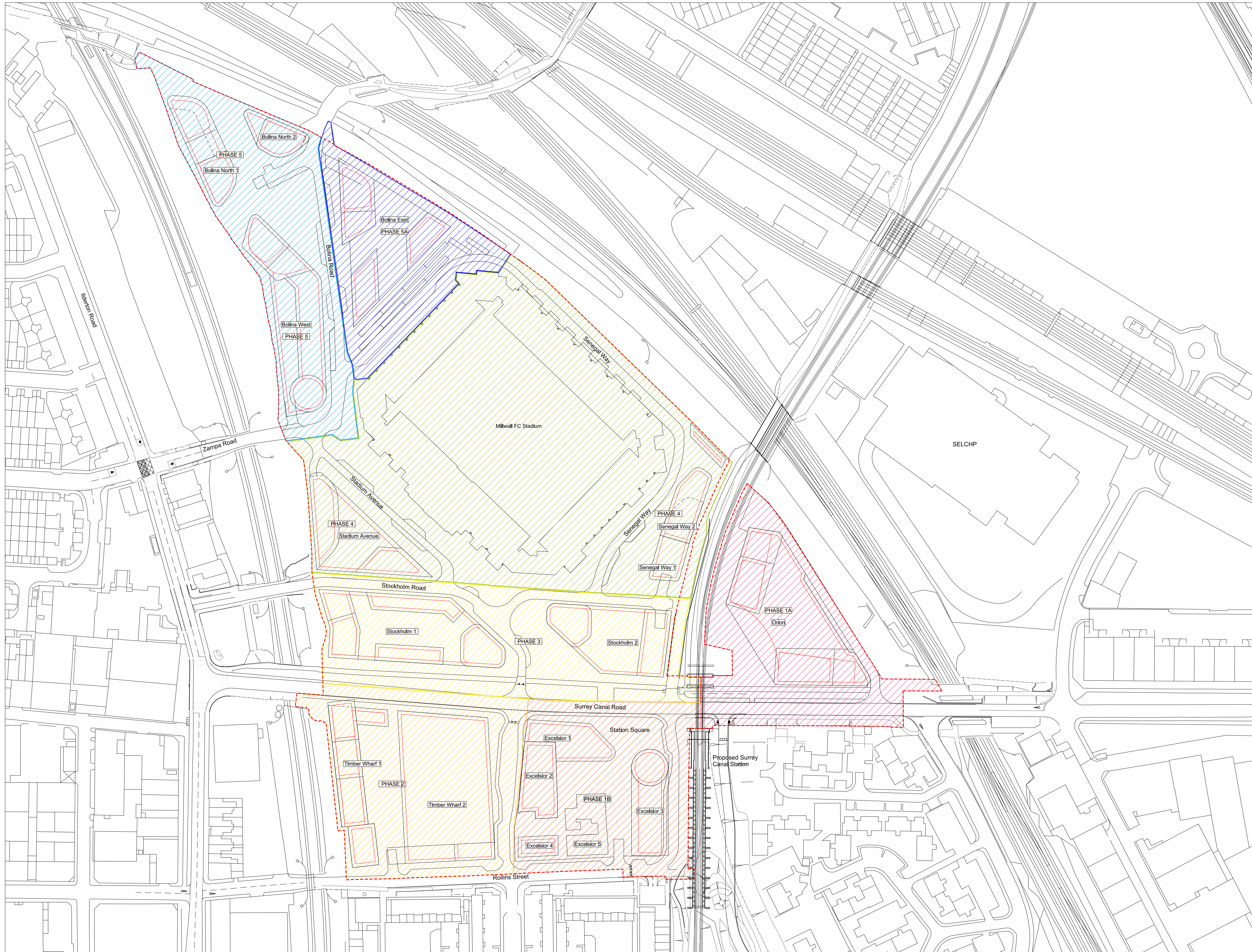
Project Number	Status
0102	Planning

Drawing No.	Revision
004	23

Scale at A1 (A3)	Date
1:1000 (1:2000)	01.09.2011

Drawn by	Checked by
PC	SEW





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- Key**
- Planning Application Boundary
 - Indicative phase 1A
 - Indicative phase 1B
 - Indicative phase 2
 - Indicative phase 3
 - Indicative phase 4
 - Indicative phase 5
 - Indicative phase 5A

Layouts are indicative subject to detail design, does not allow for service distribution and structure at present.

Keyplan

Revisions

Rev/Date	Description	By	CHK

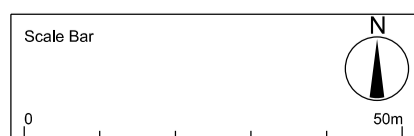


Client
ReNEWAL

Project
Surrey Canal

Drawing
Indicative Phasing Plan

Project Number 0102	Status Planning
Drawing No. 006	Revision 05
Scale at A1 (A3) 1:1000	Date 30.06.2011
Drawn by CL	Checked by SEW





Relocation Strategy for owners and tenants of Commercial and Residential property required for the New Bermondsey Regeneration, November 2015

1. Background

1.1 The s106 development agreement (30/03/12) sets out the requirements for Renewal to produce and make available on their website a relocation strategy that seeks to assist current occupiers of the New Bermondsey development site (formerly Surrey Canal) with advice and help on all matters pertaining to their relocation:

The Developer shall:

3.1 within three months of the date of the Planning Permission submit to the Council for approval a strategy document (the "Relocation Strategy") in connection with the relocation of occupiers at the Site, with such strategy to set out what support is to be provided by whom over what period and include as a minimum:

3.1.1 a relocation website connecting to active commercial agents;

3.1.2 advice on negotiating terms;

3.1.3 flexible tenancies to facilitate easy relocation as opportunities arise;

3.1.4 identification of opportunities to relocate tenants from early Phases of the Development into vacant units in later Phases;

3.1.5 liaison with owners of local industrial estates to identify opportunities for businesses to relocate in the area;

3.1.6 masterplan progress newsletter to occupiers of all existing non-residential properties within the Site;

1.2 This relocation strategy sets out how Renewal (the Developer) is meeting the above obligations and to illustrate work and support it is providing to tenants, residents and commercial investors within the New Bermondsey development area, with identifying appropriate alternative accommodation and advising on the process of relocation.

2. The Site

2.1 The site comprises 10.7 hectares and is situated in the northern most part of the London Borough of Lewisham. It is bordered by Rollins Street to the south and South Bermondsey Station to the north. It is largely occupied by small industrial businesses.



RENEWAL

In 2010 the London Borough of Lewisham (the Council) changed the land designation from strategic industrial to land suitable for mixed use, which was then enshrined in their Core Strategy (June 2011).

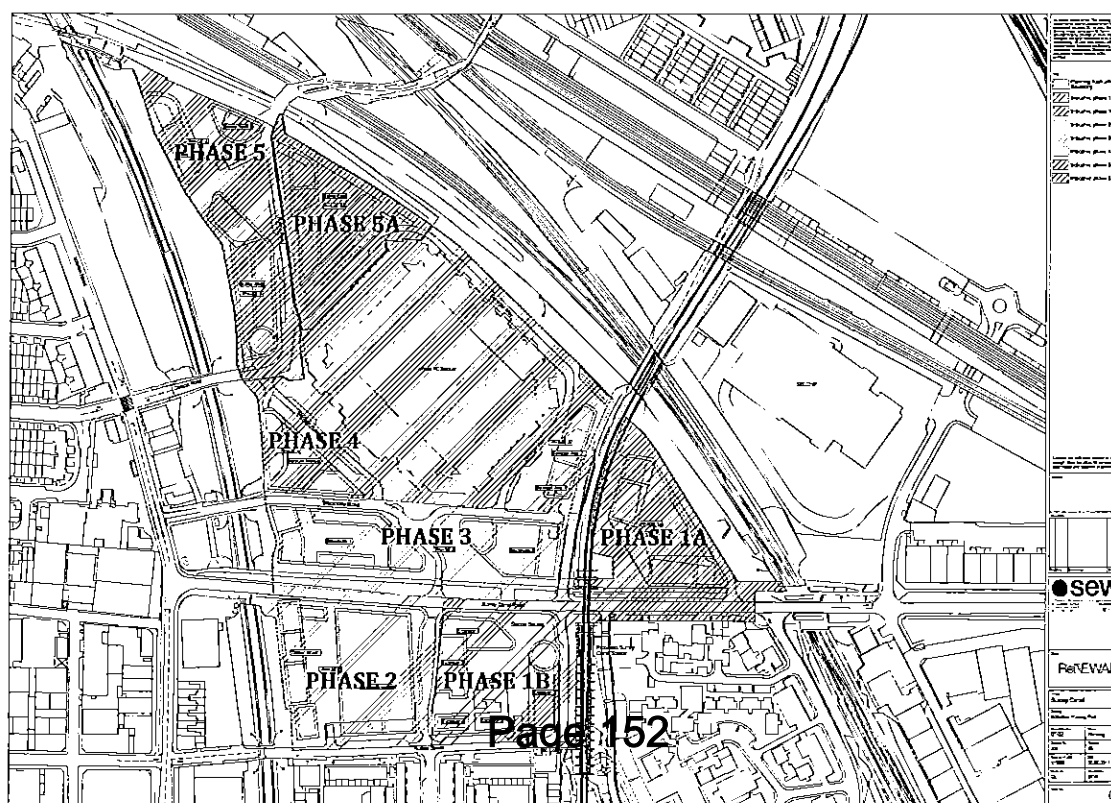
2.2 Outline Planning Consent for New Bermondsey was granted by the Council in March 2012 and the scheme was designated a Housing Zone by the Greater London Authority in February 2015 with the objective of accelerating delivery. The development will deliver 2,400 new homes, 2000 new jobs and a new station on the London Overground (New Bermondsey). The build out period is projected to be eight years. The Developer has been assembling land for the regeneration since 2004 and is committed to ensuring its delivery.

Current occupiers

2.3 Presently there are 78 businesses within the re-development site. All buildings within the New Bermondsey development area are used for light industrial use, save for three units, which are occupied on a live/work basis, and one building that is classified as a house of multiple occupancy (HMO). All businesses within the redevelopment site will be offered the support detailed in this document as and when relocation is required.

2.4 The Developer has been providing assistance to tenants since it started purchasing units on the site in 2004. For every unit it has purchased the Developer has, where possible, kept existing tenants in the unit and amended all tenancy agreements to include break clauses of three to six months in order to allow the site to become vacant without delay ahead of any development.

Phasing plan





New Bermondsey

RENEWAL

2.5 The Developer has agreed with the Council to carry out the development in accordance with the phasing plan (see above) unless a revision is otherwise agreed by the Council. The Developer's current intention is to begin with phases 1A and 2 simultaneously and thereafter develop in order, phases 1B, 3, 4, 5 and 5A.

2.6 The anticipated starting date onsite for Phases 1A and 2 is the first quarter of 2017 and each phase will take two years to complete. It is anticipated that the starting date for Phase 1B will be the fourth quarter of 2018. Phases 3, 4, 5 and 5A will continue at regular intervals following the completion of these first three phases and each will take approximately two years to complete.

3. s106 requirements

Set out below are explanations of how the Developer is fulfilling each of the six requirements from the s106 development agreement listed in section 1.1.

3.1 'a relocation website connecting to active commercial agents'

The Developer is in close contact with all tenants either in person or by telephone and provides regular updates on progress of the development. All tenants are aware of which phase of development affects their unit and the latest time frames for the development of each individual phase. In addition, all tenants are also sent by email the development's newsletter *New Bermondsey News* (appendix 2). The Developer has a comprehensive website <http://www.newbermondsey.com> which contains the latest details of the scheme and a downloadable copy of this relocation strategy will be available to view online once approved.

In addition, this website has the contact details for both the Developer and agents KALMARs who have been appointed to act as the official relocation agent for any residents, tenants and landowners who require advice on relocating. Established in 1967, KALMARs have many years experience in sales and lettings of commercial and residential properties across the South London and are ideally placed to offer independent expert advice, free of charge, on suitable available properties, market prices and the practicalities of the relocation process, either in person, by telephone or by email.

KALMARs are entirely independent of the Developer and the advice they would be able to offer would be separate to and uncontrolled by the Developer. The Developer is also happy to refer businesses to the Council's business advisory service for further information on available premises.



3.2 'advice on negotiating terms'

As stated above, the Developer has appointed agents KALMARs to provide free and impartial assistance on the relocation process to any residents, tenants and landowners who require it. Based in Bermondsey, KALMARs work across the whole of south London and are ideally placed to offer advice on the latest commercial and residential properties available. Tenants have been provided in writing with contact details for the most appropriate people to speak with at KALMARs. These details can also be found in section 3.5 of this document. In addition, the Developer will provide any legal and practical advice they can on the relocation process such as negotiating tenancy agreements, break clauses, local values and alternative agents if required.

The Developer has committed to promoting the relocation of any businesses from within the redevelopment site within Lewisham in the first instance and will request that KALMARs begin by pursuing options within the Borough in their discussions with businesses seeking to relocate. KALMARs will maintain contact with the Council for information of available and suitable business premises within the Borough.

3.3 'flexible tenancies to facilitate easy relocation as opportunities arise'

As stated in section 2.4 of this document the Developer has, where possible, kept existing tenants in their units and has amended leases to ensure all tenancy agreements have short notice periods of three to six months to allow the maximum flexibility for the relocation process and ensure development is able to proceed. All tenants were made aware of the forthcoming development when they entered into the leases and have been regularly kept informed of when development work will require them to relocate.

3.4 'identification of opportunities to relocate tenants from early Phases of the Development into vacant units in later Phases'

The Developer will continue to ensure that each phase is fully occupied up until re-development commences. It will make every effort when managing occupancy in later phases to create space in appropriate units for existing tenants in earlier phases who need to relocate. The Developer maintains a comprehensive log of the specifications of all units on the site allowing it to effectively assess which units may be appropriate for an individual tenants' requirements.

In advance of the commencement on site, the Developer will offer to meet all tenants on that particular phase in order to discuss their relocation requirements. Where possible, tenants will be given the option to be relocated to units on later phases but where this is not possible KALMARs will use their expertise to find appropriate nearby premises.

3.5 'liaison with owners of local industrial estates to identify opportunities for businesses to relocate in the area'

As stated in section 3.1, the Developer has appointed agents KALMARs to act as official relocation agent for any residents, tenants and landowners who require advice on relocating. KALMARs will monitor the availability of suitable premises locally and



New Bermondsey

RENEWAL

maintain an up to date database of properties which will be available on request. Tenants can contact KALMARs directly via the contact details below for free and impartial advice on their relocation. For advice on industrial units Tenants should speak to Luke Osborne and for advice on residential properties they should contact Anthony Tappy-Day.

KALMARs
Jamaica Wharf
Shad Thames
London
SE1 2YU

0207 403 0600
info@kalmars.com
<http://www.kalmars.com>

Tenants and residents will of course be free to use any other agents they wish and the Developer will provide any advice or recommendations they can offer on other appropriate agents, should it be required.

3.6 'masterplan progress newsletter to occupiers of all existing non-residential properties within the Site'

The Developer has sent by email the first issue of the development's newsletter *New Bermondsey News* (appendix 2). The first issue was published in February 2015 and it is envisaged there will be 2-4 issues of this newsletter per year once the development is underway. This newsletter has also been sent to interested parties who have contacted the Developer about the development and is also available to all on www.newbermondsey.com.

4. Conclusion

- 4.1 This strategy has set out the work the Developer is undertaking in order to ensure that it is meeting the commitments made in the s106 development agreement that are detailed in section 1.1.
- 4.2 As set out in the rest of this document, the Developer is, and will continue to be, in regular contact with all residents, tenants and landowners on the New Bermondsey site in order to ensure as easy a relocation process for them as possible. The Developer will continue to keep them all fully and regularly informed on progress of the development and how it will impact on them through individual communications, a regular newsletter (appendix 2), and the development website www.newbermondsey.com. The Developer and agents KALMARs will be available throughout the process.



New Bermondsey

RENEWAL

APPENDIX 1

Contact Details	
Renewal	T: +44 (0)20 7358 1933 E: info@renewalgroup.co.uk
KALMARs	KALMARs, Jamaica Wharf, Shad Thames, London, SE1 2YU T: 0207 403 0600 E: info@kalmars.com http://www.kalmars.com Industrial units should contact Luke Osborne Residential properties should contact Anthony Tappy-Day
New Bermondsey	Development website: www.newbermondsey.com Newsletter: <i>New Bermondsey News</i>

Section 106 (S106)

Town and Country Planning Act 1990



Paula Carney
Signet Planning
9 Mansfield Street
London
W1G 9NY

Planning Service
Laurence House
Catford
London
SE6 4RU

phone 020 8314 7400
fax 020 8314 3127
CIL@lewisham.gov.uk
date: 10 December 2015
our reference: DC/11/76357

PLANNING APPLICATION:

DC/11/76357

SITE ADDRESS:

Surrey Canal Triangle

DEVELOPMENT DESCRIPTION:

Revisions to planning application for the comprehensive phased mixed-use development of the site for up to 240,000 m² of development. "Comprehensive, phased, mixed use development of the site, for up to 240,000sqm (GEA) of development, as set out in the revised Development Specification dated 1 July 2011, and as amended 2 September 2011. The development comprises: Class A1/A2 (Shops and Financial and Professional Services) up to 3,000 sq m; Class A3/A4 (Cafes/Restaurants and Drinking Establishments) up to 3,000 sq m; Class A5 (Hot Food Takeaways) up to 300 sq m; Class B1 (Business) between 10,000 sq m ? 15,000 sq m; Class C1 (Hotels) up to 10,000 sq m; Class C3 (Dwelling Houses) between 150,000 sq m ? 190,000 sq m (up to 2,400 homes of different sizes and types); Class D1 (Non-Residential Institutions) between 400 sq m ? 10,000 sq m; Class D2 (Leisure and Assembly) between 4,260 sq m ? 15,800 sq m (excluding the Stadium which remains but including a replacement ground person's store of 140 sq m). involving the demolition of all existing buildings on the site with the exception of the Millwall FC Stadium (which is to be retained and its facade upgraded and / or reclad), Plot Excelsior 2 - Guild House (which is to be retained and extended), and Plot Excelsior 5 - Rollins House (which is to be retained, but not altered or extended as part of this planning application); the demolition and replacement of the existing Millwall FC ground person's store of approximately 140 sq m; redevelopment to provide a series of new buildings (including roof top and basement plant); re-profiling of site levels; alterations to Surrey Canal Road and the re-alignment of Bollna Road; new streets and other means of access and circulation, including pedestrian/cycle paths carriageways and servicing areas; areas for parking for emergency services vehicles and outside broadcast units; external areas of hard and soft landscaping and publicly accessible open space; car and coach parking areas and

accesses to them; cycle storage; and, supporting infrastructure works and facilities including sub-stations, energy centre/s District Heating Network (DHN) connections to and between each plot, the proposed energy centre and the adjoining South East London Combined Heat and Power (SELCHP) plant (to the extent to which they lie within the Planning Application Boundary) and an ENVAC waste storage and handling system (including DHN and ENVAC connections to plots south of Surrey Canal Road under the carriageway of Surrey Canal Road, as altered)."

Dear Paula Carney,

I refer to your submission dated 9th December 2015 regarding the Relocation Strategy as required by Paragraphs 3.1 to 3.4 of Schedule 16 of the Section 106 Agreement dated 30th March 2012 associated with the redevelopment of the Surrey Canal Triangle site.

3 Relocation Strategy

The Developer shall:

3.1 within three months of the date of the Planning Permission submit to the Council for approval a strategy document (the 'Relocation Strategy') in connection with the relocation of occupiers at the Site, with such strategy to set out what support is to be provided by who over what period and include as a minimum:

3.1.1 a relocation website connecting to active commercial agents;

3.1.2 advice on negotiating terms;

3.1.3 flexible tenancies to facilitate easy relocation as opportunities arise;

3.1.4 identification of opportunities to relocate tenants from early phases of the Development into vacant units in later phases;

3.1.5 liaison with owners of local industrial estates to identify opportunities for businesses to relocate in the area;

3.1.6 masterplan progress newsletter to occupiers of all existing non-residential properties within the Site;

3.2 Not to commence any part of the Development unless and until the Relocation Strategy has been approved by the Council;

3.3 Implement the approved Relocation Strategy;

3.4 Not to Occupy the Development unless in accordance with the approved Relocation Strategy.

I can confirm that the Council is satisfied that the Relocation strategy submitted is acceptable to comply with the provisions of Schedule 16 of the s.106 Agreement.

Name and address of all recipient(s) of this notice

Paula Carney
9 Mansfield Street
London
W1G 9NY

Yours sincerely



John Miller
Head of Planning
London Borough of Lewisham



New Cross

Ward Profile

2014

Population (Source: ONS Census, 2011)

	Total
New Cross	15,756
Lewisham	275,885

Age Structure (Source: ONS Census, 2011)

	New Cross		Lewisham	
		%		%
Aged 0-19	4,090	26.0	25.4	
Aged 20-34	5,338	33.9	27.6	
Aged 35-49	3,666	23.3	24.1	
Aged 50-64	1,725	10.9	13.4	
Aged 65+	937	5.9	9.5	



Ethnicity (Source: ONS Census, 2011)

Ethnic Group	New Cross	%	Lewisham	%
White	40.3		53.5	
Black or Black British	36.6		27.2	
Mixed	7.0		7.4	
Asian or Asian British	13.3		9.3	
Other Ethnic Group	2.9		2.6	

Disability (Source: ONS Census, 2011)

Day-to-Day Activities are Limited a Lot	%
New Cross	6.4
Lewisham	7.1

Country of Birth

	UK	Non-UK
	%	%
New Cross	53.4	46.6
Lewisham	66.3	33.7

Median Household Income (£)

(CACI, 2013)	(£)
New Cross	28,365
Lewisham	29,538

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Economic Activity (Source: ONS Census, 2011)

	Economically Active				
	Total %	Employed %	Self-Employed %	F/T Student %	Unemployed %
New Cross	72.1	48.4	8.5	7.6	7.6
Lewisham	73.6	51.8	10.7	4.9	6.2

	Economically Inactive					
	Total %	Retired %	F/T Student %	Looking After Home/Family %	Sick/Disabled %	Other %
New Cross	27.9	4.9	11.1	4.4	3.9	3.6
Lewisham	26.5	7.3	7.3	4.5	4.3	3.1

Religion (Source: ONS Census, 2011)

Percentage of people of each religion:

	Christian %	Muslim %	Hindu %	Jewish %	Sikh %	Buddhist %	Other Religion %	Religion Not Stated	
								No Religion %	%
New Cross	51.0	9.7	1.4	0.3	0.2	3.0	0.5	24.8	9.0
Lewisham	52.8	6.4	2.4	0.2	0.2	1.3	0.5	27.2	8.9

Highest Level of Qualification (Source: ONS Census, 2011)

(Source: ONS Census, 2011)

	%	
	New Cross	Lewisham
No Qualifications	17.9	17.7
Level 1	9.9	11.1
Level 2	11.7	12.5
Level 3	13.1	10.8
Level 4 or Higher	34.7	38
Other Qualifications	12.7	9.9

Housing tenure (Source: ONS Census, 2011)

Percentage of people in each tenure type:

	Owner occupier %	Private rented %	Social rented %	Living Rent Free %
New Cross	26.9	31.6	40.5	1.1
Lewisham	43.6	24.3	31.1	1.0

Crime Rate per 1,000 population (Source: Metropolitan Police 2013)

Period: 12 months to January 2013

	Burglary	Criminal Damage	Drugs Offences	Fraud or Forgery	Robbery	Sexual Offences	Theft & Handling Offences	Violence	
								Against the Person	Other Offences
New Cross	14.1	11.1	9.1	5.2	9.4	1.7	50.0	31.1	2.6
Lewisham	13.3	9.7	5.8	5.4	5.2	1.5	34.1	23.6	1.3
London	13.0	8.6	7.0	5.9	4.9	1.2	45.1	20.9	1.3

For further information on sources and data please refer to the Ward profile Glossary.

Produced by: Policy & Partnerships Unit, London Borough of Lewisham
PPU@Lewisham.gov.uk

New Bermondsey

Regeneration and Equalities Statement

26 August 2016



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1 INTRODUCTION

New Bermondsey

- 1.1 An outline planning application for the New Bermondsey regeneration was submitted by Renewal in February 2011, and granted consent in March 2012. New Bermondsey offers a significant opportunity to regenerate a run down and deprived area of North Lewisham, bringing forward jobs, homes, community facilities and new public spaces. The application included provision for:
- 1.2 The comprehensive, phased, mixed use development of the site for up to 240,000 square metres (GEA) of development comprising Class A1/A2 (Shops and Financial and Professional Services) up to 3,000 square metres, Class A3/A4 (Cafes/Restaurants and Drinking Establishments) up to 3,000 square metres, Class A5 (Hot Food Takeaways) up to 300 square metres, Class B1 (Business) between 10,000 -15,000 square metres, Class C1 (Hotels) up to 10,000 square metres, Class C3 (Dwelling Houses) between 150,000 - 190,000 square metres (up to 2,400 homes of different sizes and types), Class D1 (Non-residential Institutions) between 400 - 10,000 square metres, Class D2 (Leisure and Assembly) between 4,260 - 15,800 square metres, involving the demolition of all existing buildings on the site with the exception of the Millwall FC Stadium (which is to be retained and its façade upgraded and /or re-clad), Plot Excelsior 2 – Guild House (which is to be retained and extended), and Plot Excelsior 5 – Rollins House (which is to be retained, but not altered or extended as part of the planning application); the demolition and replacement of the existing Millwall FC grounds-person’s store of approximately 140 sqm; redevelopment to provide a series of new buildings (including roof top and basement plant); re-profiling of site levels; alterations to Surrey Canal Road and the re-alignment of the Bolina Road; new streets and other means of access and circulation, including pedestrian/cycle paths, carriageways and servicing areas; areas for parking for emergency services vehicles and outside broadcast units; external areas of land and soft landscaping and publicly accessible open space; car and coach parking areas and accesses to them; cycle storage; and, supporting infrastructure works and facilities including substations, energy centre(s), District Heating Network (DHN) connections to and between each plot, the proposed energy centre and the adjoining South East London Combined Heat and Power (SELCHP) plant (to the extent to which they lie within the Planning Application Boundary) and an ENVAC waste storage and handling system (including DNH and ENVAC connections to plots south of Surrey Canal Road under the carriageway of Surrey Canal Road, as altered).
- 1.3 In addition to securing the wider regeneration of a poor and deprived area of North Lewisham and contributing to the regeneration of the wider area, the scheme will deliver a number of key benefits including:
- 2,000 new permanent jobs including 470 temporary construction jobs
 - 2,400 new homes
 - A new Overground station on the East London Line
 - 2 new bus routes
 - A £40m state-of-the-art regional sports complex, Energize
 - A new and improved setting for The Den and Millwall Football Club with improved facilities for spectators

- Recladding and upgrading of The Den with the ability to increase capacity from 21,146 to 26,500 if required
- A new home for the Millwall Community Scheme
- New cycling and pedestrian routes
- A new faith and community centre
- A new home for the Council's multi-faith and resources library
- A 150 bed hotel and conferencing centre
- GP facilities and a medical centre with specialism in sports injury
- A revitalised park at Bridgehouse Meadows
- A creative/digital quarter
- 5 new public squares and private gardens for residents

- 1.4 Following the application, a Section 73 application was made to slightly re-configure the site within agreed parameters - with the main material change being to incorporate all of the proposed sports facilities within a multi-purpose arena and indoor sports centre for basketball, badminton, boxing, cricket, climbing, football, hockey, gymnastics, netball, swimming and table tennis as well as a new home for the Millwall Community Scheme.
- 1.5 The Council's Strategic Planning Committee resolved to grant consent for the Section 73 amendments in December 2013. Consent for the Section 106 for the Section 73 application was granted on the 18th December 2015.
- 1.6 Within the boundary of the land encompassed by the Outline Planning Permission and the S73 Permission is a property known as Rollins House. 'Rollins House' includes Rollins House itself and Unit 12 Excelsior Works. Both planning permissions refer to Rollins House being retained unaltered. In July 2014, Renewal submitted an application to redevelop the Rollins House site as part of the wider Scheme. A decision on that application was deferred a number of times by Strategic Planning Committee (SPC). In the event, the application was withdrawn by Renewal in June this year and the land forming the Rollins House site does not form part of this CPO.
- 1.7 On 20th February 2015 the Mayor of London announced New Bermondsey as one of London's Housing Zones which will accelerate the delivery of new homes and transport infrastructure including a new Overground station, two new bus routes and improved walking and cycling routes. Housing Zone status will enable the first 532 homes to be delivered faster, and will include an additional £12 million worth of affordable homes, paid for by the Developer, above those consented in March 2012..

2 PURPOSE OF THIS REPORT

- 2.1 Renewal has acquired the overwhelming majority of the New Bermondsey site, and has a shared intention with the Council to ensure site-wide, comprehensive regeneration. On 20 December 2013, the Council entered into a Conditional Land Sale Agreement with Renewal relating to the disposal of the Council's freehold interest in the land leased to Millwall Football Club (excluding the Stadium itself) and in the Lion's Centre, the latter being leased to the Millwall Community Scheme. The sale is conditional upon Renewal entering into agreements with Millwall Football Club and the Millwall Community Scheme or the interests being acquired by CPO if a private treaty agreement cannot be reached.
- 2.2 The land subject to compulsory purchase is currently occupied by light industrial and warehouse units; Millwall Football Club (which is retained); Millwall Community Scheme (replacement facilities will be provided); two live/work units (one of which is occupied, one of which is vacant); freehold parcels of land in and around the site to be acquired from Network Rail and land occupied by advertising hoardings, telephone masts and substations.
- 2.3 This report, commissioned by the Council, aims to:
- Set out the regeneration effects of the New Bermondsey development on the local area, particularly in terms of increasing housing provision as well as social, community and economic opportunities that will redress current inequalities faced by the area; and
 - Identify how the development, which gained outline planning consent in 2012, and the proposed compulsory purchase of land, has taken due account of any potential impact on equalities groups as stipulated by the Equality Act 2010.
- 2.4 This report is presented in two parts:

PART 1

- 2.5 Part 1 highlights the regeneration effects of New Bermondsey and links them to prevailing socio-economic inequalities in the area.
- 2.6 This part of the report then appraises the elements of the development where Protected Groups or Protected Characteristics (as defined by the Equalities Act 2010) have the potential to be affected either negatively or positively, and details the mitigation and/or enhancement provided by the New Bermondsey development.
- 2.7 In addition to identified protected groups, this report takes account of a wider set of social inequality indicators including indicators of relative deprivation relating to employment, income, skills, and qualifications.
- 2.8 Part 1 then identifies the level of community engagement and stakeholder consultation undertaken throughout the planning application process and beyond submission.

PART 2

- 2.9 Part 2 forms a 'Technical Annex', outlining the legislative and policy requirements of an Equalities Impact Assessment, and provides a detailed assessment of the socio-economic context in the local area, to identify areas of prevailing inequality and deprivation / need. It also provides details of the level of community and stakeholder engagement undertaken throughout the outline planning application process.

PART 1

Regeneration Benefits of New Bermondsey

3 REGENERATION EFFECTS

3.1 New Bermondsey is an exceptional regeneration opportunity and will deliver 2,400 much-needed homes. North Lewisham suffers from multiple problems of deprivation and only a comprehensive, site-wide development of this scale and quality can create the critical mass needed to unlock the area's potential and create a thriving community and a lively cultural quarter on the doorstep of central London.

Social Inequality in North Lewisham

3.2 A detailed socio-economic context for North Lewisham is included within **Part 2** of this document, highlighting that the area has serious physical, social and economic deprivation, both in terms of identified 'protected characteristics'¹ and wider determinants of social inequality. In summary:

- the local **physical environment** suffers from inaccessibility, a poor image and safety concerns, and is unattractive to pedestrians and cyclists;
- The local population has relatively high levels of deprivation, particularly acute here in terms of crime, employment, health, housing, income and living environment;
- There is a **younger**, more **ethnically diverse** population than average for London or Lewisham;
- **Qualification attainment** and **occupational skill** levels of residents are lower than average;
- **Unemployment** and **worklessness** are problems locally;
- Lewisham has a greater reliance on employment in the public sector, education and retail. New Cross is dominated by lower-skilled jobs in manufacturing, light industrial and logistics sectors;
- **Health indicators are poor** across a range of statistics including obesity, standardised mortality rates and hospital admissions compared to the Lewisham and London averages;
- There is a high proportion of private rented and social rented households, and a high degree of overcrowding; and
- **Crime rates** are higher than average in London.

New Bermondsey - Regeneration Summary

3.3 Located in an area suffering from severe levels of multiple deprivation, the New Bermondsey regeneration has the potential to foster significant community, economic, physical and social benefits, and can aid in the regeneration of North Lewisham as a strategic part of a network of urban renewal as part of the Lewisham, Catford and New Cross Opportunity Area and adjacent to the proposed Old Kent Road Opportunity Area. New Bermondsey is a transformative project for the site and the wider area, putting the area on the map with a regionally significant sporting centre, Energize, and bringing major benefits including new jobs, homes, public realm, health provision and crime reduction.

¹ As determined by the Equality Act (2010)

- 3.4 The surrounding area is in great need of investment in order to maximise the regeneration potential and build on an already strong sporting heritage to create a community with social inclusion as a central principle.
- 3.5 New Bermondsey can kick-start a process of regeneration at the north-west of the borough, with a number of key elements required to harness the potential of the area, including:
- The creation of **new jobs and business** by securing private sector investment in growing sectors that provide local residents with entrepreneurial opportunities, and contributing to a new growth hub for North Lewisham;
 - Connecting with the wider economy in central London through **attracting new visitors** and residents to the area and retaining their spending in local businesses and services;
 - Ensuring local residents have **employment and training** packages tailored to address their specific needs, and that educational results in the area continue to improve, so that residents can take advantage of additional jobs locally and compete for higher skilled jobs in the wider London labour market. Access to jobs in the wider London area will be significantly improved by the new Overground station, two new bus routes and improved access to South Bermondsey station;
 - Major **physical improvements**, including good quality street scene, new pedestrian and cycle paths and new buildings to establish this as a new neighbourhood - an area people want to live or work in or visit;
 - Providing the scale and critical mass of development to **change perceptions** of the area; and
 - Providing opportunities to lead **healthy lifestyles** and giving **access to community facilities** in an active environment.
- 3.6 The existing strengths of the area must be built upon and strengthened, including its multi-cultural community, its young population and creative enthusiasm, its location in relation to the Docklands and the City, and of particular uniqueness, is its sporting heritage established through football (Millwall Football Club) and the history of boxing on the Old Kent Road.



Figure 1 The consented New Bermondsey scheme

Design Standards & Accessibility

- 3.7 New Bermondsey will open up an area of land that is currently relatively inaccessible to the general public, given its use as predominantly industrial space. The mix of uses within New Bermondsey, including employment floorspace, high quality publicly accessible open space, community uses, and market and affordable housing will combine to bring a new mixed community to the New Cross ward and the new mixed community and facilities provides opportunities for social interaction between residents, workers and visitors.
- 3.8 There is a policy-driven² target in North Lewisham to create a 'sense of place' through new buildings and contributions to an enhanced street environment which would raise the overall standard of design and environmental quality, improve permeability and accessibility, attract inward investment and improve vitality and viability of the local economy through increased jobs and economic spend.
- 3.9 The homes, hotel, retail and community facilities at New Bermondsey will be provided to modern design and accessibility standards. It is considered an important element to the scheme that all spaces are interlinked and provide a variety of animated as well as tranquil environments, providing a sense of place and radical improvement to the physical quality of the urban environment.
- 3.10 Rates of recorded crime in New Cross are higher than the average for London and Lewisham. New Bermondsey will help to address this problem with inclusive, safe, active and well-lit street environments to increase the perception of safety and reduce crime for all new and existing residents and visitors. A safer and more secure environment achieved through increased permeability, footfall, lighting and CCTV can aid in the reduction of perception of crime for current residents in the surrounding area, residents of the development, and visitors. In the neighbouring Silwood estate, which has been regenerated, Police report that crime levels have fallen significantly and the perception of safety has increased.

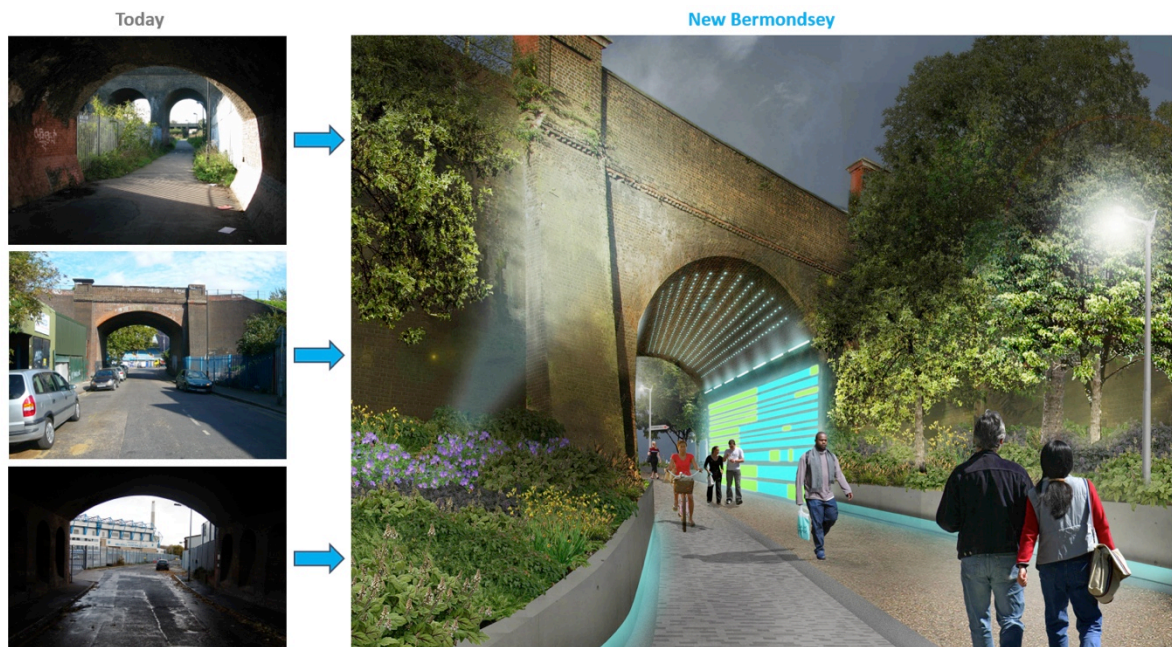


Figure 2 Routes into the Site today are poorly lit and seem unsafe to pedestrians and cyclists

² Lewisham Regeneration Strategy 2008-2020

Accessibility

- 3.11 There is currently no formal publicly accessible open space within the New Bermondsey site. There are five main access routes into the Site, providing vehicular, cycle and pedestrian access from Bolina Road, Surrey Canal Road, Zampa Road, Rollins Street and Stockholm Road. However, these access points suffer from a poor image and safety concerns, and are unattractive to pedestrians and cyclists.
- 3.12 New Bermondsey will transform the area - breaking down current community severance, reconnecting the area through new walking/cycling routes and high quality public realm, creating new places for local people and setting a new benchmark for quality publicly accessible open space in the area. There will also be 5 new public squares created and £1m spent on regenerating the adjacent Bridgehouse Meadows park.
- 3.13 Through sensitive design and a range of facilities linked in the development, it is intended that the new community and existing residents will be encouraged to have an active lifestyle, complemented by new pedestrian dominated routes, as well as new cycle lanes. Walking distances into and around the Site will be reduced, including through improvements to 14 surrounding railway arches and underpasses creating links into the surrounding areas, addressing issues of permeability.
- 3.14 Additionally, low public transport accessibility (PTAL) ratings in the area will be redressed through the addition of two new bus routes through the site, investment in a new Overground station (New Bermondsey) on the East London Line in the south-east corner of the site and the creation of Stadium Avenue, linking the two stations and cutting pedestrian journey times to both stations and improved access to South Bermondsey station. The area already has a quick link into central London via South Bermondsey station (4 mins) – but this can be enhanced by the creation of the new Overground station in the south-east of the site, particularly when delivered in parallel with regionally significant employment space and sports facilities.
- 3.15 Altogether, the provision of the individual elements of the scheme will inter-link to create a new neighbourhood where people will want to live, work and visit. Successful regeneration of this currently under-utilised, low-grade Site will stem from the combination of these elements - new homes, jobs, community facilities, public transport and publicly accessible open space - responding to the needs of the local population by tackling physical deprivation, providing opportunities for employment and skills uplift, generating vitality and reducing social inequalities. By changing perceptions of New Bermondsey, the development can foster pride in the area, which combined with the opportunities created for engagement and employment will also support efforts to tackle crime and anti-social behaviour.

Providing New Homes

- 3.16 There is an identified need for new housing in New Cross, Lewisham and London. In particular, the Mayor of London has identified specific Housing Zones – including New Bermondsey – as sites that will be accelerated to maximise development potential and provide the homes that are desperately needed as a result of projected population growth. Population growth has been significant in recent years in Lewisham and has contributed to an increase in household size, overcrowding and unaffordability. The problems are felt acutely in New Cross – with a greater demand for mixed tenures including a greater proportion of private rented and social rented households locally, high levels of over-crowding and an affordability gap, particularly at entry-level.

- 3.17 Access to a range of accessible, adaptable, well-designed and constructed housing is essential for building sustainable communities and reducing pressure on housing waiting lists, offering more opportunities for vulnerable groups (e.g. older people, young people, single parent and low-income households) to improve their standard of living. Making provision for accessible, adaptable, well-designed and constructed housing in a range of sizes and tenures therefore has the potential to help redress social inequalities, and can help to tackle levels of housing deprivation in this area.
- 3.18 New Bermondsey will provide 2,400 new homes in a range of types and tenures. Around 4,500 new residents will live in these homes, diversifying and strengthening the local community by increasing the proportion of working households with a stake in the future of the area locally, increasing spending and therefore creating additional jobs.
- 3.19 Access to affordable housing is an acute problem in Lewisham and London, with demand for social rented property outstripping supply, and existing households in social rented property experiencing overcrowding.
- 3.20 New Bermondsey will provide new social rented homes that help alleviate housing problems faced by equality groups, establishing a new attractive environment complete with amenity areas.
- 3.21 Research into lettings data collected as part of the Core Dataset by the National Housing Federation shows how new housing (including affordable housing), can increase economic activity rates in a deprived area. The data shows that the majority of social rented housing in Lewisham is let to existing residents of the borough, indicating that benefits of social rented and intermediate tenures will be felt locally.
- 3.22 Aside from the regeneration benefits of affordable housing, there are also related benefits by providing a new stock of homes in private tenures, by way of addressing problems of overcrowding and meeting the aspirations for accommodating growth and subsequent economic development, which will help to redress the current problems of affordability of housing as a whole in Lewisham and London.
- 3.23 The provision of homes at New Bermondsey for both ownership and rent both play key roles in meeting the needs of residents, in terms of security, flexibility and supporting the social rented sector. New Bermondsey will contribute to the rebalancing of North Lewisham, and the creation of a more sustainable community. Currently the area is dominated by a high proportion of social rented housing. New Bermondsey's residential offer is more mixed and balanced, including all tenures and a range of sizes.

Public Open Space

- 3.24 New Cross currently has a lower than borough-wide average standard of parks and gardens per population as outlined in the Lewisham Leisure and Open Space Study (2010), and as such is considered an area of deficiency.
- 3.25 New Bermondsey offers a good level of provision of safe, well-designed and accessible open space (including 5,600-6,600 sqm of new accessible open space in five public squares, and more than 13,000 sqm of private communal open space for residents), which can respond to both the accessibility needs of the new development, but also the wider area – the greatly improved public realm can help to provide part of the wider urban fabric, linking the new homes, facilities and transport infrastructure.
- 3.26 The development of New Bermondsey will create vibrant new open spaces including a £1m contribution to the regeneration of the existing park at Bridgehouse Meadows, to the south-east of the development site. The redevelopment will be undertaken sensitively to high design standards and taking into account

residents' needs. A CABI 'spaceshaper' workshop was held with local residents and stakeholders in October 2010 to investigate the current use and potential of the space at Bridgehouse Meadows and further community and stakeholder consultation will be undertaken which will inform the design team's approach to creating a revitalised community park based on community requirements.

- 3.27 The series of linked publicly accessible open spaces will greatly increase permeability and access for pedestrians and cyclists, providing new routes through the Site both North to South and East to West, opening up and joining the transport links at South Bermondsey and New Bermondsey rail stations creating a new transport interchange. The new development is built around a green armature that will run through the site. Starting at the north, there will be a public realm overhaul of the Bolina Road area to make it more attractive to residents and visitors, with a route running through Bolina Gardens, along Stadium Avenue, passing through stadium square, station square and on into Bridgehouse Meadows and beyond to link with New Cross. The Developer will also create a new public square on phase 1b, adjacent to the new station, Excelsior Square.



Figure 3 New Bermondsey landscape plan

Employment

Local Need and Demand

- 3.28 At present, around half of the jobs in New Cross ward are in manufacturing, logistics and light industrial sectors, with also a significant representation of public sector employment. The site has a mix of low-density light industrial floorspace, mostly occupied by small, independent firms in construction, logistics and manufacturing.
- 3.29 As well as a high proportion of jobs in declining sectors, unemployment is also a problem locally. An analysis of 2011 Census data identifies that, in New Cross ward, unemployment is a significant problem with 9% of total working-age residents unemployed compared to 6% in London. Around 410 people are claiming Job Seekers Allowance or Universal Credit, and are out of work (known as the 'claimant count') (3.4%, compared to 1.9% in London).
- 3.30 Analysis of the sought occupation of these claimants locally reveals a demand for jobs across a range of skill levels, particularly mid-level roles including sales, service, skilled trades and administrative roles. A lower proportion than the London average are seeking lower skilled roles.

Employment Generated at New Bermondsey

- 3.31 The New Bermondsey regeneration programme is anticipated to create around 470 full-time equivalent construction jobs over the course of the 8-year construction period, as well as up to around 2,000 permanent new jobs in the leisure, business, retail and community sectors, compared to a current 366 (mainly light industrial and manufacturing) jobs on the site today, a number which is inclusive of the 137 jobs provided by Millwall FC and the Millwall Community Scheme which will remain. These new jobs will be created in the following sectors:
- B1/Business Incubation - **up to 789** FTE jobs;
 - Sports/Leisure - **Up to 287** FTE jobs;
 - Medical/Crèche and Church/Auditorium - Up to **278** FTE jobs;
 - Retail A1/A2 - **Up to 150** FTE jobs;
 - Retail A3/A4/A5 - **Up to 254** FTE jobs;
 - Hotel/Conference - **75** FTE jobs;
 - Site Management - **110** FTE jobs;
 - Construction - **470** FTE jobs.

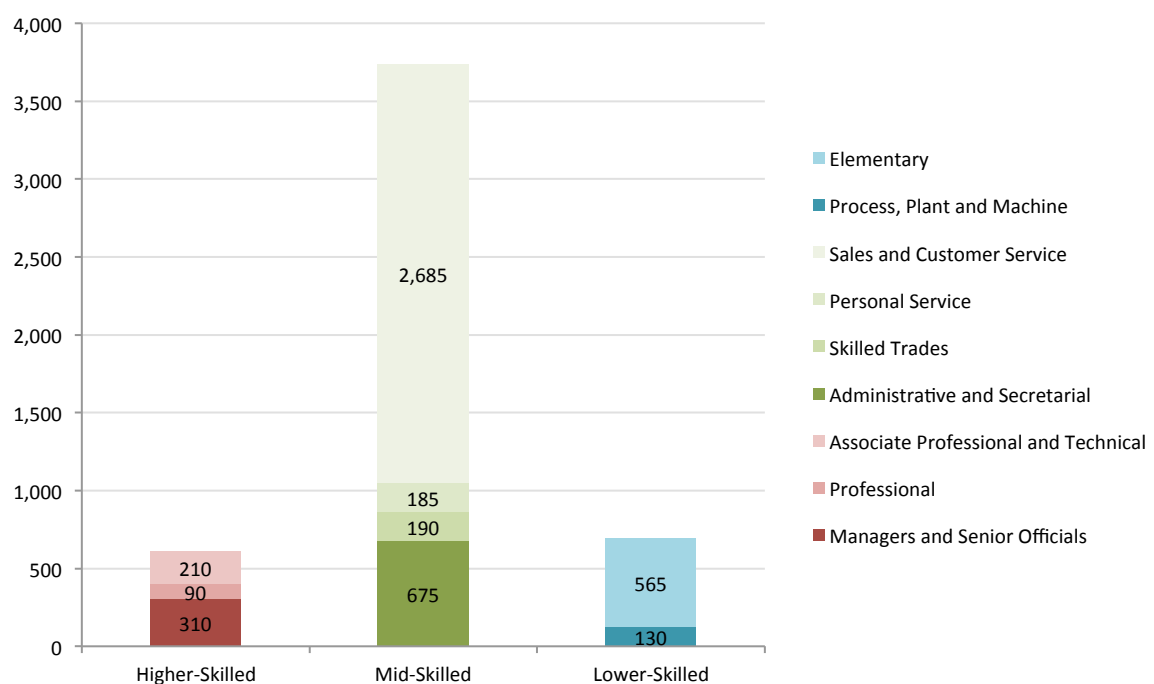


Figure 4 Jobs created at New Bermondsey

3.32 At present, the resident population of the area has a lower skills base and level of qualification attainment than average in London – by providing new introductions to work both in construction and operation, a development at New Bermondsey can help to give people new opportunities with entry-level and mid-level skilled positions (administration, service, sales and skilled trades) and help to redress long-term unemployment and economic inactivity.

3.33 The following chart identifies the sought occupation, by skill level of the current Job Seekers Allowance claimants in Lewisham, highlighting a significant level of need, spread across different sectors that match the kind of employment roles created both during construction and beyond as New Bermondsey becomes a new and thriving neighbourhood of London:

Figure A – JSA Claimants by Sought Occupation (Skill) in Lewisham (DWP, October 2015)



3.34 Mid-level roles including retail, administrative and service jobs are a key aspect for many of the employment-generating areas within the development, offering entry-level employment (and then clear routes to training and promotion) suitable for young unemployed people with low levels of educational attainment. Rates of offending can be particularly high amongst these groups and pathways into employment are vital in diverting people away from criminality towards more positive involvement in their local community and economy.

3.35 An analysis of 2011 Census data shows that in London, approximately 30% of all employees live within 5 km of their workplace, whereas in the wholesale, retail, hotel and restaurant sectors more than 36% of people live this close to their place of employment. As such, a significant number of jobs created are likely to benefit local residents, including those currently unemployed and seeking this kind of employment.

Enhancing Employment Benefits

3.36 The benefits of a large construction project such as this will be enhanced by tapping into jobs brokerage schemes for local unemployed people, and by fostering links with local education institutions to give people

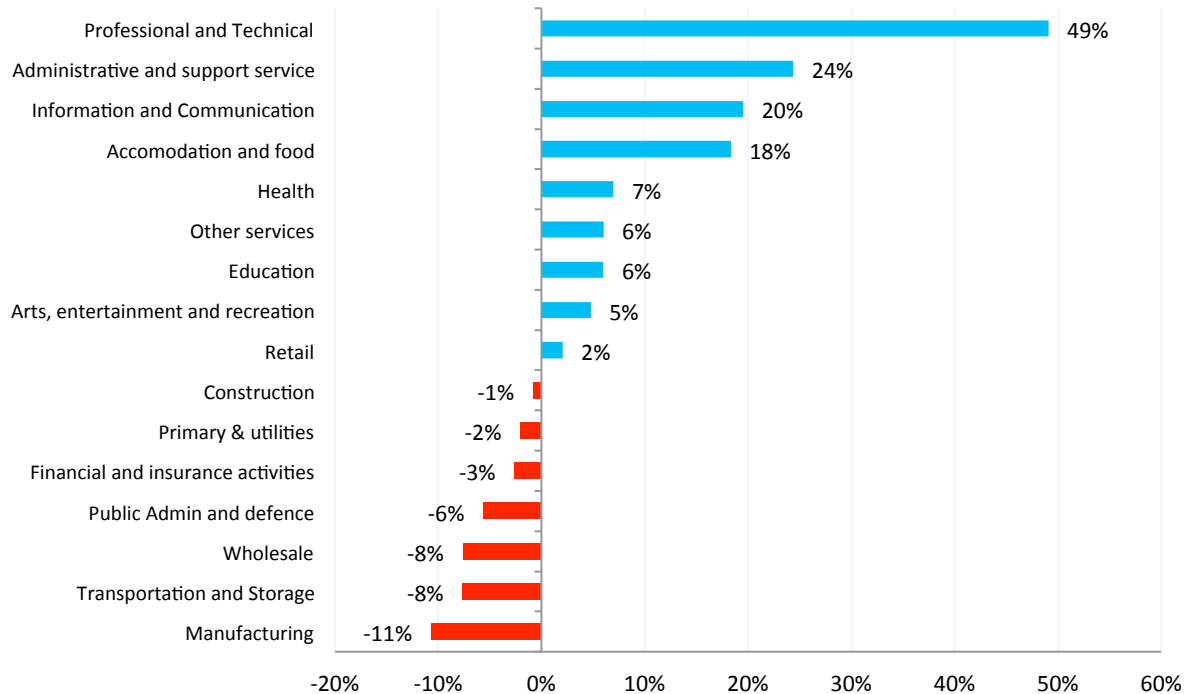
the opportunity to learn important skills while being offered the chance to earn money close to where they live.

- 3.37 Renewal have consulted with the Council's Local Labour and Business Co-ordinator and prior to the Outline Planning Application met with the New Cross-based 170 Community Project who run training and access to employment courses for the local community, the New Cross Gate NDC and Action 4 Employment (A4e) about ways in which the scheme can enable local residents to access the job opportunities at New Bermondsey.
- 3.38 Additionally, the proposals for New Bermondsey include a commitment, via Section 106, to fully participate in the Local Labour and Business Scheme, and to achieve a target of at least 50% employment of local people and businesses through a Local Employment Strategy which sets out reasonable endeavours to promote and recruit employees, contractors and suppliers from Lewisham during the construction and operational phase of the development to ensure that benefits are felt locally.
- 3.39 Ensuring local residents have employment and training packages tailored to address their specific needs, and that educational results in the area continue to improve, so that residents can take advantage of additional jobs locally and compete for higher skilled jobs in the wider London labour market, is a key aspiration for the development.

A Changing Economy

- 3.40 Employment projections (below) produced by the GLA (2013) show that it is likely that employment growth in London to 2036 will continue to be driven by service sector employment including professional and technical jobs, retail, hotels, health, education and business and other services (which includes sport and leisure). By contrast manufacturing, utilities and transport (the profile of jobs currently on the Site) will continue to decline significantly.

Figure B – Components of London’s Projected Employment Growth 2012-2036 (GLA, London Plan 2015)



- 3.41 Because of its current employment structure, a trend based analysis would suggest that Lewisham is likely to capture little of this growth without a significant change in direction through the creation of new employment floorspace, improved access to markets in London and development to raise the profile of the borough as a working environment. The New Bermondsey regeneration will help to address this.
- 3.42 Growth sectors including culture, sports, arts and tourism are particularly beneficial to restructuring industrial areas that are seeking to diversify their economic bases. The wider environmental benefits (new facilities, creative use of redundant space and buildings and improved infrastructure) and image change (lively, animated and cosmopolitan ambience) can positively alter outsiders’ negative mental maps of post-industrial areas and help re-position them as more attractive places for inward investment.
- 3.43 New Bermondsey has the opportunity to meet the needs of a young population with improving educational attainment, and a large labour force with a mix of skill levels, including highly qualified and skilled residents, meeting London’s aspirations for significant growth in knowledge industries.
SMEs, Digital Media and Creative Industries
- 3.44 While structural economic changes mean manufacturing is no longer a major contributor to job creation in the borough, other sectors have grown. There is now a strong recognition of the importance of creative industries to the Borough’s economy, which tend to be clustered in parts of Deptford, New Cross and Forest Hill due to business advantages of good public transport links and a good representation in a number of growing sectors.

- 3.45 Lewisham has existing strengths in small, start-up creative industries, and specifically digital media³ which is identified as the fastest growing area of the creative economy and accounts for two out of every three creative jobs in the UK. In 2011, Lewisham Council identified through a survey that there were over 600 digital creative businesses in the borough⁴, many of which are small or micro-businesses. Phase 1B of the scheme includes a creative hi-tech digital hub, creating a focal point around which the many digital businesses in Lewisham can aggregate. Analysis of IDBR data highlights that the current figure is over 1,000 for micro-businesses in these sectors.
- 3.46 A greater proportion of residents in Lewisham have degree-level or higher qualifications compared to the London average, with 38% educated to degree level across the borough and a high proportion working in the knowledge industries. A large number of residents are self-employed or run micro-businesses that provide services to central London and benefit from access. The strength of the borough's higher and further education offer, including Goldsmiths, University of London and Lewisham College and close proximity to Ravensbourne on the Greenwich Peninsula, translates into a number of new graduate start-ups each year⁵.
- 3.47 Levels of entrepreneurship and small business start-up are high in Lewisham. With a rate of new business formation has been at or above the level for Inner London and London over the last 10 years⁶, with 4,800 start-ups in Lewisham, which representing 34% of the total business stock and 12% of total employment, between 2008 and 2012⁷. Rates of new VAT registrations give an indication to levels of entrepreneurship, and in Lewisham, there has been a steady year-on-year increase of new registrations since the mid-1990s, with a pre-recession high and a consistently higher-than London growth rate in registrations⁸.
- 3.48 Currently, there is a gap between the skill level of people who live in the borough and work there, and people who live there and commute out, with over 100,000 people leaving the borough to work (Annual Population Survey, 2014). Part of this is due to the draw of Central London, but this may also be a feature of a lack of business space locally suited to resident's needs.
- 3.49 As previously mentioned, a key element of the New Bermondsey development is the Creative Industries Hub, which will be brought forward in phase 1b of the development adjoining the new Overground station on the East London Line. This part of the development will include business start-up space, including affordable space, tailored towards small entrepreneurial business and the digital media sector.
- 3.50 The provision of flexible office and workshop space will help to foster entrepreneurial activity and the growth of Small and Medium-sized Enterprises (SMEs), giving the opportunity for local people to start-up businesses. This kind of space is often occupied by creative and cultural industries - sectors that are already strong locally partly due to the nearby Goldsmiths College. The provision of this kind of space responds to local needs, with a significant SME representation locally, a high concentration of firms and employees in this sector, and a high rate of start-ups in Lewisham.

³ London Borough of Lewisham (2012) Digital Businesses in the Creative Industry sector in Lewisham

⁴ London Borough of Lewisham (2012) The Digital & Media Sector in Lewisham

⁵ Lewisham Arts Service (2012) The Business of Creativity: A Creative Industries Strategy for Lewisham 2012-2015

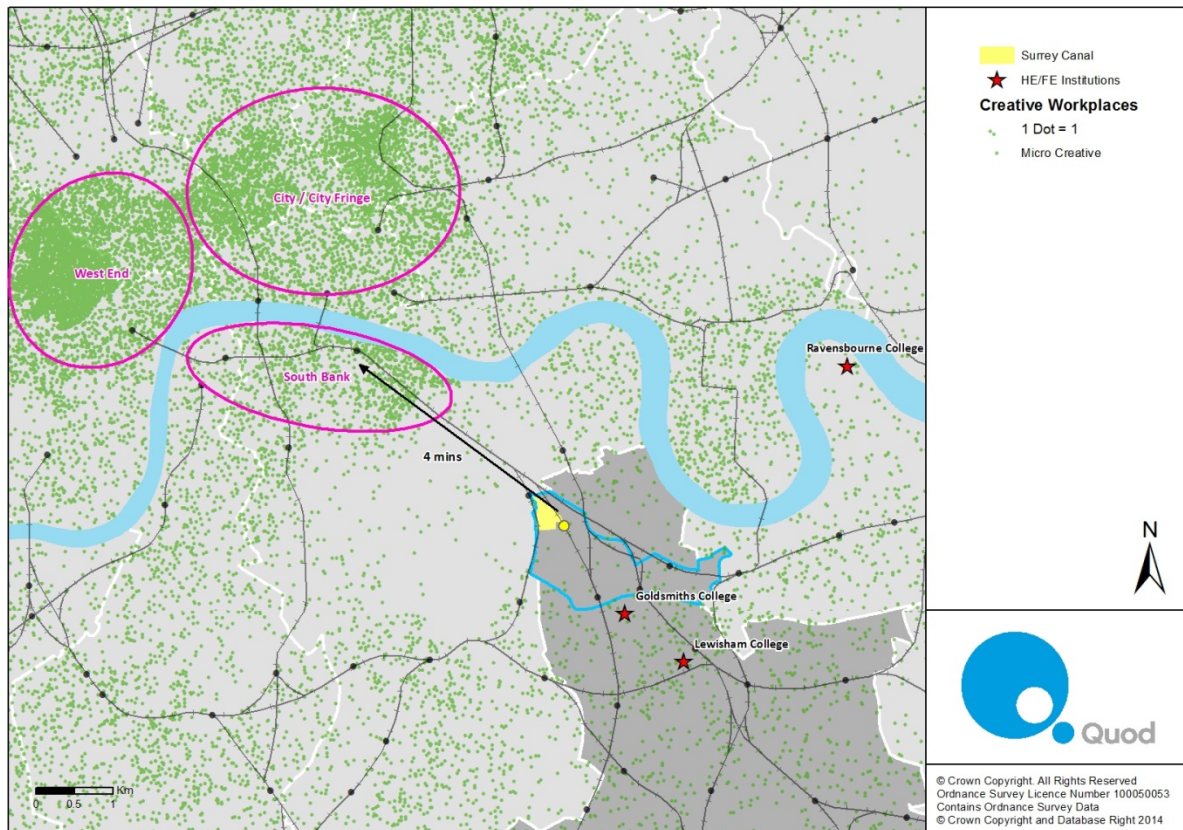
⁶ London Borough of Lewisham (2013) Lewisham Business Growth Strategy 2013-2033 – Strengthening Lewisham's Economy by Creating Growth and Local Jobs

⁷ Ibid.

⁸ ONS (2013) VAT registrations/de-registrations by industry 1997-2007

- 3.51 New Bermondsey's investment in well-located and accessible digital media business space meets aspirations of the Greater London Local Economic Partnership's (LEP) **Jobs and Growth Plan for London** (GLA, April 2013) which sets out the approach to promoting growth and jobs. It outlines four priority areas including:
- Skills and employment – ensure Londoners have the skills to compete for and sustain London's jobs;
 - Micro, small and medium enterprises – support and grow London's businesses;
 - Science and technology – for the capital to be recognised globally as a world-leading hub; and
 - Infrastructure – to keep London moving and functioning.
- 3.52 This provision also meets the LEP's provisions for supporting SMEs to make the journey from start up to high growth, including:
- Exploring affordable workspace options; and
 - Raising awareness of business support services and networks.
- 3.53 Located close to a new Overground station (New Bermondsey), the Creative Industries Hub will be highly accessible to a significant digital and creative market in Central London in 4 minutes and will have direct links to Silicon Roundabout (East London Tech City) on the London Overground network, promoting the area as a key satellite in inner London for high-end businesses, and raising the profile of North Lewisham as a creative employment location in-line with policy aspirations.
- 3.54 The following map identifies the concentration of digital media micro-businesses in the area, the proximity of central London via public transport, and the range of complementary education institutions nearby:

Figure C - Concentration of Micro-businesses (1-9 employees) in the Creative Industries Sector as defined by DCMS⁹



3.55 Renewal has undertaken extensive consultation with a range of medium to large creative businesses either currently based in the borough, or interested in relocating to the borough including Punchdrunk (international theatre company); Based Upon (creative studio and designer makers); Pinewood (film studios); Mo-sys (engineering systems for film and TV). All of these companies have explored relocating to the phase 1B of the New Bermondsey site due to its proximity to the Overground network, the opportunity to develop bespoke facilities with Renewal and its relative affordability compared to other parts of London. If the CPO decision is made and delivery of the scheme can commence Renewal are confident that an innovative, established creative company will become the anchor tenant for phase 1B, but the current timescales are too long and too uncertain without the CPO decision having been made for any company to commit to a pre-let on phase 1B. At New Bermondsey, in a nationally-recognised area of acute employment and income deprivation and where the skills base is low and the unemployment rate is high, the transformation from low grade, low intensity uses to a more intensive, mixed-sector employment offer is a significant benefit. The intensified use of a currently under-used site can help to facilitate the borough's diversification away from traditional manufacturing and industrial sectors towards business services and other service industries and creative sectors that will help Lewisham's economy to stabilise and grow.

⁹ Department for Culture, Media and Sport (2012) Creative Industries Economic Estimates – January 2014

Wider Economic Effects

- 3.56 As well as offering positive opportunities for local residents in terms of employment, a key factor in the success of New Bermondsey will be its ability to draw in visitors by providing high quality community facilities, sports and recreation, and hotel/conferencing facilities within a vibrant environment easily accessible from central London. At present, the Site is largely impermeable and has little to draw in visitors other than on match days. The transformation of the New Bermondsey Site will radically alter this and can help to promote North Lewisham as an attractive destination in London for business and leisure.
- 3.57 Increased visitor numbers contributes to regeneration of the wider area in many ways. Perhaps most importantly, the significant commercial offer, hotel, business incubation space, community facilities and regionally important sports facilities and event space being created as part of the Energize will introduce many people to the area, putting it on the map of London, and improving its credibility as a location for further investment and a place where people want to live.
- 3.58 Building a reputation as a hub for SMEs in the fast-growing digital media sector, as outlined, is key for expanding the wider benefits of the development in terms of supply chain and business support, earnings and raising the profile of north Lewisham. New Bermondsey is in a good situation to achieve this through links to local further and higher education facilities, good accessibility to central London through its two stations on site and a strong track record of creative industry businesses in Lewisham.
- 3.59 Alongside direct employment and job brokerage, the New Bermondsey regeneration scheme will support businesses already in the area through supply chain activities in construction and operation (for example, local machine hire, business administration and support, catering etc.) and through the new residents' spending on goods and services locally, and workers and visitors (including hotel visitors) in the completed development spending on food and drink.
- 3.60 A quantitative assessment was included within the Environmental Statement of the outline planning application for New Bermondsey, submitted in 2011; it is reasonable to assume that spending forecasts will have increased since then. The 2011 quantitative assessment highlights that:
- The new homes at New Bermondsey could generate spending of approximately £40.4million per year;
 - Spending by visitors staying in the hotel could be in the region of up to £4.1million per year;
 - Spending by employees could be in the region of £2million per year.
- 3.61 This spend will support existing businesses locally and create more opportunities for work in the area around the site to support the development. Based on average annual output per job in the retail sector per year, an annual spend in the region of £45million could support around 450 jobs in the retail and service sector surrounding the site and across Lewisham and London¹⁰.

¹⁰ Based on average output per retail employee in the South East of £100,000 per year, ONS

Community Facilities

- 3.62 Successful regeneration will need to be supported by public services, community and voluntary groups, and can enable this by providing a forum for these to operate, whether that be in conjunction with health space, sports facilities or in a place of worship. New Bermondsey will provide a comprehensive opportunity for local and surrounding residents to lead healthy lifestyles giving them access to community facilities in an active environment.
- 3.63 The Council's Infrastructure Development Plan also outlines aspirations for the provision and maintenance of community centres, libraries, community halls and places of worship, children's centres and child care facilities, highlighting that many of these facilities currently suffer from under-investment and are in a poor state of repair, whilst others are not "fit for purpose". Policy in Lewisham and London supports the provision of community facilities for future population that are easily accessible, co-located, safe and secure. The New Bermondsey regeneration will include several new community spaces and a nursery/crèche, health centre, faith centre and sports facilities offered to the community at local authority rates.
- 3.64 As well as the site today being used by London Thunder Basketball Club and Fusion Table Tennis Club (set out at 3.79) the Stockholm Road warehouse on the site has been used as a polling station for all elections since the General Election in May 2015. The Stockholm Road warehouse has replaced Scotney Hall on the Winslade Estate as the polling station as Scotney Hall was no longer fit for purpose as the building needs significant maintenance. The polling station on the New Bermondsey site has been a beneficial way to get local residents to use the site and for them to start to thinking of the locality as a destination rather than exclusively an industrial area.

Sport-led Regeneration

- 3.65 Increasing levels of participation in sport and physical activity can contribute to improved health, lower worklessness, less crime, increased skills, stronger community identity and community cohesion. However, often sports facilities that meet local needs are not available in many deprived neighbourhoods, and a larger proportion of the population do not participate.
- 3.66 New Bermondsey offers a major benefit with a pioneering programme of sport-led regeneration. It aims to provide a hub of high quality, comprehensive facilities for elite athletes, as well as community-accessible sports, leisure and recreation facilities for residents and visitors.

Facilities at New Bermondsey

- 3.67 The scale and range of activities provided by the significant investment in sporting facilities at New Bermondsey has the potential to be a leading aspect in the regeneration of the wider area, including the redressing of current economic, social and health inequalities.
- 3.68 New Bermondsey will include Energize in phase 2, the largest community sports facility built in London for over 50 years, and provide a significant amount of floorspace dedicated to formal sport and recreation, which will include:
- A boxing gym with three rings and gym facilities; This will house the headquarters and centre of excellence for the London Amateur Boxing Association as well as a new home for 2 local and well established boxing clubs.
 - 25m x 6-lane swimming pool with disabled access and learner pool;

- Fitness suite with 150 stations, dance studio and weights;
- Changing rooms, office and teaching areas;
- 4G pitch for football, rugby and hockey – also housing the Millwall Community Scheme;
- 4 multi-use sports halls for badminton, basketball, netball volleyball, handball and indoor cricket
- A 3,000 seat event arena with retractable seating (converts to 3 sports halls when not in use);
- Café, crèche, sports shop, NHS community health service, boxing museum, bar and climbing wall;
- A table tennis centre for Fusion Table Tennis Club and regional offices for the English Table Tennis Association; and
- A gymnastics centre.

3.69 A London base for Onside, a charity who create state of the art youth clubs, called Youth Zones, which offering a wide range of sport, art and enterprise activities. This significant level of provision of high-quality sports facilities in an accessible, legible environment of public spaces will encourage residents and visitors to live healthier lifestyles and take part in community groups and events, helping to promote social inclusion and reduce health inequalities and lower than average sports participation rates.

3.70 The proposed location of all sports facilities in a single site within the development means that clubs and facilities can be comprehensively managed to make their operation more efficient. It also allows clubs and organisations within the new indoor sports complex to utilise the 3,000 seat multi-use auditorium for major matches and tournaments, thus affording the indoor complex and its tenants the potential to attract significant events and raise the profile of Lewisham as an elite sports hub.

Clubs, Organisations and Governance

3.71 The occupation of the various facilities by clubs has been seen to respond to a significant local need, with committed uptake of space from locally and regionally significant clubs such as London Thunder (basketball), Fusion Table Tennis, Lynn AC Boxing Club and Downside Fisher Boxing Club. Under the guidance of the Surrey Canal Sports Foundation, and with significant financial investment from the developer (Renewal) and Sport England, the sports facility is effectively fully let to a wide range of clubs and sports organisations and linked to local schools.

3.72 The Surrey Canal Sports Foundation provides a governance structure to ensure that the facilities remain for community use at local authority rates. It will be responsible for encouraging the tenant clubs to run their programmes in the local area and for increasing sports participation locally.

3.73 The Surrey Canal Sport Foundation, a registered charity (1141811), has been established to fund, build and run the sports facilities at New Bermondsey on a not for profit basis. The Foundation will ensure that the facilities are available to Lewisham and Southwark residents at local authority rates in perpetuity. The Foundation’s board members are:

- Steve Norris (Chair);
- Sir Steve Bullock, Elected Mayor of Lewisham;
- Cllr Peter John, Leader of Southwark Council;
- Baroness Grey-Thompson, Paralympian;

- Brendan Jarvis, Head of Real Estate for Barclays (Europe, Middle East and Africa);
- John Inverdale, Broadcaster; and
- Jordana Malik, Director of Renewal.

3.74 The Section 106 Agreement includes provision for a Sports Facilities Strategy, which will detail the operation and management of facilities from its inception. The sports facilities within the development will be managed by the Surrey Canal Sports Foundation, in partnership with voluntary and charitable groups that will serve the communities in Lewisham and Southwark.

3.75 All of the sports and leisure facilities will be based around clubs with some Regional and National Governing Body involvement and will also be accessible to local residents, clubs and schools. The co-location of the Millwall Community Trust within the facility, if they decide to move within Energize, will help to link the range of sports facilities to local people engaged by the current activities on offer.

Maximising Local Benefits - Participation

3.76 Renewal estimate that the facilities, coupled with improved accessibility to the area, have the potential to accommodate 18,000 local residents and visitors each week (at the same cost as local authority sports centres in Lewisham and Southwark).

3.77 Participation levels in disadvantaged areas and by certain sections of the community, including older people, people from black and ethnic minority groups and with disabilities, are lower than the national average. A range of important barriers prevent people from being active. These include personal attitude; beliefs and knowledge about sport and physical activity; time availability; affordability, lack of facilities, accessibility and environmental issues such as safety and the standard of the venue or facility.

3.78 Therefore, new sports facilities provided in regeneration schemes in deprived areas with low participation rates need to be promoted and managed in such a way that local people can fully access the benefits they provide. New Bermondsey has a governance structure focused on the local population through the Foundation, a pricing commitment to maintain affordability to all, and has already undertaken a detailed exercise in bringing to the Site existing sports clubs with local bases and schemes targeted at improving the rate of participation in hard-to-reach groups.

3.79 Community participation led by sports clubs in the new space will be critical in maximising the benefits to local residents. It is in the interest of these occupiers to encourage participation. London Thunder, for example, are already on-site and running a number of programmes specifically targeted at groups, including wheelchair basketball sessions, basketball camps, family events, healthy living advice vocational courses, pre-and post-session study clubs, sessions to support post-natal fitness and social integration, and specific sessions for older and younger people. The 'Hoops4Health' programme already links with 16 local schools in the area. Similarly, Fusion Table Tennis Club are also onsite delivering coaching and competition opportunities to local young people and adults in a 16 table centre.



Figure 5 Fusion Table Tennis Club and London Thunder Basketball Club on site today

Linking to Employment and Skills Development

- 3.80 As well as increasing participation levels, a range of work opportunities from voluntary, to entry-level, to management roles are likely to be generated by this regionally significant sports facility, and the specificity of many of the roles are likely to require the uptake of new skills and potentially qualifications for people employed here – providing a significant advantage in an area with a currently low skills base and level of qualification attainment. The sports facilities will provide new jobs (approximately 300 of the 2,000 total jobs created by the development) and volunteering opportunities suited to a local population with high youth unemployment and low qualification attainment.
- 3.81 The jobs provided will include professional sports managers, administrators and coaches, but also a lot of flexible employment, temporary, seasonal, part-time, and low-skilled positions. These facilities, by adopting a policy of local recruitment and training will provide opportunities for a range of flexible, entry-level positions that are particularly accessible to those just entering or returning to the labour market.
- 3.82 A number of higher-skilled roles will also be created, directly at the facilities but also attracted as a result of improved image of the area – helping to redress the current trend for higher skilled residents to leave the area for work.

Wider Economic Benefits of Sport

- 3.83 Sport England highlight that sport-related employment accounts for around 2.3% of all jobs in England (400,000+ jobs), and volunteering in sport has an estimated economic value of £2.7bn nationally¹¹. This puts sport within the top 15 sectors in terms of GVA nationally – it is also a sector that grew during the recent recession, highlighting its resilience. This is set against the economic value attached to health in terms of savings on public healthcare (The annual value of health benefits from people taking part in sport is estimated at £11.2 billion^{ibid}).
- 3.84 There has been broad evidence in recent history that sports venues can become the centrepiece of regeneration initiatives that seek to capture recreation, tourism and retail activity. A regionally important cluster of new sports venues and training facilities adding to the existing New Den and activities of the Millwall Community Scheme at New Bermondsey can create a new high profile sports destination for the Capital.
- 3.85 Investment in sporting infrastructure in cities over the past 25 years has not been primarily aimed at getting the local community involved in sport, but has instead been aimed at attracting tourists, encouraging inward investment and changing the image of urban environments experiencing deprivation and decline. In the British context, most of the urban areas following this strategy of using sport for economic regeneration have been traditionally industrial or manufacturing-based areas not normally known as major tourist destinations (e.g. Sport City in east Manchester), the decline of which has been the key driver to promoting the need for a new image and new employment opportunities.
- 3.86 Research¹² suggests that ‘sports tourism’ can have a significant economic impact, both directly through spending by visitors and participants to both public and elite events, and indirectly through raising footfall in an area and benefitting local retail and other commercial activities. There are several examples of venues

¹¹ Sport England / AMION Consulting (2013) Economic Value of Sport in England

¹² UK Sport (2004) Measuring Success 2: The Economic Impact of Major Sports Events; Higham and Hinch (2006) Sport and Tourism Research: A Geographic Approach; Higham (2001) Introduction to Sport Tourism Destination Analysis; Higham (2001) Introduction to Sport Tourism Destination Analysis

creating investment and jobs, expenditure and visitor stays by holding regionally and nationally significant events – much like will occur at the new facilities at New Bermondsey.

3.87 The kind of development at New Bermondsey complements the existing visitor draw of Millwall FC, and will encourage fans to remain in the area before and after events, raising the profile of the area and encouraging local spending on food, drink, accommodation and leisure. Significant elite sporting venues, such as The New Den (currently) and the planned 3,000 seat multi-use arena at Energize (in the future) can provide an anchor for the regeneration of New Bermondsey and will be complemented by the active street scene, retail provision, hotel and open space in the development. By raising the profile of the area as a destination, and a place that presents opportunities for supporting activities e.g. via the supply chain, this will raise the attractiveness to inward investment.

3.88 Because they are growth sectors culture, sports, arts and tourism are particularly beneficial to restructuring industrial areas that are seeking to diversify their economic bases, as is the case with New Bermondsey.

Research into Regeneration Benefits of Sport

3.89 Sport England produce a database of academic research into the value of sport across a number of themes via the ‘Value of Sport Monitor’. This includes detailed examples of site and development-specific studies into the extra income generated in areas that provide new sports facilities, and other non-monetary benefits for advancing regeneration¹³. While it is not appropriate to superimpose effects in other areas at other times on to New Bermondsey, the findings generally suggest that the area around New Bermondsey can broadly expect the following benefits from delivering a large, mixed use, high quality, accessible sports facility:

Table 3 – Research from Sport England ‘Value of Sport Monitor’

Crime Reduction and Community Safety	<ul style="list-style-type: none"> • Participation leads to reduced crime, drug use and ASB, especially effective in rehabilitating young offenders ^(e.g. 14) • Sports clubs and programmes targeted at hard-to-reach groups reduces crime and ASB rates in those groups ^(e.g. 15)
Economic Impact and Regeneration of Local Communities	<ul style="list-style-type: none"> • Sport-related sectors are highly productive in terms of GVA, are resilient to economic downturns, create a range of jobs with different skills requirements, generate supply chain benefits and economic benefits through volunteering ^(e.g. 16) • The economic impact of major events at venues creates local spending, accommodation demand and indirect employment and supply chain benefits ^(e.g. 17,18) • Local events and smaller events also generate footfall and income, often if they are in locations that are accessible and have secondary facilities to maximise secondary expenditure (cafes, shops) ^(e.g. 19,20)

¹³ <http://www.sportengland.org/research/benefits-of-sport/the-value-of-sport-monitor/economic-impact/>

¹⁴ Nichols, G and Taylor, P (1996) West Yorkshire Sports Counselling: Evaluation Report, Sheffield: University of Sheffield Leisure Management Unit

¹⁵ Sandford, RA; Duncombe, R and Armour, KM (2008) Evaluation of Two Sports Programmes Tackling Youth Disaffection and Anti-social Behaviour in the UK Educational Review, 60(4), 419-435

¹⁶ Gratton, C and Henry, IP (eds), Sport in the city: the role of sport in economic and social regeneration, London: Routledge; 2001, 35-45

¹⁷ Gratton, C; Shibli, S and Coleman, R (2010) The Economic Impact of 10 Major Sports Events in the UK, Sociological Review, 54(2), 41-58

¹⁸ Sport Industry Research Centre (2004) Measuring success 2: the economic impact of major sports events, London, UK Sport

¹⁹ Wilson, R (2006) The Economic Impact of Four Local Swimming Events, Managing Leisure, 11 (1), 57-70

	<ul style="list-style-type: none"> Indirectly, public healthcare costs are greater in areas with lower rates of participation ^(e.g. 21,12)
Education and Lifelong Learning	<ul style="list-style-type: none"> Sport participation, and engagement in sport through schools and youth clubs, can be an effective way of learning life-skills and improving academic achievement ^(e.g. 22,23) Sports offer different avenues to qualifications and employment, and opportunities for work experience and voluntary activity for young people ^(e.g. 24) Multi-functional sports centres with integrated facilities for clubs can be an effective way for engaging disaffected young people through both participation and also other educational and social support structures – some of these currently exist through the Millwall Community Scheme ^(e.g. 25)
Physical and Psychological Health and Wellbeing	<ul style="list-style-type: none"> Increased participation in sport can reduce incidence of preventable health problems including cardiovascular illness, mental health problems, particularly for those who would usually find it difficult to access facilities ^(e.g. 26,27) Having an accessible range of sports services locally also increases perceptions and awareness of wellbeing and the value of a healthy lifestyle among residents and visitors ^(e.g. 28,29)
Social Cohesion and Participation	<ul style="list-style-type: none"> Successful community-based schemes can engage hard-to-reach groups in the local community, develop peer relationships and key life skills and citizenship principles, encourage volunteering and link amateur and professional activity if delivered in a comprehensive mixed-use environment ^(e.g. 30,31,32) Well-managed and governed, publically accessible facilities can break down barriers to participation for minority groups including older people, BME and cultural groups, disabled people and young people ^(e.g. 33,34)

²⁰ Coleman, R and Ramchandani, G (2010) The Economic Benefits of Mass Sports Events, International Journal of Sports Marketing and Sponsorship, 12(1)

²¹ Pratt, M; Macera, CA and Wang, G (2000) Higher Medical Costs linked with Physical Inactivity, The Physician and Sportsmedicine, 2000, 28(10)

²² Papacharisis, V et al (2005) Effectiveness of a Sports-based Approach to Teach Life Skills, Journal of Applied Sport Psychology, 17, 247-254

²³ Shepherd, RG (1997) Effects of Daily Physical Education on Academic Performance in Primary Schools, Pediatric Exercise Science, 1997, 9, 113-126

²⁴ Sandford, RA; Armour, KM and Warmington, PC (2006) Review of Research on Engaging Disaffected Young People through Physical Activity, British Educational Research Journal, 32(2), 251-271

²⁵ Sharp, C et al (2003) Evaluation of a National Initiative to set up Study Support Centres in Sport Venues, Playing for success: an evaluation of the fourth year, National Foundation for Educational Research; 2003, Research report no 402

²⁶ Cooper RA et al (1999) Research Priorities on Physical Activity and Young Disabled People, Journal of Rehabilitation Research and Development, 1999, 36, (2), 142-154.

²⁷ Biddle, SJH, Gorley, T and Stensel, DJ (2004) Review of Evidence on Physical Activity and Health in Young People, Journal of Sports Sciences, 22, 679-701

²⁸ Chatzisarantis, NLD and Hagger, MS (2007) Contributions of Sports to Life Aspirations and Psychological Wellbeing, Journal of Sports Sciences, 25(9), 1047-1056

²⁹ Rendi, M et al (2008) Psychological Benefits of Aerobic Exercise, Psychology, Health and Medicine, 13(2), 180-184

³⁰ Dobosz, RP and Beaty, LA (1999) Links between Sport and Teenagers Leadership Skills, Adolescence, Vol. 34, no. 133, Spring 1999, pp215-220

³¹ Eley, D and Kirk, D (2002) The Impact of a Sport Volunteer Programme on Young Sport Leaders, Sport, Education and Society, 2002, 7, (2), 151-166

³² Coalter, F; Allison, M and Taylor, J (2000) The Role of Sport in Regenerating Deprived Urban Areas, Edinburgh: The Scottish Executive Central Research Unit

³³ Scott Porter Research and Marketing Ltd (2001) Sport and ethnic minority communities: aiming at social inclusion, Edinburgh: sportscotland, Research report no 78

³⁴ Groff, DG and Kleiber, DA (2001) Sport and Self Image Among Young People with Physical Disabilities, Therapeutic Recreation Journal, 2001, 35, (4), 318-332

Millwall Community Scheme– Lions Centre

- 3.90 Millwall Community Scheme have been active in promoting social inclusion in the local community via the Lions Centre for over 25 years, providing coaching sessions with community groups and schools among other educational and sports-based activities.
- 3.91 The existing Lions Community Centre will be re-housed in new, purpose-built accommodation within the sports centre. The Lions Community Centre is home to the Millwall Community Scheme, which provides opportunities for the local communities of Lewisham and Southwark to take part in sport, learn new skills, improve their health and find employment.
- 3.92 As part of the multi-faceted, regionally significant sports facilities, the Millwall Community Scheme has an opportunity to enhance its already excellent community activities (including training of sports coaches, running community clubs, delivering schools coaching sessions and organising community activities) locally and can benefit from highly accessible and top quality facilities on its doorstep.

Faith Centre

- 3.93 North Lewisham is a diverse area, with a significant representation across a number of different faiths and beliefs. The largest represented group is 'Christian' at over half of all residents in New Cross (Census, 2011), with a significant representation of residents without a religion, and a concentration of Muslim residents.
- 3.94 Through community consultation, Renewal identified that there are over sixty faith groups in unsuitable premises within a quarter of a mile of the New Bermondsey site – there is a huge growth in demand for religious facilities in the area. This was corroborated by the Council's Faith Officer, who identified that Faith Groups in the local area face difficulties in finding suitable property, acquiring leases and purchasing facilities.
- 3.95 As the first phase of the development it is critical to deliver a facility that is multi-functional, accessible to all members of the community and meets a number of basic needs, not just for faith but for voluntary and community groups, residents' associations and clubs. As such, the facility will provide an auditorium, meeting rooms, café and informal area to ensure that all groups can be accommodated for and have space to operate.
- 3.96 Given the demand for facilities, and the diverse nature of the area, it is key that any occupier of the facility is sensitive and understanding of the needs of the diverse local community and willing to play a role in the community. In selecting an occupier – from an initial list of 100+ faith groups – Renewal identified that there should be a strong local connection to London, a track-record of community initiatives, and an inclusive stance in terms of age, sex, sexual orientation, ethnicity, disability and beliefs. Based on these criteria, Hillsong were chosen as the preferred occupier, and both parties have shown their commitment to the local community by Renewal facilitating and Hillsong occupying the temporary occupation of part of the site prior to the completion of the new faith and community facility in Phase 1a.
- 3.97 Hillsong is a Pentecostal Church, with an established base in London and South East England, already having strong congregations in the West End, Kent, Surrey and on site. The monthly congregation at the temporary facilities at New Bermondsey is already 2,600-strong. In addition to regular services, Hillsong operate a number of community initiatives including:

- ‘Greenlight’ – a social justice initiative that sees a team of skilled volunteers go out onto the streets of London in the evenings on a medical van to offer minimal invasive medical care, and provide advice to rough sleepers;
- ‘I Care Revolution’ – the community youth arm of the church, which engages young people to overcome issues of deprivation;
- ‘Elderly Outreach’ - Hillsong London partners with Community Centres for the elderly. At The Platt Centre, Putney the Church assists those who attend the centre with everyday practical needs, such as home and garden maintenance, grocery shopping and transport. The Church host tea parties and social events to help make the elderly feel valued and connected;
- ‘Leadership Masterclass’ - A 14-week training program to develop and equip individuals for leadership; and
- ‘Financial Confidence Training’ - A free, financial course for those who desire to improve their personal budgeting skills and knowledge. The training is delivered to small groups with opportunity for one-to-one follow up session with a personal coach.

3.98 Additionally, the faith centre at New Bermondsey will house the South London Multi-faith and Multi-cultural resources centre previously housed at Kilmorie School, Forest Hill and currently in store in the Renewal offices.

3.99 This kind of facility will potentially play an important role in meeting the needs of local communities through primarily providing dedicated space for a faith group. The centre will potentially act as a base for a variety of temporary, part-time and permanent community services and will provide significant community services, many of which are aimed at or are particularly accessible to vulnerable people.

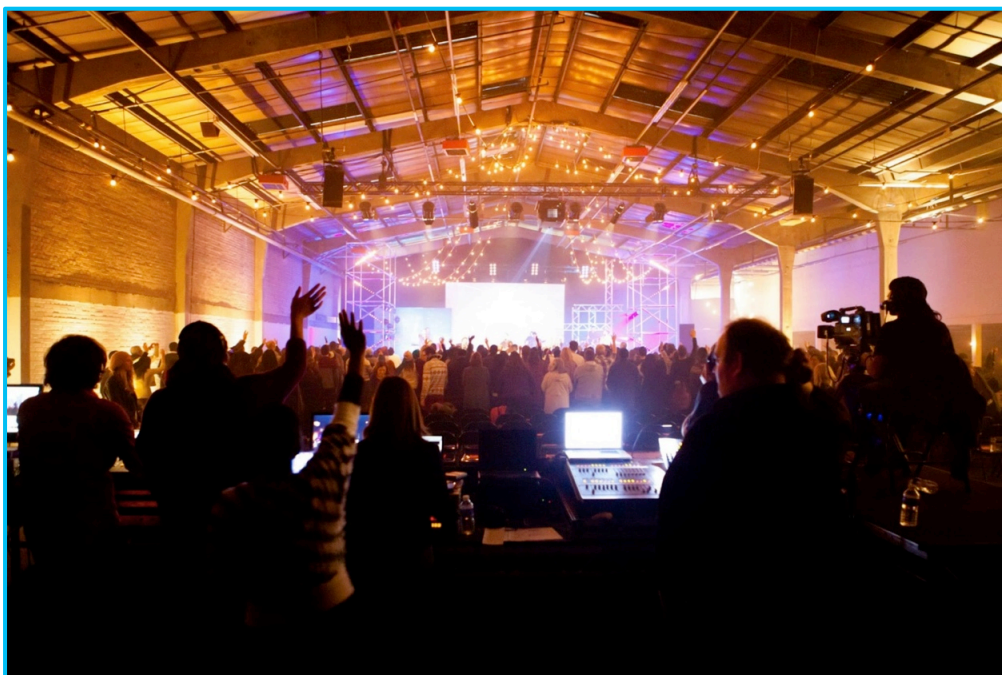


Figure 6 Hillsong Church on site today

Safeguarding and Enhancing Millwall FC

- 3.100 Millwall Football Club is an important asset to Lewisham, and a vital part of the cultural and community infrastructure of the wider area. Throughout the planning application process and beyond, Renewal have maintained an open line of communication with the Club and have sought to identify and mitigate any negative effects.
- 3.101 Through the development of New Bermondsey, Millwall FC will benefit from:
- External cladding of the New Den, to improve the exterior of the stadium in-line with the re-development of surrounding areas on the site;
 - The ability to extend capacity from 21,146 to 26,500 if required;
 - A new Overground station, two new bus routes and improved access to South Bermondsey station;
 - Re-provision of dedicated car parking facilities for matchday and non-matchday events and the re-provision of coach parking facilities for event days;
 - The provision of outside broadcasting facilities;
 - An attractive and vastly improved setting for the club, including a new boulevard running alongside the Barry Kitchener stand, Stadium Avenue and improved facilities for spectators;
 - Parking for police and emergency services;
 - The replacement of the groundsperson's accommodation; and
 - Sensitive management of the potential relocation of the Memorial Garden - A legal agreement (via Section 106) has also been put in place to confirm that Phase 4 of the construction of the development will not be started until either a) it is confirmed that the existing Memorial Garden on the site does not need to be relocated; or b) that a strategy is in place to replace and relocate the existing garden sensitively.
- 3.102 In considering Millwall FC's long history in the area throughout the outline planning process Renewal worked in partnership with Millwall FC in order to create an improved setting for the Stadium, with improved access, new transport links and better facilities for fans and visitors.
- 3.103 The comprehensive regeneration of the New Bermondsey site takes into account the long-term future of the football club including any future requirement for stadium improvement and expansion as well as transport infrastructure and allows for an increase in capacity of the Stadium from 21,146 to 26,500 if sought.



Figure 7 Millwall FC today

Health and Wellbeing

- 3.104 A central tenet of New Bermondsey’s vision is to tackle lifestyle driven health problems through a range of measures – both directly through the provision of a multi-functional health facility and high-quality, accessible sports facilities on-site, and indirectly through the provision of housing, open space, jobs and improved permeability and connectivity.
- 3.105 At present, New Cross and Lewisham suffer from a number of health inequalities – both in terms of public health indicators such as higher mortality rates and shorter life expectancy than London average, cardiovascular disease and obesity, and wider determinants such as participation in sport and physical activity.
- 3.106 New Bermondsey will include dedicated space for a new healthcare facility, with specification of services agreed through consultation with organisations responsible for the commissioning of healthcare facilities in Lewisham and Southwark. While the facilities are due to be delivered in the later stages of the development, continual engagement has been made with local public health authorities, and it is anticipated that the centre could include medical and dental surgeries, care in the community facilities, a pharmacy and a specialism in sports medicine, linked to Energize in phase 2, including diagnostics and rehabilitation.
- 3.107 As outlined at 3.65-3.92, New Bermondsey will also include a wide range of accessible sports facilities.

Wider Determinants of Health

- 3.108 Regeneration of New Bermondsey meets key target areas for reducing health inequality as outlined in Marmot Review of health inequalities³⁵.
- 3.109 Primarily, the ‘wider determinants of health’ include those factors not directly related to a health condition – but lead to health benefits through, for example, providing new housing, community facilities and local services, and opportunities for physical activity and outdoor recreation on health arising from the Development, as directed by guidance from the London Healthy Urban Development Unit (HUDU)³⁶.
- 3.110 The following categories are identified where New Bermondsey will have an impact on wider determinants of health and reducing health inequalities:
- **Housing** - Access to affordable, decent standard housing is essential to public health, particularly for vulnerable groups, for example disabled people and people with long-term health issues or illness limiting movement, older or young people, and low-income groups. New Bermondsey provides a significant addition to local housing stock in a range of tenures and sizes, meeting local need.
 - **Reduced Unemployment and Access to Work** - Access to employment and being in work can increase health and well-being, and make it easier to pursue a healthy lifestyle, with income being one of the strongest indicators of health and disease in public health research. Unemployment, conversely, is often related to an increased risk of poor physical and mental health and premature death. By creating a range of jobs and actively linking local people to opportunities through committed brokerage schemes, New Bermondsey will help to redress employment deprivation locally.
 - **Community Facilities and Public Services** - The inclusion of public services and infrastructure is paramount as part of new developments in order to build strong, sustainable and cohesive communities. Lack of availability and accessibility to municipal services such as libraries, health facilities, schools and childcare and community centres and social support can have a negative social impact on communities and affect both physical and mental health. New Bermondsey offers a significant quantity, range and access of community facilities as outlined to increase close access and participation and advance social interaction between and within groups in a safe environment.
 - **Early Years and Access to Education** – The link between education, a good environment for children to grow up in, and public health outcomes is reflected in the quality of development. A child’s physical, social, and cognitive development during the early years strongly influences their school-readiness and educational attainment, economic participation and health. New Bermondsey will include nursery/crèche facilities, and a contribution to mitigating the effect of residents of the development on the ability of local schools to meet demand for places.
 - **Physical Activity and Outdoor Recreation** - Reducing dependence on vehicles and providing secure, convenient and attractive public open space can lead to more physical exercise participation in local residents, and reduce the risk of negative health impacts associated with a sedentary lifestyle.

³⁵ Fair Society; Healthy Lives: The Marmot Review (2010)

³⁶ NHS London Healthy Urban Development Unit (2009) *Watch out for Health: A Checklist for Assessing the Health Impact of Planning Proposals*, NHS, London

Generally, good access to high quality environments for physical activity is associated with an increase in the frequency of its use. It is important that housing and streetscape design are considered as part of neighbourhoods that contribute towards building social relationships as positive contributions toward health. The New Bermondsey regeneration will substantially improve access within and through the area, provides legible, accessible and well-maintained open space and play space for children and a world-class outlet for physical exercise.

- **Resource Minimisation and Sustainability** - Climate change, and the effects of climate change, will have significant implications for the public health of communities at all scales. The design and construction aspects of the scheme can help to mitigate both the impacts on residents of the Development, and the wider community. New Bermondsey will build on locally existing capacity – SELCHP currently provides power, but will also provide heat to all homes created in the development.
- **Crime Reduction and Community Safety** - Crime related injury is a significant public health problem in itself. In addition, the perception and fear of crime reduces social solidarity, and has an adverse psychological impact which can lead to mental health issues and subsequent physical illness associated with a lack of access to services and facilities, a lack of social interaction, and a sedentary lifestyle, which can disproportionately affect vulnerable people such as the elderly or disabled or people experiencing hate-crime including gay people and ethnic groups.

By enhancing the physical environment and providing an active street scene and built-in measures such as lighting and CCTV, with numerous community facilities, New Bermondsey will help to reduce the perception of crime and improve the perception of safety for all groups.



Figure 8 The poor quality environment today leads to perception and fear of crime

Overall Public Benefit

- 3.111 New Bermondsey represents an opportunity to address the socio-economic challenges outlined above by delivering a comprehensive mixed-use regeneration project that can provide a step-change in both the perception of the area and the realities faced by local residents.
- 3.112 The offer of increased accessibility, jobs and business space accessible to local people and fostering entrepreneurship and skills development, and new homes in a range of tenures can provide major public benefits to existing residents as well as occupiers of new space in the future.
- 3.113 This is set in the context of a regionally-significant range and quantum of sports facilities, and other beneficial and inclusive community facilities and accessible urban environment.



Figure 9 The Masterplan

4 EQUALITY AND PROTECTED CHARACTERISTICS

- 4.1 This section considers the regeneration benefits of the scheme in the context of their effect on equalities groups, or protected characteristics as defined by the Equality Act 2010.
- 4.2 A full analysis of baseline data, using publicly accessible datasets for a number of socio-economic indicators including all protected characteristics, is included at PART 2 of this report for reference.

Construction Activity

- 4.3 The 8-year construction period has the potential to lead to local effects on amenity, disruption to access and services, and environmental effects for protected groups, particularly older people, disabled people and those with long-term life-limiting illness.
- 4.4 This will be a temporary effect, and will be mitigated through construction activities being subject to a Site Wide Code of Construction Practice (COCP) which will be prepared in consultation with the Council and is committed to in a Section 106 Agreement. These elements will include the following environmental management control measures to minimise and where possible negate adverse effects, meeting required standards as identified in the consented outline planning application and committed to be requirements and obligations:
- Dust suppression and air quality controls;
 - Noise and vibration techniques;
 - Waste management and recycling strategy;
 - Results of site investigations and proposals to deal with environmental issues;
 - Site management requirements to deal with environmental issues; and
 - Construction logistic proposals.
- 4.5 The impact on amenity for particularly sensitive groups will therefore be mitigated by monitoring the effects of the construction activities, identifying where unacceptable impacts may occur and implementing appropriate schemes to reduce the impacts.

Summary:

Potential effect on equalities groups or protected characteristics	Temporary construction noise, disruption to access and services can disproportionately affect older people, disabled people and those with long-term life-limiting illness if not managed adequately.
New Bermondsey	Any potential negative effects will be mitigated by: <ul style="list-style-type: none"> • Stringent monitoring and implementing environmental management measures as secured in the COCP and Section 106, including: <ul style="list-style-type: none"> ○ Dust suppression and air quality controls; ○ Noise and vibration techniques; ○ Waste management and recycling strategy; ○ Results of site investigations and proposals to deal with environmental issues; ○ Site management requirements to deal with environmental issues; and ○ Construction logistic proposals.

Housing

- 4.6 Access to affordable, decent standard housing is essential for building sustainable communities and reducing pressure on housing waiting lists, offering more opportunities for vulnerable groups (e.g. older people, younger people, low-income households) to improve their standard of living. At present, the local area faces problems in terms of overcrowding, a long housing waiting list and unaffordability.
- 4.7 Adding affordable, well-designed housing is also essential to reducing health inequalities, particularly for vulnerable groups, for example elderly or young people, and low-income groups. The Marmot Review into Health Inequalities (2010) identified that bad housing conditions – which also includes factors such as homelessness, temporary accommodation, overcrowding, insecurity, and housing in poor physical condition – constitute a risk to health, and this is most likely to affect the more vulnerable groups in society.

Accessible Homes

- 4.8 The area around New Bermondsey has a high proportion of residents claiming Employment Support Allowance due to disability (6.8% of local residents – May 2015); and according to the 2011 Census, around 6% of all residents in New Cross identified that day-to-day activities were limited a lot by long-term illness or disability.
- 4.9 All new homes at New Bermondsey will meet Building Regulations 2010 Part M (2&3) Schedule 1 requirements and be built to Lifetime Homes standards as a minimum, with at least 10% of all units provided across all tenures throughout the Proposed Development will be wheelchair accessible or designed so as to be easily adaptable for wheelchair users or people with impaired mobility, and will accord with the standards set out in the South East London Housing Partnership Wheelchair Homes Design Guide (2009) or other guidance/standards as agreed with the local planning authority over time, including the London Plan Policy 3.8, the Mayor's Housing SPG, and the Draft Interim Housing SPG (2015). The Draft Interim Housing SPG requires that from October 2015 90% of homes should meet building regulation M4 (2) – 'accessible and adaptable dwellings'.
- 4.10 The approved range of dwelling sizes and tenure mix (private, intermediate and social rented) and commitments to meeting accessibility standards, and the provision of wheelchair accessible and easily adaptable housing – controlled by the planning conditions and obligations agreed as part of the planning permission granted – provides a positive benefit in terms of housing accessibility and accords with requirements of Lewisham's Core Strategy and housing policies in the London Plan.
- 4.11 The design standards will anticipate the needs of current and future residents and visitors with disabilities, older people with limited mobility, and other groups such as parents with children.
- 4.12 Given that New Bermondsey will bring forward a significant number of new, accessible homes (many likely to be in the private rented sector) and flexible business space, given rates of background turnover in the private rented sector, this impact is likely to be minimal.

Summary:

<p>Potential effect on equalities groups or protected characteristics</p>	<p>New homes should account for different accessibility needs, including those shared by disabled people, older people, people with limited mobility, and parents with children.</p>
<p>New Bermondsey</p>	<p>New Bermondsey will provide a significant uplift in homes, that will:</p> <ul style="list-style-type: none"> • Meet meet Building Regulations 2010 Part M (2&3) Schedule 1 and be built to Lifetime Homes standards as a minimum; • Meet the requirements for accessible and adaptable dwellings in the Draft Interim Housing SPG; • Include at least 10% of homes across all tenures that are wheelchair accessible or designed according with current and future standards so as to be easily adaptable for wheelchair users or people with impaired mobility; <p>These elements are secured through the Section 106 Agreement.</p>

Existing Live/Work Premises

4.13 Renewal and the Council have engaged with the owners/occupiers of the two live/work units (one of which is occupied and one of which is vacant) throughout the planning application and consultation programme, and have engaged in discussions regarding the proposed development and the CPO as required by the CPO process.



Figure 10 Existing Live/work premises

4.14 Through this engagement, Renewal has been able to ascertain the protected characteristics of any occupiers that have the potential to lead to an adverse effect from the process, and develop measures to ensure that the process does not discriminate against owners/occupiers on this basis. The following actions have been taken:

- At the request of owners (at a meeting on the 20 July 2016), Renewal will prioritise contact where an owner/occupier’s preference is for verbal or text communication during negotiations (instead of by email or written communication), where a protected characteristic may present difficulties for people engaging with consultation materials and other communication in order for this not to be a barrier to their engagement in the process or reflect unfairly on their identified protected characteristic(s).
- As advised by owners/occupiers consulted, any meetings can be requested to be held at a neutral venue in order not to adversely affect protected characteristics.
- Renewal has paid for owners/occupiers with protected characteristics to receive independent valuation advice and suggested that the independent advisors could undertake negotiations on the interest holder’s behalf to reduce any adverse effects on people, caused by the process, that are exacerbated by a protected characteristic.

4.15 Any existing tenants operating businesses or commercial activities from live/work units will also be subject to mitigation secured in the S.106 Agreement, specifically via the Relocation Strategy (summarised at paragraph 4.33 of this document) in relation to their business activities.

Summary:

<p>Potential effect on equalities groups or protected characteristics</p>	<p>The development will require the removal of two live/work units in Excelsior Works.</p> <p>Negotiations are underway with owners/occupiers of the occupied live/ work unit with regard to the purchase of the property by Renewal. Through consultation, Renewal has been able to identify the owner’s protected characteristics that may be affected by the process and develop and agree processes to alleviate any undue adverse effects related to these characteristics.</p> <p>Measures are also in place to assist in the relocation of the commercial/business activities of live-work tenants, detailed in the following section.</p>
<p>New Bermondsey</p>	<p>New Bermondsey will:</p> <ul style="list-style-type: none"> • Bring forward a significant uplift in new homes in the area – with up to 2,400 new homes on the site.

Tenures and Allocations

4.16 Social rented units in a range of sizes will be provided at New Bermondsey, with the allocation of these dwellings subject to the usual legal protections on equalities as applied by the Local Authority or commissioned housing management company under the Housing Act and Lewisham’s Housing Allocation Scheme Policy (October 2012). Housing allocations in Lewisham are intended to prioritise vulnerable groups including people with medical needs and disabilities, or those moving due to racial, sexual or other harassment.

4.17 While not discriminating in favour of any particular group, the allocation of social housing to reflect need can be expected to offer significant benefits to children, pregnant women, and also Black, Asian and Minority Ethnic (BAME) residents (groups identified as experiencing disproportionately high rates of housing need). By the nature of its location and the ethnic make-up of the local population, provision of social rented

housing at New Bermondsey would be expected to have a beneficial effect on alleviating the housing problems faced by some residents with protected characteristics.

4.18 The latest available lettings data³⁷ shows that 36% of all people placed in social rented accommodation in Lewisham from 2002-7 were children (compared to approximately 20% of the general population of the borough who are children), and that 50% of all lettings were to families. As such, provision of new social housing will be expected to benefit children, pregnant women, disabled residents and families. Lettings policies prioritise the re-housing of families living in temporary, unfit, overcrowded or unsuitable accommodation.

Summary:

<p>Potential effect on equalities groups or protected characteristics</p>	<p>The tenure mix of new homes can help to ensure benefits to equalities groups and those with protected characteristics including disabled people, older people, BAME groups, younger people and other vulnerable groups</p>
<p>New Bermondsey</p>	<p>New Bermondsey will deliver a significant uplift of 2,400 new homes, which will:</p> <ul style="list-style-type: none"> • Be in a range of tenures including affordable tenures that are particularly sought after and beneficial to vulnerable people, families, those in housing need and groups with protected characteristics; • Include social rented homes that will be subject to legal protections (including those in the Housing Act and Lewisham Council’s allocations policies) on lettings so as not to discriminate against any groups.

Employment

4.19 The needs of unemployed and economically inactive residents locally differs from other areas, partly due to the demographic profile – there are a higher number of students, a younger population with shorter duration of JSA claims, and a different profile of occupational skills, including between men and women.

4.20 Some protected groups may be unevenly represented in terms of barriers to accessing work, skills and qualification level, language and cultural factors, family requirements and need for flexible and/or part-time working. For example, in Lewisham and London, BME groups account for around a third of all JSA claimants. In Lewisham, the breakdown of BME JSA claimants is weighted towards ‘Black and Black British’ and ‘Asian’ groups compared to the London average. There are also inequalities in terms of gross earnings between Lewisham and London, including between men and women – with earnings lower in Lewisham than London average for both sexes.

4.21 When New Bermondsey is operational, with a mixture of retail, commercial, hospitality, community and healthcare uses, it will offer a range of different jobs with different skill levels, and there will be many uses that will provide opportunities for local people requiring entry-level jobs. It is anticipated that there will be around 2,000 new jobs created by the development, compared to 366 currently on-site.

4.22 The retail and hotel floorspace will be particularly important for local employment as it provides many opportunities that are suitable for people without high level qualifications. Such employment is therefore of particular benefit to local deprived areas, with a high proportion of BAME residents, unemployed residents and people looking for flexible, entry-level work including people returning to work. In addition, research by

³⁷ CORE Lettings, National Housebuilding Federation

the GLA (2006)³⁸ found that retail jobs in London go disproportionately to a number of key equalities groups, including young people, women, and BAME people.

- 4.23 As detailed in the outline Planning Application, the benefits of a large construction project such as this will be enhanced by tapping into jobs brokerage schemes for local unemployed people, and by fostering links with young people in local education institutions to give them the opportunity to learn important skills while being offered the chance to earn money close to where they live. To this end, Renewal have consulted with the Council’s Local Labour and Business Co-ordinator and prior to the Outline Planning Application met with the New Cross-based 170 Community Project who run training and access to employment courses for the local community, the New Cross Gate NDC and Action 4 Employment (now trading as PeoplePlus) about ways in which the scheme can enable local residents to access the job opportunities at New Bermondsey.
- 4.24 Additionally, the proposals for New Bermondsey include a commitment, via Section 106, to fully participate in the Local Labour and Business Scheme, and to achieve a target of at least 50% employment of local people and businesses through a Local Employment Strategy which sets out reasonable endeavours to promote and recruit employees, contractors and suppliers from Lewisham during the construction and operational phase of the development to ensure that benefits are felt locally.
- 4.25 As such, the proposals offer significant benefit to protected groups through the creation of jobs that meet skills and operational needs, and these benefits are ensured and enhanced through committed brokerage schemes tailored to local ‘hard to reach’ groups.

Summary:

<p>Potential effect on equalities groups or protected characteristics</p>	<p>Creating new jobs provides social and economic benefits to current and future residents and can be enhanced to improve employment and skills development opportunities of all equalities groups.</p>
<p>New Bermondsey</p>	<p>New Bermondsey is a long-term project that will:</p> <ul style="list-style-type: none"> • Create up to 470 FTE jobs in a range of sectors in the construction phase; • Create and support up to 2,000 jobs in a range of business, retail, service and other sectors when the development is complete - This is a significant number and range of jobs including different skill level and flexibility, suitable for different groups and needs of protected groups; • Ensure the continuation of jobs at Millwall FC and the Lions Community Centre within the site; • Commit to brokerage schemes via Section 106 Agreement to match jobs with local employment and skills needs;

Existing Businesses

- 4.26 Some protected characteristics of business owners could have the potential to unfairly affect their ability to engage with the CPO, compared to those without those protected characteristics.

³⁸ Retail and the Labour Market – Retail in London: Working Paper E, 2006

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

Date of Meeting	7 th September 2016
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Title of Report	Resettlement of Syrian Refugee Households
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Originator of Report	Genevieve Macklin	Ext. 46046
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 26.08.2016

Signed:  Director/Head of Service

Date 26.08.2016

Control Record by Committee Support

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

MAYOR AND CABINET			
Title	Resettlement of Syrian Refugee Households		
Key decision	Yes	Item no	
Wards	All		
Contributors	Executive Director for Customer Services		
Class	Part 1	07 September 2016	

1 Summary

- 1.1 In 2015 the Government pledged to resettle 20,000 Syrian refugees in the UK over the course of this parliamentary period. Progress is being made nationally in meeting this target by the end of March 2016 2,400 Syrians had been resettled in the UK across 71 local authorities under the Home Office's Syrian Vulnerable Persons Relocation Scheme (VPR), and to date 50 households have been resettled in London. It is currently estimated that pledges have been made nationwide to resettle 10,000 Syrian refugees.
- 1.2 In response to the Prime Minister's announcement the Mayor of Lewisham published a statement confirming the council's commitment to preparing for and receiving Syrian Refugees. Lewisham is an ethnically diverse borough and has experienced many waves of migration. Roughly half of Lewisham's population is Black or Minority Ethnic making it a borough with experience of accommodating the cultural needs of diverse groups.
- 1.3 The Government has put in place a funding offer to local authorities that contributes towards the costs of delivering support and other services to refugee households. The Home Office have set standard financial support rates for each eligible beneficiary, funding is also available to cover the cost of educational needs of children and additional funding may be available for those with additional health, care and educational needs. All resettled refugees are granted five years Humanitarian Protection Status and have access to public funds and the labour market. The Government has indicated that at the end of the five years, households will be eligible to apply for permanent residence in the UK.
- 1.4 This report seeks approval for the resettlement of up to 10 Syrian refugee households initially in Lewisham and for coordination of tendering and appointing associated resettlement support services.

2 Purpose of Report

- 2.1 To seek Mayor and Cabinet approval for the resettlement of up to 10 Syrian

refugee households in Lewisham

2.2 To outline the proposed Lewisham Syrian Refugee Offer on resettlement and support

2.3 To recommend the tendering and appointment of resettlement and support services

3 Recommendations

It is recommended that the Mayor

3.1 Notes that the Council is responding to the ongoing humanitarian crisis caused by conflict in Syria by resettling up to 10 Syrian refugee households in Lewisham.

3.2 Notes the outline timetable for receiving the first households and overall participation in the Syria Vulnerable Persons Relocation scheme.

3.3 Notes that the Lewisham Syrian Refugee Offer at Appendix 1 sets out that accommodation will be procured from the private rented sector, the local community and/or voluntary sector agencies to accommodate Syrian refugees.

3.4 Notes that the Lewisham Syrian Refugee Offer proposes the tendering and appointment of a support resettlement service.

3.5 Approves the Syrian Refugee Offer attached at Appendix 1.

3.6 Agrees for the Syrian Refugee Offer to be referred to Full Council on 21 September 2016.

3.7 Delegates responsibility to the Executive Director for Customer Services to enter into a formal agreement with the Home Office to resettle up to 10 Syrian refugee households in Lewisham

3.8 Agrees the budgetary provision of £50,000 for contingency costs and administration of the Lewisham Refugee Offer

4 Background

4.1 Conflict in Syria began over 5 years ago and continues today with no signs of imminent resolution. Since the conflict began in March 2011 more than 250,000 Syrian people, predominantly civilians have been killed. It is estimated that over 4.5 million Syrian people have fled the country since the start of the conflict, one of the largest refugee exoduses in recent history. In September 2015 the Prime Minister announced that the UK Government would resettle 20,000 Syrian refugees by 2020 under the Home Office's Syrian Vulnerable Persons Relocation scheme, known as the Syrian Resettlement Programme (SRP). As of March 2016 just over 2400 Syrian refugees have been resettled in the UK, and 50 of these households have been resettled in London.

4.2 The SRP involves central government working with United Nations Human

Rights Council (UNHCR) to identify the most vulnerable Syrian refugees who have already fled Syria and sought temporary refuge in a neighbouring country. The SRP is based on a household's needs, and prioritises the resettlement of those who cannot be supported effectively in their temporary host country and who are unable to return to Syria. The Home Office will carry out medical and security checks and then route cases to participating local authorities, to either accept or reject.

- 4.3 The Government has committed to provide funding to contribute towards covering the costs of resettling refugees in the UK from the international aid budget. At the 2015 spending review the Chancellor announced the provision of an estimated £460 million over the spending review period to cover the first 12 months' costs under the scheme. The Government has committed a further £129 million to assist with local authority costs over years 2-5 of the scheme. Further funding will be available for "extreme" high cost cases where there is a severe disability or care need. Syrian Refugees are given Humanitarian Protection status for 5 years under the SRP and are entitled to work and claim welfare benefits.
- 4.4 In order to ensure the effective integration of resettled Syrian refugees, local authorities wanting to participate in the SRP need to be able to meet the Home Office's Statement of Outcomes for the programme which includes:
- Meeting and greeting refugees as they arrive at airports, escorting them to properties and briefing them on the use of amenities
 - The provision of suitable, affordable and sustainable accommodation which meets the local authority's standards and is available for at least one year. Accommodation is to be basically furnished and supplied with essential white goods
 - Welcome packs on arrival including basic groceries, clothing and a £200 cash payment per eligible household member
 - The provision of a case work support service to signpost and coordinate education, welfare claims, employment and other integration services set out in individual "personalised support plans"
 - Access to ESOL courses and translation services

5 London Context

- 5.1 London Councils and the GLA have been in discussions with Government regarding concerns that the current funding settlement for the SRP will not meet the accommodation, support and living costs of resettled households in London despite recourse to public funds. There has been no confirmation to date of any additional funding for London.
- 5.2 London has a proud history of providing refuge to those seeking sanctuary but faces a unique set of challenges when considering resettling Syrian refugees. London is a multicultural city where cultural diversity thrives and would be able to meet the social and cultural needs of Syrian refugees; however, due to chronic shortages of housing, London boroughs already struggle to find affordable accommodation for those currently in housing need. 50,000 homeless households are currently living in temporary accommodation predominantly in

the private rented sector (PRS) across London.

- 5.3 The Home Office has indicated that accommodation sought for Syrian refugees should be at Local Housing Allowance (LHA) rates; in London the majority of PRS rents are above LHA. The number of 2 bedroom properties available to rent in Lewisham at LHA in the PRS decreased from 18 in November 2015 to 8 in May 2016, a pattern which is reflected across property sizes in the borough. In addition to the lack of affordable accommodation, caps to welfare benefits make it increasingly unaffordable for large families requiring 3 or more bedrooms to live in London. In response to this, the Home Office has agreed with the UNHCR to re-model the cohort profile of Syrian refugees so that London resettles smaller families and people with more complex needs.
- 5.4 The Home Office has suggested that 2,500 households are resettled in London. So far in London, 50 households have been resettled by the boroughs of Islington, Barnet, Kingston, Hackney, Lambeth, Camden and Kensington and Chelsea. Accommodation has been provided in the private rented sector with a growing number of properties offered through Citizens UK and other voluntary sector groups.

6 Lewisham’s Offer

Councillor Kevin Bonavia, Cabinet Member for Resources, has been given special responsibility to lead on the resettlement of Syrian refugees in Lewisham and has been liaising with Lewisham community groups in order to develop an achievable outcome. On 13 July 2016, the Council hosted an event for Lewisham community groups to address the issue of asylum seekers, refugees and migrants in Lewisham. The event looked at current practice in working with refugees in Lewisham and the experience of the London Boroughs of Islington and Tower Hamlets as well as the support available from the local voluntary and community sector. At the meeting it was agreed that a Lewisham Syrian Refugee Offer would be developed and that voluntary sector and community sector offers of support and sharing of information would be coordinated through the development of a Directory.

- 6.1 Lewisham would like to put in place arrangements to initially resettle up to 10 Syrian households. Lewisham will develop a Syrian Refugee Offer Policy in line with current guidance provided by the Government and will work in partnership with local community groups, the GLA and other London boroughs participating in the SRP. The detail of the outline offer is contained at Appendix 1.
- 6.2 The outline timetable for accepting and resettling cases is set out below. Once a household is accepted, then it is typically 6-8 weeks before their arrival. Coordination support and commissioned support services need to be in place ahead of arrival in the UK.

Time Table for Lewisham Syrian Refugee Resettlement	
Date	Activity
September 2016	<ul style="list-style-type: none"> Enter into formal agreement with the Home Office post Full Council meeting

	<ul style="list-style-type: none"> Establish a multi-agency support panel (including housing, health, DWP, education, resettlement, support service provider and other third sector agencies)
October – December 2016	<ul style="list-style-type: none"> Procure resettlement services Work with the Voluntary Sector, Landlords and agencies known to the Council to identify suitable accommodation at LHA rates
January – March 2017	<ul style="list-style-type: none"> Agree households with the Home Office Begin accepting Syrian refugee households

6.3 Accommodation

Accommodation for Syrian refugees in Lewisham will be sourced from the PRS and from offers of community support in line with the approach of other participating London boroughs. There are currently just under 1,800 homeless households in temporary accommodation in Lewisham, 400 of which are placed in accommodation outside of the borough. All London boroughs who have accepted Syrian refugees as part of the SRP to date have accommodated households in PRS accommodation rather than social housing. High demands on social housing from homeless families waiting in temporary accommodation for many years and the limited 5 year Humanitarian Protection Status awarded to Syrian refugees makes PRS the most appropriate offer of accommodation in London. For Syrian refugees resettled in London, PRS accommodation is likely to be their long term housing option if permanent residency is sought beyond their initial 5 year Humanitarian Protection Status. By placing Syrian households in the PRS from the onset, families will be better able to manage and sustain their accommodation independently in the long term.

6.4 There is a significant gap between the Local Housing Allowance (LHA) entitlement payable to welfare benefit claimants and the market rents charged in the PRS in Lewisham. Shortfalls in accommodation costs for Syrian refugees would need to either be paid for through the local authority settlement received for the household, reducing the amount available to spend on support, or through the council's existing DHP budget or general fund sources. The table below illustrates the difference between market rents and LHA in Lewisham.

	1 Bed	2 Bed	3 Bed	4 Bed
Median Weekly Rent - Lewisham	£252	£300	£386	£462
LHA Rate - Inner SE London	£204	£265	£331	£417
LHA Rate - Outer SE London	£161	£198	£242	£313

6.5 In addition to LHA restrictions from the 7th of November the benefit cap will be reduced to £442.31 per week for couples with children in London. LHA for a 4 bedroom property in parts of Lewisham in the Inner South East London area is £417 per week, making larger properties unaffordable for households dependant

on welfare benefits. In order to access affordable PRS accommodation it is recommended that Lewisham council accommodate households with no more than a 3 bedroom need.

- 6.6 The Home Office has categorised households into needs groups and is asking local authorities to indicate the category of household they are able to accommodate in their borough. The categories of household are as follows:

Category	Household Type
1	Non-complex Case: those with no special needs or requirements
2A	Mobility Issues: people who are wheelchair users or who have other disabilities including missing limbs or those who have restricted movement
2B	Serious Medical: people who require surgery or ongoing medical treatment for life threatening conditions (e.g. cancer, dialysis)
2C	Psychological: people suffering from mental illness or those where a need for immediate psychological support is specified in the HAP
2D	Special Educational Needs: children with disabilities or learning difficulties
3	Large Families: family groups made up of 7 or more people

- 6.7 Dependant on the type of properties procured Lewisham is proposing to accommodate households in all categories except category 3 due to difficulties in procuring large family properties at LHA in the borough.

- 6.8 Lewisham’s agreement with Government means the Council will be responsible for the resettlement of Syrian refugee households in the borough.

- 6.9 Issues of affordability of PRS accommodation in Lewisham mean that it is necessary to harness increased levels of community compassion when sourcing accommodation for Syrian refugee households. Offers of accommodation from the local voluntary and community sector have already been made to Lewisham and will be assessed for suitability. Any offer of accommodation from the local community needs to be independent, self-contained, available to rent at LHA or below and meet with the suitability standards of both the local authority and the Home Office.

6.10 Resettlement support

In order to meet the Government requirements for resettling Syrian refugees in Lewisham the Council must provide a meet-and-greet service for new refugees and ongoing integration, housing, care and educational support for a period of at least 12 months.. It is thought that initial intensive support will be required, but that support will taper as households become more integrated into the local community. In order to provide both initial and ongoing support to Syrian refugees, the Council will need to develop a service specification, put out to tender and commission support services. Additional resources may also be

needed to ensure ESOL provision meets a household's integration needs.

6.11 Lewisham has an active and engaged voluntary and community sector willing to support the integration of Syrian households resettled in Lewisham. A directory of support is being developed to manage offers of support and donations from the local community. The Council will be responsible for coordinating support from the local community and voluntary sector, ensuring that wherever possible additional resettlement needs are met through the local community. On the 19th July the Government launched a Community Sponsorship Scheme with a digital register for people who wish to offer donations such as cooking equipment or brown goods. This service may also help coordinate local community donations.

6.12 Beyond Year 5

Syrian Refugee households accommodated under the SRP will be granted Humanitarian Protection Status for 5 years, at the end of this period they will be entitled to apply for Indefinite Leave to Remain (IDLR). High needs households may be less likely to access the labour market and become self-sustaining in the 5 year period. If their application for IDLR is refused then there is a risk that households will have no recourse to public funds, resulting in additional costs to the council.

7 Equality Impact Analysis

7.1 The main impacts identified are that the SRP in Lewisham will have a positive equality impact primarily on BME communities, as all refugees being resettled will be from BME backgrounds. The SRP will offer those who are resettled the only chance of a durable solution to their protracted situation. Refugees may also have other protected characteristics, which may be relevant to their resettlement need, and this would be addressed as part of the individualised support they receive, for example, some of the refugees who are resettled may have suffered persecution on the basis of their sexuality or religion.

8 Financial Implications

8.1 The Government has set aside a basic amount of just over £20,000 in resettlement funding per household member across 5 years to be paid directly to local authorities. The following table shows the profile of the funding over the five years. Funding will be tapered from year one reducing to £1,000 in year 5 of the resettlement programme. Local authorities will be free to decide how best to use the funding in years 2-5.

Syrian Resettlement Programme – Local Authority Settlement Years 1-5						
Year	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Funding Per Person	£8,520	£5,000	£3,700	£2,300	£1,000	£20,520

8.2 In year one, funding will be made to local authorities throughout the first 12 month period in arrears after a household has been accepted with 40% of expected yearly costs for each individual to be authorised on the day of arrival and paid to the Council within 30 days. The remainder will be paid in arrears in two equal instalments at the end of the fourth and eighth month. This funding covers a range of expenditure including the following

- any shortfall between rent charged and Local Housing Allowance
- furniture, white goods, soft furnishings
- initial cash payment and grocery welcome pack
- Local authority coordination, finance and administration
- Caseworker
- English as a second language (ESOL) tuition/support costs

8.3 In addition to the basic amount of funding per individual household member, there will also be additional funding for education costs for children as set out in the following table. The funding is provided in the first year only for children aged between 5 and 18 years old (£4,500) and for children aged 3 to 4 years old (£2,250). This will be paid to the local authority and passed on to schools and is above the funding provided to schools per pupil by the Department of Education. Additional funding is also available for exceptional circumstances or “high cost cases” for educational purposes for children under the age of 18 on a case-by-case basis.

Syrian Resettlement Programme - Local Authority Settlement 2016/17					
Local Authority Costs	Adult Benefit Claimant	Other Adults	Children 5-18	Children 3-4	Children under 3
	£8,520	£8,520	£8,520	£8,520	£8,520
Education	£0.00	£0.00	£4,500	£2,250	£0.00
Total	£8,520	£8,520	£13,020	£10,770	£8,520

8.4 Funding for Social Care

The Home Office have advised that there is additional funding available for “high cost cases” where there are compelling circumstances that require additional social care costs. These costs can be requested on a case by case basis and will be assessed individually by the Home Office. Information on funding levels and demand for additional funding is not yet available. Individuals granted Humanitarian Protection Status are not able to claim Personal Independence Payment (PIP) or Disability benefits for the first two years of residency.

8.5 Funding for Primary and Secondary Medical Care

Funding for primary and secondary care will be paid directly to local CCG by the Government. CCG’s will need to apply for medical care costs per household and can claim £600 per person for primary medical care costs and £2000 per person for Secondary care costs.

8.6 Overall Funding

Initial modelling suggests that, with careful budgeting and control of costs, the funding available may cover the indicative set-up costs of the families; however, the modelling is at a very early stage and so, in order to allow for some flexibility and ensure a successful start, a sum of £50,000 will be held in reserve as a contingency to cover additional costs should they arise.

9 **Legal Implications**

9.1 Participation in the Syrian Vulnerable Persons Relocation Scheme (SVPRS) is voluntary and is a matter for decision by each local authority. The Home Office has issued clear requirements of authorities which decide to contribute to the programme, and any Local Authority which agrees to resettle refugees under the SVPRS must satisfy the Home Office that they have the relevant services and infrastructure in place.

9.2 There is no statutory duty for the Council to participate in the resettlement programme although mandatory quotas could be introduced, for example through the Immigration Bill 2015/2016, in the event there are not enough places available nationally.

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

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

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

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

9.6 The Equality and Human Rights Commission issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but

nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

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

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

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

10 Crime and Disorder Implications

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

11 Environmental Implications

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

12 Background documents and originator

12.1 Syrian Vulnerable Person Resettlement (VPR) Programme, Guidance for local authorities and partners, The Home Office, 28th October 2015

<http://www.homeless.org.uk/connect/blogs/2016/aug/22/call-for-evidence-homelessness-prevention>

12.2 Syrian Refugee Resettlement, A guide for local authorities, LGA & Migration Yorkshire, Spring 2016

http://www.local.gov.uk/documents/10180/7632544/1.11_resettlement_guide_08.pdf/cc6c7b51-23a8-4621-b95c-a30bc3da438e

12.3 If you would like any further information on this report please contact Genevieve Macklin (020 8314 6057) or Nicola Marven (020 8314 7227)

APPENDIX 1.

The Lewisham Offer for Syrian Refugee Resettlement

The London Borough of Lewisham will work with Government, the GLA, local authorities and a range of partners, voluntary sector agencies and the local community to resettle up to (at least initially) 10 Syrian refugee households.

In order to realise this outcome, Lewisham makes the following commitments by way of an offer to:

- (1) the Government for the purpose of seeking its agreement to the proposed resettlement of Syrian refugees in the borough; and
- (2) the community across the borough for the purpose of locating suitable accommodation for refugee households and support to integrate individual refugees into society.

Timescales

Lewisham aims to accept the first Syrian refugee households between January and March 2017 in accordance with the below outlined time table:

Time Table for Lewisham Syrian Refugee Resettlement	
Date	Activity
September 2016	<ul style="list-style-type: none">• Enter into formal agreement with the Home Office post Full Council meeting• Establish a multi-agency support panel (including housing, health, DWP, education, resettlement, support service provider and other third sector agencies)
October – December 2016	<ul style="list-style-type: none">• Procure resettlement services• Work with the Voluntary Sector, Landlords and agencies known to the Council to identify suitable accommodation at LHA rates
January – March 2017	<ul style="list-style-type: none">• Agree households with the Home Office• Begin accepting Syrian refugee households

Household categories

Lewisham will work with the Home Office to accommodate households in categories 1, 2A, 2B, 2C and 2D as outlined by the Home Office as follows:

Home Office Syrian Refugee Household Categories	
Category	Household Type
1	Non-complex Case: those with no special needs or requirements
2A	Mobility Issues: people who are wheelchair users or who have other disabilities including missing limbs or those who have restricted movement

2B	Serious Medical: people who require surgery or ongoing medical treatment for life threatening conditions (e.g. cancer, dialysis)
2C	Psychological: people suffering from mental illness or those where a need for immediate psychological support is specified in the HAP
2D	Special Educational Needs: children with disabilities or learning difficulties
3	Large Families: family groups made up of 7 or more people

Accommodation

Lewisham will procure 2 or 3 bed units of accommodation at LHA rate or lower from the private rented sector or as identified through the local community and voluntary sector.

Properties procured for the purpose of resettling Syrian refugee households will be appropriately furnished with essential items and white goods

Resettlement Support

Lewisham will commission meet and greet and ongoing integration casework and resettlement support. Support will be provided to households for a period of 12 months from arrival.

Education

Lewisham will ensure that school places are available at the time of refugee arrival, school places will be accessed via normal admissions processes and will be chosen in line with the proximity to sourced accommodation

Lewisham will ensure refugee households are assessed on their English language ability and that accredited English for Speakers of Other Languages (ESOL) courses are available

Health

Lewisham will ensure Syrian refugees are registered with local health services and facilitate access to specialist health services as required

Translation

Lewisham will ensure interpreting and translation services are available to Syrian Refugees

Community Integration Activities

Lewisham will work with the local voluntary sector and community to provide activities to Syrian refugee households that promote integration

Agenda Item 6

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

Date of Meeting	7 th September 2016
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Title of Report	Local Government Ombudsman – Housing Benefit Report
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Originator of Report	Ralph Wilkinson	Ext. 46040
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 24.08.2016

Signed:  Director/Head of Service

Date 25.08.2016

Control Record by Committee Support

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

Mayor and Cabinet			
Report Title	Local Government Ombudsman – Housing Benefit Report		
Ward	All	Item No.	
Contributors	Executive Director for Customer Services and Head of Public Services		
Class	Open	Date	7 September 2016

1. Purpose

- 1.1 To bring to the Council's attention that a Local Government Ombudsman (LGO) investigation on behalf of a Lewisham resident claiming housing benefit (HB) found injustice and malpractice against the Benefit Service.

2. Executive Summary

- 2.1 In 2014, a HB overpayment was raised following an unreported change in circumstance being highlighted as a result of a data matching exercise between the Council and Her Majesty's Revenue and Customs service. This resulted in the claimant having received HB they were not entitled to.
- 2.2 The claimant appealed the Council's decision but the Council did not administer the appeal correctly. The claimant complained to the LGO and an investigation was undertaken. The LGO concluded their investigation and found that delays in fulfilling their recommendations resulted in the claimant having suffered injustice and malpractice and proposed a number of recommendations to remedy the complaint.
- 2.3 The Council did not act on the recommendations in the timescales set by the LGO. This resulted in a further investigation and the LGO concluded that the delays demonstrated malpractice and injustice against the claimant.
- 2.4 Although the Council has compensated the claimant and fully resolved the complaint, it is still required to report the outcome to Mayor and Cabinet and Full Council.

3. Recommendations

It is recommended that Mayor

- 3.1 Note the contents of the report and forward to Full Council for consideration.

4. Policy context

- 4.1 One of the primary functions of the Council is to promote the social, economic and environmental wellbeing of the borough and its people. In discharging this important role the Council has a specific duty to safeguard the most vulnerable from harm and to regulate access to public services and to provide social protection for those that might otherwise be put at risk.
- 4.2 As Council funding is provided through public resources (grants from central Government; Business Rates and Council Tax) the local authority must also

demonstrate both responsibility and accountability in the stewardship of public resources.

4.3 The overarching policy and decision making framework for the discharge of the Council's many functions and duties is Lewisham's Sustainable Community Strategy. The Strategy contains two overarching principles which are:

- Reducing inequality – narrowing the gap in outcomes; and
- Delivering together efficiently, effectively and equitably – ensuring that all citizens have appropriate access to and choice of high quality local services.

4.4 Also contained within this overarching policy framework are the Council's ten priorities. These priorities describe the specific contribution that the local authority will make to the delivery of the Sustainable Community Strategy.

5. Background

5.1 Annually the Council awards approximately £250m housing benefit and council tax reduction to 36,000 of Lewisham's most vulnerable residents. Despite a reduction in administration funding from the DWP of £1.1m (30%) in the past 2 years, against a caseload reduction of just 5%, the service continues to deliver top quartile performance.

5.2 The LGO is the final stage for complaints about councils and some other organisations providing local public services. Once the LGO conclude their investigation, if they find there has been maladministration or injustice, they are required under Section 30(3) of the Local Government Act 1974 to provide a report without naming or identifying the complainant or other individuals.

5.3 The LGO are also able to require us to take certain actions, in this case the Council have been required to make a public notice in more than one newspaper within two weeks of receiving their report, and to make the report available at one or more of the Council's offices for three weeks.

5.4 This report sets out the details of the case and the LGO's findings.

6. Details of the case

6.1 Miss C lived in Lewisham and was in receipt of HB and council tax reduction between 2012 and 2014. Her benefit was suspended on 31 January 2014 as the Council received notification from her that she had moved. The Council also obtained confirmation from the DWP that her Jobseekers Allowance had ceased from 31 January 2013, a change in circumstances which she had not reported to the Council. As a result of this, her claim was amended which resulted in an overpayment of £2,053.85 for the period February 2013 to January 2014.

6.2 In March 2014 Miss C challenged this decision. The Council responded confirming the decision to recover the overpaid benefit was correct as Miss C would have been aware she was receiving benefit incorrectly. On 8 May 2014, Miss C appealed but, as

she had not signed the appeal (which is a legal requirement), her appeal was returned to her and subsequently re-submitted on 5 July 2014.

- 6.3 Miss C provided further details of her income with the appeal enabling the Council to amend the overpayment to £2,002.21. In addition, further appeal rights were given to Miss C which could have been used were she dissatisfied with the decision. However, no further contact was received until 26 February 2015 when Miss C complained about the way her appeal had been handled. Miss C was advised again that the overpayment was recoverable from her.
- 6.4 There was no further contact from Miss C until 14 July 2015 when the Council received a letter stating that matters had not been dealt with properly and requesting a tribunal hearing. The Benefit Service erroneously advised Miss C that she was out of time to submit a further appeal and on 3 November 2015, an enquiry from the LGO was received.
- 6.5 On 11 January 2016, the Benefit Service received the decision from the LGO concluding that there was fault by the Council and making a number of recommendations to resolve the complaint, these being:
- Apologise to Miss C by 15 February 2016;
 - Pay Miss C £150 compensation;
 - Ask Miss C whether or not she wished to proceed with her appeal; and
 - Review our procedures to ensure we act properly regarding all matters that are subject to appeal.
- 6.6 The Council accepted the 4 recommendations but did not implement them as agreed as set out below:
- 6.6.1 We did not write and apologise to Miss C;
- 6.6.2 The LGO had suggested that the Council pay compensation once the appeal was concluded; however, it was felt that Miss C would be better off as a result of this being paid early to resolve the matter. The LGO acknowledged this was acceptable;
- 6.6.3 The Council did not ask whether or not Miss C wanted to appeal. However, as they were aware of her discontent with prior decisions and, rather than delay further by asking her, the prior decision was reviewed and subsequently found in her favour. While this was the correct action and beneficial for Miss C, it was not what the Council had agreed, and the Council failed to do so sufficiently quickly, taking 2 months to make the decision;
- 6.6.4 The Council also reviewed their processes and carried out the following actions to ensure they were able to avoid recurrence;
- Arranging for a specialist organisation to run an in-house course to improve administration and decision making when managing appeals;

- Reconfigured the Council’s workflow system to generate earlier “alerts” to senior managers where there is a potential delay;
- Allocating responsibility for addressing cross-service LGO enquiries to dedicated individuals, eliminating the prospect of a breakdown in communication between, for example, the HB and council tax services;
- Broadening circulation lists to ensure service managers are aware of LGO complaints;
- Scheduling cross-training in areas of known complexity for HB and council tax staff;
- Broadening responsibility and awareness of LGO enquiries by adding them as fixed items to senior HB and council tax management meetings.

6.7 As well as not apologising or asking Miss C if she wanted to appeal within the agreed timescale, the Council took recovery action to collect the overpayment by referring the debt to its Enforcement Agency for recovery. If the Council had acted within the agreed timescales this would not have happened.

6.8 Miss C complained to the LGO again. The LGO conducted a further investigation and concluded the Council’s failure to carry out its recommendations in full demonstrated malpractice and injustice against the claimant. As a result of this, the LGO issued a formal report and made 4 further recommendations:

- Send Miss C a written apology for its faults and the resulting injustice in respect of the previous and current complaints to us;
- Pay Miss C £250 to recognise the distress caused by the Council’s faults since 15 January 2016;
- Introduce a procedure to ensure it fulfils agreements with the LGO;
- Review its procedure for debt recovery to minimise the chances of the faults identified recurring.

6.9 The Council has accepted and fully complied with these recommendations.

7. Conclusion

7.1 This was a one-off but serious failing which the service regrets and has learnt from. The measures put in place since should prevent this happening again.

7.2 On 1 August 2016, the Council received correspondence from the LGO which confirmed their agreement with the action the Council has taken following the report on Miss C’s complaint and that they are formally satisfied with the Council’s response in accordance with section 31(2) of the Local Government Act 1974.

8. Financial implications

8.1 There are no financial implications arising from this report.

9. Legal implications

- 9.1 The Commission for Local Administration, usually known as the Local Government Ombudsman (“LGO”) was established by the Local Government Act 1974. The Local Government Ombudsman covers local authorities and other specific public bodies.
- 9.2 The 1974 Act required that a complainant must have sustained injustice in consequence of maladministration in connection with the action taken by or on behalf of an authority. “Maladministration” may include any one or more of the following: delay, incorrect action or failure to take any action, failure to follow procedures in law, failure to provide information, inadequate record- keeping, failure to investigate, failure to reply, misleading or inaccurate statements, inadequate liaison, inadequate consultation, broken promises. The “injustice” suffered, must arise from the fault by the authority. Injustice may include any one or more of the following: hurt feelings, distress, worry, or inconvenience, loss of right or amenity, not receiving a service, financial loss or unnecessary expense, time and trouble in pursuing a justified complaint.
- 9.3 Where the Ombudsman reports that there has been maladministration or service failure a report is sent to the parties involved. Section 92 of the Local Government Act 2000 gives Local Authorities the power to pay compensation or provide some other benefit to a person adversely affected by actions that amount to maladministration. The Ombudsman makes recommendations. The Ombudsman cannot compel a Council to implement its recommendations.
- 9.4 There is no right of appeal against a decision by the Local Government Ombudsman. It may be possible to apply for a judicial review of that decision, subject to obtaining leave from the Court. Such a challenge is not however on the merits of the decision itself, but upon the legal basis of the decision.
- 9.5 The Council when carrying out its functions, must always seek to comply with the Equality Act 2010 (the Act). It introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.6 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 9.7 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 9.8 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council

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

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

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

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

10. Crime and disorder implications

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

11. Equalities implications

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

12. Environmental implications

12.1 There are no environmental implications arising from this report.

13. Background papers and report author

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

13.2 The full report produced by the LGO is included at Appendix 1.

Report by the Local Government Ombudsman

Investigation into a complaint against London Borough of Lewisham (reference number: 15 019 725)

20 June 2016

The Ombudsman's role

For 40 years the Ombudsman has independently and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.

Investigation into complaint number 15 019 725 against London Borough of Lewisham

Contents

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Legal and administrative background.....	2
How we considered this complaint	2
Investigation	3
Conclusions.....	6
Decision.....	6
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Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

Key to names used

Miss C – the complainant

Report summary

Benefits and tax

In January 2016 we upheld Miss C's previous complaint. The Council agreed to take some actions to put matters right. This complaint is that the Council did not properly take those actions.

Finding

Fault found causing injustice and recommendations made.

The Council did not apologise to Miss C as it had agreed to do. It also delayed fulfilling its agreement to deal with her challenges to its decisions that she should repay some benefits which had been overpaid. In the meantime, the Council mistakenly wrote to Miss C demanding payment and it sent bailiffs to her home. The Council also gave us and Miss C inaccurate information. These faults caused Miss C injustice.

Recommendations

To remedy the injustice caused, the Council should do the following:

- Send Miss C a written apology for its faults and the resulting injustice in respect of the previous and current complaints to us.
- Pay Miss C £250 to recognise the injustice caused by the Council's faults since 15 January 2016.
- Introduce a procedure for ensuring the Council completes actions it has agreed with the Ombudsman.
- Review its procedure for debt recovery to minimise the chances of the faults in this case recurring.

The Council should send the apology and payment within one month and complete the other points of the remedy within three months of today.

Introduction

1. Between November 2015 and January 2016 we investigated and upheld Miss C's previous complaint. A statement describing that investigation and decision is on our website (www.lgo.org.uk – reference number 15 011 361). The complaint was that the Council had not dealt properly with Miss C's requests to appeal against its decisions that it had paid her too much benefit and that she should repay some money. The Council agreed to our recommendations to put matters right, including apologising, paying £150, dealing with the appeals and reviewing its procedures.
2. In February and March 2016 there were communications between Miss C, us and the Council about whether the Council was properly implementing the agreed recommendations. On 9 March 2016 Miss C made a new complaint to us, saying the Council had not carried out the agreement.

Legal and administrative background

3. The Ombudsman investigates complaints about 'maladministration' and 'service failure'. In this report, we have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1)*)
4. If we are satisfied with a council's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(i)*) Our investigation of Miss C's previous complaint ended on this basis as we were satisfied with the Council's agreement to take certain actions to put matters right.
5. The Ombudsman investigates complaints about councils and certain other bodies. Where an individual, organisation or private company is providing services on behalf of a council, we can investigate complaints about the actions of these providers. (*Local Government Act 1974, section 25(7)*) For this reason we consider the Council responsible for the actions of the enforcement agents (bailiffs) it instructed in this case.

How we considered this complaint

6. This report has been produced following the consideration of relevant information and documents the complainant and Council provided.
7. The complainant and the Council were given a confidential draft of this report and invited to comment. The comments received were taken into account before finalising the report.

Investigation

The Ombudsman's investigation of Miss C's previous complaint

8. This complaint was about the Council's actions after it decided it had given Miss C too much housing benefit and council tax benefit and that it should recover the overpayments.
9. If someone disagrees with a council's housing benefit or council tax benefit decision, they should appeal within one month to the Council. If the Council does not change its decision, it must forward the appeal to the Social Entitlement Chamber, an independent tribunal. The Chamber can decide to consider a late appeal. The maximum time limit for making a late appeal is 12 months after the normal time limit, that is 13 months after the Council's decision. If the Council receives an appeal it believes has been made after this maximum time limit, it must refer the case to the Social Entitlement Chamber immediately. *(Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 No. 2685, regulation 23(7)(b))*
10. Our previous investigation found the Council did not properly tell Miss C about her appeal rights. That was fault. Miss C requested a late appeal against the Council's decision one day after the 13-month period described in paragraph 9 expired. As paragraph 9 explained, the law is clear that the Council must pass such appeals to the Social Entitlement Chamber immediately. This is important because it means the Social Entitlement Chamber, not the Council, ultimately decides whether an appeal is too late to be considered. The Council did not do this. Instead, it told Miss C she had appealed outside the 13-month limit so it would not act on her appeal. That, too, was fault.
11. Our previous investigation found that these faults deprived Miss C of the opportunity of having the Social Entitlement Chamber decide whether to entertain her appeal. This left Miss C with avoidable uncertainty as well as justified anger that the Council did not follow the law. Miss C also had to go to some avoidable time and trouble pursuing the matter. At our recommendation, the Council agreed to do the following to resolve the complaint:
 - Apologise to Miss C for the injustice caused by its faults. The Council agreed to do this by 15 February 2016.
 - Pay Miss C £150 to recognise that injustice. The agreement was that, if Miss C's appeals were unsuccessful, or if Miss C was refused permission for late appeals, the Council could offset this amount against the debt. Otherwise it would pay this sum to Miss C.
 - Ask Miss C by 15 February 2016 if she still wanted her appeal about the housing benefit and council tax benefit overpayments to go to the tribunal. If she did, the Council would forward the appeal within one month of Miss C saying she wanted this.
 - Review its procedures and staff training to ensure it acts properly regarding all matters that can go to the Social Entitlement Chamber and the Valuation Tribunal. The Council would complete this by 15 April 2016.

12. On this basis, our previous investigation ended on 15 January 2016.
13. Miss C had also disagreed with the Council about the application of a council tax reduction scheme. We found fault in the council failing to inform her fully about her appeal rights in relation to this. However Miss C still had the right to ask the Valuation Tribunal for a late appeal herself. So we did not make any further recommendations in relation to that part of her complaint.

Events after the Council agreed to resolve the previous complaint

14. We have investigated what the Council did on each part of the agreement described in paragraph 11.

Apology

15. The Council accepts it has not done this. This is fault.

Payment of £150

16. The Council has paid Miss C this money so there is no need for more action on this point.

Asking if Miss C still wants to appeal and, if so, forwarding the appeal to the tribunal

17. The Council says it believed Miss C's correspondence with us had made clear she still wanted to appeal so the Council did not ask her about this and instead got on with dealing with the appeal. This was not in line with the agreed recommendations. If the Council did not consider it necessary to establish Miss C's wishes, it could reasonably have said this in response to the draft recommendations we sent during the previous investigation. Instead the Council agreed those recommendations then decided not to implement one of them. That was fault.
18. As the Council did not consult Miss C, it effectively moved straight to the second part of this recommendation. Therefore it should have dealt with the appeals substantively within one month of 15 January 2016. However, that did not happen either.
19. Instead, the Council mistakenly took recovery action regarding the debts while it was supposed to be considering Miss C's appeals. On 28 January 2016, enforcement agents (previously called bailiffs) acting for the Council called at Miss C's home while she was out. They left a notice stating Miss C owed council tax of £646.41 plus bailiffs' fees of £305 and threatened to remove and sell Miss C's belongings. As paragraph 5 explained, the Council is responsible for its agents' actions here. The Council later recalled the matter from bailiffs and has now removed the fees. Regarding the housing benefit, the Council wrote to Miss C in February 2016 demanding payment of this debt. The Council accepts this, too, was a mistake.
20. We consider the Council was at fault for taking recovery action when it was supposed to be implementing our recommendations, including considering Miss C's arguments that she need not repay this money. This recovery action, especially the contact from the enforcement agents, caused Miss C avoidable anxiety.
21. Miss C told us about this and we contacted the Council. The Council then wrote to Miss C on 1 March saying it was considering her appeal about council tax benefit for a different

address, unconnected to a separate debt the enforcement agents were pursuing. Miss C and the Ombudsman's office then pointed out to the Council that Miss C had not tried to appeal for the different address. Indeed, that would be impossible as she did not owe any council tax there. The alleged debt Miss C was appealing against related to the same address and the same debt the enforcement agents were pursuing. The Council then apologised for the error with the address and recalled the matter from the enforcement agents.

22. The Council's fault here suggests a confused approach. This fault caused avoidable misunderstanding and needlessly occupied Miss C's and our time resolving this.
23. When the Council reviewed matters before sending the appeals off to the tribunal, it decided to change its position. On 14 March 2016 the Council decided to write off the housing benefit overpayment. Therefore there was no need to forward that appeal to the tribunal. The Council wrote to Miss C about this decision and said it was still considering the council tax benefit matter separately.
24. The Council was entitled to decide to write off the housing benefit overpayment. That decision was in Miss C's favour. However the Council took two months to decide this, twice as long as the relevant timescale it had agreed to resolve the previous complaint. That was fault.
25. The Council then told our office it had written off the overpayments. We pointed out the Council had only written off the housing benefit overpayment, not the council tax benefit overpayment. We asked the Council to explain the current position accurately. That enquiry was passed to the wrong part of the Council, resulting in another incomplete response and further chasing of the matter by us.
26. On 20 April, the Council decided it should not recover the council tax benefit overpayment either so it would write off this amount too. This meant that rather than Miss C owing the Council money, her council tax account was £44.01 in credit. The Council will refund this. There is therefore no need for the Council to forward this appeal to the tribunal either.
27. As with the housing benefit matter, the Council was entitled to change its position and write off the council tax benefit overpayment. However it was at fault for taking three months to do this when the relevant part of the agreed remedy was for the Council to deal with this within one month. The Council was also at fault for its confused and partly inaccurate responses to us.
28. The Council's faults here caused Miss C unnecessary uncertainty, anxiety, time and trouble. It is also possible that, had the Council avoided the delays resolving the benefits disputes, the mistaken recovery action would not have happened.

Review of procedures and staff training

29. The Council is arranging staff training about benefits appeals. It has also given us details of improvements to its procedures for dealing with appeals and with our enquiries. We welcome these steps.

The Council's response to the draft report

30. In response to a draft of this report, the Council accepted fault, recognised this had caused Miss C inconvenience and agreed to comply with our recommendations. The Council added that, despite diminishing resources and increasing demands on its services, this is the first time it has failed to respond appropriately to an Ombudsman's decision. It stated it took this seriously and is changing its practices to try to ensure there is no repeat. We commend the Council's positive response here.

Conclusions

31. The Council did not properly complete the recommendations it agreed in January 2016. That was fault. It is a serious matter when a council does not honour an agreement with the Ombudsman. Parliament has given us wide discretion to investigate complaints and make recommendations. Implicit in this is the assumption that, if a council freely agrees our recommendations, it should fulfill what it has agreed. The Council's failures here undermine the important principle of remedying complaints. That in turn undermines Miss C's and our trust in the Council's good faith.
32. The Council was also at fault for its confused and sometimes inaccurate responses to Miss C and us. The Ombudsman has the same powers as the High Court to obtain information. The Council should take the same care to give us complete and accurate information as it would for court proceedings.

Injustice

33. The Council's faults meant Miss C had to wait longer than necessary for resolution of the benefits matters. Miss C is still without an apology for the Council's original failings. She experienced avoidable frustration and uncertainty from the delays, anxiety caused by the enforcement agents' actions, a justified sense of anger that the Council did not keep its promise and the time and trouble of having to come back to us. Our further involvement cost time and public money in a way that should not have been necessary.
34. We are pleased the Council has now resolved the benefits matters, albeit belatedly, so there is no need to forward the appeals to the tribunal. Nevertheless we are issuing this report to draw attention to the Council's faults in providing the agreed remedy properly, and because of the additional distress its actions caused since the previous complaint.

Decision

35. The Council was at fault for not implementing the previously agreed recommendations fully and promptly. It was also at fault for taking recovery action in the meantime and for its inadequate responses to our enquiries. These faults caused Miss C injustice.

Recommendations

36. To remedy the injustice caused, the Council should:
- Send Miss C a written apology for its faults and the resulting injustice in respect of the previous and current complaints to us.
 - Pay Miss C £250 to recognise the distress caused by the Council's faults since 15 January 2016.
 - Introduce a procedure to ensure it fulfils agreements with us.
 - Review its procedure for debt recovery to minimise the chances of the faults identified in paragraphs 19 to 22 recurring.
37. The Council has agreed to carry out these recommendations. It will send Miss C the apology and pay her £250 within one month of the date of this report. It will carry out the other actions within two months of the date of this report.
38. The Council's agreement to the recommendations above will put right the injustice the Council's faults caused. We welcome the Council's agreement to our recommendations and its commitment to avoid similar faults in future. We have completed the investigation and issued this report because we consider there is a public interest in doing so and because we hope other councils will take the opportunity to learn from what happened in this case.

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

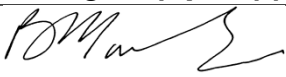
Date of Meeting	7 th September 2016
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Title of Report	The Transfer of Lewisham Music Service
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Originator of Report	Executive Director for Children and Young People Head of Law	Ext. 48527
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: 

Executive Member

Date: 30th August 2016

Signed: 

Executive Director

Date: 19th August 2016

Control Record by Committee Support

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

MAYOR AND CABINET			
Report Title	The Transfer of Lewisham Music Service		
Key Decision	Yes	<i>Item No.</i>	
Ward	All		
Contributors	Executive Director for Children and Young People and Head of Law		
Class	Part 1	<i>Date:</i>	7 September 2016

1 Summary

- 1.1 In January 2016 the Mayor and Cabinet agreed that in order to safeguard music education for young people in Lewisham the preferred option is to spin out the Music Service into a charitable trust. It was also agreed that the outcome of the consultation on this proposal, a business case for the transfer, and budget and governance plans would be brought to a future Mayor and Cabinet meeting (see Appendix 1).
- 1.2 This paper sets out the background and rationale for the Music Service's proposals to spin out of Lewisham Council from April 2017 and transfer its operations to a charitable entity, *Lewisham Music* (working title). The background documents include a link to the 13 January 2016 Mayor and Cabinet report, a report on the consultation with users, stakeholders and staff carried out between 11 May and 7 June 2016, a business case for the transfer of the Service, a table analysing the advantages and disadvantages of different charity models, and a risk register.

2 Purpose

- 2.1 The purpose of this paper is to seek agreement from the Mayor to take forward the transfer proposals to the next stage.

3 Recommendations

- 3.1 The Mayor is recommended to:
- 3.1.1 Note the responses from users, stakeholders and staff from the consultation about the future of the Music Service which overwhelmingly support the Service's proposal that it becomes an independent charity (see section 6 and Appendix 2).
- 3.1.2 Agree the business case for the transfer of the Music Service to charitable status (see Appendix 3).

- 3.1.3 Note that the Music Service is a named resident organisation in the Fellowship Inn development proposed by Phoenix Community Housing and supported by the Heritage Lottery Fund (see 10.2 and 10.3).
- 3.1.4 Support the setting up of a new charity, *Lewisham Music* (working title), in anticipation that once established Lewisham Music Service transfers into this new organisation.
- 3.1.5 Comment on the proposed governance structure for *Lewisham Music* (see section 7).
- 3.1.6 Note that a final decision on the future of the Music Service will be made at a Mayor and Cabinet meeting in January 2017 or as soon thereafter as possible, on presentation of a Business Plan for *Lewisham Music* and details of the transfer terms.

4 Background

- 4.1 Lewisham Music Service has delivered music education services to schools and young people on behalf of Lewisham Council since 1999. In past years Council financial support has been provided for premises and pupil fee concessions, but since 2011 the Council has provided only in-kind support for the Service through the provision of administration and management services including HR, finance, payroll, IT and office space at Laurence House.
- 4.2 Since 2012 the Service has taken on the additional role of operating as a music education hub financed with Department for Education (DfE) funding administered by Arts Council England (ACE). Lewisham Music Service and Hub, which connects up a network of over 25 partner and associate organisations with all Lewisham's schools and academies, has consistently received a 'minor risk' rating from ACE, the highest endorsement it can receive.
- 4.3 Survey data from 2014/ 2015 shows that 95% of parents and carers and 100% of schools would recommend the services of Lewisham Music Hub to others. 95% agree that the Hub offers high quality music learning.
- 4.4 The ACE music education hub grant for Lewisham for 2016/2017 is £403,894. This is provided in full to Lewisham Music Service. The Service receives no other core grants. No announcements have yet been made about funding beyond 31 March 2017. It is expected that the DfE will decide on future music hub funding in autumn 2016.
- 4.5 The Service and its hub partners deliver music learning to over 6,000 children and young people each week. The hub also supports an extensive project and live events programme which this year saw 3,250 children perform to 5,000 audience members in a range of regional and local venues including the Barbican Centre, Broadway Theatre, Blackheath Halls and local schools.

- 4.6 There are further details about the work of the Music Service and Hub in Appendices 1 and 3, and on its website www.lewisham.gov.uk/musichub
- 4.7 An item on the future of the Music Service will be included in the CYP Select Committee agenda on 12 October 2016.

5 Policy Context

- 5.1 The proposals within this report are consistent with the Council's corporate priorities as set out in the Borough's Sustainable Community Strategy 2008-2020. In particular, the proposals relate to the Council's priorities regarding
- community leadership and empowerment
 - young people's achievement and involvement
 - protection of children
 - caring for adults and older people
 - inspiring efficiency, effectiveness and equity.

The proposals are also in line with the Children and Young People's Plan 2015-18 and the four outcomes of building child and family resilience, being healthy and active, raising achievement and attainment, and staying safe. The objectives and performance measure for children and young people's engagement with music is children's musical engagement is captured within priority aim HA6 (encouraging access to and usage of culture, sport, leisure and play activities).

- 5.2 A detailed business case for the proposed transfer of the Music Service to charitable status has been prepared in consultation with the Transfer Steering Group and Music Hub Strategy Board (see Appendix 3). Officers propose that this is the best option in order to safeguard the future of the Service and create a sustainable organisation that will continue to deliver high quality music education for young people. A new structure also creates the potential to offer cultural enrichment to borough residents of all ages.
- 5.3 The benefits for both users and the Council are summarised in the business case and are as follows:

Residents, schools and stakeholders	
Strategic benefits	<i>Sustainable future for diverse and affordable music education services and cultural opportunities. Scope for developing new musical and cultural initiatives e.g. music for families and communities.</i>
Financial benefits	<i>Charitable donations and tax reliefs to support under-represented and disadvantaged groups. Charity tax reliefs and new funding from trusts and foundations safeguards the future and support new programmes in a time of economic difficulty.</i>
Operation and delivery benefits	<i>Improved service delivery through increased flexibility and efficiency. Access to new fit-for-purpose premises.</i>

Lewisham Council	
Strategic benefits	<i>Continuation of high quality services for residents, schools and stakeholders. Positive contribution to strengthening the arts and social enterprise sector.</i>
Financial benefits	<i>Cost savings through externalisation of back office functions. Reduction of financial risk should government funding reduce or be removed in the future.</i>
Operation and delivery benefits	<i>Reduced workload for Council officers and senior managers through transfer out of workforce and governance. Desk space and storage areas freed up for other Council departments.</i>

- 5.4 Subject to continued ACE funding and ACE's acceptance of its business plan, it is anticipated that *Lewisham Music* will take over the Music Service's current role as lead organisation of Lewisham's music education hub. ACE already supports many independent music services and hubs which have transferred out from local authorities across England; the Music Service's ACE relationship manager has indicated support for the Lewisham transfer proposal.
- 5.5 Following an options appraisal by the Music Service's legal team (Bates Wells Braithwaite (BWB)), Music Service officers recommend Charitable Incorporated Organisation (CIO) as the most appropriate model for the new charity. See Appendix 4 for a comparison of charity models. The CIO Foundation Constitution model is recommended, where the only voting members are the charity trustees (see section 7).

6 Consultation

- 6.1 A consultation with staff members, users, stakeholders and partners was conducted through the Council's uEngage portal from Wednesday 11 May to Tuesday 7 June 2016. An information paper provided details on the Music Service's proposals. The questions that followed gave an opportunity for respondents to comment on current provision and on the charity transfer plan, as well as a chance to offer up any alternative options to those put forward in the paper. The staff information paper also included the staff structure and Lewisham Council TUPE guidelines.
- 6.2 Representatives of the Council recognised unions (Unite, Unison, GMB, and NUT) were informed of the consultation and discussion meetings. NAS/UWT, NAHT, Musicians' Union and Incorporated Society of Musicians representatives were also informed.
- 6.3 The consultation was promoted by the Music Service through its website, the music hub e-newsletter, social media systems, and by email directly to all staff, Lewisham schools, music hub partners and parents and carers on its database. Information was also circulated to school headteachers and governors via the School Improvement Team's Weekly Bulletin.
- 6.4 The Head of Service attended a meeting with Lewisham's Young Advisers to talk through the proposals. The Young Advisers group publicised information about the consultation through social media.

- 6.5 Drop-in consultation meetings were held on 21 May and 26 May and staff members, users and stakeholders were all invited. There was a booking system in place for face-to-face meetings with the Head of Service. Overall, 2 parents and no members of staff attended, and no face-to-face meetings were requested.
- 6.6 The Council's CYP communications team prepared a press release and social media campaign to help disseminate information about the consultation to a wider audience in the borough including through the Lewisham Life e-bulletin.
- 6.7 It was made clear in the consultation discussions and in the documentation made available to respondents that the proposal to explore options on transferring out of the Council was being led by the Music Service with the support of officers and Mayor and Cabinet and that it was not as a result of Council or government funding cuts, or imposed strategic or operational changes.
- 6.8 75 responses were received as follows:
 Staff: 16
 Schools: 14
 Parents and carers: 25
 Pupils: 2
 Hub partners and associate organisations: 10
 Other: 8
- 6.9 Responses to the consultation indicate that 63% of users and 69% of staff support the transfer plan. 25% of users and 25% of staff neither agree nor disagree with the transfer proposal. There was disagreement from 12% of users and stakeholders and 7% of staff members who expressed concerns about additional costs as well as their belief that the music education should be the responsibility of the local authority and not that of an independent charity.
- 6.10 97% of users and stakeholders and 100% of staff members agree that Lewisham Music Service provides and supports a diverse range of high quality musical activities.
- 6.11 See Appendix 2 for the full consultation report.

7 *Lewisham Music's governance structure*

- 7.1 The charity model will be a Charitable Incorporated Organisation (CIO) (Foundation Constitution model)
- 7.2 The charity will be governed by a board of voluntary trustees. The minimum number of trustees will be 3 and the maximum number will be 12.
- 7.3 The governance structure and details of trustees' responsibilities will be set out in the charity's Constitution which will form the basis of the application to the Charity Commission following approval by Mayor and Cabinet of the

recommendations above (3.1). This has been drafted by Bates Wells & Braithwaite (BWB), a legal firm with a great deal of experience of transfer of Council services, including music service transfers.

- 7.4 The trustees will be the only voting members. Trustees will be responsible for all aspects of the operation of the charity.
- 7.5 The Chief Executive (currently the Head of the Music Service) will be permitted to attend board meetings but will not be a voting member of the charity.
- 7.6 The Constitution allows for the trustees to set up sub-committees and advisory groups as required.
- 7.7 The objects of the Charity are for the public benefit:
- (i) to advance education particularly (but not exclusively) in relation to music;
 - (ii) to advance the arts and culture, particularly (but not exclusively), by promoting and facilitating access to, performances of, and participation in performances of, music;
 - (iii) to provide for the recreation of members of the public by providing equipment, facilities and services to them in the interests of social welfare with the object of improving their conditions of life.
- 7.8 A volunteer Shadow Chair has been engaged to help the Music Service set up the new charity. Two additional trustees have come forward and are willing to be named trustees on the application to Charity Commission. Further trustee recruitment will proceed in Autumn 2016 subject to approval by Mayor and Cabinet of the recommendations in this paper (3.1). The recruitment process will aim to attract a range of committed and dedicated trustees with a variety of skills and experience in legal, business, charity, arts, marketing, education, finance, HR, community engagement and other relevant areas.

8 The transfer process

- 8.1 Subject to Mayor and Cabinet approval of the recommendations above (3.1) and final agreement to proceed with the transfer (January 2017), the Music Service aims to transfer out of the Council from April 2017.

9 Transfer of Undertakings (Protection of Employment) (TUPE)

- 9.1 The Music Service's team of 58 music tutors (hourly paid as is the norm for this such members of staff) is supported by 3 senior music education managers (1fte and 2pte), 1 business support manager, and 1fte and 2pte officers who support the programmes. Of the Music Service's 65 members of staff, a total of 3 are on full-time contracts. The management, business, administration and support team equates to an equivalent of 5.4 full-time posts. The music tutor team equates to an equivalent of 20 full-time posts

based on the estimated music tutor work programme for 2016/2017 (see staff structure chart in Appendix 1).

- 9.2 All Music Service members of staff who are contracted to the Service at the time of transfer will be given the opportunity to transfer to the charity. Their working hours, contracts, rates of pay, pension entitlements and terms and conditions of employment will transfer across in accordance with legal TUPE regulations and LBL TUPE policy guidelines.
- 9.3 As part of the TUPE process, staff members and unions will be further consulted prior to transfer on the details of the 'spin out' and the proposed TUPE measures.

10 Premises and assets

- 10.1 The Music Service has no premises of its own. Office space is provided by the Council in Laurence House as part of its in-kind support. Premises are hired as required from schools and community centres for instrument storage, performances, projects, holiday courses, and weekly after school groups, borough ensembles, Saturday Music Centre and holiday courses.
- 10.2 Lewisham Music Service and Hub is a named resident organisation in Phoenix Community Housing's Heritage Lottery funded re-development of the Fellowship Inn in Bellingham. The target completion date is Spring 2018. The refurbished premises will provide rehearsal, studio, examination centre, administration, storage and meeting spaces. The building will also have two large performance spaces available for live events and projects. These premises will give the new organisation an opportunity to play a major role in the cultural life of Bellingham and the surrounding area. It will work with local partners to apply for new funding streams to support music and arts programmes for community groups such as families, early years and the elderly. There will be cost efficiencies in relocating some after school programmes to the Fellowship from hired premises elsewhere in the borough. The building will also provide an opportunity for income generation through the hiring out of spaces to external providers such as schools, community groups and training organisations. ACE officers are aware and supportive of these proposed developments.
- 10.3 The Fellowship Inn premises would provide an excellent base for the Music Service's operation both as a Council service (if the transfer did not take place) and if it transferred out to *Lewisham Music*. However, the new opportunities presented by the premises would be maximised by charitable status: greater access to funding streams for community activity would permit the development of a wider range of cultural opportunities through partnership working with organisations such as Phoenix Community Housing and Bellingham Community Project.
- 10.4 Should the transfer take place, temporary alternative premises for the Music Service's administration and management teams will be required from April 2017. The service has applied for space at one of the new Lewisham Dek

developments. Some or all of the services provided 'in-kind' by Lewisham Council will need to be externalised by April 2017 including HR, IT, payroll and finance management. Details of these arrangements will be provided for Mayor and Cabinet in January 2017.

- 10.5 The Music Service will request Mayor and Cabinet in January 2017 for permission to transfer to the new charity its large collection of music instruments and equipment, and its music library (sheet music and curriculum resources).

11 **Alternative options**

- 11.1 Alternative options to the transfer proposals have been considered in the planning process to date.

- 11.2 The first alternative of remaining as a Council service has been dismissed because it impedes access to alternative funding in an uncertain and changing financial climate where diversification of income streams is likely to be essential if services are to be maintained and developed.

- 11.3 The second option that has been considered is a merger with an external organisation. Some music services in England work across two or more designated geographical areas. However, no offers for mergers from neighbouring borough music services or hubs have come forward. The Music Service will continue to be a member of the South Riverside Music Partnership (Lambeth, Royal Greenwich and Southwark music services and hubs, London Philharmonic Orchestra, Trinity Laban) and it will continue to explore with partners where areas for collaboration are in the best interests of staff, schools, users and stakeholders. Officers consider that should the Service become an independent organisation operating outside the local authority sector, it can develop appropriate partnerships and collaborations with more freedom and autonomy. Whilst it is not ruled out that strategic alliances and mergers may be in the Service's best interests in the future, officers consider that at this stage the additional complications of managing a formal partnership or merger would make transferring out of the Council an unmanageable process.

- 11.4 Thirdly, some music services have merged with local arts organisations or have been absorbed by private sector or social enterprise companies that provide public services, such as those that manage leisure services. Information received about music services operating in this way suggests that music services do not always have the independence they need to develop their work and they can also be required to deliver profits for the parent company. This can have a negative impact on the cost and quality of the services provided. From the discussion meetings that have been conducted, officers believe not-for-profit charitable status is preferred by our schools, users and partners and will help build confidence and support for the new organisation.

11.5 The strengths, weaknesses, opportunities and threats (SWOT) of a range of alternative options are set out below. The preferred way forward is for the Service to transfer out of the Council to charitable status.

Option	Remain within Council	Merge with another music service or hub	Transfer to, or partnership with private sector or social enterprise companies	Transfer to independent charitable status
Strength	Status quo for staff and stakeholders.	Partnership with and support of another borough organisation may reduce risk of failure.	Partnership and support of a larger organisation may reduce risk of failure.	Independence, new markets, new finance, and new governance.
Weakness	Limits capacity to deal with change and future not guaranteed. Inability to access a wide range of external funding.	Reduced autonomy and control through shared governance.	Reduced autonomy and control through shared governance.	Costs of externalised business services and public sector staff contracts.
Opportunity	Stability.	Economies of scale.	Economies of scale.	New delivery models and cost efficiencies.
Threat	Stagnation and lack of resilience.	Loss of local identity and sense of ownership for the borough's residents. Erosion of stakeholder confidence and buy-in.	Exposure to alternative agendas (e.g. profit-driven services). Loss of identity. Erosion of stakeholder confidence and buy-in.	Risk of failure if fund-raising strategies are inadequate.
Preferred option	X	X	X	✓

12 Risk analysis

12.1 A full risk register has been opened for the transfer plan (see Appendix 5).

12.2 A summary of the major risks is as follows:

- (i) the transfer cannot take place due to the charity trustees and the Council failing to agree on transfer terms;
- (ii) DfE funding for music hubs is withdrawn or reduced;
- (iii) ACE fails to approve the transfer of the Lewisham hub grant from the Council to the charity;
- (iv) the demand for music services reduces and income falls as a result of diminished reputation of the service following transfer.

13 Legal implications

- 13.1 The Music Service, which is provided by the Council to schools and young people in the borough, is a discretionary service. As set out in the Report it receives central government funding through ACE and charges schools, parents and organisations for instrumental lessons and music ensembles.
- 13.2 This Report follows a previous Report to Mayor and Cabinet on the 13th January 2016 when the Mayor agreed to a consultation exercise on the proposal to spin out the Music Service and for officers to bring back the outcome of such consultation and at the same time provide a business case, budget and governance proposals for the Mayor to make a decision as to whether the spin out should proceed.
- 13.3 This Report and its appendices sets out the responses to the consultation and the information required by the Mayor referred to at 13.2 above. It is now for the Mayor and Cabinet to review the information provided and having regard to the consultation responses decide whether to agree with the Recommendations at 3.1 above.
- 13.4 The Music Service has obtained external legal advice upon the most suitable governance structure for the new externalised service and the recommended option of a CIO in paragraph 7 of the Report complies with the criteria for a CIO. This compliance will be further tested by the Charity Commission who have responsibility for charitable organisations in the United Kingdom and register and regulate the same. The Charity will have to provide annual information to the Commission which has wide powers to intervene in the affairs of a charity where things have gone wrong.

Equalities Legislation

- 13.5 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 13.6 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 13.7 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 13.6 above.

13.7 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

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

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

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

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

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

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

14 Financial implications

14.1 The Music Service is on target to deliver a balanced budget for 2016/2017. The ACE grant for this period is £0.4m. Forecast turnover is £1.25m. Forecast earned income from schools is £0.65m (54% of turnover) and from

parents, instrument hire, partners, projects and events, and CPD £0.08m (7% of turnover).

- 14.2 There is a risk that the financial support from the Arts Council England (ACE) could reduce in the future which depending on the size of the reduction may create operational difficulties for the music service. This would be no different which ever type of organisation is running the service.
- 14.3 The costs of transfer will be borne by the Music Service's ring-fenced 'carry forward' fund. £11,500 has been set aside for consultants' fees, training, graduate trainee costs and legal expenses in the current financial year. Forecast spending for the 'spin out' in April 2017 is estimated at £45,500 for consultants' fees, legal fees and training. £10,000 has been set aside for possible Council costs (HR and legal).
- 14.4 The music service currently receives the benefit of corporate services from the Council. These are estimated to cost £0.09m. This covers services such as legal finance, HR and property costs. The charity will be a self-funding entity and the new charity will need to meet the cost.
- 14.5 As an Admitted Body to the Local Government Pensions Scheme the Council Actuary has estimated the employer contribution rate that the new service will need to pay into the Lewisham Pensions Fund is 26% of their payroll. It was also estimated that should the service default and/or incur redundancy costs, the amount to be covered by a bond, the minimum amount of cover, based on an 80-85% risk, is £169,000.
- 14.6 There are no capital implications arising from this report.

15 Crime and disorder implications

- 15.1 There are no crime and disorder implications to the transfer proposal.

16 Equalities implications

- 16.1 *Lewisham Music's* Business Plan will set out its objectives with regard to maximising access for children and young people with SEN/D, and those from disadvantaged groups and their families, whilst access to progression routes and pathways for advanced young musicians with interests and skills in all musical genres will be maintained and developed. Its aims and values will maintain the Music Service's beliefs in the value and importance of 'music for all' and the role of music in celebrating cultural diversity and valuing cultural identity. The Business Plan will be presented to Mayor and Cabinet alongside a final report and transfer terms in January 2017.

17 Environmental implications

- 17.1 There are no environmental implications to the transfer proposal.

18 Conclusion

- 18.1 Lewisham Music Service and CYP officers believe that charitable status will enable the Music Service to maintain and develop its services for schools, children and young people in a sustainable way, enhancing creativity and value, as well as offering new opportunities for new users. It will extend the Service's ability to work closely with new and existing partners as well as engage with emerging new strategic directions across London and beyond.
- 18.2 The proposed transfer will facilitate access to new funding streams, improve resilience to the inevitable strategic and financial changes within the cultural and educational sectors, and give the Service the freedom to re-structure services and operations as required in order to maintain the provision of high quality services to its users.
- 18.3 These proposals will not lead to a reduction in services to schools nor will they disrupt children's learning out of school. The terms of the transfer will safeguard employment terms and conditions for current members of staff.
- 18.4 The launch of *Lewisham Music* will be a new and exciting chapter in the Service's 17 year history. Council support for the transfer will be crucial to its success. Music Service officers are confident that the Mayor and Cabinet, councillors, Council staff and Lewisham residents will welcome and support the transfer of its work to *Lewisham Music* which they believe will be a thriving, successful and sustainable organisation with a long and exciting future.

Background Papers

1. Mayor and Cabinet paper 13 January 2016
<http://councilmeetings.lewisham.gov.uk/documents/s40794/Music%20Service.pdf>
2. Consultation report
3. Business case for the transfer of Lewisham Music Service to charitable status
4. Charity models
5. Risk Register

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APPENDIX 2

Report on the Consultation on the proposal to transfer Lewisham Music Service into charitable status

1. Summary

As agreed by Mayor and Cabinet on 13 January 2016, the Music Service completed a consultation with users, stakeholders and Lewisham Music Service members of staff on its proposals to transfer to charitable status. The consultation took place between 11 May and 7 June 2016 via the Council's uEngage online portal. Information about the Service and the transfer proposals was provided with a questionnaire (see Appendices 1 to 4). Equalities monitoring information was collected from those that wished to provide it.

2. Publicity and engagement

The user and stakeholder survey was publicised through the following channels:

- emails sent to parents and carers of children in after school and Saturday programmes, to schools and to music hub partner and associate organisations;
- music hub, *Lewisham Life* and schools weekly bulletin newsletters;
- Lewisham Music Hub and Lewisham Council websites and social media networks;
- publicity networks provided by Lewisham's Young Advisers.

Parents, carers and schools were encouraged to pass on the survey web link to children and young people.

The staff consultation was conducted via a private web link sent only to Music Service employees.

Following pre-consultation meetings held in January 2016 for parents (3 meetings), staff (3 meetings) and partners (1 meeting) discussion meetings were arranged during the consultation period. These meetings provided opportunities for Music Service managers to engage with user groups, to allow time for discussion and questions, and to ensure the consultation reached a wider audience, as follows:

- 2 drop-in sessions for staff, partners, parents and carers;
- opportunity to book a face-to-face private meeting with the Head of Service
- a discussion meeting with Lewisham's Young Advisers.

3. Feedback from parents and carers, young people, schools, hub partners and associate organisations, and members of the public

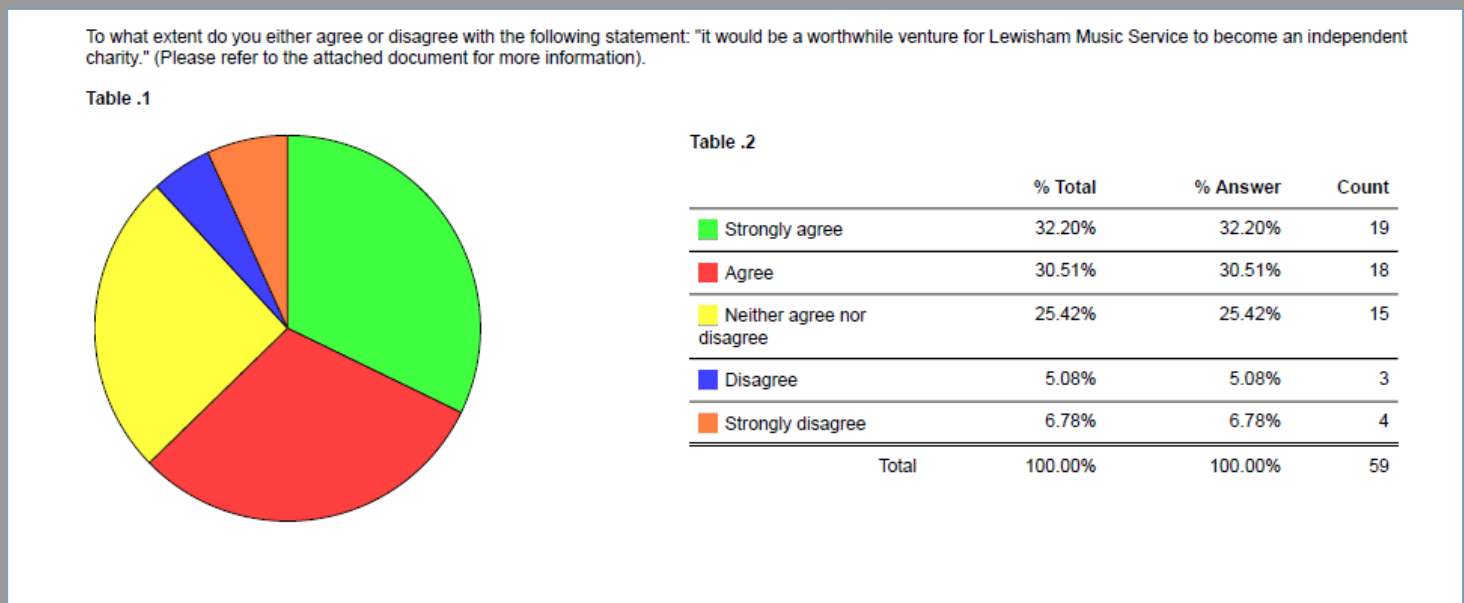
There were 59 responses from the following groups:

- 2 pupils;
- 25 parents/carers;
- 14 school staff members;
- 10 music hub partners and associate organisations;
- 8 other respondents (including a representative of a music and photography social enterprise, a volunteer, a music tutor, a prospective parent, a governor of a primary school, a previous pupil, a Lewisham resident with an interest in music, an adult over 50).

In response to the question *“To what extent do you either agree or disagree with the following statement: it would be a worthwhile venture for Lewisham Music Service to become an independent charity?”* answers were as follows:

- 62.7% strongly agree or agree
- 25.4% neither agree nor disagree
- 11.9% disagree or strongly disagree

Fig.1



4. Feedback from Music Service members of staff

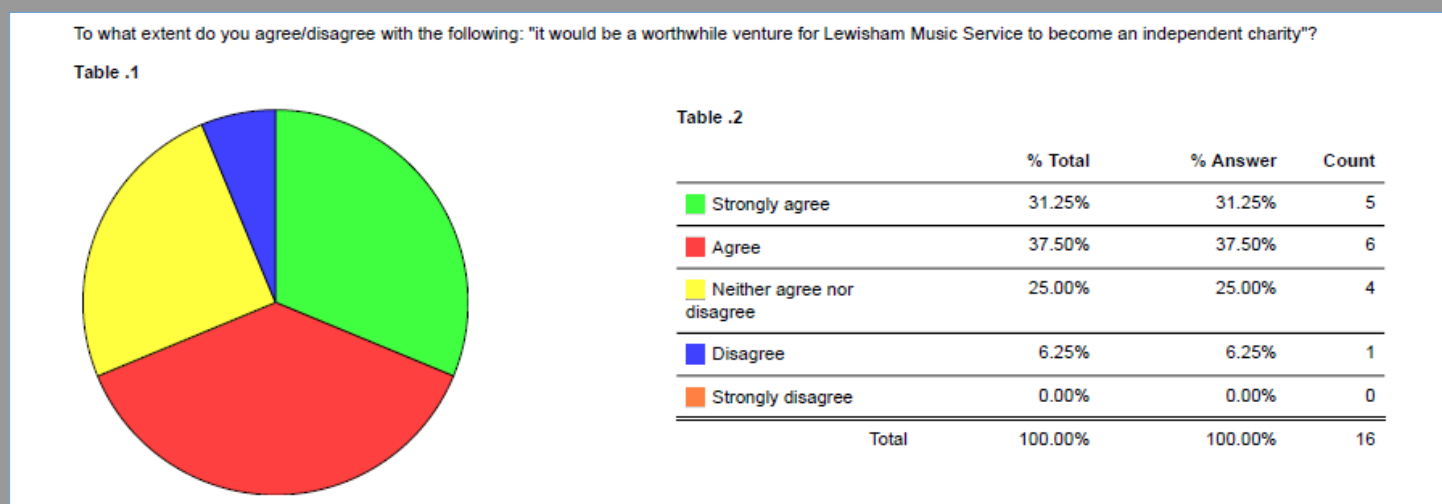
There were 16 responses:

- 9 music tutors;
- 2 administrators;
- 5 senior and middle managers.

In response to the question “To what extent do you either agree or disagree with the following statement: it would be a worthwhile venture for Lewisham Music Service to become an independent charity?” answers were as follows:

- 68.7% strongly agree or agree
- 25% neither agree nor disagree
- 6.3% disagree
- 0% strongly disagree

Fig.2



5. Comments

The main themes from respondents who offered comments in the public consultation are summarised below. Please note that what follows does not reflect every detail of the consultation but aims to capture the more substantial themes that were brought forward during the consultation.

Agree or Strongly Agree that it would be a worthwhile venture for the Music Service to become an independent charity

Increased opportunities to diversify service – users, schools, stakeholders and staff stated that becoming an independent charity would afford the opportunity to diversify service delivery through offering a wider range of activities (15 respondents).

Importance of seeking alternative funding – 11 respondents highlighted that the charity plan would increase opportunities for the Service to access new funding streams. Some respondents mentioned that it was important for the Music Service to seek alternative funding as schools’ budgets have reduced and the likelihood of lessons in schools decreasing is high. The future of continued funding from Arts Council England was also regarded as uncertain and therefore a proactive step towards accessing new funding streams was advised.

Increased flexibility through independence from Council – 12 respondents stated it would be easier for the Music Service to innovate, diversify the service and access

alternative funding if it was to operate outside the local authority. It was recognised that new IT and payment systems may also enable greater efficiency when interacting with users.

Trust in Leadership – 3 respondents expressed their trust in the leadership of the Music Service and that it is currently run well. As a result, they supported the plan on the basis that Music Service managers considered it to be the best option.

Disagree or Strongly Disagree that it would be a worthwhile venture for the Music Service to become an independent charity

Additional cost of business services – 3 respondents questioned whether the additional cost of replacing the in-kind business services that the Music Service currently receives from the Council would be manageable.

Council should run the service – 4 respondents disagreed with the proposal in the grounds that they believed music education should be the responsibility of the local authority rather than an independent charity with an unelected board of trustees.

Neither agree nor disagree that it would be a worthwhile venture for the Music Service to become an independent charity

Comments included concerns about rise in fees for parents, additional administration for the Music Service staff and the increased cost of back office services (6 respondents).

Alternative Models

The consultation included the question ‘*Do you have any suggestions on any alternative models for the Music Service other than those set out in the accompanying information sheet?*’ The alternative models that were suggested included the Music Service as a Community Interest Company (CIC) (3 users and stakeholders) and leaving the service as part of the local authority (2 users and stakeholders).

Additional comments and suggestions

These included the following:

- using parents as volunteers if the service does become a charity;
- forging stronger links with local schools;
- providing music services for children and adults with disabilities;
- provision for early years.

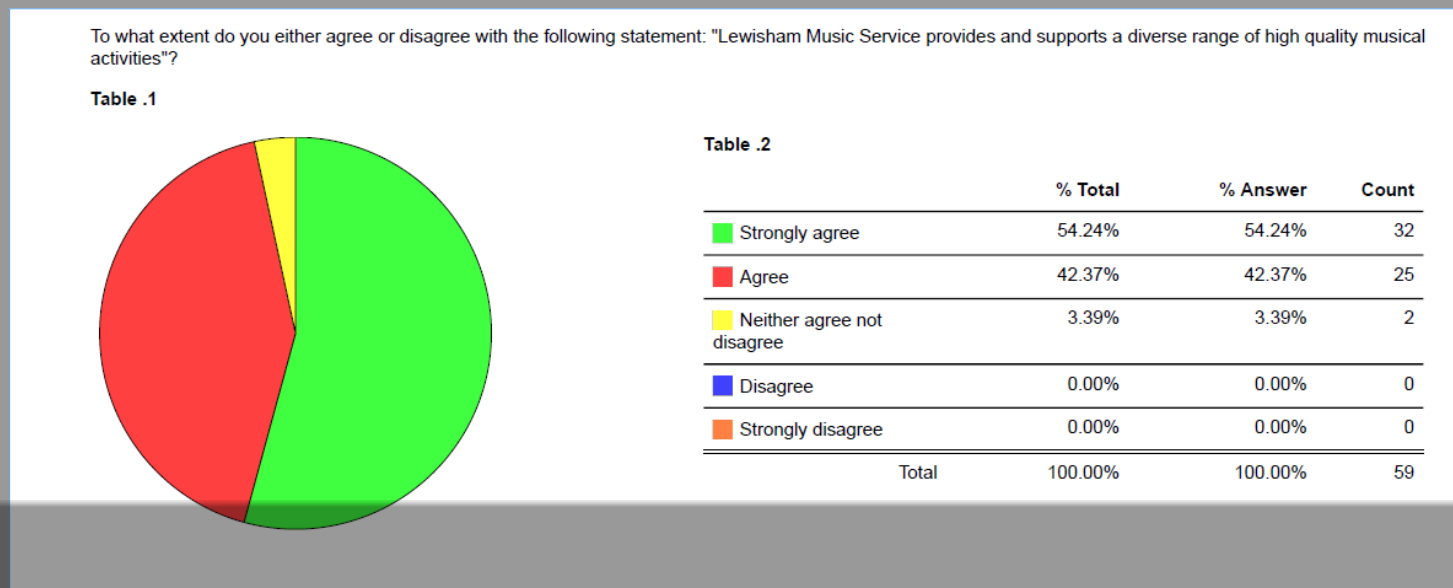
Several respondents expressed their gratitude to Lewisham Council for continuing to support the Music Service through times of austerity, mentioning that it is a very well run service.

Views on the Music Service’s current provision

Respondents were asked “*To what extent do you either agree or disagree with the following statement: Lewisham Music Service provides and supports a diverse range of high quality musical activities?*”

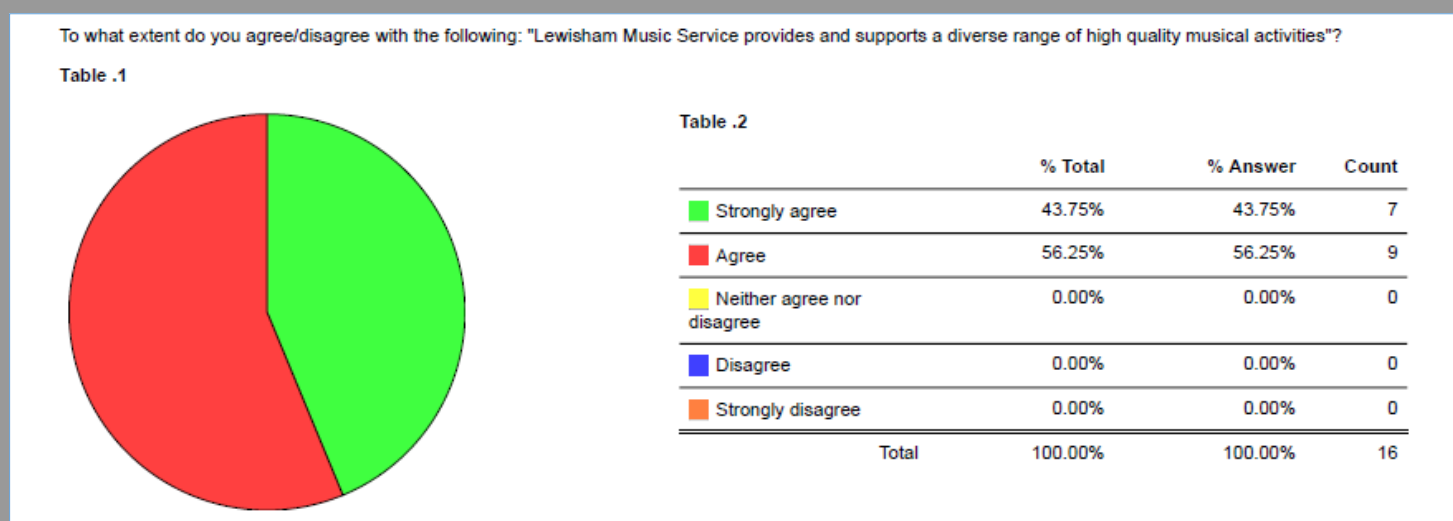
96.6% of user, school and stakeholder respondents agreed with this statement. In addition, many parent and school staff respondents commented that the Music Service provides a high quality service, that it provides excellent performance opportunities and runs excellent events. The service is regarded as good value for money and is accessible. The provision of instruments at reasonable prices was also highlighted.

Fig.3



100% of staff respondents strongly agreed or agreed that Lewisham Music Service 'provides and supports a diverse range of high quality musical activities'. Staff respondents highlighted that the service provision is high quality and at an affordable price for many pupils within Lewisham. The diversity of provision was also highlighted as a strength of the service.

Fig.4



One partner organisation responded that 'Lewisham Music Service is an exemplar in terms of access, opportunity and diversity'.

Overall between 73% and 87% of all respondents rated the following aspects of Lewisham Music Service's work as excellent or good:

- pupils' enjoyment, achievement and wellbeing;
- value for money;
- quality of teaching;
- range of opportunities;
- quality of events and projects.

6. Equalities monitoring

59 respondents completed the Equalities Monitoring profiling.

- 3% were under 18 years of age. 3% were age 18 to 24. 7% were age 25 to 34. 39% were age 35 to 49. 39% were over 50 and 8% preferred not to say.
- 27% were male and 64% female. 8% preferred not to say.
- 7% were transgender.
- 7% had a disability.
- 46% had no religious affiliation. 41% were Christian. 12% preferred not to say.
- 62% were White British. 27% were of Black or Minority Ethnic heritage.

APPENDIX 1 Consultation information sheet for users and stakeholders

APPENDIX 2 Consultation questions for users and stakeholders

APPENDIX 3 Consultation information sheet for Music Service staff

APPENDIX 4 Consultation questions for Music Service staff

Peter Hayward

Head of Lewisham Music Service & Director of Lewisham Music Hub

July 2016

APPENDIX 1

CONSULTATION INFORMATION SHEET FOR USERS AND STAKEHOLDERS



Supported using public funding by



**ARTS COUNCIL
ENGLAND**

The Future of Lewisham Music Service

Information for schools, pupils, parents and carers and Music Hub partner and associate organisations

May 2016

Introduction:

This information sheet outlines our proposals to restructure Lewisham Music Service as an independent charitable organisation.

The Mayor and Cabinet of Lewisham Council have agreed that the Music Service can proceed with detailed planning and consultation on our proposals to transfer out of Lewisham Council. For more information on the Mayor's decision see Mayor and Cabinet report (item 336) at

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=139&MIId=3864>

The transfer is not being proposed as a direct result of government funding cuts to music services or hubs, nor is this change being imposed by Lewisham Council and the Council is not shutting down the Music Service. Lewisham Music Service is leading this process with a careful analysis of options together with discussion with other independent charitable music services and hubs in and out of London.

The Music Service's proposals are designed to safeguard and maintain its music provision services for young people and for schools in Lewisham. Your opinions are important and they will help us develop and shape our plans. **When you have read this paper, please respond to the questionnaire.**

The period during which comments can be received is from Wednesday 11 May to Tuesday 7 June 2016.

Did you know...?

- Lewisham Music Service has a 17 year history as the largest music education provider in the borough. 58 music tutors deliver over 600 hours of tuition and music leadership each week for 10 weeks per term to over 6,500 children and young people in 69 of Lewisham's 89 schools and academies, as well as in a range of out of school settings.
- Lewisham Music Service is the music education hub for Lewisham. The service leads a network of over 25 music and arts partner and associate organisations which includes world class orchestras (London Philharmonic Orchestra, London Symphony Orchestra), higher education colleges (Goldsmiths, Trinity Laban) and local music and arts organisations (Heart n Soul, Horniman Museum & Gardens).
- Arts Council England (ACE) has given Lewisham Music Service the highest possible rating for the quality of its work as a music hub for three years running.
- The Music Service delivers whole class, small group and ensemble programmes in 69 of Lewisham's 89 primary, secondary and special schools.
- Last year, 2,420 children accessed learning an instrument for the first time through the Music Service's whole class programme in 71% of Lewisham's primary schools and special schools

with KS2 pupils. Instruments provided include recorder, violin, cello, brass, djembe drums, samba, guitar and ukulele. 64% of these children are continuing to learn an instrument this year including 830 children in whole class continuation groups. A further 3,162 children in schools receive individual or small group instrumental or vocal lessons.

- In 2014/2015, 79 of Lewisham schools and academies took part in at least one Music Hub activity. 4,343 young people from 217 school, Music Service and hub partner musical ensembles performed to 8,839 audience members in 32 performance events.
- The highly acclaimed Lewisham Music Hub Summer Gala at the Royal Festival Hall in July 2015 involved over 1,100 children and young people from 28 schools and 8 Music Service and hub partner ensembles. We have booked the Festival Hall for another summer concert in June 2017.
- Over 500 children and young people regularly take part in the Music Service's 36 diverse choirs and music ensembles in its Saturday Music Centre and in a variety of after school settings across the borough.
- The Music Service provides over 2,500 musical instruments to schools and pupils throughout Lewisham. Every possible type of instrument is provided from violins to djembe drums, from piccolos to bass guitars, from ukuleles to tubas.
- Our tutors and managers are fully qualified professional musicians and professional music educators.
- Our pupils excel in ABRSM grade examinations, access progression routes to London junior conservatoires and colleges, specialist music schools and local and national youth ensembles, and many take up music courses in further and higher education colleges and universities.
- Please visit our website for more information including a film about the Lewisham Music Hub www.lewisham.gov.uk/musichub

The proposal

Lewisham Music Service plans to transfer out of Lewisham Council and become an independent charitable organisation from April 2017. This development will offer greater independence and autonomy for the Music Service to sustain and develop its music provision, to increase access to new funding sources, and to ensure the cost-effective and sustainable delivery of musical activities in Lewisham both now and in the future.

The process

We will prepare detailed papers, including a report of this consultation, for Mayor and Cabinet in July 2016.

Subject to Mayor and Cabinet approval, we plan to become an independent charity from April 2017.

We aim to deepen and extend our relationships with music and arts providers in our hub network, alongside developing new partnerships and collaborations.

Following legal advice and discussions with other independent music services, the structure we are proposing to adopt is a CIO, a charitable incorporated organisation.

The Music Service's staff, assets and property (including its stock of over 3,000 instruments and its music library) together with delivery models, tutor hours, staffing contracts and operational procedures will transfer to the new charity. We will ensure there is minimal disruption for schools, staff, parents and carers, and pupils as a result of the transfer.

The reasons for change

Although we will focus on delivering and supporting music-making for young people, independence and autonomy as a charity will allow us to broaden and deepen musical engagement for people of all ages, providing high quality learning opportunities that support them to fulfil their musical aspirations and potential.

Since 2012 the Music Service has been funded by the Department for Education (DfE) through ACE to be the music education hub (Lewisham Music Hub) for the borough. Funding has only been agreed by government to April 2017. We are concerned about the future risks that dependence on one source of

uncertain funding may bring. As a charity, we can apply for a wider range of alternative funding than is possible if we were to remain as a local authority service. We believe we can operate more flexibly in a changing world where the need to develop new approaches to the operation of our services, to diversifying funding streams, and to strategic development will be crucial to the future of our organisation.

Our services in schools and out of school settings will be safeguarded and the future of these services will be more sustainable. These will include whole class programmes, individual and group tuition, ensembles, instrument hire, live events and projects, advisory and support services, and CPD.

Many other music services across England have transferred out or are considering transferring out of local authorities: it is estimated that 26% of the current 123 music services in England could become independent entities by 2018. We have learned and can continue to learn a great deal from other independent music services and hubs.

The advantages of being a charity

Charitable status will enable us to set up bespoke governance with a new board of trustees bringing in new talent, expertise and experience from within the music, arts, education, charity and business sectors along with new advisory groups with representatives drawn from our staff, user groups, partners and associates.

We will be able to take advantage of some financial benefits for charities such as discounts on purchase of some services and tax reliefs.

Being a charity will not prevent us accessing future ACE hub grant funding – music services do not need to be local authority departments in order to be funded as music hubs.

Alongside the plan to become a charity, we wish to explore moving to new premises where the Service can establish a new identity and an outward-facing public image with an identifiable and accessible base for staff and stakeholders. We are closely involved as a partner organisation in the Heritage Lottery funded re-development of the Fellowship Inn in Bellingham. From 2018, this refurbished building will provide us with rehearsal, studio, examination centre, administration, storage and meeting facilities as well as access to new performance spaces.

Independence from Council systems will allow us to utilise and implement new bespoke digital, communication and back office services such as new payment systems and a new website with an online portal for learning resources and support. These developments will provide a more appropriate and effective service for staff, schools, users, and hub partners and associates.

Charitable status will permit more flexible operating and delivery models, factors which are increasingly important in ensuring the continued maintenance and delivery of good value public services.

We have not yet decided on a name for the new charity. We are discussing ideas with staff and stakeholders as part of this consultation process. We will develop new branding and marketing for the charity whilst ensuring that stakeholders realise the Music Service has not disappeared or been shut down but re-structured to the benefit of all who make use of its services.

Benefits and risks

Benefits	Risks
<ul style="list-style-type: none"> • <i>Reduced dependency on a single source of grant funding</i> • <i>Charity tax reliefs and discounts</i> • <i>Ability to access new funding from trusts and foundations</i> • <i>Greater strategic and operational autonomy</i> • <i>New fit-for-purpose premises</i> • <i>Bespoke systems and governance</i> • <i>Improved service delivery through increased flexibility and efficiency</i> • <i>Access to a wide range of diverse and experienced music practitioners</i> • <i>Improved online and communication resources</i> • <i>Scope for developing new musical initiatives e.g. music for families and communities</i> 	<ul style="list-style-type: none"> • <i>Increased exposure to financial risk</i> • <i>Increased back office costs due to loss of in-kind council benefits e.g. HR, IT, payroll</i> • <i>Transfer costs e.g. legal and consultancy fees</i> • <i>Costs of new premises</i> • <i>Management of new staff alongside those staff who are former Council employees</i>

Other options

Remaining within the Council

The Music Service comprises a large team of Council employees. The ACE funding that supports the Music Service is not guaranteed. There are significant risks for the Music Service if this source of external funding were to be reduced or withdrawn as Council budget cuts due to reductions in government grants may limit the Council's ability to maintain the Service from its own budgets and continue to provide in-kind support. The Music Service considers that whilst independence presents both benefits and challenges, the risks to our future are greater should we stay within the Council.

Partnership with other music services

Some music services in England work across two or more designated geographical areas. Combining hub funding across more than one designated area would be subject to ACE approval. Whilst we do not rule out the possibility that strategic alliances and mergers may be in our best interests at some point in the future, at this stage the additional complications of managing such processes would make what is already an onerous transfer process unmanageable.

Merging with an arts provider or public service provider

Some music services in England have merged with local arts organisations or have been absorbed by private sector companies that provide public services, such as those that manage leisure services. The information we have received on these arrangements suggests that music services do not have the independence they need to develop their services and can also be required to deliver profits for the parent company. From the discussion meetings we have already conducted, we believe not-for-profit charitable status is preferred by our schools, users and partners and will help build confidence and support for the new organisation.

The new charity

Our Vision

Being musical is at the heart of human experience.

Lewisham Music Service aims to transform people's lives and communities through access to musical opportunity. We are committed to broadening and deepening musical engagement amongst people of all ages, particularly children and young people, and to providing high quality learning opportunities that support them to fulfil their musical aspirations and potential.

Our Mission Drawing on 17 years of experience in working with schools, young people and cultural organisations, our mission is to promote and celebrate:

- music in schools
- music in the community
- music in partnership
- cultural diversity, creativity and excellence
- the skills, knowledge and experience of music education practitioners
- equality of access
- the musical aspirations and goals of vulnerable and disadvantaged people in our communities
- access to music for children, young people and adults with additional needs.

Our Values

- We will have the highest musical aspirations and ambition for all our participants and stakeholders.
- We will promote quality of access, fairness and music for all.
- We will work with transparency and accountability.
- We will provide high quality services that make a positive difference to the lives of children and young people, their families and their communities.

Conclusion

Transfer from Lewisham Council will allow Lewisham Music Service both to maintain its current work and to develop and expand its future direction and programmes. The Service believes that as a charity it can continue to expand its services for schools, children and young people in a sustainable, creative and cost effective way whilst developing new services and opportunities for the wider community. Charitable status will reduce our dependence on public spending, improve financial resilience, and allow us greater flexibility to customise services and operations as required in a fast-moving and ever-changing cultural world.

Our responses to some of the questions you may want to ask...

All users and stakeholders

- Will the charity change what is currently on offer?
No. The Music Service aims to maintain all programmes when the transfer takes place.
- Will charges rise?
Funding uncertainties remain whether or not the Music Service transfers out of the Council and we are therefore unable to guarantee fees won't rise. However, as a charity, we will be able to raise additional funds and this will help us control costs. We are committed to ensuring our programmes are affordable, provide good value for money and compare favourably with our competitors and neighbouring boroughs. New finance management systems will mean schools, parents and carers may need to pay for services in advance.
- Will musical instruments still be available for hire?
Yes. Our instrument stock will transfer across to the new charity.
- Will project and performance opportunities change?
No. The new funding streams and partnerships our charitable status will bring about will enhance and broaden our performance programme.
- Will the charity continue to offer external musical exams?

Yes. From 2018, our new premises may allow us to expand the range of music exams on offer and increase the frequency of when they are available.

Pupils, parents and carers

- Will there be concessionary rates for families on low incomes?
Yes. We will always ensure our programmes provide good value for money and ensure concessions are in place for families on low incomes. A new bursary scheme will provide additional financial support for those in need.
- Will venues for out of school services change?
If our move to Bellingham takes place, we may move some nearby after school ensembles to our new centre from 2018. We are not proposing to move the Saturday Music Centre.

Schools

- Will safeguarding and DBS measures change?
The charity will be responsible for DBS and safeguarding measures. Our policies will maintain current Council and government regulations, good practice and guidance.
- Will schools still be able to communicate effectively with the Music Service if it leaves the Council?
Yes. Our new fit-for-purpose administration systems will ensure enquiries can be answered efficiently with a new online portal to support access to learning resources and information.

Partners

- Will the Music Service continue to lead the music education hub?
Yes, subject to continued DfE funding through ACE, and subject to a successful bid later in the year. ACE relationship managers are aware and supportive of our plans.

Have your say

To share with us your views on our proposals, please complete the attached questionnaire by Tuesday 7 June 2016. Responses received after this date will not be included in our report for Mayor and Cabinet.

If you have any questions regarding this engagement process or the information provided please contact Lewisham Music Service at

Lewisham Music Service

3rd Floor

Laurence House

1 Catford Road

SE6 4RU

Tel: 020 8314 6454

Email: music.hub@lewisham.gov.uk

APPENDIX 2

CONSULTATION QUESTIONS FOR USERS AND STAKEHOLDERS

The Future of Lewisham Music Service

Questionnaire for schools, pupils, parents and carers, hub partner and associate organisations

May 2016

Introduction

This questionnaire seeks the views of Lewisham Music Service users and stakeholders on its plan to transfer out of Lewisham Council and become an independent charity. We believe this development will allow the service to maintain its current provision of high-quality music education and experiences, whilst greatly enhancing its capacity to safeguard the future of its work.

The planned transfer to charitable status is not being proposed as a result of government funding cuts to musical services, nor is this change being imposed by Lewisham Council.

Lewisham Music Service is leading this process following careful analysis of its options, together with discussion with other independent charitable music education organisations in and out of London. Lewisham Music Service managers consider that charitable status will enable the service to continue to expand its music provision for schools, children and young people in a sustainable way, as well as enabling it to offer new musical opportunities to new users.

As we plan for this new future we are very keen to receive your views and opinions. These are important and will help drive and develop the future direction of our service.

We would be very grateful if you could complete the attached questionnaire. **Before doing so please read the attached information sheet which summarises our proposals.**

The period during which comments can be received is from Monday 9 May to Sunday 5 June 2016.

If you have any questions regarding this engagement process or the information provided please contact Lewisham Music Service at:

Lewisham Music Service
3rd Floor
Laurence House
1 Catford Road
SE6 4RU
Tel: 020 8314 6454
Email: music.hub@lewisham.gov.uk

Section 1: Questions

1 What type of music service user or stakeholder are you?

Pupil Parent/carer School

Music hub partner or associate organisation

If you ticked school please indicate which type:

Nursery or Children's Centre Primary Infant Junior Secondary All through Special PRU

2 To what extent do you agree/disagree with the following:

Lewisham Music Service provides and supports a diverse range of high quality musical activities.

3 Please comment on your choice of answer.

4 From your experience, how would you rate the following aspects of Lewisham Music Service's work? (1: Excellent 2: Good 3: Average 4: Poor 5: Don't Know)

Promotion of young people's:

enjoyment achievement wellbeing

Value for money Quality of teaching

Quality of live events and projects

Communication and marketing

Instrument provision Range of musical opportunities

5 To what extent do you agree/disagree with the following:

It would be a worthwhile venture for Lewisham Music Service to become an independent charity.

(Please refer to the attached document for more information)

6 Please comment on your choice of answer.

Section 2: Other Comments

1 Do you have any other comments on the planned changes to re-structure Lewisham Music Service as an independent charitable organisation?

2 Do you have any suggestions on any alternative models for the Music Service other than those set out in the accompanying information sheet?

APPENDIX 3

CONSULTATION INFORMATION SHEET FOR MUSIC SERVICE STAFF



Supported using public funding by



**ARTS COUNCIL
ENGLAND**

The Future of the Music Service

Staff Consultation

May 2016

1. INTRODUCTION

- 1.1 The Mayor and Cabinet of Lewisham Council have agreed that the Music Service can proceed with detailed planning and consultation on our proposals to transfer out of Lewisham Council and become an independent charity. For more information on the Mayor's decision see Mayor and Cabinet report (item 336) at <http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=139&MIId=3864>
- 1.2 This paper outlines our proposals. Following the opportunities you have already had to attend discussion meetings about these proposals in January 2016 as well as the information and Q and A sessions at Music Service training days in September 2015 and April 2016, we are very keen to engage further with the views of our staff members. Your opinions are important and they will help us develop and shape our plans. **When you have read this paper, please answer the questionnaire.** There will be a further consultation with members of staff as part of the Transfer Undertakings (Protection of Employment) (TUPE) process should our proposals be approved by the Mayor and Cabinet.
- 1.3 We are running a parallel consultation process with schools, parents and carers, pupils, and hub partners. This consultation will help us prepare for the next stage in the process whereby a detailed paper, including a consultation report, will be presented to the Mayor and Cabinet in July 2016.
- 1.4 Lewisham Music Service is leading the charity scoping process with a careful analysis of options together with discussion with other independent charitable music services and hubs in and out of London. The transfer is not being proposed as a direct result of government funding cuts to musical services. Nor is this change being imposed by Lewisham Council and the Council is not shutting down the Music Service.
- 1.5 We believe re-structuring the Music Service as a charity will allow us to maintain our current provision of high-quality delivery whilst greatly enhancing our capacity to offer new opportunities to new users. As an autonomous independent organisation we believe we can operate more flexibly in a changing world where the need to develop new approaches to the operation of services, to diversify funding streams and to adapt to new strategic developments will be crucial to the future of our organisation.

2 WHAT SERVICES DOES THE MUSIC SERVICE CURRENTLY PROVIDE?

2.1 Music Service delivery

- 2.1.1 The Music Service's team of 51 claims-based hourly paid tutors, 5 faculty coordinators, 1 singing leader, 1 Saturday Centre leader, 4 administrative staff and 3 senior managers delivers

over 600 hours of tuition and music leadership each week for 10 weeks per term to over 6,500 children and young people in 69 of Lewisham's 89 schools and academies, as well as in a range of out of school settings.

2.2 Lewisham Music Hub

- 2.2.1 Since 2012 Lewisham Music Service has operated as a music education hub (Lewisham Music Hub) funded by Arts Council England (ACE) to deliver and support music education provision in Lewisham. The Service delivers and supports five core and three extended roles, as set out in the National Plan for Music Education (NPME, 2012 to 2020). It supports music provision for children aged 5 to 18 in all Lewisham's maintained schools, academies and free schools and/or those resident in the borough. Support for schools is governed by targets and systems described in the Hub's School Music Education Plan (SMEP). The Hub also develops partnerships and extends opportunities for young people through its network of over 25 music and arts partner and associate organisations which includes two world class London-based orchestras (LPO and LSO), higher education colleges (Goldsmiths and Trinity Laban) and local music organisations (Midi Music Company, Montage Theatre Arts).
- 2.2.1 ACE officers have stated that Lewisham Music Service runs one of the most successful music hubs in London. For three years running the Hub has received a 'minor risk' rating, ACE's highest level of approval. This is because ACE officers 'are confident in the management structures, delivery plans, and financial arrangements underpinning this activity, and in your overall delivery'.

2.3 Music in schools

- 2.3.1 The Music Service has greatly expanded its delivery of KS2 whole class instrumental music programmes. Whole class lessons are currently provided and supported in 46 of Lewisham's 65 primary and all through schools with KS2 pupils and in 3 of Lewisham's 4 special schools. Over 2,400 children are currently learning to play an instrument through this scheme.
- 2.3.2 A further 3,900 children learn to play instruments and to sing in Music Service school-based whole class continuation groups, small group lessons and ensembles.
- 2.3.3 The Music Service charges schools for the tutor hours and instrument hire costs associated with these programmes.
- 2.3.4 In 2014/2015 over 2,000 Lewisham school children attended concerts, projects and events organised by music hub partner organisations.
- 2.3.5 The Music Service, in accordance with its role as a music education hub, visits every school to advise on curriculum and extra-curricular music provision, it provides information about projects and progression routes that are appropriate for pupils, and offers schools opportunities to take part in a wide variety of live events, projects and CPD sessions.

2.4 Music services provided directly to pupils

- 2.4.1 Over 500 children and young people regularly access out of school music-making in the Music Service's 36 after school ensembles. These meet in schools and centres across the borough and at the Saturday Music Centre. Ensembles and programmes are designed to provide progression routes for those at the start of their musical learning through to intermediate and advanced levels. Some of the borough's most advanced young musicians take part in our ensembles, particularly in the Lewisham Schools Concert Band (founded 2001), the borough's flagship ensemble.
- 2.4.2 These programmes provide a unique opportunity for children from all corners of the borough to meet, sing and play music together in high quality borough ensembles.

- 2.4.3 Parents and carers are charged directly for these services. The Music Service funds concessionary rates for children eligible for Pupil Premium (formerly Free School Meals children) and for children who are looked after (children in care).

2.5 Performances and projects

- 2.5.1 Over 4,343 children and young people from 217 schools and Music Service and hub partner ensembles took part in Music Service and Hub live events in the 2014/2015 school year including a highly acclaimed Hub Summer Gala at the Royal Festival Hall in July 2015.

2.6 Staff

- 2.6.1 For the current staff structure see Appendix 1.
- 2.6.2 Music tutors are claims-based and hourly paid. This structure was adopted when the Music Service was formed in 1999 and rates of pay have risen in line with Lewisham Council awards for all staff across the Council.
- 2.6.3 Managers and administration staff are employed in accordance with local authority and national pay scales.

2.7 Finance

- 2.7.1 Lewisham Music Service's turnover for 2016/2017 is £1.25m. Its ACE music hub grant for 2016/2017 is £403,894. 60% of its income is earned from services provided to schools, and parents and carers.

2.8 Operation and premises

- 2.8.1 The Service's operational systems are Council systems and they are all run in accordance with Council policies under the management of Council departments. These include finance, HR, payroll, and IT services.
- 2.8.2 The Music Service management and administration team is based at the Council's central office building at Laurence House in Catford. Musical instruments, curriculum resources and sheet music are stored at Trinity Primary School.
- 2.8.3 After school programmes take place in a community centre and in a variety of schools around the borough. The Saturday Music Centre takes place at Prendergast Vale School in Lewisham.

3 WHY ARE WE PROPOSING MAKING CHANGES TO THE MUSIC SERVICE?

3.1 Finance

3.1.1 Arts Council England (ACE)

Since 2012, Lewisham Music Service has been funded by Arts Council England with funds made available by the Department for Education (DfE) to lead and function as a music education hub for Lewisham. Funding has been agreed to 31 March 2017. No announcements have yet been made about future funding from April 2017, but the expectation is that hubs will be needed to continue to support and deliver the NPME. We are hopeful that the opportunity for us to bid for a three year funding plan will be launched in autumn 2016.

3.1.2 Lewisham Council

Central government's commitment to reducing the national budget deficit has led to grants for local government being reduced. As a result, like other local councils, Lewisham Council has had to make savings and government funding for Lewisham is projected to continue falling. Lewisham's savings amount to 138m since 2010. The Council is anticipating it will need to make

further cuts of £76m in its spending by 2020. Since 2010 the Council workforce has reduced by 1,697 staff.

Independent charitable status will enable the Music Service to exercise greater financial autonomy, to set up bespoke systems, and to explore diversification of its funding streams to reduce its dependency on a single source of core funding in order to safeguard its future for its staff, users and stakeholders.

3.1.3 School funding

The recent education white paper¹ sets out proposals for changes to school funding mechanisms, school governance and the role of local authorities. Schools are not obliged to use Council traded services. We do not expect school delivery to be affected by virtue of our proposed new status. However, in a climate of change and funding uncertainty we need to prepare for a future in which our services meet schools' needs, are of high quality and provide good value for money. We believe independence will allow the Music Service to continue to have a leading role in the local music education sector whilst enabling us to adapt to and deal with changing needs and priorities.

3.1.4 Charitable benefits

As a local authority service, the Music Service's ability to access grants from trusts and foundations is limited. If we become a charity we will be able to apply for additional funding from a wide range of organisations such as those that support some of our hub partners (for example Youth Music and Esmée Fairbairn Foundation). We will be able to gift aid donations and subscriptions (which could add 20% to some of our income streams) and also take advantage of some financial benefits for charities such as discounts on purchase of some services and tax reliefs.

3.2 **Operations**

3.2.1 Governance

The Music Service is part of Lewisham's School Improvement Team. The Head of Standards and Achievement, the Music Hub Strategy Board and our ACE Relationship Managers oversee our operation as a service and a hub.

Charitable status will enable us to set up bespoke governance for the Music Service. Trustees, patrons and advisory groups will bring in new talent, expertise, profile and experience from within the music, arts, education, charity and business sectors.

3.2.2 Premises

The Music Service is currently based at Laurence House. This location does not meet our developing needs with regard to desk space, storage, training, rehearsal and meeting areas, and nor does it present a practical and accessible environment for visitors and those making enquiries about our services.

Alongside the plan to become a charity, we are exploring moving to new premises to enhance the Service's new identity and its ability to deliver its new vision. We are closely involved as a partner organisation in the Heritage Lottery funded re-development of the Fellowship Inn in Bellingham. This new facility, owned by Phoenix Housing, will be at the heart of the regeneration of the Bellingham area and will operate as a new cultural and community hub. We wish to play a role in this exciting development. The refurbished premises will provide us with rehearsal, studio, examination centre, administration, storage and meeting spaces. The building will also have two large performance spaces available for live events and projects. These premises will give us an opportunity to play our part in the cultural life of Bellingham,

¹ <https://www.gov.uk/government/publications/educational-excellence-everywhere>

work with local partners and the chance to apply for new funding streams to support new programmes for community groups such as families, early years and the elderly. Arts Council England officers are aware and supportive of these developments.

There will also be cost efficiencies in relocating some of our after school programmes as well as the possibility of raising income from subletting areas of the building allocated to our use.

3.2.3 Administration and management

Independence from Council systems will allow us to introduce new bespoke digital and back-office services which will provide a more appropriate and effective service for staff, schools and users.

3.2.4 Staff Contracts

All Music Service staff members are Lewisham Council employees. If our proposals go ahead, they will be transferred across from the Music Service to the charity under Transfer of Undertakings (Protection of Employment) (TUPE) regulations which will protect staff terms and conditions including pensions and redundancy. Separate government and local authority regulations protect public sector pensions; the Music Service will seek admission to the Local Government and Teachers' Pension schemes so that the pension benefits of staff members who transfer across to the new charity can be protected and contributions can continue to be made. As mentioned in 1.2, there will be a further staff consultation as part of this process.

The new charity will have the freedom to determine new contracts and terms and conditions for new employees, review its staffing structure, and will continue to engage high quality staff and artists in ways that meet its needs. Details will be finalised in due course when the budget for the new organisation is clearer following announcements about future hub funding.

3.3 **Strategic development**

3.3.1 The *Culture White Paper* (March 2016)² sets out an ambitious plan for how cultural life in Britain can be better accessed and supported. 'Culture will play an active role in building a fairer and more prosperous nation' (p.13). It is anticipated that music education hubs will connect with the aims set out in the white paper, especially with regard to ensuring culture is 'an essential part of every child's education, both in and out of school' (p.21). At the heart of this strategy is the importance of building stronger and healthier communities, building greater local and national partnerships and establishing cultural investment, resilience and reform. Public investment will need to sit alongside private investment, philanthropy and earned income. The government believes it is this mixture of income streams that will provide the basis for a thriving cultural sector. We feel the flexibility and diversity of funding that independence from the local authority will bring will enable the Music Service to function more sustainably and effectively in this cultural environment.

3.3.2 Many other music services across England have transferred out or are considering transferring out of local authorities: it is estimated that 26% of the current 123 music services in England could become independent entities by 2018.

3.3.3 There is no reason why, as an independent organisation, the Music Service cannot continue to maintain its positive relationships with relevant local authority teams and local schools. Our new advisory groups will help sustain and develop links with a wide range of stakeholders, including headteachers, councillors, staff, parents and carers, young people, hub partners and associates, and local authority colleagues.

² <https://www.gov.uk/government/publications/culture-white-paper>

- 3.3.4 Lewisham Music Service, subject to continued ACE funding, will remain as the music education hub organisation for Lewisham. (It is not a requirement for music services to be local authority services in order to access hub funding). As the charity develops and grows, hub core and extended roles will be supplemented by new areas of delivery and operation that will reach beyond the music hub's prescribed roles, thereby enriching cultural offers for many more sectors within the Lewisham community.

4. WHAT WILL THE NEW CHARITY LOOK LIKE?

4.1 ***Our Vision***

Being musical is at the heart of human experience.

Lewisham Music Service aims to transform people's lives and communities through access to musical opportunity. We are committed to broadening and deepening musical engagement amongst people of all ages, particularly children and young people, and to providing high quality learning opportunities that support them to fulfil their musical aspirations and potential.

Our Mission Drawing on 17 years of experience in working with schools, young people and cultural organisations, our mission for the next 5 years is to promote and celebrate:

- music in schools
- music in the community
- music in partnership
- cultural diversity, creativity and excellence
- the skills, knowledge and experience of music education practitioners
- equality of access
- the musical aspirations and goals of vulnerable and disadvantaged people in our communities
- access to music for children, young people and adults with additional needs.

Our Values

- We will have the highest musical aspirations and ambition for all our participants and stakeholders.
- We will promote quality of access, fairness and music for all.
- We will work with transparency and accountability.
- We will provide high quality services that make a positive difference to the lives of children and young people, their families and their communities.

- 4.2 We are planning for Lewisham Music Service to become a not-for-profit charitable organisation from April 2017.
- 4.3 Following legal advice and discussions with other independent music services, the structure we are proposing to adopt is a CIO, a charitable incorporated organisation.
- 4.4 Governance for the new charity will pass from Lewisham Council's Children and Young People's Directorate and its School Improvement Team to a newly appointed board of trustees. The charity's Chief Executive Officer (current Head of Service) will report to the board on all aspects of the charity's operation. Advisory groups will provide the opportunity for staff, young people, stakeholders and partners to be involved in the governance of the charity.
- 4.5 Our board of trustees, patrons and advisory groups will bring us professional governance and support in areas such as business management, charity operation, HR, legal advice and fund-raising to help us become a successful, sustainable organisation.
- 4.6 Subject to continuing music hub government funding, the Music Service will continue to function as Lewisham's music education hub organisation, supporting a diverse music network and providing a comprehensive range of musical services and opportunities for young people.

- 4.7 Our reliance on a single source of central government funding will reduce as we benefit from new funding streams, charity reliefs and benefits allowing us both to maintain and develop our services to the Lewisham community.
- 4.8 We will benefit from a greater diversity of funding streams and charity reliefs and benefits.
- 4.9 Although we will focus on delivering and supporting music-making for young people, we will broaden and deepen musical engagement for people of all ages, providing high quality learning opportunities that support them to fulfil their musical aspirations and potential.
- 4.10 Our delivery models, tutor hours, staffing contracts and operational procedures will transfer to the new charity. We will ensure there is minimal disruption for schools, staff, parents and carers, and pupils as a result of the transfer.
- 4.11 We will prioritise maintaining our services to schools alongside new offers and opportunities.
- 4.12 Our programme of after school and Saturday services will be maintained alongside new groups and new projects run both directly by the Service and in partnership with other music and arts organisations.
- 4.13 Our management and administration team will develop new bespoke systems for payroll, IT (including an online staff area, staff email addresses, online payroll and payment services and a new website) and finance.
- 4.14 We will support our teaching staff by maintaining effective and efficient management and administration teams, together with access to training and professional development. We will recruit new members of staff to complement our existing skilled and experienced team of music education practitioners.
- 4.15 The Music Service's property, including its stock of over 3,000 instruments and its music library, will transfer to ownership by the new charity.
- 4.16 A bursary scheme, supported by gift-aided charitable donations, will support children with musical aptitude from low income families with progression routes and access to appropriate service, hub and external music programmes.
- 4.17 From 2018 we expect to be based at The Fellowship in Bellingham. After school and Saturday services will continue to be run in schools and other settings around the borough. Transition premises for administration and management functions may be required from April 2017.
- 4.18 We have not yet decided on a name for the new charity. We are discussing ideas with staff and stakeholders as part of this consultation process. We will develop new branding and marketing for the charity whilst ensuring that stakeholders realise the Music Service has not disappeared or been shut down but re-structured to the benefit of all who make use of its services.

5. SUMMARY: BENEFITS AND RISKS

Benefits	Risks
<ul style="list-style-type: none"> • <i>Reduced dependency on a single source of grant funding</i> • <i>Charity tax reliefs and discounts</i> • <i>Ability to access new funding from trusts and foundations</i> • <i>Greater strategic and operational autonomy</i> • <i>New fit-for-purpose premises</i> • <i>Bespoke systems and governance</i> • <i>Improved service delivery through increased flexibility and efficiency</i> • <i>Access to a wide range of diverse and experienced music practitioners</i> • <i>Improved online and communication resources</i> • <i>Scope for developing new musical initiatives e.g. music for families and communities</i> 	<ul style="list-style-type: none"> • <i>Increased exposure to financial risk</i> • <i>Increased back office costs due to loss of in-kind council benefits e.g. HR, IT, payroll</i> • <i>Transfer costs e.g. legal and consultancy fees</i> • <i>Costs of new premises</i> • <i>Management of new staff alongside those staff who are former Council employees</i>

60 OTHER OPTIONS

6.1 Remaining within the Council

- 6.1.1 Whilst we currently access in-kind Council services at no charge, continuation is not guaranteed.
- 6.1.2 The Music Service comprises a large team of Council employees. The ACE funding that supports the Music Service is not guaranteed. There are significant risks for the Music Service if this source of external funding were to be reduced or withdrawn as Council budget cuts are likely to limit the Council's ability to maintain the Service from its own budgets.
- 6.1.3 The Music Service considers that whilst independence presents both benefits and challenges, the risks to our future are greater should we stay within the Council.

6.2 Partnerships or mergers with external organisations

6.2.1 Music Services

Some music services in England work across two or more designated geographical areas. However, no local music services or hubs have proposed merging with us. The Music Service will continue to be a member of the South Riverside Music Partnership (Lambeth, Royal Greenwich and Southwark music services and hubs, LPO, Trinity Laban) and we will continue to explore with our partners where areas for collaboration are in the best interests of our staff, schools, users and stakeholders. We consider that should we become an independent organisation operating outside the local authority sector, we can develop appropriate partnerships and collaborations with more freedom and autonomy. However, whilst we do not rule out the possibility that strategic alliances and mergers may be in our best interests at some point in the future, at this stage the additional complications of managing such processes would make what is already an onerous transfer process unmanageable.

6.2.2 Merging with an arts provider or public service provider

Some music services have merged with local arts organisations or have been absorbed by private sector companies that provide public services, such as those that manage leisure services. The information we have received on these arrangements suggests that music services do not have the independence they need to develop their services and can also be

required to deliver profits for the parent company. From the discussion meetings we have already conducted, we believe not-for-profit charitable status is preferred by our schools, users and partners and will help build confidence and support for the new organisation.

7. CONCLUSION

- 7.1 Lewisham Music Service managers believe that charitable status will enable it both to sustain and expand its services for schools, children and young people in a sustainable way, enhancing creativity and value, as well as offering new opportunities for new users. It will enhance our ability to work closely with new and existing partners as well as engage with emerging new strategic directions across London and beyond.
- 7.2 The proposed transfer will enhance access to new funding streams, improve resilience to the inevitable strategic and financial changes within our sector, and give the Service the freedom to re-structure services and operations as required in order to maintain the provision of high quality services to its users.
- 7.3 Our proposals will not lead to a reduction in our services to schools nor will it disrupt children's learning out of school. The terms of the transfer will safeguard employment terms and conditions for current members of staff.
- 7.4 The Lewisham Music Service charity will be a new and exciting chapter in the Service's 17 year history. We recognise that staff support for the transfer will be crucial to its success. We hope all members of staff will want to join us in helping to shape a thriving, successful and sustainable organisation with a long and viable future.

8. THE TRANSFER PROCESS

- 8.1 Timetable for consultation and transfer:

<i>11 May 2016</i>	<i>Consultation begins</i>
<i>May 2016</i>	<i>Discussion meetings for staff and stakeholders (tbc)</i>
<i>7 June 2016</i>	<i>Consultation ends</i>
<i>15 June 2016</i>	<i>Discussion of final proposals by CYP Directorate Management Team</i>
<i>27 July to 3 August 2016</i>	<i>Decision on final proposals (business plan, constitution, budget plan, consultation report) by Mayor and Cabinet and LBL scrutiny committee.</i>
<i>September to December 2016</i>	<i>TUPE planning and consultation. Due diligence: assessment of assets, liabilities, and contracts DfE and ACE guidance on future funding for music education hubs.</i>
<i>January to February 2017</i>	<i>Finalised budget proposals. Preparation for move to transition premises (if required)</i>
<i>March 2017</i>	<i>Finalise transfer agreement</i>
<i>1 April 2017</i>	<i>Music Service starts trading and operating as a CIO</i>
<i>January 2018</i>	<i>Move to the Fellowship, Bellingham</i>

9. HAVE YOUR SAY

9.1 To share with us your views on our proposals, please complete the attached questionnaire by Tuesday 7 June 2016. Responses received after this date will not be included in our report for the Mayor and Cabinet.

9.2 If you have any questions regarding this engagement process or the information provided please contact Lewisham Music Service at

Peter Hayward
Lewisham Music Service
3rd Floor
Laurence House
1 Catford Road
SE6 4RU
Tel: 020 8314 6450
Email: peter.hayward@lewisham.gov.uk

Appendices attached were

1: Current Music Service Staff Structure

2: LBL TUPE guidance for staff

APPENDIX 4

CONSULTATION QUESTIONS FOR MUSIC SERVICE STAFF

The Future of Lewisham Music Service

Staff Questionnaire

May 2016

Introduction

This questionnaire seeks the views of Lewisham Music Service staff members on its plan to transfer out of Lewisham Council and become an independent charity. We believe this development will allow the service to maintain its current provision of high quality music education and experiences, whilst greatly enhancing its capacity to safeguard the future of its work.

The planned transfer to charitable status is not being proposed as a result of government funding cuts to musical services, nor is this change being imposed by Lewisham Council.

Lewisham Music Service is leading this process following careful analysis of its options, together with discussion with other independent charitable music education organisations in and out of London. Lewisham Music Service managers consider that charitable status will enable the Service to continue to expand its music provision for schools, children and young people in a sustainable way, as well as enabling it to offer new musical opportunities to new users.

As we plan for this new future we are very keen to receive your views and opinions. These are important and will help drive and develop the future direction of our service.

We would be very grateful if you could complete the attached questionnaire. **Before doing so please read the attached information sheet which summarises our proposals.**

The period during which comments can be received is from Monday 9 May to Sunday 5 June 2016.

If you have any questions regarding this engagement process or the information provided please contact Lewisham Music Service at:

Lewisham Music Service
3rd Floor
Laurence House
1 Catford Road
SE6 4RU
Tel: 020 8314 6454
Email: music.hub@lewisham.gov.uk

Section 1: Questions

(Please tick and comment in the boxes most relevant to you)

- 1 *Please indicate your staff role –
tutor, tutor with additional management responsibilities, administrator, manager*
- 2 To what extent do you agree/disagree with the following:

Lewisham Music Service provides and supports a diverse range of high quality musical activities.

3 Please comment on your choice of answer.

4 From your experience, how would you rate the following aspects of Lewisham Music Service's work? (1: Excellent 2: Good 3: Average 4: Poor 5: Don't Know)

Promotion of young people's:
enjoyment achievement wellbeing

Value for money Quality of teaching

Promotion and marketing

Instrument provision Range of musical opportunities

Quality of live events and projects Professional development

Staff support and management Employment terms and conditions

Communication with staff

5 To what extent do you agree/disagree with the following:

It would be a worthwhile venture for Lewisham Music Service to become an independent charity.

6 Please comment on your choice of answer.

Section 2: Other Comments

1 Do you have any other comments on the planned changes to re-structure Lewisham Music Service as an independent charitable organisation?

2 Do you have any suggestions on any alternative models for the Music Service other than those set out in the accompanying information sheet?

Business case for the transfer of Lewisham Music Service from Lewisham Council to *Lewisham Music* (working title), a new independent charity

1. Introduction

This paper sets out the business case for the transfer of Lewisham Music Service from Lewisham Council to a new charity, *Lewisham Music* (working title) in April 2017. *Lewisham Music* will take over Lewisham Music Service’s delivery functions including its role as the music education hub role for Lewisham, subject to continued Department for Education (DfE) funding via Arts Council England (ACE). *Lewisham Music* will build on the Music Service’s track record and reputation in its provision of music learning, live events and music projects for young people in Lewisham schools and academies, its extensive out of school programme, and its facilitation of high quality local and regional music opportunities provided by a wide range of hub partners and associate organisations. Continuity of service will be assured, whilst providing new opportunities for a greater diversity of provision to the Lewisham community through access to new funding streams, new premises and new governance. (See Appendix 1 for the draft vision, mission and values of *Lewisham Music*).

2. Executive summary

2.1 Summary of benefits for residents, schools and stakeholders

Residents, schools and stakeholders	
Strategic benefits	<i>Sustainable future for diverse and affordable music education services and cultural opportunities (5.1.1). Scope for developing new musical and cultural initiatives e.g. music for families and communities (5.1.2).</i>
Financial benefits	<i>Charitable donations and tax reliefs to support under-represented and disadvantaged groups (5.2.1). Charity tax reliefs and new funding from trusts and foundations safeguards the future and support new programmes in a time of economic difficulty (5.2.2).</i>
Operation and delivery benefits	<i>Improved service delivery through increased flexibility and efficiency (5.3.1). Access to new fit-for-purpose premises (5.3.2).</i>

2.2 Summary of benefits for Lewisham Council

Lewisham Council	
Strategic benefits	<i>Continuation of high quality services for residents, schools and stakeholders (5.4.1). Positive contribution to strengthening the arts and social enterprise sector (5.4.2).</i>
Financial benefits	<i>Cost savings through externalisation of back office functions (5.5.1). Reduction of financial risk should government funding reduce or be removed in the future (5.5.2).</i>
Operation and delivery benefits	<i>Reduced workload for Council officers and senior managers through transfer out of workforce and governance (5.6.1). Desk space and storage areas freed up for other Council departments (5.6.2).</i>

3. Context

3.1 Lewisham Music Service

- Lewisham Music Service was founded in 1999 as a Council service and it is the largest music education provider in the borough. Throughout its history it has delivered non-statutory music education services in accordance with government policy and with the support of government funding.
- The Music Service's 58 music tutors currently deliver over 600 hours of music lessons and ensemble rehearsals each week for 10 weeks per term to over 6,000 children and young people in 69 of Lewisham's 89 schools and academies, as well as in a range of out of school settings.
- The Music Service is a department within Lewisham Council's Children and Young People's Directorate and it is managed by the School Improvement Team's Head of Standards and Inclusion.
- The Music Service is the lead organisation in Lewisham's music education hub. Its programmes are delivered in accordance with the four core roles and three extension roles for music hubs as set out in *The National Plan for Music Education* (DfE, 2011) and the ACE guidance for music hubs (ACE, 2016). The Music Service is responsible for providing music education advice and support for every school and academy in Lewisham as set out in the music hub School Music Education Plan and as recommended by Ofsted (*Music in schools: what hubs must do*, 2013).
- The Service leads a network of over 25 music and arts partner and associate organisations which includes world class orchestras (London Philharmonic Orchestra, London Symphony Orchestra), higher education colleges (Goldsmiths, Trinity Laban Conservatoire of Music & Dance) and local music and arts organisations (Heart n Soul, Horniman Museum & Gardens). In

2014/2015, 3,500 Lewisham children and young people took part in music projects and live events run by music hub partners.

- ACE has given Lewisham Music Service the highest possible rating for the quality of its work as a music hub for three years running.
- In 2014/2015, 2,420 children accessed learning an instrument for the first time through the Music Service's whole class programme in 71% of Lewisham's primary schools and special schools with KS2 pupils. Instruments provided include recorder, violin, cello, brass, djembe drums, samba, guitar and ukulele. 64% of these children are continuing to learn an instrument this year including 830 children in whole class continuation groups. A further 3,162 children in schools receive individual or small group instrumental or vocal lessons.
- The highly acclaimed Lewisham Music Hub Summer Gala at the Royal Festival Hall in July 2015 involved over 1,100 children and young people from 28 schools and 8 Music Service and hub partner ensembles. The Service has booked the Royal Festival Hall for another summer concert in June 2017.
- Over 500 children and young people regularly take part in the Music Service's 36 diverse choirs and music ensembles in its Saturday Music Centre and in a variety of after school settings across the borough.
- In 2015/2016, 3,250 young people from over 200 school, Music Service and hub partner musical ensembles performed to 5,000 audience members in 40 performance events including *Turning of the Year* (Blackheath Halls) and *Lewisham Live*, the largest youth music and dance festival in the borough.
- Lewisham Music Service's assets include musical instruments, audio-visual and IT equipment and a sheet music library. The Music Service provides over 2,500 musical instruments to schools and pupils throughout Lewisham, from violins to djembe drums, from piccolos to bass guitars, and from ukuleles to tubas.
- Pupils excel in ABRSM grade examinations, they progress to London junior conservatoires and colleges, specialist music schools and local and national youth ensembles, and many take up music courses in further and higher education colleges and universities.
- The DfE/ACE 2016/2017 music education hub grant for Lewisham is £403,894. This is provided in full to Lewisham Council. The Council makes it available as a ring-fenced grant for the Music Service. The Council provides in-kind support for business services, HR, IT, finance management and office premises. All staffing costs and other areas of front-line and back-office expenditure are met through the Music Service's budget. The budget turnover for 2016/2017 is estimated at £1.25m. Earned income from schools, parents, projects and events is estimated to be 61% of turnover.
- The DfE and ACE have not yet made any announcements about future music education hub funding beyond March 2017. However, hubs are critical to the delivery of the National Plan for Music Education (NPME) and the expectation is that funding will be continued for hubs at least to the end of the NPME timescale (2020).

3.2 Current trends in the cultural, education and local government sectors

- 3.2.1 The *Culture White Paper* (DCMS, 2016) sets out an ambitious plan for how cultural life in Britain can be better accessed and supported. At the heart of this strategy is the importance of building stronger and healthier communities, building greater local and national partnerships, and establishing cultural investment, resilience and reform. The report states that public investment will need to sit alongside private investment, philanthropy and earned income, and that it is this mixture of income streams that will provide the basis for a thriving cultural sector.
- 3.2.2 The white paper *Educational Excellence Everywhere* (DfE, March 2016) sets out proposals for changes to school funding mechanisms, school governance and the role of local authorities. The white paper's proposals may result in diminished funding for some schools and a reduced role for local authority school improvement teams.
- 3.2.3 Central government's commitment to reducing the national budget deficit has led to grants for local government being reduced. As a result, like other local councils, Lewisham Council has had to make savings which amount to 138m since 2010. Government funding for Lewisham is projected to continue to fall. The Council is anticipating it will need to make further cuts of £43m in its spending by 2020.
- 3.2.4 Many local councils are exploring a range of ways to re-structure statutory and non-statutory public service teams so that delivery can be sustained to the benefit of local residents through transfer into stand-alone social enterprises.
- 3.2.5 *Funding Arts and Culture in a Time of Austerity* (New Local Government Network and ACE, 2016) sets out ideas for new ways in which local government can continue to support arts and culture in a climate where austerity is impacting on provision of services. Arts and culture spending by local authorities (including library services) has fallen by 16.6% overall since 2010, with London boroughs showing the largest reduction at 19%. The report proposes that new ways of working will need to be found if arts and culture are to remain supported within local areas, including the development of new delivery models, new income streams and new partnerships.
- 3.2.6 The impact of these changes has been felt in the music education sector. ACE and Music Mark (the national music education association) officers have reported that many music services across England have transferred out from their local authorities in recent years. It is estimated that 26% of the current 123 music services and hubs in England could be independent organisations by 2018.
- 3.2.7 Lewisham has a thriving arts, small business and social enterprise sector. There are over 800 voluntary and community sector organisations in the borough, the highest percentage of small businesses anywhere in the UK (*Shaping our Future*, Lewisham Strategic Partnership, 2008). The *Lewisham Business Growth Strategy 2013-2023* (2013) sets out ways in which the Council aims to support local entrepreneurship and small and medium-sized businesses. For example, the Council is engaged with

developing co-working spaces to support and promote the clustering of small businesses through its new enterprise hubs, Catford Dek, Ladywell Dek and Deptford Dek. *Shaping our Future* sets out the Council's priorities for working alongside the borough's citizens to build and support sustainable communities. The aims of the *Business Growth Strategy* include enhancing the ability of new and existing businesses to thrive and grow, and to inspire, nurture and promote creativity and entrepreneurship.

4. Opportunities

4.1 Strategic

4.1.1 In a climate of change and funding uncertainties, independence, autonomy and flexibility will allow the Music Service to continue to have a leading role in the local music education sector whilst enabling it to adapt to and deal with changing needs and priorities of its users and stakeholders.

4.1.2 Charitable status will permit more flexible operating and delivery models, factors which are increasingly important in ensuring the continued maintenance and delivery of good value public services.

4.1.3 The Music Service transfer plan connects the Council's business support strategy. *Lewisham Music* will join a flourishing network of small business organisations enabling it to benefit from advice, expertise and partnership working.

4.2 Financial

4.2.1 Continued government financial support for music services and hubs is not guaranteed. In a time of austerity, the Music Service cannot rely on the local council to make up any future shortfalls in funding. Reducing its dependency on government grants through accessing charitable reliefs and new sources of funding will add public value to its work and best safeguard the continuation of the Music Service's delivery and partnership programmes.

4.2.2 Music education hub lead partner organisations do not need to be local authority services in order to access hub funding under current DfE and ACE guidance. Independence will allow greater control over budgets and costs, enabling more effective and flexible responses to the changing needs and priorities of schools, children and young people, parents and carers, and other users and stakeholders.

4.2.3 Charities can apply for a wider range of funds than local authority organisations: public sector bodies are ineligible to apply for many grants that support cultural engagement.

4.2.4 The estimated 2016/2017 balance of expenditure will, in principle, provide a carry forward surplus as well as a cash reserve for *Lewisham Music* equivalent to 3 months salary and operating costs subject to transfer terms.

4.3 Operational

- 4.3.1 As an independent charity, *Lewisham Music* will operate with a wider remit than would be possible for a CYP Council department. This will enable the organisation to have the flexibility to explore new markets as well as allowing it to utilise its specialist staff and resources to offer new services to new users from a broader sector of the Lewisham community.
- 4.3.2 The Music Service has a large customer base which includes every school in the borough and therefore with potential access to every pupil in the borough.
- 4.3.3 Lewisham Music Service is a named resident organisation in Phoenix Community Housing's Fellowship Inn development in Bellingham, supported by the Heritage Lottery Fund. Scheduled to open in 2018, this new cultural and community centre will contribute to regeneration of the Downham, Whitefoot and Bellingham wards through community and cultural engagement programmes. Transition premises for the Service from April 2017 have been secured at Catford Dek whilst works are completed at the Fellowship.
- 4.3.4 *Lewisham Music's* constitution will allow for the trustees to set up sub-committees and advisory groups which will facilitate representation and promote ownership and engagement from music hub partners, headteachers and school music leaders, parents and carers, co-opted specialists, music service staff, and young people.

5. The benefits of transfer

5.1.1 Strategic benefits for residents, schools and stakeholders

- 5.1.2 *Sustainable future for diverse and affordable music education services and cultural opportunities.*
 - 5.1.2.1 The ability to respond to strategic developments with independence, flexibility and greater creativity, dynamism and innovation will sustain the impact and reach of the Music Service's work.
 - 5.1.2.2 Subject to DfE funding for music education hubs remaining in place, and subject to approval by ACE of a revised business plan, *Lewisham Music* will retain the Music Service's hub functions. In partnership with local and regional organisations, *Lewisham Music* will continue the Music Service's delivery, facilitation and support for music-making for Lewisham's children, young people, families and schools and for partner and associate organisations working in the borough. New governance, fund-raising and business planning will ensure the Service has a sustainable and secure future.

5.1.3 *Scope for developing new musical and cultural initiatives e.g. music for families and*

communities.

- 5.1.3.1 Charitable status will enable the establishment of bespoke governance with a new board of trustees bringing in a new talent, expertise, experience and insight from within the music, arts, education, charity, legal and business sectors along with new advisory groups with representatives drawn from our staff, user groups, partners and associates. New initiatives will be developed and supported by a flexible and innovative team with the capacity and independence to develop programmes and projects that meet the needs of all residents, schools and stakeholders in the borough.
- 5.1.3.2 New initiatives together with an expanded range of current services and programmes will have the potential to enrich the lives of every resident in Lewisham in every corner of the borough.

5.2 Financial benefits for residents, schools and stakeholders

5.2.1 Charitable donations and tax reliefs to support under-represented and disadvantaged groups.

- 5.2.1.1 As a charity, *Lewisham Music* will be able to take advantage of financial benefits such as discounts on purchase of some services, tax reliefs, donations and Gift Aid.
- 5.2.1.2 A new bursary scheme and targeted fund-raising will deepen engagement and open up greater access to progression routes for the most needy in our borough.

5.2.2 Funding from trusts and foundations safeguards the future and support new programmes in a time of economic difficulty.

- 5.2.2.1 *Lewisham Music's* board of trustees will bring new expertise in areas such as fund-raising and finance management and enable the organisation to reduce its dependency on a single source of funding (the ACE grant).
- 5.2.2.2 Closer collaboration with the social enterprise sector, including opportunities brought about through relocation to the Fellowship in Bellingham, will enable access to a wider range of income streams. Revenue from subletting spaces within *Lewisham Music's* parts of the building to community groups, arts and cultural providers, schools and training organisations will help meet the costs of the lease and service charges as well as supporting the back office costs and delivery costs.

5.3 Operational benefits for residents, schools and stakeholders

5.3.1 *Improved service delivery through increased flexibility and efficiency.*

- 5.3.1.1 Independence from Council systems will permit the implementation of new bespoke digital, communication and back office services. These developments will provide a customised and more effective service for staff, schools, users, and hub partners and associates.
- 5.3.1.2 New branding, website and social media will promote wider engagement across the borough, re-energising existing customers and partners as well as attracting new users and stakeholders.
- 5.3.1.3 Alongside benefiting from the Music Service's current experienced and trained workforce under the terms of the TUPE transfer process, greater flexibility with procurement of specialist staff through bespoke contractual arrangements will enable *Lewisham Music* to meet the needs of its customers and partners more effectively than is possible through Council staffing and procurement systems. Examples include specialist practitioners for project delivery; deputy teachers and tutors to cover short term absence; commissions for creative artists for new works and cross-arts programmes.
- 5.3.1.4 Continuity of services, systems, customer base and workforce from the Music Service to the new organisation will minimise disruption due to the transfer for residents, schools and stakeholders. Established school programmes will continue under the new banner of *Lewisham Music* together with after school, Saturday, live event, project and holiday course programmes. *Lewisham Music* will be underpinned by the Music Service's established, respected and successful track record.

5.3.2 *A base for the Service in new fit-for-purpose premises.*

- 5.3.2.1 The Fellowship Inn development will provide *Lewisham Music* with rehearsal, studio, examination centre, administration, storage and meeting facilities as well as access to new performance spaces.

5.4 **Strategic benefits for Lewisham Council**

5.4.1 *Continuation of high quality services for residents, schools and stakeholders.*

- 5.4.1.1 The Council's involvement in supporting a successful transfer that safeguards the continuation of music provision for its residents, schools and stakeholders will underpin the value it places upon the importance of cultural enrichment in people's lives.
- 5.4.1.2 The experience gained by officers involved in the transfer process will help the Council in planning for any future externalisation and re-structuring of services.

5.4.2 *Positive contribution to strengthening the arts and social enterprise sector*

5.4.2.1 The Music Service's partnerships and networks will transfer across to *Lewisham Music*. The new charity will be a major player in the education and arts social enterprise sector. It will join a burgeoning sector of small and medium sized businesses and contribute to the Council's strategic business plans for the borough.

5.5 Financial benefits for Lewisham Council

5.5.1 *Cost savings through externalisation of back office functions.*

5.5.1.1 The transfer of the Music Service from the Council will remove the need for the Council to provide in-kind support services. Finance officers have estimated this will create a saving for the Council of £95,149 per annum.

5.5.2 *Reduction of financial risk should government funding reduce or be removed in the future.*

5.5.2.1 Financial risks will transfer to *Lewisham Music*. The Council will no longer carry single-handedly the financial risks associated with ring-fenced ACE funding being removed or with it being inadequate to meet the Service's staff costs and liabilities.

5.6 Operational benefits for Lewisham Council

5.6.1 *Reduced workload for Council officers and senior managers through transfer out of workforce and governance*

5.6.1.1 Governance and management of the Music Service will transfer to *Lewisham Music*. This will reduce workload and areas of responsibility for senior leaders and officers in CYP, School Standards and Inclusion, HR, IT, payroll and finance departments.

5.6.2 *Desk space and storage areas freed up for other Council departments*

5.6.2.1 The Music Service will relocate to alternative premises freeing up space in Laurence House for other Council teams.

6. Conclusion

CYP and Music Service officers consider the Service will be able to operate more effectively as a charitable organisation in a changing world where the need to develop new approaches to the operation of services, to diversifying funding streams, and to strategic development are crucial to its future.

Services in schools and out of school settings will be safeguarded and their future will be more sustainable.

As a charity the Service can both sustain and expand its services for schools, children and young people, whilst enhancing creativity and value through better engagement with emerging new strategic directions across London and beyond. Charitable status will improve financial resilience by enhanced access to new funding streams and reduced dependency on a single source of public funding. This will permit greater flexibility to customise services and operations as required in the best interests of residents, schools and stakeholders.

Our proposals will not lead to a reduction in our services to schools nor will it disrupt children's learning out of school. The terms of the transfer will safeguard employment terms and conditions for current members of staff.

The transfer will herald a new and exciting chapter in the history of the Music Service ensuring, in its new role as a social enterprise, that its legacy is secured and that the impact and reach of its services are sustained for the many thousands of current and future users in our borough.

APPENDIX 1

The Draft Vision, Mission and Values of *Lewisham Music*

Our Vision

Being musical is at the heart of human experience.

Lewisham Music aims to transform people's lives and communities through access to musical opportunity. We are committed to broadening and deepening musical engagement amongst people of all ages, particularly children and young people, and to providing high quality learning opportunities that support them to fulfil their musical aspirations and potential.

Our Mission Drawing on 17 years of experience in working with schools, young people and cultural organisations, our mission for the next 5 years is to promote and celebrate:

- music in schools
- music in the community
- music in partnership
- cultural diversity, creativity and excellence
- the skills, knowledge and experience of music education practitioners
- equality of access
- the musical aspirations and goals of vulnerable and disadvantaged people in our communities
- access to music for children, young people and adults with additional needs.

Our Values

- We will have the highest musical aspirations and ambition for all our participants and stakeholders.
- We will promote quality of access, fairness and music for all.
- We will work with transparency and accountability.
- We will provide high quality services that make a positive difference to the lives of children and young people, their families and their communities.

References

Arts Council England (2016) *Guidance for Music Education Hubs*. London: ACE.

Department for Education and Department for Culture, Media and Sport (2011) *National Plan for Music Education*. London: DfE/DCMS

Department for Culture, Media and Sport (DCMS) (2016) *Culture White Paper*. London: DCMS

Department for Education (DfE) (2016) *Educational Excellence Everywhere*. London: DfE

Lewisham Council (2013) *Lewisham Business Growth Strategy 2013-2023*. London: Lewisham Council.

Lewisham Strategic Partnership (2008) *Shaping our future*. London: Lewisham Council.

New Local Government Network (NLGN) and Arts Council England (ACE) (2016) *Funding Arts and Culture in a Time of Austerity*. London: NLGN/ACE

Ofsted (2013) *Music in schools: what hubs must do*. Manchester: Ofsted.

Peter Hayward
Head of Lewisham Music Service & Director of Lewisham Music Hub
July 2016

APPENDIX 4

Charity models: advantages and disadvantages

The table below summarises the advantages and disadvantages of the three principle charity models adopted by local authority services, including music services, which have transferred out from councils across England.

Type of organisation	Advantages	Disadvantages
Community Interest Company (CIC)	<ul style="list-style-type: none"> • Cheaper and quicker to set up than a charity • Light touch regulation 	<ul style="list-style-type: none"> • Harder to access tax reliefs and additional funds from trusts and foundations than for charities • More limited regulatory powers than a charity • Additional costs for payments to directors • The LBL managers currently running the Music Service would transfer control to a group of paid directors
Charitable Company Limited by Guarantee (CLG)	<ul style="list-style-type: none"> • Charity tax reliefs • Access to funds from trusts, foundations etc. • Members of the public may be more likely to trust a registered charity • Members have more rights than for a CIO (e.g. calling meetings, voting by proxy, removing trustees) • Trustees cannot be paid for their role and cannot normally be employees • Quicker registration process than for CIO 	<ul style="list-style-type: none"> • A company form adapted for charities with two regulators (Charity Commission and Companies House) – trustees therefore have dual roles: charity trustees <u>and</u> company directors • There are limits to areas of trading that fall outside the charitable objects (up to £50,000)
Charitable Incorporated Organisation (CIO)	<ul style="list-style-type: none"> • Charity tax reliefs • Access to funds from trusts, foundations etc. • Members of the public may be more likely to trust a registered charity • Trustees cannot be paid for their role and cannot normally be employees • The LBL managers currently running the Music Service will transfer control to a group of voluntary trustees • CIO is a bespoke vehicle for charities • One registration process with one regulator (Charity Commission) • Reduced amount of administration 	<ul style="list-style-type: none"> • A newer and less tested form than CLG • Some financial institutions may be less willing to lend to CIOs and CLGs • Fewer rights for members than a CLG • Legal status is linked to charitable status – if the charity lost its Charity Commission registration it would cease to exist • There are limits to areas of trading that fall outside the charitable objects (up to

	<p>and compliance procedures than for a CLG</p> <ul style="list-style-type: none"> • Flexibility for trustees in calling meetings • Greater privacy for members since the register of members is not open to the public • Members and trustees have express duty to exercise their rights in the interests of the charity and the constitution can be amended to include specific rights for members 	£50,000)
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APPENDIX 5

Risk Register

Rating for likelihood and seriousness for each risk			
L	Rated as low	Ex	Rated as extreme (used for seriousness only)
M	Rated as medium	NA	Not assessed
H	Rated as high		

Grade: Combined impact of likelihood and seriousness					
		Seriousness			
		Low (L)	Medium (M)	High (H)	Extreme (Ex)
Likelihood	Low (L)	E	D	C	A
	Medium (M)	D	C	B	A
	High (H)	C	B	A	A

Recommended actions for grades of risk	
Grade	Risk actions
A	Actions to reduce the likelihood and seriousness to be identified and implemented as soon as the project commences.
B	Actions to reduce the likelihood and seriousness to be identified and appropriate actions implemented during project execution.
C	Actions to reduce the likelihood and seriousness to be identified and costed for possible action if funds permit.
D	To be noted - no action is needed unless grading increases over time.
E	To be noted - no action is needed unless grading increases over time.

Ref:	Description of risk	Likelihood	Seriousness	Impact	Actions
					Pr – Preventative Co – Contingency Re – Recovery
1	Mayor and Cabinet does not agree Music Service proposals to spin out	L	H	C	Pr: Work with steering group, officers and councillors to create a viable plan. Co: Research other music services who have faced similar issues. Re: Try and reach a compromise or continue as a Council department.
2	Charity trustees and Council fail to agree on transfer terms and conditions	L	H	C	Pr: Work with steering group, officers and councillors to create a viable plan. Co: Research other music services who have faced similar issues; seek legal advice. Re: Try and reach a compromise or continue as a Council department.
3	DfE funding for music education hubs is reduced or withdrawn	L	Ex	A	Pr: Seek advice from DfE, ACE, Music Mark, other music services and hubs. Co: Identify new income streams e.g. gift aid, new markets, trusts and foundations. Review viability of 'spin out' plan. Re: Reduce service offering. Remove grant subsidies on services.
4	ACE fails to approve charity's application for music education hub funding	L	Ex	A	Pr: Seek advice from DfE, ACE, Music Mark. Co: Identify new income streams e.g. gift aid, new markets, trusts and foundations. Review viability of 'spin out' plan. Re: Reduce service offering. Remove grant subsidies on services.
5	Charity fails in first year of operation	L	Ex	A	Pr: Support from trustees, business mentor and consultants. Co: Apply for additional financial support from bank and/or funders. Re: Selective redundancies.
6	TUPE liabilities not affordable for the new charity	M	H	B	Pr: Research financial and legal options to reducing liabilities. Co: Research alternative pension options. Re: Adjust services/staffing/reserves.
7	Hours of delivery in schools reduce due school budget changes	M	M	C	Pr: Close engagement with schools, improved marketing and communication. Co: Identify new delivery models. Re: Focus on new service offers.
8	Reputation diminishes as a result of transferring out of the Council	L	H	C	Pr: Close engagement with all stakeholders, improved marketing/communication; review users' needs. Co: Identify new income streams e.g. Gift Aid, new markets, curriculum provision. Re: Adjust services accordingly with a focus on new service offers.

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

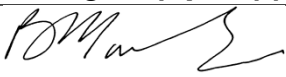
Date of Meeting	7 th September 2016
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Title of Report	Primary School Expansion Proposal – Permission for Consultation
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Originator of Report	Executive Director for Children and Young People Head of Law	Ext. 48527
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: 

Executive Member

Date: 30th August 2016

Signed: 

Executive Director

Date: 19th August 2016

Control Record by Committee Support

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

MAYOR AND CABINET			
Report Title	Primary School Expansion Proposal – Permission for Consultation		
Key Decision	Yes	Item No.	
Ward	Brockley		
Contributors	Executive Director for Children and Young People		
Class	Part 1	Date:	7 September 2016

1. Summary

- 1.1 This report sets out the demand for Primary places in the Brockley, Lewisham and Telegraph Hill place planning locality, alongside forecast demand across the Borough in general. The report then sets out the rationale for an expansion of Ashmead Primary School from one form of entry (30 pupils per year) to two forms of entry (60 pupils per year). Subsequently the report seeks permission to commence the statutory process regarding proposed School Expansion beginning with consultation.

2. Purpose

- 2.1 The report requests the Mayor's permission to undertake a consultation on the proposal to enlarge Ashmead Primary School from 1 to 2 forms of entry with effect from September 2017 (through use of a recycled bulge class in 2017, and permanent expansion being in place for September 2018).

3. Recommendations

- 3.1 The Mayor is recommended to agree that there should be a consultation on the proposal to enlarge Ashmead Primary School from 1 to 2 forms of entry with effect from September 2017 and that officers should report back to Mayor and Cabinet by the end of 2016 with the results and next steps.

4. Policy Context

- 4.1 The proposals within this report are consistent with '*Shaping Our Future: Lewisham's Sustainable Community Strategy*' and the Council's corporate priorities. In particular, they relate to the Council's priorities regarding *young people's achievement and involvement*, including *inspiring and supporting young people to achieve their potential*, the *protection of children and young people* and *ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community*.
- 4.2 The Local Authority has a duty to ensure the provision of sufficient places for pupils of statutory school age and, within financial constraints, accommodation that is both suitable and in good condition.
- 4.3 In aiming to improve on the provision of facilities for primary education in Lewisham which are appropriate for the 21st century, the implementation of a successful primary places strategy will contribute to the delivery of the corporate

priority *Young people's achievement and involvement: raising educational attainment and improving facilities for young people through partnership working.*

4.4 It supports the delivery of Lewisham's *Children & Young People's Plan (CYPP)*, which sets out the Council's vision for improving outcomes for all children and young people, and in so doing reducing the achievement gap between our most disadvantaged pupils and their peers. It also articulates the objective of improving outcomes for children with identified SEN and disabilities by ensuring that their needs are met.

4.5 ***A new School Places Strategy***

4.5.1 A priority in the recent Lewisham Education Commission Report is for the Council to develop a new 5 year School Places Strategy that will succeed the existing Primary Strategy for Change. Officers are currently fully reviewing the existing programme and are assessing what needs to be achieved in the future with the expectation that a draft strategy will be ready for consultation in the Autumn and sign off by Mayor and Cabinet in the Spring ready for an April 2017 launch.

4.5.2 Whilst this review and strategy development is important to help guide us moving forwards, it should be noted that the population in Lewisham continues to rise and the demand for school places also follows that trend. As such in the interim officers are continuing to pursue both this primary expansion opportunity along with the secondary expansion opportunity at Addey and Stanhope School. These will sit alongside a number of schemes which are already in train and where statutory processes have already been completed.

4.6 ***School Organisation Requirements***

4.6.1 Proposals to establish additional provision on a permanent basis must comply with the provisions set out in *The Education and Inspections Act 2006 (EIA 2006)* and *The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013*. These set out the statutory process for making changes to a school, and statutory guidance on making changes to a maintained school indicates 4 stages to making a prescribed alteration to a maintained school. These are:

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

4.6.2 However, it is seen as good practice to have a period of more informal consultation before publishing a statutory notice, to enable officers to have a proper conversation with the local community regarding possible expansion and to enable the Mayor to have a fuller understanding of local opinion prior to entering into the formal statutory process.

5. **Background**

5.1 Regarding school expansions, Mayor and Cabinet and the Children and Young People Select Committee have received regular reports detailing the pressure on School places (typically primary) and the measures taken to increase supply.

- 5.2 Historically these have usually been in the form of permanent whole-school expansions or the introduction of either temporary or permanent single year group expansion (bulge classes).
- 5.3 Indeed Ashmead Primary School since being rebuilt in 2008 has taken in two bulge classes, the first of which will be available to be 'recycled' to take a new cohort in 2017.

6. Forecasting, demand and viability

- 6.1 Current forecasting shows that within the Brockley, Lewisham and Telegraph Hill pupil place planning locality that the local primary school place deficit will reach 60 places in 2017/18.
- 6.2 As such the ability to 'recycle' the bulge class at Ashmead will go some way to easing that pressure in anticipation of a permanent expansion being in place from September 2018. It is important to note that Ashmead Primary School continues to be oversubscribed year on year. In the primary admissions round for 2016/17, Ashmead Primary School received 80 1st and 2nd preference applications, far outstripping the 30 places available by 133%
- 6.3 Regarding the potential expansion scheme, a feasibility exercise has taken place which suggests that the site can accommodate a 1 form of entry expansion and that in all likelihood this would be achieved via a new separate building. Clearly, this sort of solution would have less of an impact on the school and the teaching and learning environment during the construction phase.
- 6.4 In terms of standards and ensuring that the teaching and learning environment, the school was last Ofsted inspected in 2012, the result being that the school achieved a 'Good' rating regarding its overall effectiveness.
- 6.5 It should also be noted that the expected changes to the School funding formula will most likely make it even harder for single form of entry schools to remain financially viable, and that the proposed expansion of the school will help the school to realise some economies of scale that allow it to continue to invest in teaching and learning moving forwards.
- 6.6 To date officers have held initial discussions with Governors who are minded to consider the proposed expansion of the school and believe that to be in the best interests of the school.
- 6.7 Overall this rationale should be seen as a clear example of a school that should be considered for expansion.

7. Financial Implications

Capital Financial Implications

- 7.1 This report recommends that a consultation is undertaken on the proposal to enlarge Ashmead Primary School from 1 to 2 forms of entry with effect from September 2017. Any capital costs in delivering an enlargement would be funded from the Primary Places capital programme.
- 7.2 A review of the Primary Places capital programme has identified that there is a shortfall in resources anticipated for 2016/17; the forecast programme

expenditure in 2016/17 exceeds the forecast available resources, which includes Basic Need grant and S106 contributions. The exact amount of the shortfall will depend upon factors such as delivery timescales, defects and retention withholdings, and the allocation of S106 contributions, but could potentially be as high as £8m. The Council will use capital reserves to finance the shortfall, although it should be noted that a shortfall of this magnitude could substantially deplete capital reserves and even result in a borrowing requirement.

- 7.3 The Primary Places capital programme is forecast to have available resources of £10.3m in 2016/17, and further receipts of Basic Need grant of £10.6m and £14.1m are expected in 2017/18 and 2018/19 respectively.

Revenue Financial Implications

- 7.4 All on-going revenue costs of running the enlarged school will be met from the resources of the Dedicated Schools Grant.

8. Legal Implications

- 8.1 The Human Rights Act 1998 safeguards the rights of children in the Borough to educational provision, which the Council is empowered to provide in accordance with its duties under domestic legislation.
- 8.2 Section 14 of the Education Act 1996 obliges each local authority to ensure that there are sufficient primary and secondary school places available for its area i.e. the London Borough of Lewisham, although there is no requirement that those places should be exclusively in the area. The Authority is not itself obliged to provide all the schools required, but to secure that they are available.
- 8.3 In exercising its responsibilities under section 14 of the Education Act 1996 a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.
- 8.4 The Education and Inspections Act 2006 places requirements on Authorities to make their significant strategic decisions concerning the number and variety of school places in their localities against two overriding criteria:
- to secure schools likely to maximise student potential and achievement;
 - to secure diversity and choice in the range of school places on offer.
- Section 19 of the Education and Inspections Act 2006 provides that where a local authority or the governing body of a maintained school proposes to make a prescribed alteration to a maintained school and it is permitted to make that alteration, it must publish proposals.
- 8.5 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 provide that proposed enlargements of school premises which would increase the capacity of the school by more than 30 pupils and by 25% or 200 pupils (whichever is the lesser), or changes to the age limit of a school are prescribed alterations which means that statutory proposals have to be published, and there must be a period of four weeks for representations before a decision is made. This does not apply to temporary enlargements where it is anticipated that the enlargement will be in place for less than 3 years, or a rise in the number anticipated lasting only one year.
- 8.6 The Council, before making any decision regarding the expansion of a school, must ensure that capital funding is in place, interested parties have been

consulted, the statutory notice is published and there has been a four week period for representation.

- 8.7 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.8 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not
 - foster good relations between people who share a protected characteristic and those who do not
- 8.9 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations
- 8.10 The Equality and Human Rights Commission (EHRC) issued guidance in January 2011 providing an overview of the new public sector equality duty, including the general equality duty, the specific duties and who they apply to. The guidance covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The guidance was based on the then draft specific duties so is no longer fully up-to-date, although regard may still be had to it until the revised guide is produced by the EHRC. The guidance can be found at <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidancedownloads>
- 8.11 The EHRC guidance does not have legal standing, unlike the statutory Code of Practice on the public sector equality duty which was due to be produced by the EHRC under the Act. However, the Government has now stated that no further statutory codes under the Act will be approved. The EHRC has indicated that it will issue the draft code on the PSED as a non statutory code following further review and consultation but, like the guidance, the non statutory code will not have legal standing.
- 8.12 A further report will be brought to the Mayor by the end of 2016 on the results of the consultations and full legal implications associated with those proposals will be set out in that further report.

9. Crime and Disorder Implications

- 9.1 There are no crime and disorder implications.

10. Equalities Implications

10.1 This report supports the delivery of the Council's Equalities programme by ensuring that all children whose parents /carers require a place in a Lewisham school will be able to access one.

11. Environmental Implications

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

12. Background documents

None.

If there are any queries on this report, please contact Matt Henaughan, Service Manager, School Place Planning on 0208 314 8034

Agenda Item 9

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

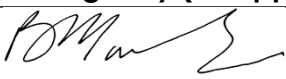
Date of Meeting	7 th September 2016
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Title of Report	Federations – Revisions to Instruments of Government
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Originator of Report	Executive Director for Children and Young People Head of Law	Ext. 48527
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed: 

Executive Member

Date: 30th August 2016

Signed: 

Executive Director

Date: 19th August 2016

Control Record by Committee Support

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

Mayor and Cabinet			
Report Title	Federations – Revisions to Instruments of Government		
Key Decision	Yes	Item No.	
Ward	Lewisham Central, Crofton Park, Perry Vale , Bellingham, Forest Hill		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	7 September 2016

1. Summary

- 1.1 The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016 amends the School Governance (Federations) (England) Regulations 2012 (“Federation Regulations”) to provide that, by 1 September 2016, the governing body of every federation must include two parent governors, to be elected by parents of any federated school or appointed by the governing body of the federation. Under the current Regulations, federations have to seek a parent governor from each of the schools in the federation.

2. Purpose

- 2.1 To seek agreement to amend the Instrument of Government for the federation of schools listed below.

3. Recommendation

The Mayor is recommended to:

- 3.1 Approve that the Instrument of Government for the federation of schools identified below be made by local authority order dated 7 September 2016.
- | | | |
|-------|---------------------------------------|------------|
| 3.1.1 | The Leathersellers’ Federation | Appendix 1 |
| 3.1.2 | The King Alfred Federation | Appendix 2 |
| 3.1.3 | The Fairlawn and Haseltine Federation | Appendix 3 |

4. Policy Context

- 4.1 Each federation has to have an Instrument of Government. The local authority must satisfy itself that the Instrument of Government for the federation conforms to the legislation. The local authority must also agree its content.

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

5. Background

- 5.1 The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016 amends the "Federations Regulations" to provide that, by 1 September 2016, the governing body of every federation must include two parent governors, to be elected by parents of any federated school or appointed by the governing body of the federation. Under the current regulations, federations have to seek a parent governor from each of the schools in the federation.
- 5.2 If a federation consists of three or more schools it will currently have a parent governor place for each of the schools in the federation and reflected on its Instrument of Government. Thus the action required is for the federation to reconstitute in order to reduce to two parent places
- 5.3 If a federation consists of only two schools then the amendment to the regulations means it will no longer be required to have a parent governor from each school, enabling boards to seek nominations from parents; informed by the skills required, irrespective of which school their child is a pupil at.
- 5.4 This report sets out variations to the Instruments of Government for federations whose Governing Bodies are required to amend their Instrument of Government under The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016.
- 5.5 At a governing body meeting which took place between 29 June and 14 July 2016, the governing bodies of the federation of schools listed in section 3 of this report made a decision to amend their Instrument of Government.
- 5.6 As the governing body meetings of the three federations listed in section 3 took place after the deadline for notification (13.06.16) for the last Mayor and Cabinet meeting of the Summer Term (13.07.16), there has been a slight delay to the implementation required by The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016, that by 1 September 2016, the governing body of every federation must include two parent governors, to be elected by parents of any federated school or appointed by the governing body of

the federation. This delay is reasonable given the next Mayor and Cabinet meeting is scheduled for 7 September 2016. The impact of the delay will not have any significant implications for the governing bodies of the three federations.

- 5.7 The governing body must be constituted in accordance with regulations made by virtue of section 19 of the Education Act 2002 namely The School Governance (Federations) (England) Regulations 2012, as amended by The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014 and 2016 respectively.
- 5.8 The total membership of the governing body of all federations is to have at least seven governors.
- 5.9 The governing body of a federation must include the following:-
- (a) two parent governors;
 - (b) The headteacher of each federated school unless they resign office as a governor
 - (c) one staff governor,
 - (d) one local authority governor
- 5.10 In addition, federations comprising foundation and voluntary schools are required to have foundation or partnership governors. **Do you want to say something about being in the majority ??**
- 5.11 The governing body may also appoint as many co-opted governors as they consider necessary, but in doing so, it must take into account the additional requirement for federations comprising foundation and voluntary schools where there may be a requirement to have a majority of foundation governors.
- 5.12 The total number of co-opted governors who are also eligible to be elected or appointed as staff governors (when counted with the staff governor and the headteacher/s) must not exceed one third of the total membership of the board of the federation.
- 5.13 Appendices 1 to 3 detail each Instrument of Government the local authority is proposing to make by order for each of the 3 federations.

6. Financial implications

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

7. Legal implications

- 7.1 Section 24 of the Education Act 2002 provides that where schools are federated they shall have a single governing body constituted under a single Instrument of Government which determines the constitution of the federation and other matters relating to the school.
- 7.2 Each federation must have an Instrument of Government detailing the name of the federation, the type of school and the membership of the

Governing Body. The category of governor and the number in each category is specified in the “Federation Regulations”.

- 7.3 The Instrument of Government proposed in Appendices 1 to 4, for the governing body of each federation of schools listed in section 3 of this report, conforms to The School Governance (Federations) (England) Regulations 2012 as amended.

Equalities Legislation

- 7.4 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.5 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.6 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 7.5 above.
- 7.7 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 7.8 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

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

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

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

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

8. Crime and Disorder Implications

8.1 There are no specific crime and disorder implications.

9. Equalities Implications

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

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

10. Environmental Implications

10.1 There are no specific environmental implications.

Background Documents

Short Title of Document	Date	File Location	Contact Officer
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The School Governance (Federations) (England) Regulations 2012	2012	http://www.legislation.gov.uk/uksi/2012/1035/contents/made	Suhaib Saeed
The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014	2014	http://www.legislation.gov.uk/uksi/2014/1257/contents/made	Suhaib Saeed
The School Governance (Constitution and Federations) (England) (Amendment) (No. 2) Regulations 2014	2014	http://www.legislation.gov.uk/uksi/2014/1959/contents/made	Suhaib Saeed
The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016	2016	http://www.legislation.gov.uk/uksi/2016/204/contents/made	Suhaib Saeed

If there are any queries arising from this report, please contact Suhaib Saeed, Service Manager School Services , 3rd Floor, Laurence House, telephone 020 8314 767

Appendix 1

INSTRUMENT OF GOVERNMENT FOR FEDERATED GOVERNING BODIES

1. The name of the federation is: **The Leathersellers' Federation of Schools**
2. The names and categories of the schools in the federation are:

Name	Category
1. Prendergast School	Voluntary Aided
2. Prendergast Ladywell School	Foundation
3. Prendergast Vale School	Foundation

3. The name of the Governing Board is: **"The Governing Board of The Leathersellers' Federation of Schools"**
4. The Governing Board shall consist of the following:

Category of Governor (state where the term of office is less than four years)	No. of Governors in each category	Name of School (for Headteacher and Foundation Governors)	No. of Governors for each School
Parent Governors	2		
Headteacher Governors	3	Prendergast School	1
		Prendergast Ladywell School	1
		Prendergast Vale School	1
Foundation Governors	6	Prendergast School	6
Staff Governor	1		
LA Governor	1		
Co-opted Governors	8		

5. Total number of governors: **21**
6. The Leathersellers' Company is entitled to appoint the Foundation Governors.
7. This Instrument comes into effect on 21 September 2016.
8. This Instrument was made by order of Lewisham Local Authority on **7 September 2016**
9. A copy of the instrument must be supplied to every member of the Governing Board (and the headteacher if not a governor) and any trustees.

INSTRUMENT OF GOVERNMENT FOR FEDERATED GOVERNING BODIES

1. The name of the federation is: **The King Alfred Federation**
2. The names and categories of the schools in the federation are:

Name	Category
1. Athelney Primary School	Community
2. Elfrida Primary School	Community

3. The name of the governing body is: **“The governing body of the King Alfred Federation”**.
4. The governing body shall consist of the following:

Category of governor (state where the term of office is less than four years)	No. of governors in each category
Parent governors	2
Executive Headteacher	1
Staff governor	1
LA governor	1
Co-opted governors	9

5. Total number of governors: **14**
6. This instrument comes into effect on 21 September 2016
7. This instrument was made by order of Lewisham Local Authority on **7 September 2016**
8. A copy of the instrument must be supplied to every member of the governing Body (and the head teacher if not a governor).

INSTRUMENT OF GOVERNMENT FOR FEDERATED GOVERNING BODIES

1. The name of the federation is: **The Fairlawn and Haseltine Primary Schools Federation.**

2. The names and categories of the schools in the federation are:

Name	Category
1. Fairlawn Primary School	Community
2. Haseltine Primary School	Community

3. The name of the Governing Body is: **'The Governing Body of the Fairlawn and Haseltine Primary Schools Federation'**.

4. The Governing Body shall consist of the following.

Category of Governor (state where the term of office is less than four years)	No. of Governors in each category	Name of School (for Headteacher Governors)	No. of Governors for each School
Parent Governors	2		
Headteacher Governors	2	Fairlawn Primary School	1
		Haseltine Primary School	1
Staff Governor	1		
LA Governor	1		
Co-opted Governors	12		

5. Total number of governors: **18**

6. This instrument comes into effect on 21 September 2016

7. This instrument was made by order of Lewisham Local Authority on **7 September 2016.**

8. A copy of the instrument must be supplied to every member of the governing Body (and the head teacher if not a governor).

Agenda Item 10

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

Date of Meeting	7 September 2016
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Title of Report	Street lighting : variable lighting policy
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Originator of Report	Martin O'Brien, Asset Management Planning Manager	Ext 46605
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 30/8/16

Signed:  Director/Head of Service

Date: 30/8/16

Control Record by Committee Support

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

MAYOR AND CABINET			
Report Title	Street lighting: variable lighting policy		
Key Decision	Yes		
Ward	All		
Contributors	Executive Director for Resources and Regeneration		
Class	Open	Date:	7 September 2016

1. Purpose

- 1.1 The purpose of this report is to set the Council's approach to variable lighting across street lights in the borough.
- 1.2 The proposed variable lighting policy was discussed by the Sustainable Development Select Committee on 30 June 2015 and 12 May 2016 and a trial of variable lighting in a number of streets across the borough has been running since November 2015.
- 1.3 This report also provides a response to the comments of the Sustainable Development Select Committee that were referred to Mayor and Cabinet on 1 June 2016.

2. Recommendations

- 2.1 It is recommended that the Mayor agrees the proposed variable lighting policy set out in section 5 and Annex A and in particular agrees the proposals to:
 - Implement dimming of 50% in locations described in 5.10;
 - Exempt street lights where there may be concerns about dimming in relation to crime reduction, road safety or other Council priorities as described in paragraphs 5.11 and 5.12;
 - Switch lights on 10 minutes later and off 10 minutes earlier as part of a 'trimming' exercise to cut energy consumption;
 - Review the implementation of the variable lighting policy with a report to the Sustainable Development Select Committee in 12 months' time.
- 2.2 The Mayor is also recommended to agree the response to the comments from Sustainable Development Select Committee referred to Mayor and Cabinet on the 1 June 2016 and to refer this report back to the Committee.

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;
 - Improving street lighting standards;
 - Reducing crime and the fear of crime; and
 - Supporting the night-time economy.
- 4.2 The project scope has replaced approximately 17,500 Lewisham street lights over a 5-year Core Investment Programme, with an on-going 25-year responsibility for maintenance and repair.
- 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.
- 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. 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
- 4.6 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.
- 4.7 Energy savings resulting from a decision by the Council to vary lighting are retained by the Council. This is established in Schedule 8 of the PFI Contract with Skanska 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.
- 4.8 The use of LED lighting is another way in which reductions in energy consumption could be achieved. Modelling of this option based on products currently available by the joint client monitoring team suggest that this would take around 7 years to payback, although the cost of the technology is continuing to fall. Implementing variable lighting has no direct cost associated with it and could be implemented very quickly. The joint client monitoring team will continue to monitor the option of LED lighting.

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. This means that 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 A trial of variable lighting 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 variable lighting

- 5.9 A list of streets involved in the trial is included in Annex B. Following discussion at the May 2016 Sustainable Development Select Committee the trial was varied to include a set of intersecting streets using a polling district in Rushey Green. 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 It is proposed that approach to variable lighting is tailored according to highway type. As described above in 5.2-5.5 the approach proposed is based on retaining flexibility to reflect the requirements of different areas.

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

Table 2: proposed approach across different highway types

- 5.11 The CMS allows pre-identified columns or streets to be exempted from 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.
- 5.12 Locations where exemptions will be applied include:
- Lights at major junctions/ roundabouts.

- 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 including crime hotspots and increased lighting immediately following an incident.

5.13 Table 3 sets out indicative financial benefits forecast for each of the options set out above This is based on modelling carried out by the joint client monitoring team.

	Energy reduction	Annual saving
Option 1	16%	80,000
Option 2	25%	£130,000
Option 3	32%	£165,000

Table 3: Estimated financial benefit by model

- 5.14 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 7.76p. 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 across the borough's stock 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 5.18) has been implemented saving 2% from the street lighting energy bill.
- 5.15 It should be noted that the forecast annual saving does not automatically translate into a cashable saving. 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.
- 5.16 The reference in 5.14 to a maximum of 20% of lights across the borough's stock is to explain the basis for making a forecast of the financial benefits of implementing variable lighting. There is no proposal to set an upper limit on the number of street lights that could be exempted.
- 5.17 Based on the results of the variable lighting 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.
- 5.18 An additional energy saving of approximately 2% could be achieved by switching the lights on and off 10 minutes later at dusk and 10 minutes earlier dawn (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.

- 5.19 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.

6. Comments from the Sustainable Development Select Committee

- 6.1 The Sustainable Development Select Committee considered the street lighting variable lighting policy at its meetings on the 30 June 2015 and the 12 May 2016 and provided helpful input into the development of the approach. The Committee's comments to Mayor and Cabinet on the 1 June 2016 concern three issues:

- That the trial of dimming should be extended to include an area the size of a polling district and the result of this reported to Mayor and Cabinet;
- That the implementation of the variable lighting policy should take into account the circumstances of each street and not be driven solely by financial considerations;
- That Members should have the opportunity to identify locations that may not be appropriate for dimming.

- 6.2 The approach proposed in this report take these issues into consideration as follows:

- Paragraph 5.9 confirms that the pilot was extended to include an area the size of a polling district and reports the outcome of the pilot.
- Paragraph 5.12 describes the broad range of parameters where exemptions can be applied. Paragraph 5.16 emphasises that there is no proposal to limit the number of exemptions. Paragraph 5.11 states that "*Where there are location-specific reasons identified for granting an exemption outside the scope of the list [in paragraph 5.12] these can be considered on a case-by-case basis*".
- Paragraph 5.11 confirms that the list of exemptions will be updated on an ongoing basis by officers within Regeneration and Asset Management division. Officers will draw on information from a wide range of sources and where Members have views on dimming in specific locations these will be welcomed. Paragraph 5.19 proposes that an annual report on the streetlight dimming will be presented to Sustainable Development Select Committee, or other committees as required.

7. Financial implications

- 7.1 This report recommends that Mayor and Cabinet agrees to a variable street lighting policy as set out in section 5 and Annex A. It is estimated that if option 3 as per paragraph 5.13 is chosen, then based on the assumptions set out in paragraph 5.14, an annual saving of approximately £165k on energy costs could be achieved. In 2014/15 the cost of electricity for streetlights was £698,200. The outturn for 2015/16 was £604,235.

8. Legal implications

- 8.1 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.

- 8.2 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.
- 8.3 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.

9. Crime and disorder implications

- 9.1 The Council has a duty under Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006) to consider crime and disorder and anti-social behaviour in the discharge of all of its functions.
- 9.2 The views of Lewisham Police and the Council's Crime Reduction Service have been sought in developing the Council policy for variable lighting. 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. Fear of crime is a significant contributor to the overall look and feel of an area and these proposals have sought to consider this alongside other drivers.

10. Equalities implications

- 10.1 The variable lighting 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 5.12 above identifies a range of street lights that could be exempted from any dimming. Where concerns emerge about particular locations sites officers will be able to amend the instruction to Skanska for immediate implementation.

11. Environmental implications

- 11.1 The variable lighting 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.

12. Conclusion

- 12.1 The cost of electricity to run street lighting is approximately £600k 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.

- 12.2 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 as set out in paragraphs 5.6-5.12.

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

Background Documents

30 June 2015 Sustainable Development Select Committee

Street lighting: variable lighting policy

<http://councilmeetings.lewisham.gov.uk/documents/s37215/06StreetLighting300615.pdf>

12 May 2016 Sustainable Development Select Committee

Street lighting: variable lighting policy

http://councilmeetings.lewisham.gov.uk/documents/s43494/3_SDSC_Streetlighting_12052016.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 9pm
Strategic routes and main distributors	Dimming applied from 9pm
Secondary distributors	Dimming applied from 9pm

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 including crime hotspots and increased lighting immediately following an incident.
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

Intersecting streets in Rushey Green ward where dimming of 50% was trialled following the May 2016 meeting of the Sustainable Development Select Committee:

Montacute Road, Bankhurst Road, Polsted Road, Casslee Road, Ravensbourne Park Crescent, Blythe Hill, Blythe Hill Close, Blythe Hill Lane, Winterbourne Road, Winterstoke Road and Faversham Road.

Chief Officer Confirmation of Report Submission
Cabinet Member Confirmation of Briefing

Report for: Mayor
 Mayor and Cabinet
 Mayor and Cabinet (Contracts)
 Executive Director

Information Part 1 Part 2 Key Decision

Date of Meeting 7 September 2016

Title of Report Consultation on Gypsy and Traveller site(s) Local Plan


Originator of Report Claire Gray Ext 47186

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

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

Signed:  Executive Member

Date: 30/8/16

Signed:  Director/Head of Service

Date 30/8/16

Control Record by Committee Support

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

MAYOR AND CABINET		
Report Title	Consultation on Gypsy and Traveller Site(s) Local Plan	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Resources and Regeneration and Executive Director for Customer Services	
Class	Part 1	Date: 7 September 2016

1. Summary

- 1.1 At its meeting on 13 January 2016, Mayor and Cabinet approved consultation arrangements on the preparation of a Gypsy and Traveller Site(s) Local Plan (GTSLP) (including scope, search parameters, site selection criteria and timetable for identifying a site or sites). It also approved consultation on the associated Sustainability Appraisal Scoping Report.
- 1.2 Following consultation carried out by the Planning Service, at its meeting on 13 July 2016, Mayor and Cabinet approved the final search parameters and site selection criteria.
- 1.3. This report updates Mayor and Cabinet on the Gypsy and Traveller Accommodation Assessment (GTAA) and outlines the site selection process that has led to the identification of two potential 'preferred sites'. It also seeks approval to consult local and other stakeholders on a Potential Site(s) Report and its associated Integrated Impact Assessment. The intention then is to report back to Mayor and Cabinet in early 2017 so that it can carefully consider responses to consultation before deciding which (if any) of the two sites to progress and include in a submission version of the GTSLP.

2. Purpose

- 2.1 This report seeks the Mayor's approval to carry out statutory public consultation on the Potential Site(s) Report and its Integrated Impact Assessment.
- 2.2 This report provides a summary of how the GTSLP Potential Site(s) Report has been prepared, the long-list of sites that were considered, the preferred potential sites and associated site-specific design requirements.

3. Recommendations

- 3.1 The Mayor is recommended to approve the following documents for statutory public consultation:
- GTSLP Potential Site(s) Report (included as Appendix 1) and

- Integrated Impact Assessment comprising a Sustainability Appraisal, Strategic Environmental Assessment and Equalities Analysis Assessment for the GTSLP Potential Site(s) Report (included as Appendix 2).
- 3.2 The Mayor is asked to note the changes made to the Consultation Statement (included as Appendix 3).
- 3.3 The Mayor is recommended to request that Full Council do the same to approve the documents specified in 3.1 for public consultation.
- 3.4 The Mayor is recommended to delegate power to make any minor changes to the text and format of the documents prior to consideration by Full Council, to the Executive Director for Resources and Regeneration

4. Policy Context

- 4.1 The contents of this report are consistent with the Council's policy framework. When the GTSLP is adopted it will become part of the Lewisham policy framework and will contribute to the implementation of each of the Council's ten priorities as follows:

- community leadership and empowerment
- young people's achievement and involvement
- clean, green and liveable
- safety, security and a visible presence
- strengthening the local economy
- decent homes for all
- protection of children
- caring for adults and older people
- active, healthy citizens
- inspiring efficiency, effectiveness and equity

- 4.2 The GTSLP will help give spatial expression to the Sustainable Community Strategy (Shaping Our Future) (SCS), which was prepared by the Local Strategic Partnership and adopted by the Council in May 2008. The Plan will also play a role in the implementation of the SCS vision *'Together we will make Lewisham the best place to live, work and learn'* and all of the six strategic priorities, which are:

- Ambitious and achieving – where people are inspired and supported to fulfil their potential
- Safer – where people feel safe and live free from crime, antisocial behaviour and abuse
- Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities
- Clean, green and liveable – where people live in high quality housing and can care for their environment

- healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being
- Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond

5. Gypsy and Traveller Accommodation Assessment

- 5.1. Lewisham's Gypsy and Traveller Accommodation Assessment (GTAA) was published in June 2015. It established the need for 6 pitches in the borough up to 2031. In August 2015, the Government published revised national guidance in the form of a new Planning Policy for Traveller Sites (PPTS). The new PPTS changed the definition of gypsies and travellers for planning purposes, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in the GTAA.
- 5.2. In order to ensure that the Council has a robust assessment of current and future need that takes account of the new definition, an update to the GTAA was commissioned. Further fieldwork was undertaken between February and April 2016, with the help of the outreach worker at the Irish Centre, additional interviews/questionnaires completed. The GTAA Update (published in August 2016) draws on the full GTAA and the additional field work and considers need in Lewisham in the light of the new planning definition of gypsy and traveller.
- 5.3. The Update identifies the continuing need for 6 pitches in the borough up to 2031. It also identifies additional need for 'non Lewisham' households who meet the new definition and which the Council should work with neighbouring boroughs (including Bromley and Croydon) to address this need through the Duty-to-Cooperate.

6. Search Parameters and Site Selection Criteria

- 6.1 Consultation on the Regulation 18 document, which included the draft search parameters and site selection criteria and the scope of the associated Sustainability Appraisal Scoping Report, ran from 3 March to 22 April 2016. In accordance with the Council's Statement of Community Involvement (SCI), these documents were posted on the Council's website and a number of organisations and individuals were e-mailed a link to the documents and invited to comment. These included the 'specific' and 'general' consultation bodies required by the relevant Regulations, organisations representing the interests of the gypsy and traveller community, and local residents and businesses. In addition, officers attended a specially arranged Lewisham Traveller Forum (24 February 2016) and met with representatives of the London Gypsy and Traveller Unit (13 April 2016).
- 6.2 Following careful consideration of comments made, officers reported the draft search parameters and site selection criteria back to Mayor and Cabinet at its

meeting on 13 July 2016. Officers recommended one change to the site selection criteria following comments received by the Environment Agency, and Mayor and Cabinet approved the final parameters and criteria.

- 6.3. Since the 13 July 2016 Mayor and Cabinet meeting, an updated summary of consultation responses has been prepared, to include eight further representations, submitted in the form of questionnaire responses.
- 6.4 Representations were received on the search parameters, and broadly, respondents agreed with parameters regarding using Council-owned housing land and not private and other publicly owned land. Respondents were concerned about providing pitches on only one site, about considering all types of land, including vacant open land and open land that is in use. Respondents were also concerned about basing site searches on 400sqm per pitch and felt that the Council should also look at sites outside the Borough.
- 6.5 Representations on the site selection criteria mirrored those that were raised in the full, written representations.
- 6.7 These representations and officers' responses are set out in Appendix 3. Officers consider no further changes are required to the final search parameters and criteria approved at the 13 July Mayor and Cabinet meeting.
- 6.8 When approving the final search parameters etc. at its meeting on 13 July 2016, Mayor and Cabinet also recommended that Full Council did the same. As part of the development plan process it is appropriate for these matters to be approved by Full Council. Full Council is due to consider the final search parameters and site selection criteria at its meeting on 21 September. If the Mayor recommends for Full Council to approve the consultation documents associated with this report, they will be considered alongside the final search parameters at the same meeting.

7. Site Selection Process – Preferred Sites

- 7.1. The process that officers have undertaken in parallel and following Mayor and Cabinet's approval of the search parameters and site selection criteria is summarised as follows:
 - Stage 2- Establish a list of appropriate Council assets. Officers identified a list of all Council assets (land and buildings) of 0.24ha in size and above based on 6 pitches with an average of 400sqm from Council ownership data by reviewing the Council's asset registers.
 - Stage 3 - Identify a long-list of potential sites. Officers applied Site Selection Criterion 1 (Effective and efficient use of public assets) and this resulted in 5 potential Council-owned sites being identified. A private landowner also put its site forward for consideration during in response to

consultation on the search parameters and site selection criteria and this was included on the following long-list of 6 sites:

- A - Land on Westbourne Drive SE23;
- B - Land off Turnham Road, SE4 ;
- C - New Cross Social Club & adjoining land, Hornshay Street, SE15;
- D - Land at R/O 46-116 Baizdon Road SE3;
- E - Land at Pool Court, SE6; and
- F - Land at St Mildred's Road, Hither Green, SE12.

- Stage 4. Identify a preferred site or sites. Officers applied Site Selection Criteria 2 to 10 to the long-list of sites resulting in the identification of the proposed preferred sites.
 - Officers drew on the results of engagement with officers across the Council (including Environmental Protection, Housing, Public Health and School Places), Lewisham Clinical Commissioning Group and the Metropolitan Police and the findings of studies into vehicular access and flooding issues when applying Criteria 2 to 10 to the long-list of sites and assessing the appropriateness of potential sites.
 - A site selection matrix was established so that each criterion for each site could be given a qualitative score (1 – Excellent, 2- Good, 3 – Average, 4 – Poor or 5 - Very poor). This in turn allowed for the six long-listed sites to be compared and the merits and shortcomings of each site to be considered in order that the most appropriate site or sites is allocated in the Plan.

8. The Preferred Sites and site-specific design guidelines

- 8.1. The site selection process outlined above identified two sites that are considered suitable for permanent residential gypsy and traveller sites. These are:
 - C - New Cross Social Club & adjoining land, Hornshay Street, SE15;
 - E - Land at Pool Court, SE6; and
- 8.2 The two potential sites are alternative ways of providing a gypsy and traveller sites. In addition to identifying the sites as being suitable in principle, the Potential Site(s) Report also identifies an indicative capacity for each site (6 to 7 pitches for Site C and 6 to 10 pitches for Site E) and includes General and Site-specific Design Guidelines to help ensure that the chosen site meets the needs of the gypsy and traveller community, is of a high quality design, safeguards residential amenity and respects the environment.

9. Sustainability Appraisal Report

- 9.1 Local plans need to be informed and supported by an appraisal of the sustainability of the proposals. Sustainability Appraisal is an integral part of the

plan preparation process and helps the Council assess how the plan will contribute to the achievement of sustainable development.

- 9.2. Officers have chosen to commission an 'Integrated Impact Assessment' which comprises a Sustainability Appraisal, Strategic Environmental Assessment and an Equalities Analysis Assessment. This Report is attached as Appendix 2.

10. Proposed consultation arrangements

- 10.1 Subject to Mayor and Cabinet approving the recommendations before it in this report and Full Council approving the Search Parameters and Site Selection Criteria and the recommendations in this report, consultation on the Potential Site(s) Report is planned to take place in October and November 2016.
- 10.2. A consultation strategy is being prepared to ensure the statutory requirements for preparing Local Plan documents are met, and that consultation is undertaken in accordance with the Council's adopted Statement of Community Involvement.
- 10.3 The consultation strategy will form part of a wider corporate approach to consultation involving representatives from relevant directorates across the Council.

11. Choosing the site to be allocated

- 11.1 Following consultation, officers will take full account of all comments made, together with the findings of the Integrated Impact Assessment and all other material planning considerations, before assessing the relative merits of the two sites again. A report will be brought back to Mayor and Cabinet in early 2017 with a recommendation on which, if any site, to include in a submission version of a GTSLP.

12. Financial Implications

- 12.1 There are no direct financial implications arising from this report. The consultation will be delivered within the agreed Planning Service budget.

13. Legal Implications

- 13.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the main steps in the procedure for the production and adoption of planning documents, as explained in the report.
- 13.2 This report seeks authority to consult on the Council's Preferred Site(s) Report which forms part of the process in creating a new Gypsy and Traveller Local Plan.
- 13.3 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics:

age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 13.4 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 13.5 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 13.4 above.
- 13.6 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 13.7 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 13.8 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)
 - [Meeting the equality duty in policy and decision-making](#)
 - [Engagement and the equality duty: A guide for public authorities](#)

- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

13.9 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

14. Crime and Disorder Implications

14.1 There are no direct implications relating to crime and disorder issues.

15. Equalities Implications

15.1 The Council's Comprehensive Equality Scheme for 2012-16 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010. The proposals set out in this report accord with the Council's Comprehensive Equalities Scheme; particularly as they relating to: 'increasing participation and engagement'.

15.2 The Integrated Impact Assessment includes an equalities appraisal to identify equalities impacts and implications of emerging policy options. This is attached as Appendix 2.

16. Environmental Implications

16.1 There are no direct environmental impacts arising from this report.

17. Conclusion

17.1 The Planning Service have prepared a draft GTSLP in accordance with the final search parameters, site selection criteria and Sustainability Scoping Report. In accordance with the timetable set out in the Regulation 18 Consultation Report, and subject to approval from Mayor and Cabinet and Full Council, officers intend to carry out consultation on the preferred potential sites October/November 2016.

18. Background documents and originator

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning & Compulsory Purchase Act 2004	2004	Laurence House	Planning Policy	Claire Gray	No
Localism Act 2011	2011	Laurence	Planning	Claire Gray	No

		House	Policy		
National Planning Policy Framework (NPPF) 2012	2012	Laurence House	Planning Policy	Claire Gray	No
Town and Country Planning (Local Planning) (England) Regulations 2012	2012	Laurence House	Planning Policy	Claire Gray	No
Planning policy for traveller sites 2015	2015	Laurence House	Planning Policy	Claire Gray	No

If you have any queries on this report, please contact Claire Gray, Interim Planning Policy Manager, 3rd floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 7186.




Copy for public consultation
August 2016

Gypsy and Traveller Site(s) Local Plan

Potential Sites:

Regulation 18 (Stage 2) Consultation Report



How do I comment?	X
1. Introduction	X
2. How the GTSLP will fit in with Lewisham's planning framework	X
3. How the GTSLP has been prepared	X
4. Site selection process	X
5. Site Allocations	X
6. General Design Guidelines and Planning Application Requirements	X
7. Infrastructure	X
8. Delivery and Monitoring	X
9. Changes to existing allocations	X
Appendix 1: Approved Search Parameters and Site Selection Criteria	

How do I comment?

The Council is inviting comments on the Gypsy and Traveller Site(s) Local Plan – Potential Sites Report as part of a formal public consultation.

This consultation runs for X weeks from XX to XX 2016.

You can respond in the following ways:

- **On-line:** https://lewisham-consult.objective.co.uk/portal/planning_policy
- **E-mail:** planning.policy@lewisham.gov.uk
- **Post:** Planning Policy, London Borough of Lewisham, 3rd Floor, Laurence House, 1 Catford Road, SE6 4RU

You can also respond by completing a questionnaire which can be filled out:

- On-line https://lewisham-consult.objective.co.uk/portal/planning_policy

Or the questionnaire can be downloaded from our website:

- At www.lewisham.gov.uk/myservices/planning/policy/LDF/Pages/Gypsy-and-Traveller-local-plan.aspx

Copies of the document can be viewed on:

- the Council's website
www.lewisham.gov.uk/myservices/planning/policy/LDF/Pages/Gypsy-and-Traveller-local-plan.aspx
- inspected at all borough libraries and Council's AccessPoint, Ground Floor, Laurence House, Catford, SE6 4RU and obtained by contacting the Planning Policy Team on 020 8314 7400.

1. Introduction

The Gypsy and Traveller Site(s) Local Plan

1.1. The Housing and Planning Act (2016) includes a duty (under Section 8 of the 1985 Housing Act) for local authorities to consider the needs of “people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed.”

1.2. The Gypsy and Traveller Site(s) Local Plan (GTSLP) will form part of Lewisham’s development plan and will identify and designate land in the borough to accommodate the identified need for gypsy and travellers, as defined in the National Planning Policy for Traveller Sites (August 2015).

1.3. Unless otherwise specified, “the Council” means the Council acting in its capacity as the Local Planning Authority.

Background

1.4. Following the closure in 2009 of a former site in Thurston Road, next to Lewisham Station, Lewisham does not have any existing sites for the gypsy and traveller community.

1.5. The Council did grant planning permission in 2008 for five pitches on a site in Church Grove, Ladywell. However, this permission was not acted upon, the planning permission has lapsed and this site is currently being developed for ‘bricks and mortar’ housing.

1.6. The Council adopted its Core Strategy in June 2011. Core Strategy Policy 2 identified criteria for selecting sites and envisaged that site(s) would be identified through a Sites Allocation DPD. However, it did not prove possible to include a site or sites in the Council’s Site Allocations Local Plan (SALP) when this was developed and adopted in June 2013. At the Examination in to the SALP, the Council confirmed its intention to bring forward a separate GTSLP by May 2014.

1.7. The Council began preparing a GTSLP in March 2013. However, other priorities meant that things did not progress as planned and preparation on the Local Plan halted.

1.8. The Council commissioned a Gypsy and Traveller Accommodation Assessment (published in June 2015) and began preparing a GTSLP again in January 2016. The 2015 Accommodation Assessment was updated in August 2016.

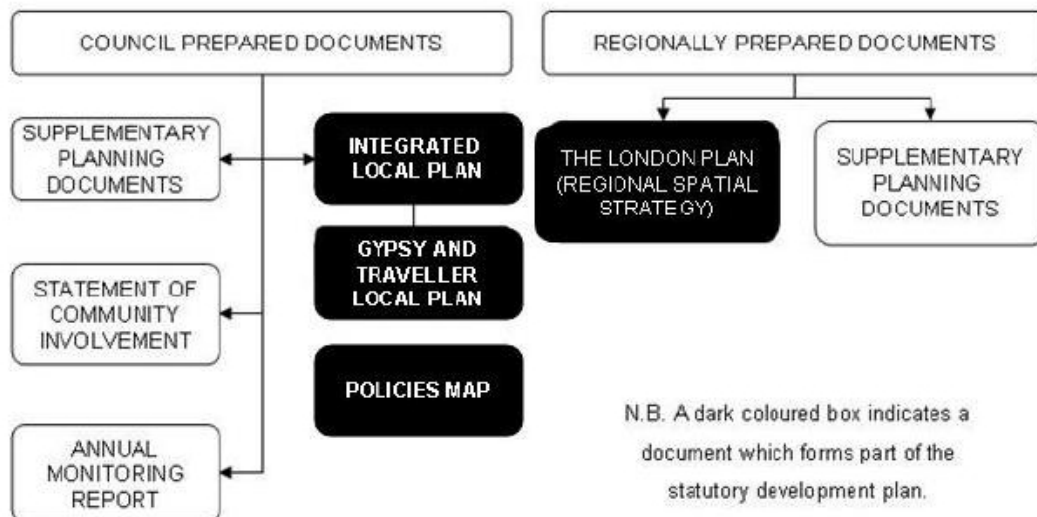
1.9. In parallel with developing a GTSLP, the Council (as Housing Authority) is developing a Gypsy and Traveller Pitch Allocation Scheme to, amongst other things, establish a fair, transparent and equitable system for the allocation of pitches on a Council managed site(s). This is to be the subject of separate consultation.

2. How the GTSLP will fit in with Lewisham’s planning framework

2.1. Lewisham’s existing planning framework comprises the adopted Core Strategy, Site Allocations Local Plan, Lewisham Town Centre Local Plan (February 2014) and Development Management Local Plan (November 2014) and supporting Supplementary Planning Documents.

2.2. The Council is in the process of preparing a new integrated Local Plan which will eventually replace the existing Core Strategy, Site Allocations, Lewisham Town Centre and Development Management Local Plans. The preparation of an integrated plan is a significant piece of work and has fallen behind schedule. Given the pressing need to provide traveller accommodation, the Council is continuing to develop a standalone GTSLP that will sit alongside the integrated Local Plan. The proposed Lewisham planning frameworks are summarised in Figure 1.

Figure 1: Proposed Lewisham planning framework



3. How the GTSLP has been prepared

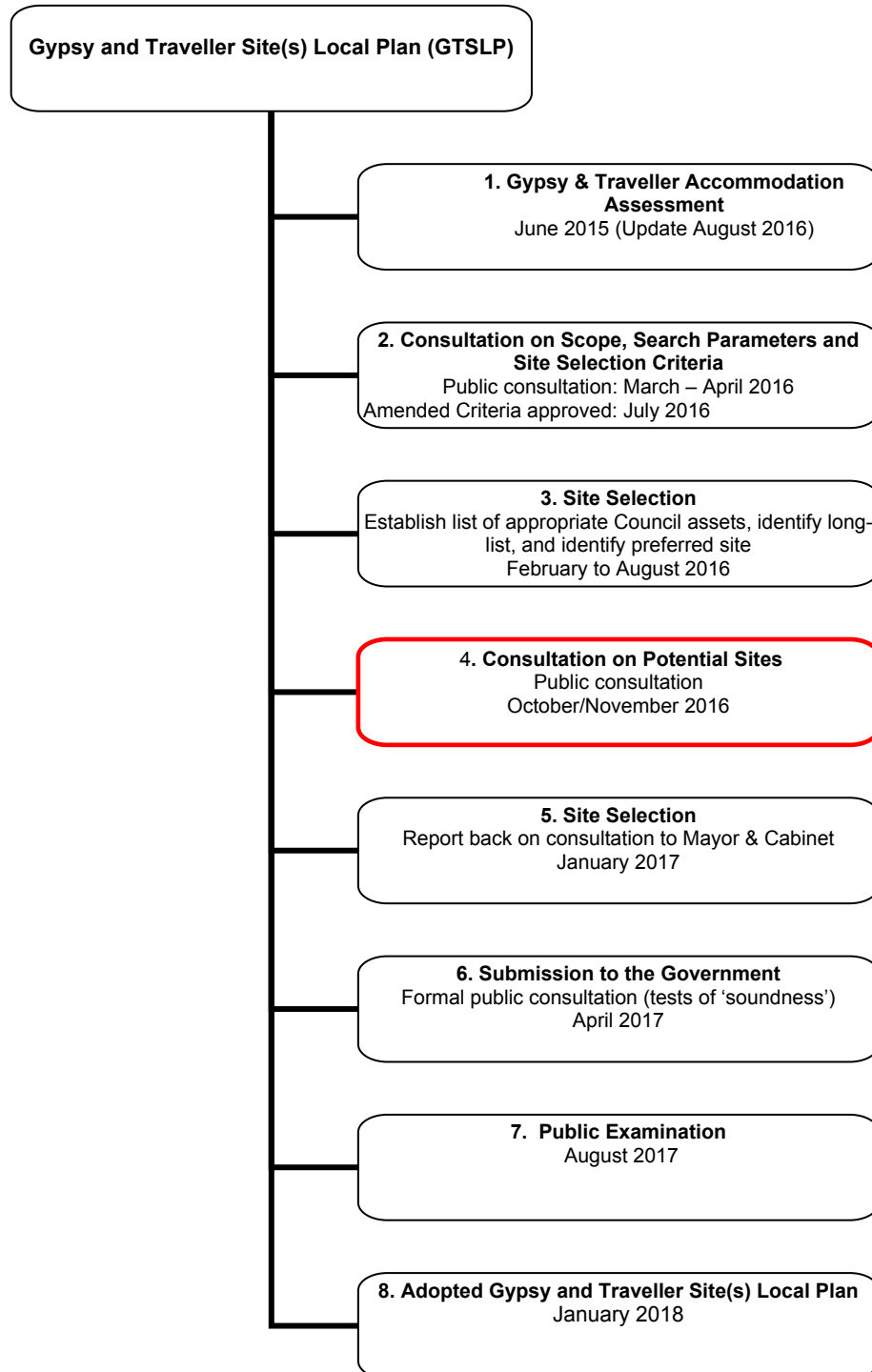
Regulations

3.1. The process for preparing Local Plans, including the GTSLP, is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.

Overall Process

3.2. The key stages in the preparation of the Plan are summarised in Figure 2 below. We are currently at Stage 4.

Figure 2: Key stages in preparing a GTSLP



Founding principles

3.3. The Plan has been founded on the following:

National and local policies, including:

- The National Planning Policy Framework (2012);
- The Government's Planning Policy for Traveller Sites (2015);
- National Planning Practice Guidance;
- The London Plan (2015);
- Lewisham's Core Strategy; and
- Other key relevant plans, policies and strategies.

Evidence base:

- Lewisham Gypsy and Traveller Needs Assessment (June 2015) as updated (July 2016).
- Other key relevant evidence.

Findings of the integrated appraisal:

- Sustainability Appraisal of the objectives, strategy and preferred site allocations to highlight potential conflicts or areas where there could be improvements and to ensure that the Plan accords with the principles of sustainable development.
- Equalities Analysis Assessment (EqAA) - an appraisal to identify equalities impacts and implications of emerging policy options.

Involvement of key stakeholders:

- Consultation on Scope, Search Parameters and Site Selection Criteria and Sustainability Appraisal Scoping Report;
- Consultation with officers across the Council, Lewisham Clinical Commissioning Group and the Metropolitan Police; and
- Co-operation with other public bodies.

National and local policies

National policy and guidance

3.4. The National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England. At the heart of the NPPF is a presumption in favour of sustainable development, which for plan-making means that:

- Local planning authorities should positively seek opportunities to meet the development needs of their area; and
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or (ii) specific NPPF policies indicate development should be restricted.

3.5 The NPPF is augmented by the National Planning Policy for Traveller Sites (PPTS) (August 2015). This sets out the Government's overarching aim as being to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

London Plan

3.6. The consolidated London Plan was published in March 2015. Policy 3.8 (Housing choice) calls on boroughs to work with the Mayor of London and local communities to identify the range of needs likely to arise within their areas and to ensure (amongst other things) that the accommodation requirements of gypsies and travellers are identified in line with national policy, in coordination with neighbouring boroughs and districts as appropriate.

Lewisham Core Strategy

3.7. The Core Strategy was adopted in June 2011. Core Strategy Policy 2 (Gypsies and travellers) is set out in full below.

1. The Council will continue to assess and provide for the identified needs of gypsies and travellers in appropriate locations. The Council is in the process of identifying a suitable site to meet the immediate need arising from the redevelopment of the Thurston Road site, which forms part of the approved Lewisham Gateway development. A site will be identified through the Site Allocations DPD.

2. Proposals for additional and alternative gypsy and traveller sites will be assessed having regard to the following criteria:

- (a) They have reasonable access to local shops, services and community facilities in particular schools and health services.*
- (b) They are safe and have reasonably convenient access to the road network.*
- (c) They have provision for parking, turning, service and emergency vehicles.*
- (d) Any business activities do not have unacceptable adverse impacts on the safety and amenity of occupants and their children and neighbouring residents particularly in terms of noise and overlooking, and other disturbance from the movement of vehicles to and from the site.*
- (e) They have a supply of essential services such as water, sewerage and drainage and waste disposal.*
- (f) They are designed and landscaped to a high standard which facilitates the integration of the site with the surrounding environment and amenity of the occupiers adjoining the site*

Other key relevant strategies/plans

3.8 The key relevant strategies/plans that have informed the preparation of the GTSLP include:

- Lewisham Sustainable Community Strategy 2008-2020;
- LB Lewisham's Strategic Asset Management Plan (SAMP) 2015-2020; and
- Lewisham River Corridor Improvement Plan 2015.

Evidence base

Gypsy and Traveller Accommodation Assessment

3.9. The Planning Policy for Travellers Sites makes clear that in producing their Local Plans, local planning authorities should, amongst other things:

- Identify and update annually, a supply of specific 'deliverable' sites sufficient to provide 5 years' worth of sites against their locally set targets; and
- Identify a supply of specific, 'developable' sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15.

3.10. The Accommodation Assessment (as updated in August 2016) found the need of the households in Lewisham that meet the new definition are for an additional 6 pitches. This is made up of three existing adult households and accounting for three new households, usually formed by adult children setting up their own households.

Figure 3: Additional need for 'travelling' households by 5 year periods

Years	0-5	6-10	11-15	
	2016-21	2021-26	2026-31	Total
Lewisham Travelling	3	2	1	6

Other key relevant evidence:

3.11. The other key relevant evidence that has informed the preparation of the Plan includes:

- Lewisham Infrastructure Delivery Plan (2010) – under review with an IDP Framework Document being prepared in October 2015;
- Strategic Flood Risk Assessment Update 2015; and
- London Gypsy & Traveller Sites Working Paper on Net Density and Gypsy and Traveller Sites (July 2009).

Findings of the integrated appraisal

3.12. The provision of gypsy and traveller pitches at New Cross Social Club, and the adjoining land, could have a detrimental effect on health,

social inclusion and accessibility to community infrastructure through the loss of a social club and a multi-use games area. The provision of gypsy and traveller pitches at Pool Court could have a negative effect on landscape, biodiversity, flora and fauna through the loss of open space.

Involvement of key stakeholders

Consultation on Scope, Search Parameters and Site Selection Criteria

3.13. Consultation on the intention to prepare a Local Plan, its proposed scope and proposed Search Parameters and Site Selection Criteria (in accordance with Regulation 18) was undertaken in March and April 2016. Consultation on a Sustainability Appraisal Scoping report took place at the same time.

3.14. Consultation was in accordance with the minimum requirements of the relevant Regulations and the Council's adopted Statement of Community Involvement and included:

- Public display of documents;
- Documents published on the Council website and Consultation Portal;
- Press Notice;
- Mail out to prescribed and non-statutory bodies;
- Liaison with neighbouring boroughs; and
- Meetings with the Lewisham Gypsy and Traveller Forum and London Gypsy and Traveller Unit.

3.15. Following consultation, in July 2016 the Council's Mayor and Cabinet approved the final Search Parameters and Site Selection Criteria. Comments received on the Sustainability Appraisal Scoping Report have also been taken in to account in developing the appraisal.

Assessment of potential sites

3.16. Officers across the Council (including School Places, Environmental Protection, Public Health and Housing), Lewisham Clinical Commissioning Group (CCG) and the Metropolitan Police were consulted on a list of potential sites. The Council also commissioned studies to assess the suitability of these sites in terms of vehicular access and movement and, where necessary, flood risk.

Duty to Co-operate

3.17. The Localism Act (2011) introduced a Duty to Co-operate which requires planning authorities and other public bodies to actively engage and work jointly on strategic matters. The PPTS encourages LPAs to consider production of joint development plans that set targets on a cross-

authority basis, to provide more flexibility in identifying sites, particularly if they have special or strict planning constraints across its area.

3.18. The South East London Planning Authorities (Lewisham, Bexley, Bromley, Greenwich and Southwark) hold quarterly meetings to facilitate joint working on strategic matters. The group have considered the provision of sites for Gypsy and Traveller accommodation across the subregion and have considered a joint approach to address this strategic issue. The boroughs have been progressing traveller pitch provision through different development plan documents which are at different stages in plan preparation, and have therefore not prepared a joint, subregional document to assess need or allocate site(s) for gypsy and traveller accommodation.

3.19 The boroughs have previously considered their joint approach to bricks and mortar housing through the joint production of a South East London Strategic Housing Market Assessment (2014) (SHMA) which looks at housing need across the subregion and provides an evidence base to inform plan making. This is to ensure that housing planning policies are consistent across the boroughs and are aligned towards the same objectives. This subregional work is ongoing and arrangements are in place to consider all housing issues at future South East London Planning Authorities Duty to Cooperate meetings.

4. Site selection process

4.1. The Council originally identified a seven-step site selection process, including 'long-list', 'short-list' and 'Preferred Site or Sites' steps. However, given the relatively small number of potential sites that emerged from Stage 3, the 'long-list' and 'short-list' steps were combined in to one. This resulted in the following six-step approach:

Step	Task
Step 1	<i>Consult on proposed scope of Plan, Search Parameters, Site Selection Criteria & Sustainability Appraisal Scoping Report.</i> This was undertaken in March and April 2016.
Step 2	<i>Establish a list of appropriate Council assets.</i> Officers identified a list of all Council assets (land and buildings) of 0.24ha in size and above based on 6 pitches with an average of 400sqm from Council ownership data by reviewing the Council's asset registers.
Step 3	<i>Identify a long-list of potential sites.</i> Officers applied Site Selection Criterion 1 (Effective and efficient use of public assets) and this resulted in 5 potential Council-owned sites being identified. A private landowner also put its site forward for consideration during Stage 1 and this was included on the following long-list of 6 sites:

Step	Task
	<p>A - Land on Westbourne Drive SE23; B - Land off Turnham Road, SE4 ; C - New Cross Social Club & adjoining land, Hornshay Street, SE15; D - Land at R/O 46-116 Baizdon Road SE3; E - Land at Pool Court, SE6; and F - Land at St Mildred's Road, Hither Green, SE12.</p>
Step 4	<p><i>Identify a preferred site or sites.</i> Officers apply Site Selection Criteria 2 to 10 to the long-list of sites resulting in the identification of the proposed preferred sites.</p> <p>Officers drew on the results of engagement with officers across the Council and the Clinical Commissioning Group and the Metropolitan Police, together with the findings of relevant studies (as discussed in Section 3.16 above) when applying Criteria 2 to 10 to the long-list of sites and assessing the appropriateness of potential sites.</p> <p>A site selection matrix was established so that each criterion for each site could be given a qualitative score (1 – Excellent, 2- Good, 3 – Average, 4 – Poor or 5 - Very poor). This in turn allowed for the six long-listed sites to be compared and the merits and shortcomings of each site to be considered in order that the most appropriate site or sites is allocated in the Plan.</p>
Step 5	<p><i>Publish a draft Local Plan that identifies a preferred site or sites.</i> Undertake appropriate consultation on the potential site or sites. This is the stage that the Plan is currently at.</p>
Step 6	<p><i>Select a site.</i> Take full account of the results of consultation and the integrated appraisal and choose a site for inclusion in a submission version of the GTSLP.</p> <p>The submission version of the GTSLP (Regulation 22) will be accompanied by supporting documents, including a Statement of Representations that sets out details of who was consulted when preparing the Plan and how the main issues raised have been addressed. This provides a formal opportunity for the local community and other interests to comment on the ‘soundness’ of the proposed site allocation(s).</p>

Site-selection background paper

4.2. The site selection assessment is set out in detail in a Site-selection Background Paper that is published alongside this report.

4.3. Having considered the results of the assessment process as a whole, two alternative sites have been considered suitable for meeting the identified need. These are:

- Site C - New Cross Social Club & adjoining land; and
- Site E - Land at Pool Court.

5. Site Allocations

Introduction

5.1. Government guidance is that where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development (addressing the ‘what, where, when and how’ questions).

What

5.2. The two preferred sites are alternative ways of providing a gypsy and traveller site. The Council will take full account of comments made in response to this consultation, the findings of the integrated appraisal and all other material considerations before deciding which of the two sites should be allocated for permanent residential pitches.

5.3. Both preferred sites are capable of accommodating more than the 6 pitches that are estimated to be needed in Lewisham up to 2031. In common with ‘bricks and mortar’ housing, the Council is keen to optimise the actual number of pitches that are provided on a chosen site. In the absence of detailed design, it is not possible at this stage to know what this would be. However, taking account of site characteristics and a site-specific average pitch size that reflects these, an indicative capacity is identified for both preferred sites.

5.4. A chosen site is likely to be designed and developed to accommodate pitches of varying sizes to meet the needs of those households that have the greatest housing need and are top of the Council’s waiting list for pitches. Pitches are likely to include a hardstanding area for a static caravan, touring caravan and parking space. Pitches are also expected to include a single-storey amenity building and some landscaping/open space. It is hoped that there would also be an area of communal play/open meeting space on the site.

Where

5.5. The two alternative preferred sites are identified below.

When

5.6. The Needs Assessment (as updated in August 2016) found that the minimum need for 6 pitches arises from people currently living in bricks and mortar homes, teenage children and household formation – with 3 pitches needed immediately (2016-21), 2 further pitches needed between 2021 and 2026 and 1 more needed between 2026 and 2031.

5.7. However, for practical and financial reasons, the Council expects to deliver all of the optimum number of pitches on a chosen site in one go and will allocate them according to its emerging Traveller Pitch Allocation Scheme.

How

5.8. The allocation of a site for use as a gypsy and traveller site in a GTSLP would provide a presumption in favour of the principle of this use and effectively safeguard the land for this purpose. However, full planning permission for the development and detailed design of the site would be required in the normal way.

5.9. The law requires that, to the extent that development plan policies are material to an application, the decision on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Core Strategy Policy 2 (see Section 3.7) sets out criteria for assessing proposals for gypsy and traveller sites and these will form the basis for determining future planning applications. There are also a number of relevant policies in the Council's Development Management Local Plan (November 2014).

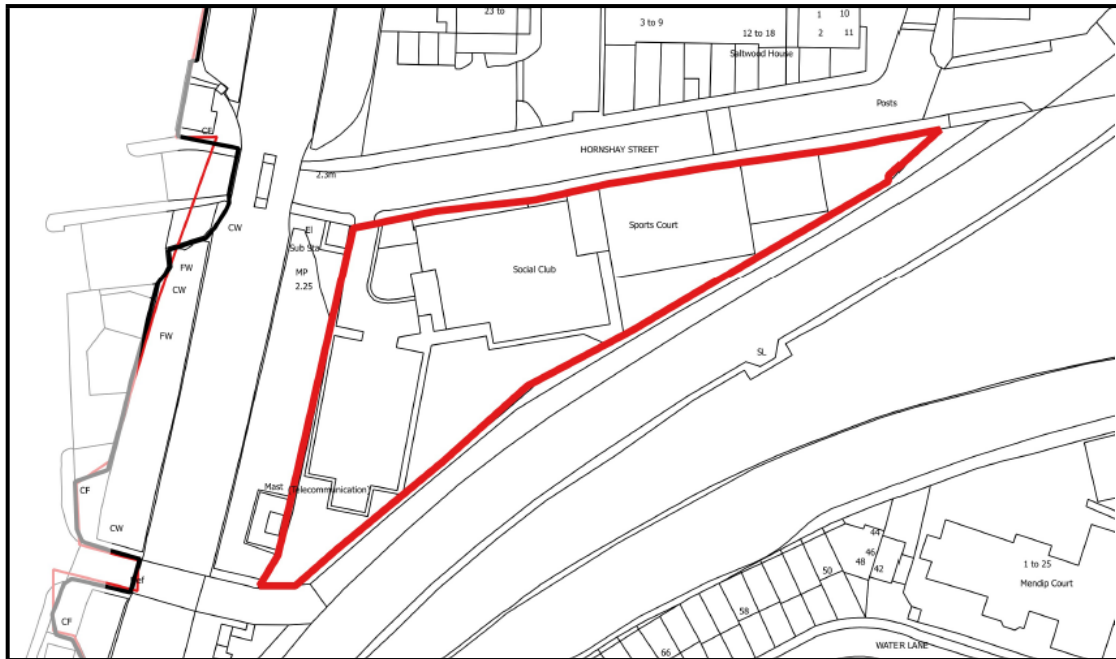
5.10. The Council would welcome pre-application discussions over the design and management of a site so that it can help shape proposals to ensure that they meet the needs of the gypsy and traveller community, represent high quality design, safeguard existing residential amenity and respect the environment. The Council will also want to ensure any permission is subject to appropriate planning conditions and that, together with necessary environmental permits and licensing arrangements, these effectively manage the use and operation of the site

5.11. The Council is expected to be the applicant and as such, any planning application will need to be dealt with in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 – which, in summary, means that no officer or councillor that has a role in asset management can have any role in assessing or determining the planning application.

5.12. The Council is expected to be responsible for managing a chosen site, either directly or indirectly via a third party, and appropriate management arrangements will be put in place in due course.

Potential Site C

5.13. Site Name/Address. New Cross Social Club and adjoining land.



5.14. Size. 0.31

5.15. Ownership: LB Lewisham

5.16. Current Use. Licensed bar and hall (also used for community events) and associated car parking and Multi Use Games Area (MUGA).

5.17. Site Characteristics. The part one/part two-storey building and car parking area and the fenced MUGA are on the south side of Hornshay Street, which connects Ilderton Road with the Lovelinch Close Estate. The site is relatively flat.

5.18. On the north side of the street, behind a brick wall, are the gardens of homes in Saltwood House, a four-storey block of flats, and a car parking area that serves this building and Upnall House. To the east, through an underpass, is Bridgehouse Meadows. The southern boundary is formed by a brick retaining wall and raised railway which forms part of the London Overground network and the western boundary is formed by a railway embankment.

5.19. Proposed Use and indicative capacity. Based on a site-specific average pitch size of 400sqm - permanent traveller site for at least 6 residential pitches.

5.20. Site-specific Development Guidelines:

(a) One or two vehicular access/exit points would be acceptable along the length of the Hornshay Street frontage (providing, if there are two, that there is a safe distance between them).

(b) The Hornshay Street boundary treatment and access should be designed to provide a safe and welcoming entrance to the site, protect the privacy of residents living on the site and provide an attractive street frontage (including some visual interaction between the street and the site).

(c) Trees should be planted along on site close to its boundary with Hornshay Street in order to provide visual interest and shade for future residents and improve the street scene.

(d) Any on-site external lighting should be carefully designed and specified so as not to cause disturbance to nearby residents.

(e) Mitigation for the loss of the existing MUGA by way of either improvements to an existing facility or facilities or a replacement facility.

Potential Site E

5.21. Site Name/Address. Land at Pool Court.



5.22. Size. 0.78ha

5.23. Ownership: LB Lewisham and Network Rail

5.24. Current Use. Vacant open land and scaffolding yard.

5.25. Site Characteristics. The site comprises two parcels of land either side of Pool Court road.

5.26. The western part of the site comprises vacant open land to the north of existing housing/car parking area. The land is currently fenced off and inaccessible and forms part of the designated Site of Importance for Nature Conservation (SINC), called Pool River Linear Park. The western boundary is formed of a railway embankment and the northern boundary is formed by the Pool River and other open land.

5.27. The eastern part of the site comprises an operational scaffolding yard that is accessed from Fordmill Road and open land, with additional open land to the north – leading up to the River. The eastern boundary is formed by a railway embankment, which also forms part of the Site of Importance for Nature Conservation.

5.28. Proposed Use and indicative capacity. Based on a site-specific average pitch size of 750sqm - permanent traveller site for between 6 and 10 residential pitches.

5.29. Site-specific Development Guidelines.

(a) The site should be accessed and exited solely from the Fordmill Road frontage.

(b) The boundary treatment and access/exit along the Fordmill Road should be designed to provide a safe and welcoming entrance to the site, protect the privacy of residents living on the site and provide an attractive street frontage (including some visual interaction between the street and the site).

(c) The boundary treatment to the Pool Court road frontage and car parking area should safeguard the existing trees that are just outside of the site and safeguard the amenity of existing residents.

(d) All works carried out within 8m of the Pool River will require an environmental permit from the Environment Agency. Earth works, landscaping and other development in this part of the site should be designed and managed to enhance this part of the River and take account of guidance in the River Corridor Improvement Plan SPD (September 2015).

(e) As many existing trees and as much mature vegetation as possible should be retained and incorporated in to the landscape design and additional tree planting should be incorporated where possible along the boundaries with Pool Court.

(c) Any on-site external lighting should be carefully designed and specified so as not to cause disturbance to nearby residents or harm the biodiversity value of the site or adjoining land.

6. General Design Guidelines and Planning Application Requirements

General Design Guidelines

6.1. Whilst formally withdrawn in October 2015 following the publication of the National Planning Policy for Travellers, there is a lot of good general design guidance in the Department of Communities and Local Government's 'Good Practice Guide' (published in 2008). In the absence of any replacement guidance, reference should be made to this in the detailed design of a site and its individual pitches.

6.2. Applicants are encouraged to engage fully with the gypsy and traveller community, seek expert advice and draw on good practice from across London to ensure that a site:

- Meets the needs of the gypsy and traveller community;
- Is of a high quality design;
- Safeguards existing residential amenity; and
- Respects the environment.

Planning Application Requirements

6.3. A full planning application should include the following:

- Existing and proposed site levels;
- General site arrangement plan;
- Hard and soft landscaping drawings (including full details of road ways, paths, hardstanding areas, tree and other soft landscaping, Sustainable Urban Drainage features and boundary treatments, including between pitches);
- Floor plans, sections and elevations of permanent buildings;
- Full details of refuse collection and postal delivery arrangements;
- Full details of treatment of external boundaries;
- Full details of all external lighting;
- Flood Risk Assessment and Drainage;
- Transport Statement;
- Design and Access Statement; and
- Site Management Plan.

7. Infrastructure

7.1. The Council published an Infrastructure Delivery Plan (IDP) in August 2010. It has prepared an IDP Framework Document in (October 2015) and this is being used to prepare a revised IDP to support the delivery of the emerging Integrated Local Plan and the GTSLP.

7.2. The relatively small number of households that are expected to live on a chosen site are unlikely to give rise to the need for additional infrastructure.

7.3. Nevertheless, members of the gypsy and traveller community face particular challenges in accessing health, education and other services. The Council's School Places Manager and Lewisham Clinical Commissioning Group will continue to be involved once a site is selected and delivered, to help ensure that necessary adjustments to local service provision are made to cater for the particular needs of people living on a site.

8. Delivery and monitoring

8.1. The delivery of an allocated site is addressed in Section 5 above, under the 'How' heading. In the event that an allocated site should fail to deliver the number of pitches needed, Core Strategy Policy 2 (Gypsy and travellers) makes provision for any unmet need to be met through the planning application process only, stating as it does that:

"2. Proposals for additional and alternative gypsy and traveller sites will be assessed having regard to the following criteria" (Listed in Section 3.7 above):

8.2. The monitoring framework in the Core Strategy sets out indicators and targets for each of its strategic objectives. For Objectives 02 (Housing provision and distribution) and 03 (Local housing need), the following are identified in relation to Core Strategy Policy 2 (Gypsies and travellers):

- Indicators – Net additional pitches (gypsy and travellers); and
- Target – Net additional pitches.

8.3. The Council will be monitoring the delivery of pitches using the above indicator and target, or any relevant replacement ones that may be identified as part of preparing a unified Local Plan, and will use its Annual Monitoring Report (AMR) to record progress.

9. Changes to existing allocations

9.1. If Site E is chosen and allocated as a permanent gypsy and traveller site, the Council will need to de-allocate those parts of the Site of Importance for Nature Conservation called Pool River Linear Park.

Appendix 1: Approved Search Parameters and Site Selection Criteria

Search Parameters

The approved search parameters are as follows:

- Council-owned housing land.
- Council-owned non-housing land.
- Private and other publicly owned land – focus on Council owned land, other than, possibly, adjacent land in other ownerships that may be necessary to develop a Council asset.
- For practical considerations of site management and economic considerations the Council consider the need for 6 pitches should be met on a single site.
- Type of site - full range of potential sites, including vacant open land, open land that is in use, vacant and occupied buildings and any combination.
- Size of site - base a search for sites on 400sqm per pitch (average size).
- Location of site – whole borough.

Site Selection Criteria

The final Site Selection Criteria are as follows:

Site Selection Criteria	Explanation and application
1. Effective and efficient use of public assets.	(a) Effective use of public assets – Judgement, taking account of existing service commitments and use, running costs, investment requirements, reasonable alternative use(s) for the provision of other services and the Strategic Asset Management Plan (SAMP). (b) Efficient use of public assets– Judgement, taking account of reasonable alternative use(s) and the Council's need to minimise opportunity costs and optimise capital receipts.
2. Reasonable access to local shops, services and community facilities in particular schools and health services.	(a) Site within 800m of bus stop and/or station. (b) The following services within 1,500m: (i) Local shop; (ii) Primary School; and (iii) Health facility.
3. Safe and reasonably convenient access to the road network.	(a) Safe vehicular access or capable of creating safe vehicular access for 15m long caravan to/off a public highway. (b) Access for emergency services. (c) Clearance height of 3.7m.
4. Capable of satisfactory provision for parking, turning, service and emergency vehicles.	(a) Judgement (size and shape of site). (b) Infrequent access needed for 15m long caravan.
5. Mixed residential and business use opportunities.	(a) Mixed-use residential and business use acceptable in principle (b) Any likely adverse impacts are acceptable (assuming environmental permitting regulations, appropriate licensing and planning conditions manage activities that could be carried out).
6. Supply of essential	Assume all sites have access to all essential services or are capable

Site Selection Criteria	Explanation and application
services such as water, sewerage and drainage and waste disposal.	of being connected (NB cost of doing so may vary and affect deliverability).
7. Scope for healthy lifestyles and integration.	<ul style="list-style-type: none"> (a) Opportunities for healthy lifestyles such as adequate landscaping & play areas - Judgement (size and shape of site). (b) High standard design and landscaped which facilitates the integration of the site with the surrounding environment and amenity of the occupiers adjoining the site - Judgement (size and shape of site).
8. Local environmental quality	<ul style="list-style-type: none"> (a) Contamination – Free from significant contamination or able to be cleaned up (consult LBL Environmental Health) ((NB cost of doing so may vary and affect deliverability). (b) Noise – Acceptable internal noise environment (consult LBL Environmental Health) (c) Air quality – Acceptable air quality (consult LBL Environmental Health) (d) Flooding – Reasonable prospect of sequential test and exceptions tests being met
9. Spatial planning & development management considerations.	<ul style="list-style-type: none"> (a) Key relevant site specific development plan policies – both for the site itself and adjoining land (b) Key relevant general policies (c) Key relevant policies in emerging Local Plan and any emerging Neighbourhood Plan (d) Key relevant planning guidance (e) Planning history – identification of any key relevant planning history. (f) Summary – overall conclusion, taking account of the above.
10. Deliverability.	<p>Taking account of all of the previous criteria, sites should be:</p> <ul style="list-style-type: none"> (a) Available now; (b) Offer a suitable location for development; and (c) Be achievable with a realistic prospect that development will be delivered on the site within five years.

INTEGRATED IMPACT ASSESSMENT

Gypsy and Traveller Site(s) Local Plan

Pro Vision Planning and Design

August 2016

Prepared on behalf of: The London Borough of Lewisham



GYPSY AND TRAVELLER SITE(S) LOCAL PLAN
SUSTAINABILITY APPRAISAL
PROJECT NO. 1403

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Appendices

Appendix A: Plans, policies and programmes

Appendix B: Baseline information

Appendix C: Sustainability objectives, indicators, targets and monitoring

Non-technical summary

This document provides a report of the Sustainability Appraisal, Strategic Environmental Assessment and Equalities Analysis Assessment of the Lewisham Gypsy and Traveller Site(s) Local Plan. The purpose of the Integrated Impact Assessment is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of the Lewisham Gypsy and Traveller Site(s) Local Plan.

This report has been prepared considering the consultation responses to a Scoping Report which has determined the principal matters to be addressed by the Integrated Impact Assessment. The scoping process identified the following sustainability issues.

1. To provide sufficient housing and the opportunity to live in a decent home
2. To improve the health of the population
3. To reduce poverty and social exclusion
4. To improve accessibility to leisure facilities, community infrastructure and key local services
5. To reduce crime, antisocial behaviour and the fear of crime
6. To reduce car travel and improve accessibility by sustainable modes of transport
7. To mitigate and adapt to the impact of climate change
8. To improve air quality and water quality, manage water resources and reduce noise and vibration
9. To increase, maintain and enhance open space, biodiversity, flora and fauna
10. To mitigate flood risk
11. To maintain and enhance landscapes and townscapes
12. To conserve and where appropriate enhance the historic environment
13. To minimise the production of waste and increase waste recovery and recycling
14. To encourage sustained economic growth
15. To promote access to employment, education, skills and training

The Integrated Impact Assessment incorporates the requirements of the European Strategic Environmental Assessment Directive (2001/42/EC), which states that a formal assessment should be undertaken of plans and programmes that are likely to have significant effects on the environment. The Integrated Impact Assessment has been prepared taking into account the Council's obligations in relation to the Equalities Act 2010 and the Council's equalities objectives.

The Integrated Impact Assessment process is designed to ensure that planning decisions are made that accord with the principles of sustainable development. The timing of the Integrated Impact Assessment, from the initial stages of the plan-making process, aims to make sure that sustainability considerations are taken into account early in the formulation of policy documents, including the Lewisham Gypsy and Traveller Site(s) Local Plan.

The Integrated Impact Assessment starts with an evaluation of the existing situation and then assesses how the Lewisham Gypsy and Traveller Site(s) Local Plan would affect each aspect of sustainability identified through the scoping process. Impacts are positive, neutral, negative or uncertain.

The two preferred alternative sites for the 6 pitches required in the London Borough of Lewisham set out within the Lewisham Gypsy and Traveller Site(S) Local Plan are New Cross Social Club and the adjoining land, and land at Pool Court.

The provision of gypsy and traveller pitches at New Cross Social Club, and the adjoining land, could have a detrimental effect on health, social inclusion and accessibility to community infrastructure through the loss of a social club and a multi-use games area. The provision of gypsy and traveller pitches at Pool Court could have a negative effect on landscape, biodiversity, flora and fauna through the loss of open space.

Proposals for monitoring, to identify significant sustainability effects of implementing the Lewisham Gypsy and Traveller Site(s) Local Plan so that remedial action can be taken if required, are set out in this report.

1.0 Introduction

- 1.1 Pro Vision Planning and Design has been instructed by the London Borough of Lewisham to prepare an Integrated Impact Assessment, incorporating a Sustainability Appraisal, Strategic Environmental Assessment and Equalities Analysis Assessment, of the Lewisham Gypsy and Traveller Site(s) Local Plan.
- 1.2 SAs are intended to support the selection of options in the preparation of plans and to provide a mechanism for reviewing alternative options whilst assessing how the plan will contribute to the achievement of sustainable development. This IIA seeks to identify the economic, social and environmental impacts of the potential sites presented in the Lewisham Gypsy and Traveller Site(s) Local Plan. It includes discussion of the likely significant sustainability effects of its implementation and recommendations are made relating to the ways in which potential adverse effects can be reduced or beneficial effects can be enhanced. The report includes proposals for relevant environmental, social and economic indicators to monitor the effects of the implementation of the Lewisham Gypsy and Traveller Site(s) Local Plan.
- 1.3 SAs must incorporate the requirements of the Strategic Environmental Assessment (SEA) Directive to ensure that the significant environmental effects arising from policies, plans and programmes are identified, assessed, mitigated, communicated to decision makers, monitored and that opportunities for public involvement are provided. The SEA Directive requires that a formal assessment is undertaken of plans and programmes which are likely to have significant effects on the environment.
- 1.4 The IIA considers the London Borough of Lewisham's obligations in relation to the Equalities Act 2010 and the Council's equalities objectives. The assessment has due regard to the need to eliminate unlawful discrimination, to advance equality of opportunity and to foster good relations.
- 1.5 Assessing policies from a sustainability perspective (including environmental, social and economic sustainability) alongside an equalities perspective will enable an holistic assessment of the alternative sites for gypsy and traveller accommodation. There are overlaps in the above assessments and therefore an approach that addresses the statutory requirements for Sustainability Appraisal, Strategic Environmental Assessment and Equalities Impact Assessment into a single integrated assessment will be used.
- 1.6 The Scoping Report, the initial stage of the IIA process, consisted of the collection of baseline data and information on other plans, policies and programmes that could influence the preparation of the Lewisham Gypsy and Traveller Site(s) Local Plan. The data collected was used to identify the key sustainability issues, objectives and targets at multiple spatial scales.
- 1.7 The Gypsy and Traveller Site(s) Local Plan is currently at the Potential Site(s) Regulation 18 (stage 2) consultation stage. The Local Plan will identify and designate land in the borough to accommodate the identified need for sites for Gypsies and Travellers.
- 1.8 Section 2 of this IIA Report provides a detailed description of the methodology for the IIA. The context, baseline and objectives of the IIA are set out in Section 3. The IIA is presented and the significant effects are discussed in Section 4. Measures for mitigation and monitoring are considered in Section 5.

2.0 Methodology

SUSTAINABILITY APPRAISAL

- 2.1 The purpose of the IIA is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of development plans. The UK Government Sustainable Development Strategy 2005 defines sustainable development as follows:
- Social progress which meets the needs of everyone;
 - Effective protection of the environment;
 - Prudent use of natural resources; and
 - Maintenance of high and stable levels of economic growth and employment.
- 2.2 The IIA of the Lewisham Gypsy and Traveller Site(s) Local Plan aims to ensure that the principles of sustainability are embedded into the plan-making process, forming an integral part of plan preparation. The IIA takes a long-term view, reflecting global, national, regional and local issues. The IIA identifies opportunities to enhance positive performance and to address negative impacts from an early stage in the process of policy formulation.
- 2.3 The stages which the IIA will follow are based on the Government's Planning Practice Guidance. The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Environmental Assessment of Plans and Programmes Regulations 2004 have also been used to inform the stages followed. These stages are set out in Table 2.1 below. Stage A of the IIA process is covered within the IIA Scoping Report. This IIA Report documents stages B, C and D. Stage E will be completed following the adoption of the Lewisham Gypsy and Traveller Site(s) Local Plan.

Table 2.1: Stages of IIA

Gypsy and Traveller Site(s) Local Plan: Evidence Gathering and Engagement
<p>IIA Stages and Tasks</p> <p>Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope</p> <p>1: Identify other relevant policies, plans and programmes, and sustainability objectives</p> <p>2: Collect baseline information</p> <p>3: Identify sustainability issues and problems</p> <p>4: Develop the IIA framework</p> <p>5: Consult the consultation bodies on the scope of the IIA Report</p>
Gypsy and Traveller Site(s) Local Plan: Consult on Local Plan in preparation Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012
<p>IIA Stages and Tasks</p> <p>Stage B: Developing and refining alternatives and assessing effects</p> <p>1: Test the Local Plan objectives against the IIA framework</p> <p>2: Develop the Local Plan options including reasonable alternatives</p> <p>3. Evaluate the likely effects of the Local Plan and alternatives</p> <p>4: Consider ways of mitigating adverse effects and maximising beneficial effects</p> <p>5: Propose measures to monitor the significant effects of implementing the Local Plan</p>

Gypsy and Traveller Site(s) Local Plan: Prepare the publication version of the Local Plan
IIA Stages and Tasks Stage C: Prepare the IIA Report
Gypsy and Traveller Site(s) Local Plan: Seek representations on the publication Local Plan (Regulation 19) from consultation bodies and the public
IIA Stages and Tasks Stage D1: Seek representations on the sustainability appraisal report from consultation bodies and the public
Gypsy and Traveller Sites Local Plan: Submit draft Local Plan and supporting documents for independent examination Outcome of examination
IIA Stages and Tasks Stage D2: Consider implications of the outcome of the examination for IIA compliance
Gypsy and Traveller Sites Local Plan: Adoption and Monitoring
IIA Stages and Tasks Stage E: Post adoption reporting and monitoring 1: Prepare and publish post-adoption statement 2: Monitor significant effects of implementing the Local Plan 3: Respond to adverse effects

THE IIA PROCESS TO DATE

- 2.4 A Scoping Report was prepared by Pro Vision Planning and Design in January 2016, during the evidence gathering and engagement stage of the Lewisham Gypsy and Traveller Site(s) Local Plan. The Scoping Report identified the content and the level of detail of the information to be included in this IIA. The Scoping Report described the background and context, set out the relevant plans, policies and programmes, and established the baseline. This information was used to identify the sustainability requirements, issues and trends in the London Borough of Lewisham and to develop the IIA framework. Natural England, the Environment Agency, Historic England and the Greater London Authority were consulted on the scope of the IIA. Comments were received from Natural England, the Environment Agency and Historic England. These comments have been considered in the preparation of this IIA Report.

THE IIA APPROACH

Lewisham Local Plan Regulation 18 Consultation

- 2.5 The policies in the draft Local Plan have been assessed to identify the likely significant effects of the alternative sites (Stage B). Forecasting and evaluation of the significant effects has helped to develop and refine the proposals in the Lewisham Gypsy and Traveller Site(s) Local Plan.
- 2.6 Reasonable alternative sites were identified and considered at an early stage in the plan making process. The assessment of reasonable alternatives has informed the London Borough of Lewisham in choosing its preferred approach. Paragraph 152 of the National Planning Policy Framework was considered in the development of alternatives. Ways of mitigating any adverse effects, maximising beneficial effects and monitoring likely significant effects have been defined.
- 2.7 The IIA has compared the two preferred sites for delivering the 6 pitches that Lewisham needs, and has assessed these against the baseline environmental, economic and social characteristics of the area and the likely situation if the Local Plan were not to be adopted.

- 2.8 The IIA has predicted and evaluated the effects of the two preferred sites and has clearly identified the significant positive and negative effects of each alternative. The IIA has identified, described and evaluated the likely significant effects on environmental, economic and social factors using the evidence base. The determination of the likely significant effects on the environment is in line with the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004.
- 2.9 The IIA has identified any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them. The IIA has considered all reasonable alternatives and has assessed the two preferred sites in the same level of detail.
- 2.10 The IIA outlines the reasons the preferred sites were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the alternatives. The IIA provides conclusions on the overall sustainability of the preferred sites. The assumptions used in assessing the significance of effects of the Local Plan are documented.
- 2.11 The development and appraisal of the proposals set out in the Lewisham Gypsy and Traveller Site(s) Local Plan is an iterative process. The proposals will be revised to take account of the appraisal findings. This will inform the selection, refinement and publication of the Local Plan.

Prepare the publication version of Lewisham Local Plan

- 2.12 Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 sets out the formal requirements of an 'environmental report', which forms an integral part of the IIA report and is a core output of the SEA. An environmental report for the purpose of the regulations must identify, describe and evaluate the likely significant effects on the environment of implementing Lewisham Gypsy and Traveller Site(s) Local Plan policies and of the reasonable alternatives taking into account the objectives and geographical scope of the Lewisham Gypsy and Traveller Site(s) Local Plan.
- 2.13 This IIA report clearly shows how these requirements have been met, in addition to recording the wider assessment of social and economic effects. The IIA includes a non-technical summary of the information within the main report. The summary has been prepared with a range of readers in mind and provides a clear, accessible overview of the process and findings.

Seek representations on the publication Local Plan (regulation 19)

- 2.14 The consultation bodies, and other parties who are affected, or likely to be affected by, or have an interest in the decisions involved in the assessment and adoption of the Lewisham Gypsy and Traveller Site(s) Local Plan will be consulted, in line with Regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004. This IIA Report, including the non-technical summary, will be published alongside the Lewisham Gypsy and Traveller Site(s) Local Plan for a minimum of six weeks.
- 2.15 This IIA Report will not necessarily have to be amended if the Lewisham Gypsy and Traveller Site(s) Local Plan is modified following responses to consultation. Modifications to the IIA will be considered where appropriate and proportionate to the level of change being made to the Local Plan. A change is likely to be significant if it substantially alters the Local Plan and / or is likely to give rise to significant effects.
- 2.16 Further assessment may be required if the changes have not previously been assessed and are likely to give rise to significant effects. A further round of consultation on the IIA may also be required in such circumstances, but this will only be undertaken where necessary. Changes to the Local Plan that are not significant will not result in further IIA work.

Lewisham Local Plan Examination

- 2.17 This IIA Report will be submitted with the Lewisham Gypsy and Traveller Site(s) Local Plan to the Secretary of State for independent examination. This IIA Report will be examined as part of the evidence base for the Lewisham Gypsy and Traveller Site(s) Local Plan. The IIA Report will help integrate the different areas of evidence and will demonstrate why the site in the Local Plan is the most appropriate. If the necessary changes to the Local Plan resulting from

Examination are significant, and were not previously subject to IIA, then further IIA may be required and the IIA Report will be updated and amended accordingly.

Lewisham Local Plan Adoption and Monitoring

- 2.18 Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004 sets out the relevant post-adoption requirements. The significant effects of implementing the Gypsy and Traveller Site(s) Local Plan will be monitored (as required by Regulation 17 of the Environmental Assessment of Plans and Programmes Regulations 2004). This will enable the London Borough of Lewisham to identify unforeseen adverse effects at an early stage and enable appropriate remedial actions.
- 2.19 Details of monitoring arrangements will be included in the post-adoption statement. The monitoring results will be reported in the London Borough of Lewisham's Annual Monitoring Report.

STRATEGIC ENVIRONMENTAL ASSESSMENT

- 2.20 This IIA has, where appropriate, incorporated the requirements of the Strategic Environmental Assessment (SEA) Directive (2001/42/EC). The SEA Directive requires that a formal assessment is undertaken of plans and programmes which are likely to have significant effects on the environment. The Directive has been transferred into UK law through the SEA Regulations (July 2004).
- 2.21 The SEA Directive focusses exclusively on environmental issues, whilst IIA also encompasses social and economic concerns. Government guidance on SA has been prepared to meet the requirements of the SEA Directive. Consistent with this approach, the IIA of the Gypsy and Traveller Sites Local Plan addresses the requirements of the SEA Directive.

Table 2.2 The requirements of the SEA Directive

SEA Directive Requirements	Where reported
Preparation of an environmental report in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme, are identified, described and evaluated. The information to be given is: (Art. 5 and Annex I)	This IIA Report
a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes;	Scoping Report January 2016, Section 3 and Appendix A of this report
b) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme;	Scoping Report January 2016, Section 3 and Appendix B of this report
c) The environmental characteristics of areas likely to be significantly affected;	Scoping Report January 2016, Section 3 and Appendix B of this report
d) Any existing environmental problems which are relevant to the plan programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;	Scoping Report January 2016, Section 3 and Appendix B of this report

e) The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation;	Scoping Report January 2016, Section 3, Section 4 and Appendix A of this report
f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. (Footnote: These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects);	Section 4 of this report
g) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;	Section 5 of this report
h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information;	Sections 2 and 3 of this report
i) A description of measures envisaged concerning monitoring in accordance with Article 10;	Section 5 and Appendix C of this report
<p>Consultation:</p> <p>Authorities with environmental responsibility, when deciding on the scope and level of detail of the information to be included in the environmental report (Art. 5.4).</p> <p>Authorities with environmental responsibility and the public shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme (Art. 6.1, 6.2).</p>	The Statement of Consultation gives full details of all consultation undertaken throughout the process
Other EU Member States, where the implementation of the plan or programme is likely to have significant effects on the environment of that country (Art. 7).	N/A

Taking the environmental report and the results of the consultations into account in decision-making (Art. 8).	The Statement of Consultation gives full details of all consultation undertaken throughout the process
<p>Provision of information on the decision:</p> <p>When the plan or programme is adopted, the public and any countries consulted shall be informed and the following made available to those so informed:</p> <p>The plan or programme as adopted;</p> <p>A statement summarising how environmental considerations have been integrated into the plan or programme and how the environmental report pursuant to Article 5, the opinions expressed pursuant to Article 6 and the results of consultations entered into pursuant to Article 7 have been taken into account in accordance with Article 8, and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and</p> <p>The measures decided concerning monitoring (Art. 9 and 10).</p>	<p>The Adoption Statement documents how environmental considerations have been integrated into the Lewisham Gypsy and Traveller Site(s) Local Plan</p> <p>Section 5 and Appendix C set out the proposed measures for monitoring</p>
Monitoring of the significant environmental effects of the plan's or programme's implementation (Art. 10).	Section 5 and Appendix C of this report
Quality assurance: environmental reports should be of a sufficient standard to meet the requirements of the SEA Directive (Art. 12).	This table identifies how the requirements of the SEA Directive have been met

EQUALITIES ANALYSIS ASSESSMENT

- 2.22 Equalities Analysis Assessment (EAA) is the process of systematically analysing a proposed or existing policy to identify the likely affect from the implementation of the policy on different groups in the community. EAA seeks to ensure that, as far as possible, any negative consequences for a particular group or sector of the community are eliminated, minimised or counterbalanced by other measures. Local Authorities have a duty to complete an EAA of relevant plans under the Equality Act 2010.
- 2.23 The IIA of the Lewisham Gypsy and Traveller(s) Sites Local Plan encompasses the requirements for EAA. The diverse needs of the Lewisham community have been considered during the production of the IIA. The methodology and the approach set out within the London Borough of Lewisham's EAA toolkit has been followed in the preparation of the IIA. The baseline analysis has included an assessment of data and research. Consultation on the IIA has met the requirements for consultation in relation to EAA. The impact assessment has included due regard to the need to eliminate unlawful discrimination, to advance equality of opportunity and to foster good relations. Proposed measures for monitoring and mitigation reflect the objectives of EAA.

LIMITATIONS AND ASSUMPTIONS

- 2.24 The data relates to the London Borough of Lewisham as a whole. The following gaps in available baseline data have been identified.
- Number of developments granted planning permission incorporating renewable energy solutions;

- Total energy used in the borough from renewable schemes;
- Number and location of healthcare facilities;
- New affordable housing as a percentage of all new housing;
- Tenure mix of affordable housing;
- Number of bedrooms in new dwellings;
- Planning applications obtaining new open space or public access linkages per year;
- Number of planning applications approved with waste management / recycling facilities incorporated; and
- Specific data covering public rights of way, cycle parking and lighting.

2.25 Gaps in baseline data will be addressed through the ongoing monitoring processes of the Council's Annual Monitoring Report.

3.0 Context, Baseline and Objectives

LONDON BOROUGH OF LEWISHAM LOCAL PLAN

3.1 The Local Plan represents a series of planning documents, which collectively outline planning strategy and policies for the London Borough of Lewisham. Local Plan documents can be procedural or policy based.

3.2 The following procedural documents have been approved or adopted by the London Borough of Lewisham:

- Local Development Scheme (LDS) – the LDS sets out an outline of the documents Lewisham propose to prepare and the timetable for the preparation of the various documents;
- Statement of Community Involvement (SCI) – the SCI aims to ensure that local communities know when, how and for what reason a consultation is to happen. The SCI sets out the type, extent and timing of consultation in relation to planning matters in the borough;
- Annual Monitoring Report (AMR) – the AMR sets out information on whether the Council is meeting, or on track to meet, the key dates for Local Plan preparation and whether the policies in the development plan are achieving what they set out to achieve.

3.3 Policy based documents and their status are described below:

- Lewisham Core Strategy (LCS) – the principal and overarching Local Plan document, adopted in June 2011;
- Lewisham Site Allocations Local Plan (LSALP) – identifies, designates and safeguards land for a particular use, adopted in June 2013;
- Lewisham Development Management Local Plan (LDMLP) – sets out additional planning policies to guide decisions on planning applications, adopted in November 2014;
- Lewisham Gypsy and Traveller Site(s) Local Plan (LGTSLP) – will allocate a site or sites to accommodate Gypsies and Travellers in the borough;
- Lewisham Town Centre Local Plan (LTCLP) – policies and proposals for development in Lewisham town centre, this was adopted on 26 February 2014;
- Supplementary Planning Documents (SPD's) – advice and guidance on policies and proposals contained in the development plan; and
- Neighbourhood Plans – the vision and policy for how local people would like their area to develop. None as yet, although 5 forums have been established and have expressed an interest in preparing a neighbourhood plan.

3.4 The Council is in the process of preparing a new integrated Local Plan which will eventually replace the existing Core Strategy, Site Allocations, Lewisham Town Centre and Development Management Local Plans.

LEWISHAM GYPSY AND TRAVELLER SITE(S) LOCAL PLAN

3.5 Given the pressing need to provide traveller accommodation, the Council is developing a standalone Gypsy and Traveller Site(s) Local Plan that will sit alongside the integrated Local Plan. The Lewisham Gypsy and Traveller Site(s) Local Plan is being prepared to allocate a site, or sites, to accommodate Gypsies and Travellers in the London Borough of Lewisham, as specified in adopted Core Strategy Policy 2: Gypsies and Travellers.

3.6 The Lewisham Gypsy and Traveller Accommodation Needs Assessment (LGTANA) (2015) found that the provision needed to 2030 in Lewisham is for six pitches. Since the publication of the GTANA (2015), the Government published its revised policy on planning for traveller sites

(2015). This includes a new definition of ‘gypsy and travellers’ for planning policy purposes. To ensure a robust assessment of need, the GTANA (2016) identifies a need for 6 pitches up to 2031.

- 3.7 The Local Plan will provide site and development information, and guidance for the allocated site or sites, expanding on the criteria set out in adopted Core Strategy Policy 2. Two preferred sites have been proposed as alternatives for delivering at least six pitches to provide for Lewisham’s identified need.
- 3.8 The two preferred sites comprise New Cross Social Club and the adjoining land, and Land at Pool Court. New Cross Social Club is currently in use as a licensed bar and hall, with car parking. Land at Pool Court comprises two parcels of vacant open land and a scaffolding yard.
- 3.9 The chosen site is likely to be designed and developed to accommodate at least 6 pitches of varying sizes to meet the needs of those households that have the greatest housing need and are top of the Council’s waiting list for pitches. Pitches are likely to include a hardstanding area for a static caravan, touring caravan and parking space. Pitches are also expected to include a single-storey amenity building and some landscaping/open space. It is hoped that there would also be an area of communal play/open meeting space on the site.

PLANS, POLICIES AND PROGRAMMES

- 3.10 This section summarises plans, policies, programmes and related sustainability objectives established at other levels of the planning system that are relevant to the IIA of the Lewisham Gypsy and Traveller Site(s) Local Plan. International, European, National, London wide and Lewisham based plans and strategies are considered where they are relevant.
- 3.11 Table 3.1 provides a list of those reviewed in the context of the Lewisham Gypsy and Traveller Site(s) Local Plan. Appendix A provides further detail, explaining the plans, policies and programmes relevance to the Lewisham Gypsy and Traveller Site(s) Local Plan and the IIA, and how they have been considered during the IIA process.

Table 3.1: Plans, Policies and Programmes

Plans, Policies and Programmes
International
<ul style="list-style-type: none"> • The Johannesburg Declaration on Sustainable Development (2002) • The Kyoto Agreement (1997) • Convention concerning the Protection of the World Cultural and Natural Heritage (1972) (UNESCO) • Agenda 21 Declaration, UNCED Rio de Janerio (1992) • Convention on Biological Diversity, Rio de Janerio (1992)
European
<ul style="list-style-type: none"> • SEA Directive 2001/42/EC • European Sustainable Development Strategy (2001) (Reviewed in 2009) • European Spatial Declaration on Sustainable Development (1999) • European Spatial Development Perspective (1999) • European Directive 92/43/EEC (& 97/62/EC) on the conservation of natural habitats and of wild fauna and flora • European Directive on Conservation of Wild Birds 2009 (2009/147/EC) • European Directive 2002/49/EC (Noise)

- European Directive on Ambient Air Quality Assessment and Management (96/62/EC) and daughter directives
- European Directive 2000/60/EC (Water Framework Directive)
- EU Community Biodiversity Strategy 2012–2020
- EU Landfill Directive (99/31/EC)
- European Waste Framework Directive (2008/98/EC)
- Directive 2003/87/EC (establishing a scheme for greenhouse gas emission allowance trading)
- EU Seventh Environmental Action Plan 2013–2020

National

- National Planning Policy Framework (2012)
- National Policy on Planning for Traveller Sites (2015)
- National Planning Practice Guidance (2014)
- Environmental Assessment of Plans & Programmes Regulations (2004)
- The Housing and Planning Act (2016)
- Planning and Compulsory Purchase Act (2004)
- Town and Country Planning Act (1990)
- Housing Act (2004)
- Planning and Energy Act (2008)
- Climate Change Act (2008)
- The Equalities Act (2010)
- Noise Policy Statement for England (2010)
- UK Air Quality Strategy 'Working together for clean air' (Defra 2007)
- Energy White Paper 2003 'Our energy, our future, creating a low carbon economy'
- Environment Agency, Creating a better place strategy 2010–2015
- Thames Catchment Flood Management Plan and TE2100 Plan 2012
- Thames River Basin Management Plan (2009)
- Climate Change and the Historic Environment (English Heritage, 2007)
- Building in Context (English Heritage, CABE 2007)
- Seeing History in the View (English Heritage 2010, revised in 2012)
- Streets for All (English Heritage, 2006)
- Strategic Environmental Assessment, Sustainability Appraisal and the Historic Environment (Historic England, 2013)
- UK Climate Change Risk Assessment : Government Report (Defra, 2012)
- National Adaption Programme – Making the country resilient to a changing climate (Defra, 2013)

- Working with Natural Processes to Manage Flood and Coastal Erosion Risk (EA, 2010)
- National Flood Emergency Framework for England (Defra, 2011)
- Greater working with Natural Processes to Manage Flood and Coastal Erosion Risk (EA, 2012)
- Our River Habitats – River Habitats in the Thames River Basin District: Current State and Character (EA, 2010)
- Designing Gypsy and Traveller Sites: Good Practice Guide (2008)
- Strategic Environmental Assessment and the Historic Environment (English Heritage)
- Gypsy and Traveller Accommodation Needs and Assessment: Guidance (2007)
- Local Authorities and Gypsies and Travellers: A Guide to Responsibilities and Powers (2008)
- National Flood and Coast Erosion Management Strategy (July 2011)
- Civil Contingencies Act 2004
- Localism Act 2011
- Growth and Infrastructure Act 2013
- River Basin Management Plan 2015
- National Waste Plan and Prevention Programme
- The Water White Paper – Water for Life
- Environment Agency Classification of Water Stressed Areas
- Water Resource Management Plans
- Groundwater Protection: Principles and Practice
- Guiding Principles for Land Contamination
- Climate Change Adaptation Manual
- Catchment Abstraction Management Strategies
- Water Stress Classification
- Climate Change Information for each River Basin District
- Biodiversity Planning Toolkit

London

- The London Plan (March 2016)
- London Boroughs' Gypsy and Traveller Accommodation Needs Assessment (2008)
- The Mayor's Air Quality Strategy (2010) and Progress Report July 2015
- The Mayor's Economic Development Strategy (2010)
- The Mayor's Biodiversity Action Plan 2010–2015
- The Mayor's Cultural Strategy (2014)
- The Mayor's Climate Change Adaptation Strategy (2011)
- The Mayor's Transport Strategy (2010)

- Mayor of London's Municipal Waste Management Strategy (2011)
- Mayor's Ambient Noise Strategy (2004)
- London Housing Strategy (2014)
- London Tree and Woodland Framework (2005)
- Revised London View Management Framework SPG (2010)
- The London Rivers Action Plan (2009)
- Mayor's Best Practice Guidance on Health Issues in Planning (2007)
- Mayor's Supplementary Guidance Sustainable Design and Construction (2014)
- Mayor's Supplementary Guidance Accessible London: Achieving an inclusive environment (2014)
- Mayor's Supplementary Guidance Providing for Children and Young People's Play and Informal Recreation (2012)
- Shaping Neighbourhoods: Character and Context (2014)
- London Planning Statement (2014)
- Housing in London (March 2016)
- All London Green Grid (2012)
- London's Foundations (2012)

Lewisham

- Lewisham Gypsy and Traveller Accommodation Needs Assessment (2015 and 2016)
- Lewisham Sustainable Community Strategy 2008-2028
- Lewisham Core Strategy (2011)
- Community Safety Strategy 2012-2017
- Safer Lewisham Plan 2013-2014
- Corporate Plan 2008-2011
- Lewisham Regeneration Strategy 2008-2020
- Lewisham Housing Strategy 2015 -2020
- Lewisham Municipal Waste Strategy
- Lewisham Children and Young People's Plan 2012-2015
- Lewisham Carbon Reduction and Climate Change Strategy (2008)
- Social Inclusion Strategy 2005-13
- Healthier Communities – A health and well-being framework for Lewisham (2007-2010)
- Lewisham Leisure and Open Space Study (2010)
- Local Biodiversity Action Plan – A Natural Renaissance For Lewisham 2006-2011
- Comprehensive Equalities Scheme 2016-2020
- Better futures: Lewisham's Homelessness Prevention Strategy 2009-2014

- Lewisham Borough Sports Plan 2010-13
- Lewisham Local Air Quality Action Plan (2008)
- Lewisham Strategic Flood Risk Assessment (2008)
- Lewisham Strategic Flood Risk Assessment Update (2015)
- Lewisham Flood Risk and Development Sequential Test (2009)
- Lewisham Local Implementation Plan (Transport) 2010) (LIP)
- Lewisham Strategic Housing Market Assessment 2008 and the South East London Sub-regional SHMA (2009)
- Health, Well-Being and Care – Lewisham Joint Strategic Needs Assessment (JSNA) (2009)
- Lewisham Health and Wellbeing Strategy (2015)
- Lewisham Conservation Area Management Plans
- Lewisham Borough Wide Character Study (2010)
- Control of Pollution and Noise from Demolition and Construction Sites Code of Practice May (2008)
- Healthy Weight Healthy Lives (PCT with LB Lewisham) (2009)
- Creative Lewisham – Lewisham Cultural and Urban Development Commission 2009-2013
- Control of Pollution and Noise from Demolition Construction Sites Code of Practice May (2008)
- Healthy Weight Healthy Lives (PCT with LB Lewisham) (2009)
- Creative Lewisham – Lewisham Cultural and Urban Development Commission 2009-2013
- Control of Pollution and Noise from Demolition Construction Sites Code of Practice May (2008)
- Lewisham River Corridor Improvement Plan (2015)
- Lewisham Planning Obligations SPD (2015)
- Lewisham Bromley Road Supplementary Planning Document (2009)

CURRENT AND PREDICTED FUTURE SOCIAL, ECONOMIC AND ENVIRONMENTAL BASELINE CHARACTERISTICS

- 3.12 The baseline outlines the current and likely future state of the London Borough of Lewisham. The baseline provides the context for predicting and monitoring the impacts of the Lewisham Gypsy and Traveller Site(s) Local Plan. The baseline assessment supports the identification of the sustainability issues in the London Borough of Lewisham relevant to the Lewisham Gypsy and Traveller Site(s) Local Plan. The baseline information was reported in the Scoping Report January 2016. The updated relevant information is set out in Appendix B.
- 3.13 The baseline data and the policy context have been used to identify the relevant requirements, the current issues and the likely future trends in the London Borough of Lewisham. In some cases there are constraints which must be overcome, or impacts which must be avoided. In other cases the baseline presents opportunities.

- 3.14 The general sustainability issues for the Lewisham Gypsy and Traveller Site(s) Local Plan have been identified and are presented under broad themes in Table 3.2, below.

Table 3.2 Sustainability Requirements, Issues and Trends

Key issues	Source
Social Progress that meets the needs of Everyone	
<p>The population, including the Gypsy and Traveller population, is expected to rise. Lewisham must make provision for additional pitches to accommodate Gypsies and Travellers.</p> <p>The demand for affordable housing in Lewisham is very high.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>Housing Act (2004)</p> <p>The London Plan (March 2016)</p> <p>London Boroughs' Gypsy and Traveller Accommodation Needs Assessment (2008)</p> <p>London Housing Strategy (2010)</p> <p>Housing in London (2016)</p> <p>Lewisham Core Strategy (2011)</p> <p>Lewisham Housing Strategy 2015 -2020</p> <p>Lewisham Gypsy and Traveller Accommodation Needs Assessment (2015)</p>
<p>The health of the Gypsy and Traveller population is an essential consideration, including access to healthcare and opportunities for healthy lifestyles.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>The London Plan (March 2016)</p> <p>Healthier Communities – A health and well-being framework for Lewisham (2007-2010)</p>
<p>There are areas with high levels of poverty and social deprivation in the London Borough of Lewisham.</p>	<p>Mayor's Supplementary Guidance</p> <p>Accessible London: Achieving an inclusive environment</p> <p>Social Inclusion Strategy 2005-13</p>
<p>Gypsy and Traveller sites must be located where there is good access to leisure facilities, community infrastructure and key local services.</p> <p>The environment should encourage walking and cycling.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>The London Plan (March 2016)</p> <p>Lewisham Core Strategy (2011)</p>
<p>Crime, antisocial behavior and fear of crime are important considerations.</p> <p>A safe environment should be created, with high quality, people friendly spaces.</p> <p>Pedestrian movements, lighting and improvements to unsafe areas should be considered.</p>	<p>Lewisham Sustainable Community Strategy 2008-2020</p> <p>Community Safety Strategy 2008-2011</p> <p>Safer Lewisham Plan 2013-2014</p>

<p>Lewisham is the 15th most ethnically diverse local authority in England and 130 different languages are spoken.</p>	<p>Lewisham Regeneration Strategy 2008-2020</p>
<p>Effective protection of the Environment and prudent use of resources</p>	
<p>Gypsy and Traveller sites should be located in areas with good access to sustainable transport.</p> <p>Public transport needs to be made more appealing and car movements and car parking better managed.</p> <p>With predicted population growth there is a current and future need to increase the use of sustainable modes of transport and reduce carbon emissions.</p> <p>There is a need to reduce pollution from transport, particularly private cars.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>The London Plan (March 2016)</p> <p>The Mayor's Transport Strategy (2010)</p> <p>Lewisham Core Strategy (2011)</p> <p>Lewisham Local Implementation Plan (Transport) (2010) (LIP)</p>
<p>Climatic change due to greenhouse gas emissions from fossil fuel use is likely to affect the natural environment.</p> <p>Viable decentralised renewable energy networks should be developed where applicable to supply energy to Gypsy and Traveller sites. There is a need to increase the proportion of energy used from renewable resources.</p> <p>Climate change may result in increased frequency of flooding. Damage to rural roads and overloading of sewers may become more commonplace.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>Planning and Energy Act (2008)</p> <p>Climate Change Act (2008)</p> <p>Energy White Paper (2003)</p> <p>The London Plan (March 2016)</p> <p>London Climate Change Adaptation Strategy (2008)</p> <p>Lewisham Carbon Reduction and Climate Change Strategy (2008)</p> <p>Department for Energy and Climate Change</p>
<p>Water efficiency initiatives are needed to reduce daily water use and maintain the supply-demand balance.</p> <p>The Air Quality Strategy objectives should be adhered to, particularly within the London Borough of Lewisham's five Air Quality Management Areas.</p> <p>The relationship between high noise sources and Gypsy and Traveller sites should be considered.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>Noise Policy Statement for England (2010)</p> <p>UK Air Quality Strategy (DEFRA 2007)</p> <p>The London Plan (March 2016)</p> <p>The Mayor's Air Quality Strategy (2010)</p> <p>Mayor's Ambient Noise Strategy</p> <p>Thames Water Resources Management Plan</p> <p>Lewisham Local Air Quality Action Plan (2008)</p> <p>Lewisham Assessment of Air Quality (2009)</p> <p>Lewisham Strategic Flood Risk Assessment (2008)</p>

<p>Gypsy and Traveller sites should be provided at locations with good access to open space. The adequacy and quality of open space should be considered.</p> <p>The provision of Gypsy and Traveller sites should be balanced with the protection of designated nature conservation sites, biodiversity, flora and fauna.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>The London Plan (March 2016)</p> <p>The Mayor's Biodiversity Action Plan 2010-2015</p> <p>Lewisham Core Strategy (2011)</p> <p>Local Biodiversity Action Plan – A Natural Renaissance For Lewisham 2006-2011</p> <p>Lewisham Leisure and Open Space Study (2010)</p>
<p>Gypsy and Traveller sites should be allocated avoiding areas at risk of flooding.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>Thames Catchment Flood Management Plan</p> <p>Thames River Basin Management Plan (2009)</p> <p>The London Plan (March 2016)</p>
<p>There are areas of Lewisham which require an improved image, in terms of design and the built form.</p> <p>The design of the natural environment requires consideration in terms of open space.</p> <p>Spaces and places need to be of high design quality, respecting historical features and promoting local distinctiveness, providing access for all.</p> <p>There is a need to address linkages between design and achieving objectives for the delivery of Gypsy and Traveller sites.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>Designing Gypsy and Traveller Sites: Good Practice Guide (2008)</p> <p>The London Plan (March 2016)</p> <p>Mayor's Supplementary Guidance Sustainable Design and Construction (2014)</p> <p>Lewisham Core Strategy (2011)</p>
<p>The provision of Gypsy and Traveller sites should be balanced with the need to protect Listed Buildings, Conservation Areas and other heritage assets, respecting the architectural identity and character of the Borough.</p>	<p>National Planning Policy Framework (2012)</p> <p>National Policy on Planning for Traveller Sites (2015)</p> <p>English Heritage documents</p> <p>The London Plan (March 2016)</p> <p>London's Foundations (2012)</p> <p>Lewisham Core Strategy (2011)</p>
<p>Waste generation should be reduced and recycling rates should be improved.</p>	<p>Mayor of London's Municipal Waste Management Strategy (2008)</p> <p>Lewisham Municipal Waste Strategy</p>

Maintenance of high and stable levels of economic growth	
Sustained economic growth is essential as Lewisham's underlying economy is one of the smallest in London. The provision of Gypsy and Traveller sites should be balanced with the provision of employment land, particularly for small and medium size enterprises.	National Planning Policy Framework (2012) National Policy on Planning for Traveller Sites (2015) The London Plan (March 2016) The Mayor's Economic Development Strategy (2010) Lewisham Core Strategy (2011)
Access to education, skills and training is vital, as 25% of the population of Lewisham has no qualifications. A linkage with apprentice schemes needs to be considered.	The Mayor's Economic Development Strategy (2010)
Gypsy and Traveller sites should be provided at locations with good access to employment.	National Planning Policy Framework (2012) National Policy on Planning for Traveller Sites (2015) The London Plan (March 2016) The Mayor's Economic Development Strategy (2010) Lewisham Core Strategy (2011)

SUSTAINABILITY OBJECTIVES, TARGETS AND INDICATORS

- 3.15 The sustainability objectives provide a method for describing, analysing and comparing the sustainability effects of the Lewisham Gypsy and Traveller Site(s) Local Plan. A series of sustainability objectives were developed at the scoping stage, taking into account the relationship between the Lewisham Gypsy and Traveller Site(s) Local Plan and the objectives of other plans and programmes, along with the findings of the baseline information review. The sustainability objectives were developed and consulted on as part of the scoping process. These objectives have been refined to reflect the changing sustainability concerns in the borough.
- 3.16 The objectives are supported by specific, measurable, achievable, realistic and time related (SMART) indicators. The objectives and indicators facilitate the comparison of options, the prediction and assessment of impacts and monitoring. The IIA framework focusses on areas where significant effects are likely. The sustainability objectives and indicators are presented in Table 3.3 below.

Table 3.3: IIA objectives and indicators

IIA Objective	Indicator
Social	
1. To provide sufficient housing and the opportunity to live in a decent home	Number of housing completions Gypsy and Traveller pitches Number of affordable housing completions (by tenure type) Mix of housing tenure Mix in dwelling sizes

	Provision of student/other specialist housing
2. To improve the health of the population	Households with limiting long-term illness Mortality rate from circulatory diseases at age under 75 Mortality rate from all cancers at age 75 of under Health life expectancy at age 65 Number of people taking part in activities that improve physical and mental health in the borough
3. To reduce poverty and social exclusion	Number of recorded racial incidents Indices of Multiple Deprivation
4. To improve accessibility to leisure facilities, community infrastructure and key local services	Gain/loss of community/recreational facilities Delivery of identified social infrastructure Funding for community facility improvements secured
5. To reduce crime, antisocial behavior and the fear of crime	Number of schemes incorporating 'secured by design' Number of offences per 1,000 population Detailed indicators for the following: <ul style="list-style-type: none"> • Violence against the person • Burglaries • Robberies • Violent crime • Sexual offences
Environmental	
6. To reduce car travel and improve accessibility by sustainable modes of transport	Number of car parking spaces delivered in new development Number of completed car limited developments Number of car clubs and parking bays % of permitted major developments with a travel plan Proportion of journeys made on foot and by bicycle Number of electric car charging points Improvements to legibility and signage Improved pedestrian and cycle routes and crossings

	<p>Number of cycle parking spaces provided for each new home or other development and public realm</p> <p>Improved lighting and natural surveillance on pedestrian and cycle paths</p> <p>Number of road accident casualties per 1,000 population serious or fatal</p> <p>Public transport accessibility levels</p>
7. To mitigate and adapt to the impact of climate change	<p>Number of homes achieving Code for Sustainable Homes level 4 or above granted/completed</p> <p>Number of BREEAM buildings granted/completed</p> <p>Number and capacity of decentralised energy granted/completed</p> <p>Number, type and capacity of renewable energy granted/completed</p> <p>Number and size of living roofs granted/completed</p> <p>Number of new developments incorporating water efficiency measures</p>
8. To improve air quality and water quality, manage water resources and reduce noise and vibration	<p>Water pollution incidents</p> <p>Change in chemical river quality</p> <p>Number of developments approved against the recommendation of the statutory water/sewerage undertaker on low pressure/flooding grounds</p> <p>LLSOA Electricity and Gas consumption</p> <p>Per capita reductions in CO2</p> <p>Levels exceeding Main Air Pollutant Quality Standards</p> <p>Levels of NO2 and PM10</p> <p>Number of complaints related to noise from roads, construction, maintenance, noisy neighbours and/or other.</p> <p>Number of Considerate Constructors schemes registered with new developments and refurbishments</p>
9. To increase, maintain and enhance open space, biodiversity, flora and fauna	<p>Area of designated habitats</p> <p>Number and size of biodiverse brown living roofs granted/completed</p> <p>Number of bat and other bird boxes delivered as part of new developments</p> <p>Number of applications granted or refused on designated open space and within SINCS</p>

	<p>Amount of new or improved open space provided, including that which provides a net gain for biodiversity and accessible natural greenspace</p> <p>Number of new allotments and community gardens</p> <p>Funding secured for open space improvements</p>
10. To mitigate and reduce flood risk, improve water quality, manage water resources and restore and enhance the river network	<p>Number of planning permissions granted contrary to the advice of the Environment Agency on either flood defense grounds or water quality</p> <p>Number of SUDS granted and delivered</p> <p>Flooding incidents</p>
11. To maintain and enhance landscapes and townscapes	<p>Number of key views maintained and enhanced</p> <p>Pre applications and applications considered by the design review panel</p> <p>Number of interventions aimed at improving streetscapes</p>
12. To conserve and where appropriate enhance the historic environment	<p>Number of designated heritage assets (including listed buildings and conservation areas)</p> <p>Number of undesignated heritage assets (locally listed buildings, areas of archaeological significance)</p> <p>% of applications where archaeological strategies were developed and implemented</p> <p>Number of applications that have considered views of strategic importance</p> <p>Condition of designated and undesignated heritage assets</p>
13. To minimise the production of waste and increase waste recovery and recycling	<p>% of waste recycled, reused or composted</p> <p>Tonnes of waste sent to landfill per year</p> <p>Residual household waste per year</p> <p>Amount of waste recycled on site by residents and employment industries</p>
14. To reduce land contamination and safeguard soil quality and quantity	<p>Number of planning applications with the potential for land contamination</p>
Economic	
15. To encourage sustained economic growth	<p>Area of employment land with mixed use employment location (MEL) and local employment location (LEL)</p> <p>Size and type of employment floorspace</p> <p>Amount of vacant employment floorspace</p>

	<p>Amount of new completed employment floor space</p> <p>New business registration rate</p> <p>Rent levels of employment accommodation</p>
<p>16. To promote access to employment, education, skills and training</p>	<p>Employee numbers in Lewisham</p> <p>% of businesses in the area showing employment growth</p> <p>Job density in Lewisham</p> <p>Number of employed and unemployed living in the area</p> <p>Numbers of employees and business owners who are BME</p> <p>% of population of working age who claim unemployment benefit</p> <p>Number of pupils achieving 5 or more GCSE's at grades A* to C or equivalent</p> <p>People aged 16-74 with no qualifications</p> <p>Number of full and part time courses provided</p> <p>Number of full and part time people participating in educational courses/events in the area</p> <p>Funding secured for improvements in the quality and level of education infrastructure</p>

4.0 Integrated Impact Assessment

CORE STRATEGY POLICY 2

- 4.1 The IIA and SEA of the London Borough of Lewisham's Core Strategy included an assessment of Core Strategy Policy 2. The allocation of sites for Gypsies and Travellers was deemed to have a positive sustainability impact on meeting housing need. Impacts dependent on implementation include access to public transport and facilities, respecting the amenity of neighbouring properties and protecting existing habitats and biodiversity.

ASSESSMENT OF SUITABLE ALTERNATIVES

- 4.2 Sustainability criteria relating to access to facilities and services, access to the road network, land use, health and environmental quality informed the identification of the preferred sites from the following list of potential sites. Land ownership, planning considerations and deliverability also informed the site selection process.
- A – Land off Westbourne Drive SE23;
 - B – Land off Turnham Road SE4;
 - C – New Cross Social Club and adjoining land, Hornshay Street SE15;
 - D – Land at rear of 46 – 116 Baizdon Road SE23;
 - E – Land at Pool Court SE6;
 - F – Land at St Mildred's Road, Hither Green SE12.

SUSTAINABILITY APPRAISAL

- 4.3 It is important that the Lewisham Gypsy and Traveller Site(s) Local Plan is in accordance with sustainability principles. The preferred sites, C – New Cross Social Club and adjoining land, and E – Pool Court, have been assessed in accordance with the SEA Directive and related UK regulations. The likely significant effects on the environment of implementing the Lewisham Gypsy and Traveller Site(s) Local Plan are identified, evaluated and described in Tables 4.2 and 4.3. An evidence based approach has been adopted to:
- Identify changes to the baseline which are predicted to arise from the implementation of the Lewisham Gypsy and Traveller Site(s) Local Plan;
 - Describe the changes in terms of their magnitude, geographical scale, time period over which they will occur, whether they are permanent or temporary, positive or negative, the level of probability of the effect arising and any secondary, cumulative and / or synergistic effects.
- 4.4 The assessment incorporates EAA. The Lewisham Gypsy and Traveller Site(s) Local Plan has been systematically analysed to identify the effect, or likely effect, of implementation for different groups in the community. The assessment seeks to ensure that, as far as possible, any negative consequences for a particular group or sector of the community are eliminated, minimised or counterbalanced by other measures.
- 4.5 Evidence based predictions and evaluations are both qualitative and quantitative. The preferred sites have been assessed in terms of their impact against the sustainability objectives, to assist in refining the Lewisham Gypsy and Traveller Site(s) Local Plan. The following symbols have been used to assess overall whether the contribution that each site makes in relation to each of the sustainability objectives is positive, negative, neutral or uncertain. The assessments are set out in Tables 4.2 and 4.3.

Table 4.1: Assessment symbols

Symbol	Contribution
	Significant positive
	Positive
0	Neutral
x	Negative
xx	Significant negative
?	Unknown

NEW CROSS SOCIAL CLUB AND ADJOINING LAND

Table 4.2: Integrated Impact Assessment

IIA Objective	Integrated Impact Assessment	Comments
Social		
1. To provide sufficient housing and the opportunity to live in a decent home		The site has capacity to accommodate the 6 pitches required in the borough up to 2031.
2. To improve the health of the population	x	The loss of the MUGA could have a detrimental effect on health.
3. To reduce poverty and social exclusion	x	The loss of the hall used for community events could have a local negative effect on social exclusion.
4. To improve accessibility to leisure facilities, community infrastructure and key local services	x	The loss of the hall used for community events could have a local negative effect on community infrastructure.
5. To reduce crime, antisocial behavior and the fear of crime	?	The effects on crime, antisocial behavior and fear of crime will be dependent on policy implementation.
Environmental		
6. To reduce car travel and improve accessibility by sustainable modes of transport		The site has convenient access to bus services and the railway network.
7. To mitigate and adapt to the impact of climate change	0	The preferred site will have a neutral effect on climate change.
8. To improve air quality and water quality, manage water resources and reduce noise and vibration	0	The preferred site will not have a significant effect on air, water or noise.

9. To increase, maintain and enhance open space, biodiversity, flora and fauna		The proposed tree planting along the boundary with Hornshay Street will enhance biodiversity and flora.
10. To mitigate and reduce flood risk, improve water quality, manage water resources and restore and enhance the river network	?	The preferred site is within an area at risk from flooding identified by the Environment Agency (Flood Risk Zone 3a – high fluvial flood risk identified). However, based on the presence of existing defenses the actual risk to property is considered low. There is moderate to high surface water flood risk on parts of the site.
11. To maintain and enhance landscapes and townscapes		The demolition of the existing buildings and tree planting along Hornshay Road would have a positive effect on the townscape in the medium to long term.
12. To conserve and where appropriate enhance the historic environment	0	The preferred site would have a neutral effect on the historic environment.
13. To minimise the production of waste and increase waste recovery and recycling	?	Effects on the production of waste and increased waste recovery and recycling will be dependent on implementation of the policy.
14. To reduce land contamination and safeguard soil quality and quantity	0	The preferred site would have a neutral effect on land contamination
Economic		
15. To encourage sustained economic growth		The future residents could make a contribution to the local labour market.
16. To promote access to employment, education, skills and training		The site has convenient access to local employment and education.

LAND AT POOL COURT

Table 4.3: Integrated Impact Assessment

IIA Objective	Integrated Impact Assessment	Comments
Social		
1. To provide sufficient housing and the opportunity to live in a decent home		The site has capacity to accommodate the 6 pitches required in the borough up to 2031.
2. To improve the health of the population	0	The preferred site will not have a significant effect on the health of the population.
3. To reduce poverty and social exclusion	0	The preferred site will have a neutral effect on poverty and social exclusion.
4. To improve accessibility to leisure facilities, community infrastructure and key local services		The site has convenient access to local facilities and services.
5. To reduce crime, antisocial behavior and the fear of crime	?	The effects on crime, antisocial behavior and fear of crime will be dependent on policy implementation.
Environmental		
6. To reduce car travel and improve accessibility by sustainable modes of transport		The site has convenient access to bus services and the railway network.
7. To mitigate and adapt to the impact of climate change	0	The preferred site will have a neutral effect on climate change.
8. To improve air quality and water quality, manage water resources and reduce noise and vibration	0	The preferred site will not have a significant effect on air, water or noise.
9. To increase, maintain and enhance open space, biodiversity, flora and fauna	x	The loss of open land could have a local adverse effect on biodiversity, flora and fauna.
10. To mitigate and reduce flood risk, improve water quality, manage water resources and restore and enhance the river network	?	The preferred site is within an area at risk from flooding identified by the Environment Agency (part in Flood Zone 2, part in Flood Zone 3a). There is a medium risk of fluvial flooding, with a high risk of surface water flooding due to topography, and moderate groundwater risk.

		There is a reasonable prospect of the sequential and exceptions tests being met.
11. To maintain and enhance landscapes and townscapes	x	The loss of open land, particularly the area to the north west of Pool Court, could have a local negative landscape effect.
12. To conserve and where appropriate enhance the historic environment	0	The preferred site would have a neutral effect on the historic environment.
13. To minimise the production of waste and increase waste recovery and recycling	?	Effects on the production of waste and increased waste recovery and recycling will be dependent on implementation of the policy.
14. To reduce land contamination and safeguard soil quality and quantity	0	The preferred site would have a neutral effect on land contamination
Economic		
15. To encourage sustained economic growth		The future residents could make a contribution to the local labour market.
16. To promote access to employment, education, skills and training		The site has convenient access to local employment and education.

5.0 Mitigation and Monitoring

MITIGATION

- 5.1 The site specific development guidelines set out within the Lewisham Gypsy and Traveller Site(s) Local Plan provide appropriate mitigation measures associated with the implementation of the document. Further requirements for mitigation may be identified through the monitoring process. Mitigation measures should follow the hierarchy set out in Table 5.1.

Table 5.1: Mitigation hierarchy

Mitigation approach	Comment
Avoidance or prevention	This involves modifying alternative options and policies for the Local Plan
Reduction	Mitigation could focus on timing or phasing to reduce adverse effects.
Offsetting or compensation	This approach is used where opportunities are not available to either avoid or reduce adverse effects.
Remediation	Remediation is used where an adverse effect is unavoidable but the long term effects can be reduced by restoring the affected area to its original state.
Enhancement	Although not strictly a measure to mitigate an adverse effect, enhancement is an opportunity to improve social, environmental and economic conditions. Enhancement could be used successfully to improve conditions.
Further information	Although the overall effects of the Gypsy and Traveller Site(s) Local Plan have been assessed through the IIA there may be a degree of uncertainty as to the anticipated effects of specific measures on the ground. In such circumstances mitigation could include specification of the need to conduct further assessments.

MONITORING

- 5.2 The indicators relating to each sustainability objective are set out in Table 3.3. Appendix C sets out the targets, monitoring frequency, data sources and actions relating to each indicator. Monitoring will be completed by the London Borough of Lewisham and presented within the Annual Monitoring Report.

Appendices

Appendix A
Plans, Policies and Programmes

Plans, Policies and Programmes	Relevant objectives	Implications for the Gypsy and Traveller Sites Local Plan and IIA
International – All info apart from the National Section is taken from the 2005 Scoping Report		
The Johannesburg Declaration on Sustainable Development 2002	Commitment to sustainability principles and the sustainable development agenda agreed at Rio de Janeiro Earth Summit in 1992.	The definition of sustainable development 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'.
The Kyoto Agreement 1997	The key aim is to limit and/or reduce the emissions of greenhouse gases.	Reducing greenhouse gas emissions.
Convention concerning the Protection of the World Cultural and Natural Heritage 1972 (UNESCO)	Article 5 – To ensure that effective and active measures are taken for the protection, conservation and presentation of cultural and natural heritage and to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes.	The protection of Lewisham's cultural and natural heritage.
Agenda 21 Declaration Rio de Janeiro 1992	Committed countries to the principles of sustainable development. The Convention came into force on 29 December 1993. It has three main objectives: <ul style="list-style-type: none"> • Conserve biological diversity; • Sustainable use of biological diversity; • Fair and equitable sharing of the benefits of biological diversity. 	The integration and balancing of economic, environmental and social objectives. Ensure the protection and enhancement of the area's biodiversity.
Convention on Biological Diversity, Rio de Janeiro 1992	The Convention outlines three main goals for the conservation, protection and enhancement of biological diversity; the conservation of biological diversity, its sustainable use, and the equitable sharing of benefits associated with genetic resources. National strategies and action plans must be implemented by Contracting Parties to achieve these goals.	Minimise impacts on biodiversity. View ecosystems holistically, rather than focussing on islands of protected species.
European		
SEA Directive 2001/42/EC	Requires an assessment of the effects of certain plans and programmes on the environment and prescribes the environmental issues to assess.	Ensure key environmental issues are assessed and considered.

European Sustainable Development Strategy 2001 (Reviewed in 2009)	<p>Environmental objectives and priorities derived from the EU Sixth Environmental Action Programme focus on:</p> <ul style="list-style-type: none"> • limiting climate change and increasing the use of clean energy; • addressing threats to public health (e.g. hazardous chemicals, food safety); • combating poverty and exclusion; • dealing with the economic and social implications of an ageing society; • managing natural resources more responsibly (including biodiversity and waste generation); • improving the transport system and land use management. 	The integration and balancing of economic, environmental and social objectives.
European Spatial Declaration on Sustainable Development, EU 1999	The aim is to work towards a balanced and sustainable development of the territory of the European Union.	The integration and balancing of economic, environmental and social objectives.
European Spatial Development Perspective 1999	<p>ESDP aims to ensure that the three fundamental goals of European policy are achieved equally in all the regions of EU:</p> <ul style="list-style-type: none"> • economic and social cohesion; • conservation and management of natural resources and the cultural heritage; • more balanced competitiveness of the European territory. 	Economic and social cohesion, protecting and enhancing historic and cultural heritage, and reducing greenhouse gas emissions.
European Directive 92/43/EEC (& 97/62/EC) on the conservation of natural habitats and of wild fauna and flora	Promote the maintenance of biodiversity by requiring member states to introduce robust protection measures to maintain or restore natural habitats and wild species.	Minimise the impact on natural habitats.
European Directive on Conservation of Wild Birds 2009 (2009/147/EC)	The maintenance of the favourable conservation status of all wild bird species across their distributional range.	Preserve habitats for birds.

European Directive 2002/49/EC (Noise)	The Environmental Noise Directive aims to “define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to the exposure to environmental noise”. It aims at providing a basis for developing EU measures to reduce noise emitted by major sources, in particular road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery.	Mitigation of adverse impacts on health and well-being from temporary and permanent noise nuisance.
European Directive on Ambient Air Quality Assessment and Management (96/62/EC) and daughter directives	The Directives aim to reduce specified air pollutants. Limits have been translated into UK law in Air Quality Regulations.	Monitor progress in relation to air quality.
European Directive 2000/60/EC (Water Framework Directive)	To establish a framework to address pollution of waterways from urban wastewater and agriculture and to improve Europe’s waterways. Target: Member States to produce River Basin Management Plans by 2009 and to achieve the environmental objectives of the Plans by 2016.	Protection of ground and surface water from incidental, as well as accidental pollution.
EU Community Biodiversity Strategy 2012-2020	Seeks the conservation and sustainable use of biological diversity (ecosystems in their natural surroundings).	Protection and enhancement of biodiversity.
EU Landfill Directive (99/31/EC)	To prevent or reduce as far as possible negative effects on the environment, in particular the pollution of surface water, ground water, soil and air, and on the global environment, including the greenhouse effect, as well as any resulting risk to human health, from the land-filling of waste, during the whole life-cycle of the landfill.	Minimise waste generation and maximise sustainable waste management.
European Waste Framework Directive (2008/98/EC)	The Directive seeks to reduce the quantity of waste going to landfill and introduces the waste hierarchy of prevention, reuse, recycle, recovery, and disposal.	Reduce the amount of waste requiring final disposal. Monitor the proportion of waste reduced/recycled/recovered.
Directive 2003/87/EC (establishing a scheme for greenhouse gas emission allowance trading)	Introduces a European wide emissions trading scheme.	Reduce greenhouse gas emissions and overall carbon footprint. Reflect carbon reduction targets.

EU Seventh Environmental Action Plan 2013 - 2020	Seeks a high level of protection of the environment and human health and for general improvements in the environment and quality of life.	Protect and enhance overall environmental quality.
National		
National Planning Policy Framework 2012	The National Planning Policy Framework includes a presumption in favour of sustainable development and sets out the social, economic and environmental roles of the planning system.	A presumption in favour of sustainable development, considering the social, economic and environmental roles of the planning system.
National Policy on Planning for Traveller Sites (2015)	Sets out the Government's planning policy for traveller sites. The government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of live of travellers while respecting the interests of the settled community.	<p>The Government's aims in respect of traveller sites are:</p> <ul style="list-style-type: none"> a) that local planning authorities should make their own assessment of need for the purposes of planning. b) To ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites. c) To encourage local planning authorities to plan for sites over a reasonable timescale. d) That plan-making and decision-taking should protect Green Belt from inappropriate development. e) To promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites. f) That plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective. g) For local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies. h) To increase the number of traveller sites in appropriate locations with planning

		<p>permission, to address under provision and maintain an appropriate level of supply.</p> <ul style="list-style-type: none"> i) To reduce tensions between settled and traveller communities in plan-making and planning decisions. j) To enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure. k) For local planning authorities to have due regard to the protection of local amenity and local environment.
Environmental Assessment of Plans & Programmes Regulations 2004	Transposes the SEA directive into UK law.	Reflect the regulations and associated guidance note.
Planning and Compulsory Purchase Act 2004	The Act provides the statutory planning framework for England.	Comply with legislation.
Town and Country Planning Act 1990	Sets out the procedures for the preparation, approval and adoption of Local Plans.	Comply with legislation.
Housing Act 2004	Requires Local Planning Authorities to complete an accommodation assessment and consider how to meet Gypsy and Traveller accommodation needs as part of their housing and planning requirements.	Comply with legislation.
Planning and Energy Act 2008	An Act to enable Local Planning Authorities to set requirements for energy use and energy efficiency in Local Plans.	Energy efficiency to reduce greenhouse gas emissions.
Climate Change Act 2008	The Act creates a new approach to managing and responding to climate change in the UK.	Consideration of impacts on Climate Change.
Noise Policy Statement for England 2010	The Noise Policy Statement for England aims to provide the necessary clarity and direction to enable decisions to be made regarding what is an acceptable noise burden to place on society.	<p>Avoid noise impacts.</p> <p>Mitigation of adverse impacts on health and well-being from noise.</p>

	To avoid significant adverse impacts on health and quality of life; mitigate and minimise adverse impacts on health and quality of life; and where possible, contribute to their improvement.	
UK Air Quality Strategy 'Working together for clean air' (2007)	Everyone can enjoy a level of ambient air quality in public places which poses no significant risk to health or quality of life.	Improve Air Quality. Encourage reduction or mitigation of air polluting land uses.
Energy White Paper 2003: Our energy, our future, creating a low carbon economy	The Strategy seeks to: <ul style="list-style-type: none"> • Reduce waste by making products with fewer natural resources; • Break the link between economic growth and waste growth; • Most products should be used or their materials recycled; • Recover energy from other wastes. 	Waste hierarchy – reduce, reuse, recycle.
Environment Agency, Creating a better place strategy 2010-2015	The strategy shows how the EA will work in specific areas to achieve its aims relating to biodiversity, climate change, flood risk, creating sustainable places and waste management.	Biodiversity, climate change, flood risk, and waste management.
Thames Catchment Flood Management Plan	Provides an overview of flood risk in the Thames catchment and sets out the EAs preferred plan for sustainable flood risk management over the next 50 to 100 years.	Manage flood risk.
TE2100 Plan November 2012	Provides an overview of flood risk in the Thames catchment and sets out the EAs preferred plan for sustainable flood risk management over the next 50 to 100 years.	Manage flood risk.
Thames River Basin Management Plan 2009	Pressures facing the water environment in this river basin district, and the actions that will address them.	Protection of water quality.
Climate Change and the Historic Environment (English Heritage, 2007)	Provides an overview of climate change impacts on the historic environment and of the impacts associated with responses to climate change.	Impacts on heritage assets and the wider historic environment.
Building in Context (English Heritage, CABE 2007)	Provides case-study examples of how new development can respond well to historic character in terms of design.	Impacts on heritage assets and the wider historic environment.

Seeing History in the View (English Heritage 2010, revised in 2012)	Explains how the heritage significance of views can be assessed in a systematic and consistent way however these views have come into being.	Impacts on heritage assets and the wider historic environment.
Streets for All (English Heritage, 2006)	Shows how public realm upgrades can be designed to be appropriate to and enhance the historic environment.	Impacts on heritage assets and the wider historic environment.
Strategic Environmental Assessment, Sustainability Appraisal and the Historic Environment (Historic England, 2013)	Guidance focuses on SEA/SA for development plans. Committed to the principles of sustainable development.	Impacts on heritage assets and the wider historic environment.
National Flood Emergency Framework for England (Defra, 2011)	Provides a framework to follow in a flooding emergency.	Design of Gypsy and Traveller sites.
Gypsy and Traveller Accommodation Needs and Assessment: Guidance 2007	Guidance which aims to provide advice on carrying out an assessment of accommodation needs of Gypsies and Travellers.	Needs of Gypsies and Travellers.
Local Authorities and Gypsies and Travellers: A Guide to Responsibilities and Powers 2008	Guidance towards all aspects associated with Gypsy/Traveller developments.	Responsibilities associated with Gypsies and Travellers.
National Flood and Coast Erosion Management Strategy (July 2011)	<p>Objective</p> <ul style="list-style-type: none"> • ensure a clear understanding of the risks of flooding and coastal erosion • set out clear and consistent plans for risk management • manage flood and coastal erosion risks in an appropriate way • ensure that emergency plans and responses to flood incidents are effective • help communities to recover more quickly and effectively after incidents. <p>Aim</p> <ul style="list-style-type: none"> • put in place long-term plans to manage risks ensuring other plans take account of them • avoiding inappropriate development in areas of flood and coastal erosion risk 	Impacts on Environment.
Civil Contingencies Act 2004 (CCA)	This legislation aims to provide a single framework for civil protection.	Impacts on Environment.

	<p>The Act, and accompanying non-legislative measures, delivers a single framework for civil protection in the country. The National Flood and Coast Erosion Management Strategy (July 2011) require communities to prepare flood action plans and link with the Cabinet Office's initiative to develop wider community resilience to threats and hazards.</p>	
Localism Act	<p>Planning and regeneration provisions will provide for neighbourhood development orders to allow communities to approve development without requiring normal planning consent. Local authorities, the Environment Agency and other prescribed bodies are obliged to work together on certain strategic matters under the 'duty to cooperate' in the Localism Act in England. In particular, these organisations should cooperate across boundaries because flood risk often requires wider than local consideration.</p> <p>The Localism Act also requires lead local flood authorities (LLFAs) to make arrangements for overview and scrutiny committees to review and scrutinise risk management authorities. Risk management authorities are now under a duty to comply with a request made by an overview and scrutiny committee for information or a response to a report in relation to its flood or coastal erosion risk management functions.</p>	Impacts on Environment.
Growth and Infrastructure Act 2013 (April 2013)	<p>The Act:</p> <p>Allows the modification or discharge of the affordable housing elements of section 106 planning gain agreements in order to make developments more viable.</p>	Impacts on Environment.

	<p>Contains the controversial measures to extend permitted development rights to allow single-storey extensions of up to eight metres.</p> <p>Introduces measures to allow developers to take planning applications to the Planning Inspectorate where a council has "consistently failed to meet statutory requirements to consider applications on time".</p>	
River Basin Management Plan 2015	This provides an important baseline not only for the status of the river water bodies mentioned in the IIA but also the groundwater bodies that were not mentioned in the IIA.	Impacts on Environment.
National Waste Plan and Waste Prevention Programme	This plan provides an analysis on waste management in England, bringing current and planned waste management policies together in one place.	Impacts on Environment.
The Water White Paper – Water for Life	The Water White Paper focuses on the challenges facing the water sector, including maintaining water supplies, keeping bills affordable and reducing regulation. It recognises the need to protect rivers, streams and lakes from pollution and unsustainable abstraction, and acknowledges the critical importance of water supply and sewerage infrastructure.	Impacts on Environment.
Groundwater Protection: Principles and Practice (GP3)	The GP3 document is a key Environment Agency reference for LPAs, developers and land owners. It is an important accompaniment to the River Basin Management Plan as it explains the relevance of Source Protection Zones and how these contribute to achieving good status under the Water Framework Directive.	Impacts on Environment.

Catchment Abstraction Management Strategies, (CAMS) EA	CAMS provide current water availability for abstraction on a catchment by catchment basis, ensuring we safeguard water resources despite increasing pressures on water availability due to population growth and climate change.	Impacts on Environment.
Equalities Act 2010	Includes the requirement to protect the rights of individuals and to advance equality of opportunity for all.	Impacts on Equalities.
Housing and Planning Act 2015	Includes the requirement for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored.	Impacts on meeting housing need.
London		
The London Plan (March 2016)	Strategic policies for spatial planning and development across London to ensure the city develops in a sustainable manner.	General conformity with the London Plan.
London Boroughs' Gypsy and Traveller Accommodation Needs Assessment (March 2008)	Responds to the requirement placed on Local Authorities under the Housing Act 2004	Comply with legislation
The Mayor's Air Quality Strategy 2010 and Progress Report July 2015	Concentrates on policies to promote healthy living and sets out measures to tackle London's air quality problem.	Improve air quality.
The Mayor's Economic Development Strategy 2010	Sets out to encourage the expansion of opportunities for all its people and enterprises, achieving the highest environmental standards and quality of life.	Encourage sustainable economic growth.
The City of London's Biodiversity Action Plan 2010-2015	Sets policies and proposals to protect and care for London's biodiversity by encouraging the greening of the built environment and the use of open spaces in ecologically sensitive ways.	Protect and enhance biodiversity.
The Mayor's Cultural Strategy 2014	Sets out the Mayor's proposals for developing and promoting cultural life in London.	Ensure the enhancement of cultural and social growth.
London Climate Change Adaptation Strategy 2008	Presents adaptation measures to address climate change within London.	Reducing the impacts and adapting to the effects of climate change.

The Mayors Climate Change and Adaptation Strategy 2011	Sets out a framework for enhancing quality of life in London and protecting the environment.	Reduce the impact and adapt to the effects of climate change.
The Mayor's Transport Strategy 2010	Details priority areas for transport that directly or indirectly benefit the environment and the London community.	Reduce the need for car travel and encourage sustainable modes of transport.
Mayor of London's Municipal Waste Management Strategy 2011	Reduce London's waste generation by 2020 and sustainably manage the waste created.	Reduce waste generation.
Mayor's Ambient Noise Strategy 2004	Minimise the adverse impacts of noise on people living, working and visiting London, using the best available practises and technology.	Mitigation or avoidance of noise impacts.
The Mayor's Housing Strategy 2014	Raise aspirations and promote opportunity: by producing affordable homes, particularly for families, and by increasing opportunities for home ownership; Improve homes and transform neighbourhoods: by improving design quality, by greening homes, by promoting successful, strong and mixed communities and by tackling empty homes.	Quality and affordability of housing supply.
London Tree and Woodland Framework	Plant the right trees in the right places to enhance the environment and quality of life.	Protect and enhance trees.
Revised London View Management Framework SPG 2012	New development needs to comply with appropriate viewing corridors that are located both within and across the borough.	Maintain and enhance the quality of the townscape.
The London Rivers Action Plan	Restoration of rivers and implementation of London Plan Blue Ribbon policies.	River restoration, access to rivers, acknowledgement of the positive role rivers and river restoration play in biodiversity, climate change and flood risk management.
Mayor's Best Practice Guidance on Health Issues in Planning (2007)	BPG promotes the Mayor's statutory duty to promote the health of Londoners. The guide helps boroughs tackle health inequalities and promote healthy developments. Helps Local Authorities to meet their obligations to promote wellbeing in their boroughs.	Appraise health and seek to reduce health inequalities.
Mayor's Supplementary Guidance Sustainable Design and Construction 2014	The SPG seeks to ensure future developments meet the highest standards of sustainable design and construction.	The sustainable use of natural resources and reduced impact of climate change through energy efficient design and construction.

Mayor's Supplementary Guidance Accessible London: Achieving an inclusive environment 2014	The SPG seeks to ensure the promotion of an inclusive accessible environment	Accessibility for all and inclusivity.
Mayor's Supplementary Guidance Providing for Children and Young People's Play and Informal Recreation 2012	The SPG seeks to ensure the provision for children of free and accessible spaces offering high quality play opportunities.	Accessible open space and access for all.
Shaping Neighbourhoods: Character and Context 2014	The Mayor has published for public consultation draft Supplementary Planning Guidance on 'Shaping Neighbourhoods: Character and Context' to help with the implementation of policies in Chapter 7 of the 2011 London Plan, particularly Policies 7.4 on Local Character and 7.1 on Building London's Neighbourhoods and Communities.	Understand character and local context to identify how a place should develop.
London Planning Statement 2014	The Mayor has published for public consultation a draft 'London Planning Statement' as proposed London Plan Supplementary Planning Guidance. This is intended to fill the gap left by the Government's revocation of the former Government Office for London Circular 1/2008 by pulling together information about the Mayor's role in the London Planning system.	Propriety (in compliance with legal requirements regarding procedural fairness and propriety, and ensuring that decisions are properly based on relevant planning considerations); Promoting Sustainable Growth; and Viability (of development).
Housing in London March 2016	Housing in London is the evidence base for the Mayor's London Housing Strategy. The Mayor formally adopted his London Housing Strategy in February 2010 and in December 2011 he consulted on proposals for a new Strategy.	Demographic pressures, housing affordability, the housing market, mobility and housing need, housing supply, decent housing, energy efficiency and fuel poverty.
All London Green Grid 2012	The All London Green Grid takes the principles of the East London Green Grid and applies them across London.	Integrated network of green and open spaces together with the Blue Ribbon Network of rivers and waterways.
London's Foundations 2012	Sets out London's geological heritage, explaining the process for identifying sites of geological importance and important geological sites for protection.	Impacts on heritage assets and the wider historic environment.

Lewisham		
Lewisham Gypsy and Traveller Accommodation Needs Assessment (2015)	The assessment identifies the need for the borough to accommodate 6 or more pitches for gypsies and travellers.	Meet identified housing need.
Lewisham Sustainable Community Strategy (SCS) 2008 -2028	The SCS sets out the vision for the borough up until 2020 and includes objectives to improve social, environmental and economic outcomes for the borough.	Improve social, environmental and economic outcomes for the borough.
Lewisham Core Strategy 2011	The Core Strategy provides the spatial planning framework for the borough and is underpinned by five strategic objectives: <ul style="list-style-type: none"> • Regeneration and growth areas; • Providing new homes; • Growing the local economy; • Environmental management; • Building a sustainable community. 	Avoid, and secondarily minimise and compensate for, any significant negative effects on the community, in social and economic terms, or the environment.
Community Safety Strategy 2012-2017 (SCS), Safer Lewisham Plan 2013-14	Sets out the results of the Strategic Assessment which identifies the key crime and disorder issues that face the borough, and the multi-agency actions that will be deployed to address them.	Reduce crime and the fear of crime.
Corporate Plan 2008-2011	The purpose of the Corporate Plan is to: <ul style="list-style-type: none"> • set out the Council's vision, values, strategic direction and key priorities for action up to 2009 and beyond; • outline the Council's contribution to the delivery of the SCS. 	Improve social, environmental and economic outcomes for the borough.
Lewisham Regeneration Strategy 2008-2020	The strategy details twelve objectives that relate to three broad themes - people, prosperity and place. The strategy complements the SCS.	Ensure the sustainable development of the borough.
Lewisham Housing Strategy 2015 -2020	Focuses on delivering the right housing mix to meet the housing needs and aspirations of all the borough's residents and achieving the wider goals expressed within the SCS.	Provide sufficient housing of appropriate quality, mix and tenure.
Lewisham River Corridor Improvement Plan (2015)	Provides guidance relating to rivers in Lewisham.	The Council seeks to secure high quality development along the river corridors.

Lewisham Municipal Waste Strategy	The Strategy aims to minimise Lewisham's annual growth in waste.	Minimise growth in waste.
Lewisham Children and Young People's Plan 2012 - 2015	The Plan focuses on implementing actions to improve a number of key outcomes for children and young people which will improve their lives and life chances.	Improve life outcomes for residents –promotion of education, employment, housing and leisure and community facilities.
Lewisham Carbon Reduction and Climate Change Strategy 2008	The Strategy is based on achieving a lasting and sustained decrease in emissions of CO2 working with strategic partners and with citizens to: <ul style="list-style-type: none"> • reduce demand for energy; • increase energy efficiency; • increase the use of renewable energy; • tackle fuel poverty. 	Reduce the borough's carbon footprint.
Social Inclusion Strategy 2005-13	This strategy centres around five broad themes. It identifies the links between the council's existing strategies and services to enable more joined-up working.	Promote social inclusion, improve urban design, transport and education, and promote health and well-being in the borough.
Healthier Communities – A health and well-being framework for Lewisham (Draft 2007 – 2010)	The Strategy seeks to improve the health outcomes for Lewisham residents by adopting preventative measures and other innovative approaches.	Enhance the health levels in the borough.
Lewisham Leisure and Open Space Study 2010	This strategy aims to provide: <ul style="list-style-type: none"> • A review of outdoor sport and recreation; • a borough playing pitch strategy; • an implementation plan and prioritised investment; • Plan for the Playing Pitch Strategy. 	Protect and maintain open spaces and biodiversity across the borough.
Local Biodiversity Action Plan – A Natural Renaissance For Lewisham 2006 -2011	The key objective is the protection and enhancement of areas suitable for wildlife in the borough and to increase citizens' access to nature, even in urban areas.	Primarily avoid, and secondarily minimise and compensate for, any significant negative effects upon biodiversity.
Comprehensive Equalities Scheme 2016-2020	Provides a set of equality objectives and a framework to assess and evaluate the equality impact of strategic planning.	Enables the Council to demonstrate its compliance with the Equality Act 2010
Better futures: Lewisham's Homelessness Prevention Strategy 2009-2014	The Strategy complements the objectives of the Lewisham Housing Strategy and seeks to prevent	Ensure measures providing sufficient housing of appropriate quality, mix and tenure and improve

	homelessness by providing long term and sustainable housing and promoting opportunities and independence for people in housing need by improving access to childcare, health, education, training and employment.	access to, and opportunities for, childcare, health, education, training and employment are integrated.
Lewisham Borough Sports Plan 2010-13	The Strategy provides a vision for sport to increase opportunities to participate in sport at all levels and for all ages	Enhancing the health wellbeing levels in the borough.
Lewisham Local Air Quality Action Plan 2008	The key aim is to bring about change to reduce emissions (NO2 and PM10) from main source of pollution (road transport) in a cost-effective and proportionate way through Area Quality Management Areas (AQMA) with designated geographical boundaries.	Improve air quality. Promote land uses and activities with minimal impacts on air quality.
Lewisham Strategic Flood Risk Assessment 2008	The study identifies and provides advice to the Council on the suitability of development in areas at varying risks of flooding across the borough.	Minimise and mitigate the risk of flooding in the borough.
Lewisham Strategic Flood Risk Assessment Update (2015)	Updates previous study.	Updates previous study.
Lewisham Flood Risk and Development Sequential Test 2009	The sequential test identifies potential development sites and steers development to areas at lowest flood risk. Where there are no reasonable alternative sites in an area of lower flood risk, authorities must ensure that measures are incorporated that render the proposed development's vulnerability to flooding appropriate to the probability of flooding in the area.	Minimise and mitigate the risk of flooding in the borough.
Lewisham Local Implementation Plan (Transport) 2010 (LIP)	The LIP is a statutory plan to implement the London Mayor's Transport Strategy.	Seek a reduction car travel and increase sustainable transport.

Lewisham Strategic Housing Market Assessment 2008 and the South East London Sub-regional SHMA 2009	The SHMA assesses housing provision and need within the borough and the five south east London boroughs. It outlines recommendations for the level of affordable housing and tenure mix, and identifies areas as well as specific groups within the borough and sub-region who may have different housing requirements.	Seek to facilitate housing provision, including its mix and tenure, and to ensure decent homes for all.
Health, Well-Being and Care – Lewisham Joint Strategic Needs Assessment (JSNA) 2009	A joint collaboration between the Council and Lewisham Primary Care Trust (PCT). The JSNA identifies key themes for action aimed at improving long-term health and influence the long-term commissioning priorities of health infrastructure providers in the borough.	Seek to improve the health and well-being of the borough's residents.
Lewisham Conservation Area Management Plans	Provides guidance for the management of the borough's conservation areas.	Impacts on heritage assets and the wider historic environment.
Lewisham Borough Wide Character Study 2010	The character study provides a description of the physical form of the borough, its origins, places, streets and buildings to provide an understanding of the particular attributes of the London Borough of Lewisham.	Impacts on the character of the borough.
Healthy Weight Healthy Lives (PCT with LB Lewisham) 2009	The strategy is linked in to the Children and Young People's plan and is a partnership strategy to promote healthy weight and lives in children, young people and their families.	Improve the health and wellbeing of the population and reduce inequalities in health.
Creative Lewisham – Lewisham Cultural and Urban Development Commission 2009 - 2013	Vision of Lewisham as a visually exciting, creative and imaginative hub, with a synthesis between urban design, arts, culture and the economy.	Promote a vibrant and dynamic borough.
Equality Analysis Revised Statement of Community Involvement (SCI) v.1 draft – 3 August 2016	The document sets out the draft Equalities Analysis of the Revised Statement of Community Involvement (SCI).	Seeks to implement changes to the services budget.

Appendix B
Baseline Information

1. Climate

Carbon emissions and energy consumption

There is a consensus among experts that human activities are contributing to climate change through the release of greenhouse gases into the atmosphere. This has implications for the way we use and manage resources, particularly the future supply, availability and use of energy. The built environment, and the way people use their environment, contributes to greenhouse gas emissions and therefore sustainable development plays a critical role in tackling climate change. The full effects of climate change are unknown but climate risks which are expected to intensify in London over the coming decades include flooding, higher and unseasonal temperatures, urban heat island effect and limited water resources including drought, all impacting our quality of life.¹

A significant contributor to climate change is the concentration of carbon dioxide (CO₂) in the atmosphere. According to the Department for Energy and Climate Change (2011) the total CO₂ emissions for Lewisham between 2005 and 2009 are reducing annually and the per capita reduction rate is at 17.4% since 2005. This is shown on Table A1. The figure exceeds the target of 8.5% set by the Council. The total CO₂ emission in Lewisham is 998,000 tonnes and contributed 2.35% of London's total CO₂ emissions. The largest source of emissions is from the domestic sector followed by road transport. At just 3.8 tonnes per person, Lewisham has the lowest per capita carbon emissions in inner London, the second lowest in the capital as a whole (after Redbridge) and the fourth lowest in the UK. There has been a decrease in London's per capita emissions falling by 12.7% from 6.3 tonnes person to 5.5 tonnes.

Annual CO₂ emissions (tonnes) in Lewisham 2005 to 2009

Lewisham	Industry and commercial	Domestic	Road Transport	Total	Population ('000s, mid-year estimate)	Per capita emissions (t)	Per capita reduction since 2005 (%)
2005	315	581	282	1,180	254	4.6	17.4
2006	316	572	277	1,166	257	4.5	
2007	306	556	278	1,141	259	4.4	
2008	264	556	267	1,088	262	4.2	
2009	239	500	258	998	265	3.8	

Source: DECC, 2011

Annual CO₂ emissions (tonnes) in Greater London 2005 to 2009

Greater London	Industry and commercial	Domestic	Road transport	Total	Population ('000s, mid-year estimate)	Per capita emissions (t)	Per capita reduction since 2005 (%)
2005	20,389	17,291	9,239	46,966	7,485	6.3	12.7
2006	21,738	17,193	9,114	48,089	7,547	6.4	
2007	20,977	16,807	9,050	46,876	7,602	6.2	
2008	21,157	16,865	8,664	46,726	7,668	6.1	
2009	18,752	15,232	8,419	42,441	7,753	5.5	

Source: DECC, 2011

¹ Where temperatures in urban areas, particularly at night are warmer than non-urban areas

The GLA notes that by far the largest contributor to domestic emissions is space heating and cooling, which produce three times as many emissions as either water heating or appliances, and ten times as many as lighting.² It also notes that the domestic sector could contribute 39% of the total savings of 20 million tonnes of CO₂ identified in the London Climate Change Adaptation Strategy. Improving housing standards, insulation and energy efficiency, and providing sustainable decentralised energy can all contribute to reducing emission levels.

The emissions for Lewisham reflect its small industrial and commercial base and predominantly residential character with older properties, and its limited Underground services. It also notes that the domestic sector could contribute 39% of the total savings of 20 million tonnes of CO₂ identified in the London Climate Change Adaptation Strategy. Improving housing standards, insulation and energy efficiency, and providing sustainable decentralised energy can all contribute to reducing emission levels. The percentage of homes that do not meet decent homes standards in the borough is reducing; however there is still a need to improve this.

The Council is proactively working to address climate change issues. The borough was awarded Beacon Status in 2005/06 for work on sustainable energy and has a wide variety of programmes aimed at energy efficiency and reducing CO₂ emissions. To implement its goals the Council has a Corporate Sustainability Board and in July 2008 published a Carbon Reduction and Climate Change Strategy to ensure it leads by example on energy efficiency. The Council's ambition is for Lewisham to play a leading role in responding to climate change locally, regionally and nationally with the aim of achieving the lowest amount per capita CO₂ emissions in London. Any future residential development will need to meet Code for Sustainable Homes Level 4 or higher. Level 4 will provide greater energy efficiency (heating and cooling) as well as water efficiency features to improve biodiversity such as a green/living roof.

Section 3.4 of the London Borough of Lewisham Renewable Evidence Base Study³ states the existing renewable energy capacity in Lewisham. A review of the Ofgem Renewables and CHP Register⁴ showed that out of over 2000 facilities for renewable energy none of them are located in the London Borough of Lewisham. Although there are no major renewable energy facilities currently in the borough there may be some standalone renewable installations that provide renewable energy on a small scale.

2. Air

There are five air quality management areas (AQMAs) in the borough, located where the level of pollutants is higher than the acceptable threshold. National Air Quality Objective (NAQO) for nitrogen dioxide (NO₂) is set at 40µg/m³ as an annual average. In urban areas, this is the most difficult target to meet. Road traffic is the main source of air pollution in the borough. Excessive road traffic, which affects areas of poor air quality, is considered to be one of the main modern 'environmental stress' factors.

² Housing in London: The Evidence Base for the Mayor's Housing Strategy, September 2014

³ London Borough of Lewisham Renewable Evidence Base Study 2010

⁴ Ofgem, "Ofgem Renewables and CHP Register",

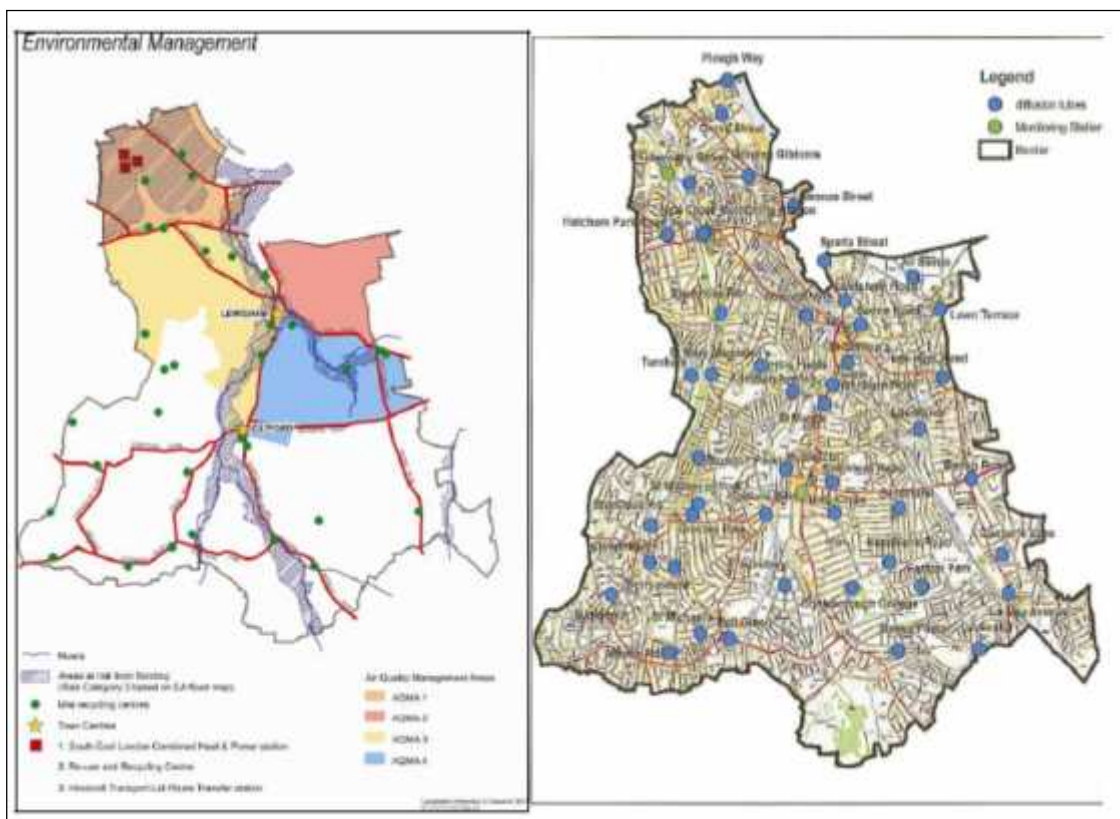
<http://www.ofgem.gov.uk/Sustainability/Environment/RCHPreg/Pages/RCHPreg.aspx>

Exposure to higher levels than 40µg/m³ is most likely to affect those who have a pre-existing respiratory illness as it causes irritation of the nose, throat and airways. However, the objectives do not necessarily represent 'safe' levels and it is agreed that authorities should continue to work to improve air quality and not just aim to meet the targets.

The borough's air quality will remain an important issue that needs to be addressed. The Council adopted an Air Quality Action Plan in 2008. The focus of which is mainly concerned with reducing emissions from road transport, with an emphasis on balancing supply side measures, such as improved walking, cycling and public transport, and demand side management, such as traffic restraint and regulation. The implementation of the London Low Emission Zone is expected to have the highest benefit in improving air quality within Lewisham AQMAs.

The Council's fourth review and assessment (Updating and Screening Assessment) of air quality was conducted in June 2009. There is a risk of the annual mean objective being exceeded for nitrogen dioxide and for particles PM₁₀. The Detailed Assessment concluded that the Council should maintain the designated AQMAs and continue the programme of monitoring which was expanded in 2010 to measure PM₁₀ in a location where fugitive sources were believed to be an issue.⁵

Air Quality Management Areas in Lewisham and Monitoring Stations



⁵ Air Quality Action Plan 2008

3. Biodiversity, flora and fauna

Lewisham's natural heritage has helped shape the borough's development and continues to be a reason why people choose to live and work here. Names such as Lee Green, Grove Park and Forest Hill give an idea of the landscape from which Lewisham developed. Today the borough is characterised by a wide variety of green spaces and natural features that provide places for people to enjoy, such as New Cross Gate Cutting, Blackheath, the River Ravensbourne, Beckenham Place Park and Hilly Fields.

Lewisham has more than 560 hectares of green space (about 14% of the area of the borough), with 46 public parks covering about 370 hectares of land. Lewisham is one of the greenest parts of south-east London with over a fifth of the borough being parkland or open space.⁶ Areas of parkland and open space play an important environmental role, contributing to biodiversity within the borough.

The Stag Beetle is the largest beetle in the UK, is threatened at the global level and has undergone significant decline in the past 40 years. Recent surveys indicate south London is a national hotspot and in Lewisham they can be found throughout the borough. They require suitable dead wood for their survival and management of this resource is a key priority for land managers.

Within the borough of Lewisham there are 60 sites designated as Sites of Nature Conservation Importance (SNCI) including 19 Local Nature Reserves (LNR). In addition, the council has 21 nature conservation areas directly under ecological management, each with its own unique features.⁷ The River Thames and other waterways, private garden areas, and railway line-sides also provide valuable habitats for wildlife in the borough.⁸

4. Soil

The solid geology of Lewisham is predominantly marine London Clay in the central and southern sections of the borough, with a pocket of Lambeth Group clay in the south and a number of pockets in the north. Towards the north of the borough there are also pockets of chalk (Upper Chalk and Chalk Group) and sand (Thanet Sand Formation). In the north east and south / south eastern sections of the borough there are also pockets of Harwich Formation sand and gravels.⁹

The drift deposits are concentrated in the north and central sections of the borough, with alluvium in the vicinity of the River Thames and along the River Ravensbourne valley. Gravels of the Kempton Park Gravel Formation can generally be found adjacent to the alluvial deposits. In addition, there is a pocket of Langley Silt

⁶ Lewisham Leisure and Open Space Study 2010

⁷ Core Strategy 2011

⁸ Core Strategy 2011

⁹ London Borough of Lewisham, 2010: Contaminated Land Inspection Strategy, prepared by the Environmental Protection Group.

Formation deposits in the north west of the borough and pockets of Head (Clay) in the south of the borough.¹⁰ The borough is characterised by slowly permeable soils which are seasonally wet and slightly acid but base rich loamy and clayey in texture. Along the river corridors, and specifically in the locality of Catford town centre, the soils are loamy with naturally high groundwater.¹¹

There are currently no entries recorded in Lewisham's Contaminated Land Register.¹² This should not however, be interpreted that the land is necessarily free of contamination.

5. Water

Flood zones

The London Borough of Lewisham has some land within flood zones 2 and 3. Flood zone 2 represents the 1 in 1000 year probability of flooding, and flood zone 3 represents the 1 in 100 year probability of flooding. The area of land within flood zones 2 and 3 is predominantly around in the North of the Borough, where the risk is tidal flooding from the Thames. Other areas include the land around the river Ravensbourne and river Pool, extending to the south of the Borough and the Quaggy, extending towards the east of the Borough. In Lewisham there are approximately 21,752 properties at risk of flooding from river and tidal sources. This equates to 16% of all properties in the Borough. For the properties at risk of flooding, 8% are classified as having a significant likelihood of flooding, compared to 83% which are classified as having a low likelihood of flooding. The remainder have a moderate likelihood of flooding. Potential risk of flooding from other (non river related) sources also exists including possible sewer surcharging and surface water flooding as a result of heavy rainfall and/or blocked gullies. With changing climate patterns, it is expected that intense storms will become increasingly common and those properties (and areas) that are currently at risk of flooding may be susceptible to more frequent, more severe flooding in future years.¹³

Water Framework Directives

The Water Framework Directive is European legislation designed to protect and enhance the quality of our rivers, lakes, streams, groundwater, estuaries and coastal waters, with a particular focus on ecology. The Environment Agency is the lead authority on the WFD in England and Wales. We are required to plan and deliver actions that will improve our water environment. There are three watercourses in Lewisham designated under the WFD, The River Pool, Quaggy and Ravensbourne. Under the WFD, these need to achieve good ecological potential by 2027. A programme of measures to improve the status is being developed. This will include a series of measures to address urban diffuse pollution in some parts of London, in order to achieve the 'good' ecological status required for the Directive.

¹⁰ Contaminated Land Inspection Strategy, 2010.

¹¹ National Soil Resources Institute (NSRI) Soilscales website <http://www.cranfield.ac.uk/sas/nsri/>

¹² Lewisham Borough Council website: www.lewisham.gov.uk

¹³ SFRA 2008

Water Quality: Chemical Water Quality

The only watercourse in the Borough currently designated under the chemical General Quality Assessment (GQA) is the section of the River Ravensbourne between the River Pool and the Tideway. New chemical GQA calculations have been introduced under which biological oxygen demand has been removed as one of the parameters. This means the calculation is now based on ammonia and dissolved oxygen levels to grade each river reach. Using this method, the chemical quality has consistently been found to be very good, having achieved a grade A every year between 2000 and 2009. There has been a reduction in the size of the GQA network over the last few years. The River Quaggy and the River Pool were designated up until 2006. The quality of the River Quaggy was good, with the reach achieving a grade B on average. The quality of the River Pool was only fairly good, as it predominantly achieved a grade C.

The River Quaggy and River Ravensbourne merge in Lewisham town centre, and these rivers have quite similar catchments. Unusually there are no major point sources of pollution in these urban rivers, and water quality issues (principally related to nutrients) arise from diffuse urban sources such as road runoff and missed connections, where domestic sewerage is wrongly connected to pipes intended for surface water runoff. As a result, water quality is very variable, and can be good during periods of dry weather.

Householder Water Use

All of Lewisham falls in Thames Water's London resource zone, where average consumption in 2009-10 was 167 litres per person per day.¹⁴ This compares to the five year average for the Borough of 160.4 litres consumed per person per day between 2005/06 and 2009/10. This water resource zone (WRZ) is seriously water stressed. The Government has set a target for households to achieve 130 litres per person per day, which will require changes to consumption patterns in order to meet it. Through the Code for Sustainable Homes, any future residential development in Lewisham will need to meet Code for Sustainable Homes Level 4. Level 4 will provide greater water efficiency features to encourage sustainable consumption of drinking water within buildings and external watering/irrigation.

¹⁴ Thames Water, 2010. Thames Water revised Water Resources Management Plan. [online] (Updated 2010) Available at: <http://www.thameswater.co.uk/cps/rde/xchg/corp/hs.xsl/5392.htm>

6. Population, human health and equality

Population

The population of the London Borough of Lewisham was 275,885 at the 2011 census. The population of Lewisham grew by 3% between 2001 and 2011. It is forecast to increase by almost a quarter (64,300) between 2006 and 2031.¹⁵ Children and young people (0 to 19 years) make up over a quarter of the population, one of the highest proportions in London.¹⁶ Elderly residents (over 75 years) make up just 5%. The average age of our population is 34.7 years and is young when compared with other London boroughs. Population growth and an increase in the number of households is expected to be concentrated within the Evelyn, New Cross and Lewisham Central wards. This is due in part to the major development and regeneration plans such as Convoys Wharf and within the Lewisham Town Centre. In terms of life expectancy for the borough's population, between 2005 and 2007 the average life expectancy at birth for men in Lewisham was 76 years, compared with 77.3 years in England; and over the same period the life expectancy for women was 80.8 years in Lewisham compared with 81.5 years in England.¹⁷ The population was more or less evenly split between males and females and these proportions are not expected to change in the period to 2014.¹⁸

There was a growth in all groups of the black and minority ethnic (BME) population between the 2001 and the 2011 Census. This has risen from 39% of households to 58.5%, who largely live in the northern and central parts of the borough.¹⁹ The general level of health of people in Lewisham is significantly poorer than the health of people in the rest of England. Some indicators of poor health are specifically related to low income such as coronary heart disease, cancer and respiratory disease. Reducing premature mortality from circulatory diseases and cancer remain priorities for Lewisham.²⁰

The Index of Deprivation 2015 ranked Lewisham as the 19th most deprived area in the UK that affects children and older people. It also states the population for Lewisham has increased since the census and is now 293,100²¹. Lewisham is within the 20% most deprived Local Authorities in the country. In 2010 Lewisham was ranked the 31st most deprived Local Authority. Although the recent ranking is lower than in the 2010 Index of Deprivation, a number of local authorities that were previously within the 20% most deprived nationally are no longer in existence. The Index of Deprivation looks at a range of indicators covering income, employment, health, education, training, skills, living conditions and access to services.

¹⁵ Greater London Authority 2008 Round of Demographic Projections, RLP High

¹⁶ Census 2011

¹⁷ JSNA, NHS London

¹⁸ Male 49% and female 51%.

¹⁹ BME population estimated at 49.4% of households as evidenced through the Lewisham Household Survey 2007 for the Strategic Housing Market Assessment (SHMA)

²⁰ Joint Strategic Needs Assessment (JSNA), NHS Lewisham

²¹ London Datastore <http://londondatastore-upload.s3.amazonaws.com/instant-atlas/ward-profiles-html/atlas.html>

In the 2015 Index of Deprivation of Lewisham's 166 LSOAs 40% were in the 20% most deprived in England, compared with 38% in 2007. Only five of these LSOAs were within the worst 10% (this is the same as in the 2010 ID); they are dispersed across the wards of Bellingham, Evelyn, Lewisham Central, Rushey Green and Whitefoot. However, 58 of Lewisham's LSOAs were in the bottom 10-20% (up two from 2007); making a total of 63 LSOAs in the bottom 20%.

With nearly 40% of Lewisham's LSOAs in the bottom 20%, and almost all of the remaining LSOAs being in the bottom 50%, the ID results again suggest that Lewisham faces some significant challenges. Care must be taken not to assume that 'less deprived' means 'wealthier' as the indices measure only levels of deprivation, not affluence. In addition, it is important to recognise that even in LSOAs with little deprivation there may be individuals and families experiencing deprivation. These people will also need to access support and services aimed at tackling deprivation.

Health

There are many healthcare facilities in Lewisham. There are a vast array of health services incorporating the needs of the population. The main health care services in Lewisham are community services as well as a university hospital and several mental health centres²².

The following list details these:

Southbrook Road Community Mental Health Centre – 1 Southbrook Road, Lee
Speedwell Mental Health Centre – Speedwell Street
Cygnet Lodge Lewisham – Lewisham Park
University Hospital Lewisham – High Street, SE13 6LH
Burgess Park – Unit 2, Burgess Park Industrial Estate, SE5 7TG
Downham Health and Leisure Centre – 7-9 Moorside Road, Downham, BR1 5EP
Primary Care Centre Hawstead Road - Primary Care Centre, Hawstead Road, Catford, SE6 4JH
Honor Oak Health Centre - 20 Turnham Road, Honor Oak Rd, SE4 2HH
Ivy House - Bradgate Road, Catford, SE6 4TT
Kaleidoscope - 32 Rushey Green, Catford, SE6 4JF
Jenner Health Centre - 201-3 Stanstead Road, Forest Hill, SE23 1HU
Lee Health Centre - 2 Handen Road, Lee, SE12 8NP
Marvels Lane Health Centre - 37 Marvels Lane, Grove Park, SE12 9PN
South Lewisham Health Centre - 50 Conisborough Crescent, Bellingham, SE6 2SP
Sydenham Green Health Centre - 26 Holmshaw Close, Sydenham, SE26 4TH
Waldron Health Centre - Amersham Vale, New Cross, SE14 6LD

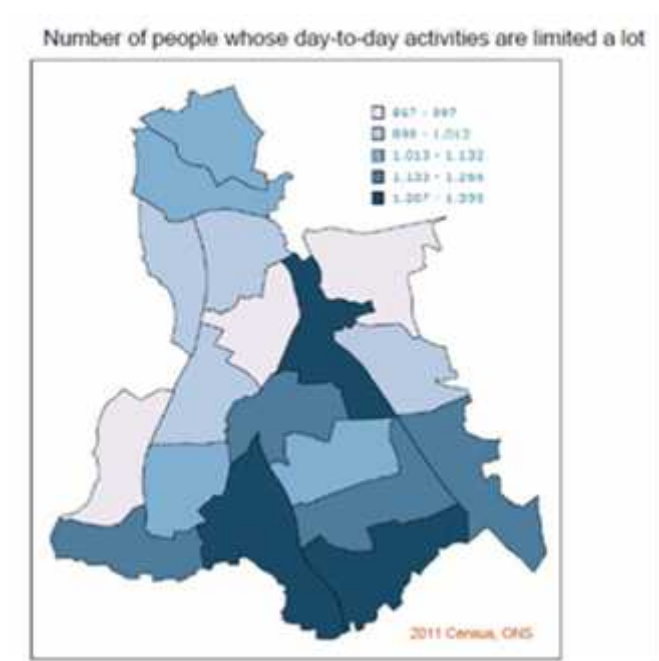
²² <https://www.lewishamandgreenwich.nhs.uk/contact-community-sites-in-lewisham/>

Equality

The 2011 Census indicates 14.4% of the Lewisham population (39,735) had a limiting long-term illness. Of these, 7.3% of people (19,523) indicated their daily activities were limited a lot. Analysis by Public Health England for its learning disability profiles indicates that Lewisham has average numbers of learning disabled people (16-64) known to the Council (four per 1000).

Analysis of Lewisham's recent residents survey found that less than half of disabled residents (48%) were confident that their local community would be able to help if a service in their local area was under threat, compared to two-thirds of nondisabled residents (66%).

The figure below shows long term health problems or disabilities in Lewisham (Census 2011).



The census categories used for mapping are broad (essentially white/non-white) and mask high levels of local diversity as well as differing national and cultural origins. The largest combined ethnic group in the borough is categorised in the census as White; English/Welsh/Scottish/Northern Irish/British. There was a growth in all groups of the black and minority ethnic (BME) population between the 2001 and 2011 Census. This has risen from 39% of households to 58.5%, who largely live in the northern and central parts of the borough.

Christianity is the most populous religion of Lewisham residents, particularly in the south of the borough. Between 2001 and 2011, the percentage of people citing Christianity as their religion declined by 8.4%, from 61.2% to 52.8%. Over a quarter of residents stated that they have no religion and this increases to a third of residents in Blackheath, Brockley, Crofton Park, Forest Hill and Telegraph Hill.²³

²³ Lewisham's Comprehensive Equalities Scheme 2016-2020

7. Material assets

Homes

Continuous growth in population and high demand for housing and affordability

The population is forecast to rise. The Mayor of London requires 10,050 new residential units to be built in Lewisham by 2021. The average income of the majority of households is insufficient to buy a house. The SE London and Lewisham Strategic Housing Market Assessments highlight that access to affordable housing remains an issue throughout the borough. Based on the GLA Housing Price 2008 data, the housing price in Lewisham has increased steadily over the last five years. However, it is still lower than the London average price (£249,789 compared to £297,785).²⁴ This is particularly relevant given that the Lewisham Household Survey for the SHMA asked a question about household income. This included gross household income from all sources such as earnings, pensions, interest on savings, rent from property and state benefits. While just under a fifth of households have an income of over £40,000, however nearly half of all households have an income of less than £15,000.²⁵

Existing dwelling stock

Of the total dwelling stock, 54% of properties in Lewisham are flats of which nearly half are converted dwellings rather than purpose built. Of the remainder 34% are terraced houses and 12% are detached or semi-detached.²⁶ In terms of bedroom size, 27% of properties are 1 bedroom, 33% 2 bedroom and 30% 3 bedroom. This leaves 10% with 4 or more bedrooms.

A dramatic change has taken place in the tenure of property in the London borough of Lewisham in the past few years. This provides a roughly equal tenure split between private rent, social rent and private ownership. It is considered that the increase in the private rented sector is a result of the buy-to-let market in recent years. The amount of private rented properties has increased from 14.3% in 2001 to 24.3% in 2011. Conversely social rented properties have fallen from 35.6% in 2001 to 31.1% in 2011, while properties owned outright or with a mortgage have decreased from 50% in 2001 to 42.4% in 2011.²⁷

A total of 33,922 households were assessed as living in unsuitable housing due to one or more factors.²⁸ The largest reason was overcrowding (11,482 households), and major disrepair or unfitness (10,641); followed by support needs, accommodation too expensive and sharing facilities (6,151, 5,263, and 4,487 respectively). Deptford is one area in the borough most likely to contain unsuitably housed households which corresponds to areas identified with higher levels of deprivation.²⁹

²⁴ Land Registry, March 2009

²⁵ 48%

²⁶ Lewisham Household Survey 2007, SHMA 2014

²⁷ Lewisham Household Survey 2007, SHMA 2014, 2011 Census

²⁸ Lewisham Household Survey 2007, SHMA 2014, 2011 Census

²⁹ Lewisham Household Survey 2007, SHMA 2014, 2011 Census

Affordable Housing

Lewisham's housing strategy, Homes for future³⁰, states that the council aims to deliver 11,000 homes by 2020 of which up to 50% will be affordable housing with the aim to reduce homelessness and the number of households in temporary accommodation and also to enable people on low and modest incomes to afford their own home. The tenure mix of affordable housing is agreed on an individual basis, it takes into consideration the existing housing mix and character as well as the demand in the area for affordable housing.

8. Cultural heritage

The complex historical development of the borough has left a legacy of distinctive neighbourhoods. In acknowledgement of this distinctive heritage a substantial portion of the borough is identified as an Archaeological Priority Area. An archaeological priority area is an area specified by Local Planning Authorities to help protect archaeological remains that might be affected by development. This means that any redevelopment in these areas that might reveal remains of interest will be required to undertake an assessment and preservation in accordance with advice from English Heritage.

Today the borough is characterised by a wide variety of green spaces and natural features that provide places for people to enjoy, such as New Cross Gate Cutting, Blackheath, the River Ravensbourne, Beckenham Place Park and Hilly Fields. These open spaces have historic significance and give the borough a distinct identity. They are an essential component of many heritage assets. For example, the open character of Blackheath is an integral element of the Blackheath Conservation Area and a supporting element to the outstanding universal value of the Maritime Greenwich World Heritage Site. The small area of open space within the Culverley Green Conservation Area provides a welcome element of informality to the grid pattern of tree lined streets.

Lewisham has around 27 conservation areas covering 707 ha of the borough, around 540 nationally-listed buildings, over 200 Locally Listed buildings, 2 Registered Parks and Gardens, 21 areas of Archaeological Priority and 1 Scheduled Ancient Monument. Lewisham's open spaces also have historic significance and give the borough a distinct identity. They are an essential component of many heritage assets.

9. Landscape

The borough of Lewisham is primarily residential in nature, characterised by 20th century suburbs in the south to older Victorian neighbourhoods in the north. These extensive areas of housing are punctuated with a network of small and large town centres, local shopping parades, employment areas of varying quality and job density, many parks and green spaces, and railway corridors, and are overlaid by a range of heritage assets.

³⁰ 'Homes for the future: raising aspirations, creating choice and meeting need' Lewisham's Housing Strategy 2009-2014

The borough is characterised by a wide variety of green spaces and natural features that provide places for people to enjoy, such as New Cross Gate Cutting, Blackheath, the River Ravensbourne, Beckenham Place Park and Hilly Fields. In fact, Lewisham has more than 560 hectares of green space (about 14% of the area of the borough), with 46 public parks covering about 370 hectares of land. These areas play an important environmental and recreational role as well as defining and continuing to contribute to Lewisham's overall character.

Lewisham is located within the London Basin Natural Area³¹ and is defined by an urban / suburban land use according to the Dudley Stamp Land Use inventory.³² The landscape character of the borough is focused around the Ravensbourne, Quaggy and Pool rivers which flow into Deptford Creek. Elevated views play a significant role in the character of the area. There is a general gradient of development across the borough from oldest in the north to more modern in the south. As London has grown, the borough has seen successive rounds of urbanisation moving south across the borough.³³

Lewisham also has 37 allotment sites which are very popular with local residents. Because of the current interest in healthy, outdoor living and organic food, all of the sites have waiting lists. No areas within the borough are designated as Greenbelt land. Of the 37 allotment sites within the borough, one relatively small allotment can be found in the Rushey Green ward at the Weavers Estate (0.42 ha).

Compared to a city average of 41%, only 23% of land in the borough of Lewisham is green space or water. Despite having 560 ha of green space, parts of the borough are considered to be deficient in open space, and with increasing pressures to build, the borough aspires to protect all its green space.³⁴

10. Waste

Lewisham is a unitary waste authority. Over 80% of Lewisham's waste is diverted away from landfill by incinerating it as the South East London Combined Heat and Power Station (SELCHP), which recovers power to supply to the National Grid. Of the borough's total waste for 2010/11 only 6% was sent to landfill. The borough incinerates 76% of its household waste. Lewisham has on the other hand the lowest recycling and composting rate in London in 2009/10. The overall household recycling and composting rate in Lewisham has steadily between 2000/01 and 2007/08. However, the rate has since declined. The current recycling and composting rate is almost 15% lower than the London total rate of 31.8%.³⁵

³¹ English Nature, 1997: London Basin Natural Area Profile

³² www.magic.gov.uk

³³ Lewisham Borough Council, May 2011: Development Management Local Plan Sustainability Appraisal Scoping Report

³⁴ Lewisham Borough Council, May 2011: Development Management Local Plan Sustainability Appraisal Scoping Report

³⁵ Department for Environment, Food and Rural Affairs (Defra), 2013. Municipal Waste Management Statistics. [online] (Updated 07/02/2013) Available at: <http://www.defra.gov.uk/statistics/environment/>

The Council aims to increase household recycling / composting and in 2010/11 has set a target to recycle compost or reuse 25% of its household waste. Further, targets have been set to landfill 8% of municipal waste by 2010/11 and to reduce household waste per household to 716kg in 2010/11.³⁶ There is a projected waste growth of 3% per annum, which means that disposing of this increasing amount and variety of waste will become increasingly difficult. Every borough is allocated an apportionment of waste in the London Plan that they must dispose of using appropriate facilities. For Lewisham this equates to approximately 208,000 tonnes in 2010, increasing to 323,000 tonnes by 2020.³⁷ Provision in the borough exceeds this level with the South East London Combined Heat and Power Station (SELCHP) in Deptford capable of handling 488,000 tonnes alone. Further facilities in Lewisham are capable of dealing with over 200,000 tonnes and provide support to other boroughs in the south-east region of London.³⁸

³⁶ Lewisham Municipal Waste Strategy 2008

³⁷ London Plan policy 4A.25 and Table 4A.6

³⁸ Southeast London Boroughs' Joint Waste Apportionment Technical Paper, 2009 and 2014

Appendix C

Sustainability Objectives, Indicators, Targets and Monitoring

Sustainability Objective	Indicator	Target	Monitoring Year/Frequency	Data Source	Action
1. To provide sufficient housing and the opportunity to live in a decent home	Number of housing completions Gypsy and Traveller pitches Number of affordable housing completions (by tenure type) Mix of housing tenure Mix in dwelling sizes Provision of student/other specialist housing	50% affordable homes 70:30 split between social and intermediate housing At least 40% affordable homes to be 3 bedrooms or more	Annual	Annual Monitoring Report	Allocation of Gypsy and Traveller pitches Provision of housing, including affordable housing
2. To improve the health of the population	Households with limiting long-term illness Mortality rate from circulatory diseases at age under 75 Mortality rate from all cancers at age 75 of under Health life expectancy at age 65 Number of people taking part in activities that improve physical and mental health in the borough		Every 10 years	ONS	Encourage walking and cycling Maintain or improve access to healthcare
3. To reduce poverty and social exclusion	Number of recorded racial incidents Indices of Multiple Deprivation	Improve the London Borough of Lewisham's rank in the Indices of Multiple Deprivation	Every 3 years	CLG	Promote social cohesion and reduce poverty

<p>4. To improve accessibility to leisure facilities, community infrastructure and key local services</p>	<p>Gain/loss of community/recreational facilities Delivery of identified social infrastructure Funding for community facility improvements secured</p>	<p>No net loss of recreational facilities</p>	<p>Annual</p>	<p>Annual Monitoring Report</p>	<p>Provision of leisure facilities, community infrastructure and key local services</p>
<p>5. To reduce crime, antisocial behavior and the fear of crime</p>	<p>Number of schemes incorporating 'secured by design' Number of offences per 1,000 population Detailed indicators for the following:</p> <ul style="list-style-type: none"> • Violence against the person • Burglaries • Robberies • Violent crime • Sexual offences 		<p>Annual</p>	<p>Office of National Statistics Metropolitan Police Service</p>	<p>Promote safety of the environment and social cohesion</p>
<p>6. To reduce car travel and improve accessibility by sustainable modes of transport</p>	<p>Number of car parking spaces delivered in new development Number of completed car limited developments Number of car clubs and parking bays % of permitted major developments with a travel plan Proportion of journeys made on foot and by bicycle Number of electric car charging points</p>	<p>Higher density development to be located within areas with a higher PTAL 11% of total trips made by cycle or foot by 2025 Year on year increase in number of electric car charging points All major developments to have travel plans</p>	<p>As reviewed by Transport for London</p>	<p>Transport for London Census Annual Monitoring Report</p>	<p>Maximise accessibility of Gypsy and Traveller sites to services and public transport Enhance walking and cycling routes Reduce car ownership</p>

	<p>Improvements to legibility and signage</p> <p>Improved pedestrian and cycle routes and crossings</p> <p>Number of cycle parking spaces provided for each new home or other development and public realm</p> <p>Improved lighting and natural surveillance on pedestrian and cycle paths</p> <p>Number of road accident casualties per 1,000 population serious or fatal</p> <p>Public transport accessibility levels</p>	<p>All development permitted to include cycle facilities</p>			
<p>7. To mitigate and adapt to the impact of climate change</p>	<p>Number of homes achieving Code for Sustainable Homes level 4 or above granted/completed</p> <p>Number of BREEAM buildings granted/completed</p> <p>Number and capacity of decentralised energy granted/completed</p> <p>Number, type and capacity of renewable energy granted/completed</p> <p>Number and size of living roofs granted/completed</p> <p>Number of new developments incorporating water efficiency measures</p>	<p>Maximise renewable energy by type</p> <p>Increase in the number of living roofs and walls</p> <p>Year on year reduction in the carbon footprint of Lewisham</p> <p>All houses built to Code for Sustainable Homes Level 4</p> <p>All non-residential development built to BREEAM excellent standard</p>	<p>Annual</p>	<p>Annual Monitoring Report</p> <p>EA and Stockholm Environment Institute</p>	<p>CO2 reduction and energy efficiency</p> <p>Efficient use of natural resources</p>
<p>8. To improve air quality and water quality, manage water resources and reduce noise and</p>	<p>Water pollution incidents</p> <p>Change in chemical river quality</p>	<p>National Air Quality Strategy standards</p>	<p>Annual</p>	<p>Annual Monitoring</p>	<p>Water management and SUDS</p>

vibration	<p>Number of developments approved against the recommendation of the statutory water/sewerage undertaker on low pressure/flooding grounds</p> <p>LLSOA Electricity and Gas consumption</p> <p>Per capita reductions in CO2</p> <p>Levels exceeding Main Air Pollutant Quality Standards</p> <p>Levels of NO2 and PM10</p> <p>Number of complaints related to noise from roads, construction, maintenance, noisy neighbours and/or other.</p> <p>Number of Considerate Constructors schemes registered with new developments and refurbishments</p>	<p>Reduction in noise complaints</p> <p>No decrease in water quality</p>		<p>Report</p> <p>London Air Quality Archive</p>	<p>implementation</p> <p>Minimise air pollution</p> <p>Reduce noise</p> <p>Consider compatibility of land uses</p>
9. To increase, maintain and enhance open space, biodiversity, flora and fauna	<p>Area of designated habitats</p> <p>Number and size of biodiverse brown living roofs granted/completed</p> <p>Number of bat and other bird boxes delivered as part of new developments</p> <p>Number of applications granted or refused on designated open space and within SINCS</p> <p>Amount of new or improved open space provided, including that which provides a net gain for biodiversity and accessible natural greenspace</p>	<p>Year on year reduction in the ecological footprint of Lewisham</p> <p>Year on year increase in the number of bat and bird boxes provided with development</p> <p>No net loss of open space</p>	Annual	<p>Annual Monitoring Report</p> <p>EA and Stockholm Environment Institute</p>	<p>Efficient use of natural resources</p> <p>Maintain or enhance biodiversity importance</p> <p>Protect and enhance open space and linkages</p>

	<p>Number of new allotments and community gardens</p> <p>Funding secured for open space improvements</p>				
<p>10. To mitigate and reduce flood risk, improve water quality, manage water resources, and restore and enhance the river network.'</p>	<p>Number of planning permissions granted contrary to the advice of the Environment Agency on either flood defense grounds or water quality</p> <p>Number of SUDS granted and delivered</p> <p>Flooding incidents</p>	<p>No applications granted contrary to Environment Agency advice</p>	<p>Annual</p>	<p>Environment Agency</p>	<p>Work in partnership with the Environment Agency</p> <p>Flooding and water management</p>
<p>11. To maintain and enhance landscapes and townscapes</p>	<p>Number of key views maintained and enhanced</p> <p>Pre applications and applications considered by the design review panel</p> <p>Number of interventions aimed at improving streetscapes</p>	<p>All major applications to be referred to the design review panel</p>	<p>Annual</p>	<p>Annual Monitoring Report</p>	<p>Protect landscape and townscape</p>
<p>12. To conserve and where appropriate enhance the historic environment</p>	<p>Number of designated heritage assets (including listed buildings and conservation areas)</p> <p>Number of undesignated heritage assets (locally listed buildings, areas of archaeological significance)</p> <p>% of applications where archaeological strategies were developed and implemented</p>		<p>Annual</p>	<p>Annual Monitoring Report</p> <p>English Heritage</p>	<p>Protect heritage assets</p>

	<p>Number of applications that have considered views of strategic importance</p> <p>Condition of designated and undesignated heritage assets</p>				
<p>13. To minimise the production of waste and increase waste recovery and recycling</p>	<p>% of waste recycled, reused or composted</p> <p>Tonnes of waste sent to landfill per year</p> <p>Residual household waste per year</p> <p>Amount of waste recycled on site by residents and employment industries</p>	<p>Residual waste per household in Lewisham</p> <p>2011/2012 720kg</p> <p>2012/2013: 718kg</p> <p>2013/2014: 716kg</p> <p>% of household waste sent for reuse, recycling and composting in Lewisham</p> <p>2013/2014: 21% waste recycled</p> <p>% household waste sent to landfill in Lewisham</p> <p>2011/2012: 7%</p> <p>2012/2013: 6.5%</p> <p>2013/2014: 6%</p>	<p>Annual</p>	<p>Strategic Waste and Management</p>	<p>Waste Management</p>

14. to reduce land contamination and safeguard soil quality and quantity	Number of planning applications with the potential for land contamination	No reduction in soil quality	Every 10 years	Annual Monitoring Report	Land remediation
15. To encourage sustained economic growth	<p>Area of employment land with mixed use employment location (MEL) and local employment location (LEL)</p> <p>Size and type of employment floorspace</p> <p>Amount of vacant employment floorspace</p> <p>Amount of new completed employment floor space</p> <p>New business registration rate</p> <p>Rent levels of employment accommodation</p>	<p>No loss of employment land</p> <p>Minimise vacant employment land</p> <p>Annual completion no net loss</p>	Annual	<p>Lewisham ELS</p> <p>London Borough of Lewisham GIS</p> <p>Annual Monitoring Report</p>	<p>Protection of employment sites</p> <p>Maintain a supply of a variety of employment floorspace</p>
16. To promote access to employment, education, skills and training	<p>Employee numbers in Lewisham</p> <p>% of businesses in the area showing employment growth</p> <p>Job density in Lewisham</p> <p>Number of employed and unemployed living in the area</p> <p>Numbers of employees and business owners who are BME</p> <p>% of population of working age who claim unemployment benefit</p> <p>Number of pupils achieving 5 or more GCSE's at grades A* to C or equivalent</p>	<p>Increase in jobs</p> <p>Increase in percentage of local residents employed for specific development projects, including apprenticeships</p> <p>No reduction in job density</p> <p>Increase in employment rate</p> <p>Narrow gap to the GB average employment rate to no more than</p>	Annual	<p>National Annual Business Inquiry</p> <p>Office of National Statistics</p> <p>Official Labour Market Statistics</p>	<p>Maximise and provide a range of local employment opportunities</p> <p>Protection of employment sites to secure local job opportunities</p> <p>Local labour agreements</p>

	<p>People aged 16-74 with no qualifications</p> <p>Number of full and part time courses provided</p> <p>Number of full and part time people participating in educational courses/events in the area</p> <p>Funding secured for improvements in the quality and level of education infrastructure</p>	<p>3% points</p> <p>Year on year decrease in the number of people without qualifications in Lewisham</p>			
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Gypsy and Traveller Site(s) Local Plan

Intention to prepare a Local Plan: Regulation 18 Consultation Report

Consultation Statement

Town and Country Planning (Local Planning) (England) Regulations 2012

August 2016

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1.0 Introduction

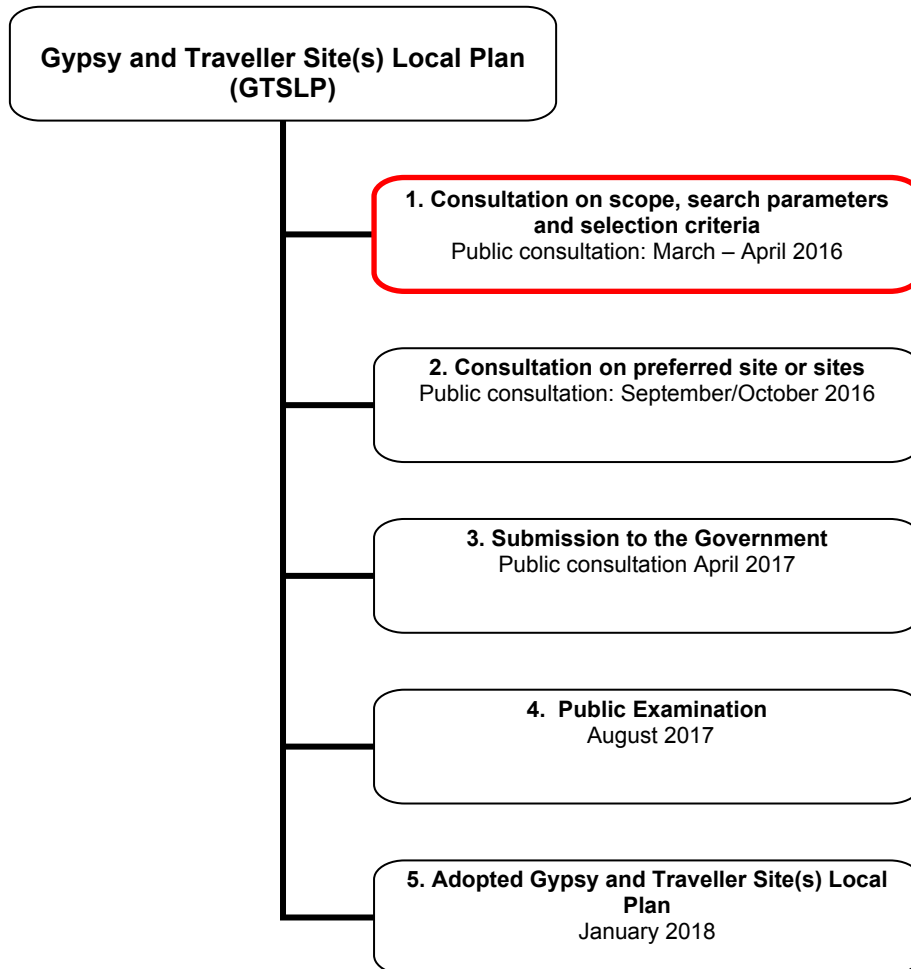
- 1.1 The Gypsy and Traveller Site(s) Local Plan (GTSLP) is being prepared as a single-issue Local Plan in order to allocate a site or sites to meet the identified local accommodation needs of Gypsy and Traveller communities in the borough. The legislative requirement for local authorities to assess the need for Gypsy and Traveller accommodation in their areas was outlined in the [Consultation Report](#). The GTSLP will set out how the Council will meet the needs of Gypsy and Traveller and Travelling Showpeople accommodation in Lewisham over the next 15 years.
- 1.2 The process for preparing statutory Local Plans is stipulated in the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 establishes the consultation requirements for the preparation of a local plan and the need for local planning authorities to take into account the representations received. Lewisham's Statement of Community Involvement (adopted 2006) (SCI) defines the Council's standards in relation to involving the community in the preparation of all local development documents. The purpose of the SCI is to ensure that all sections of the community and other interested parties have a reasonable opportunity to get involved from the earliest stage of policy proposals.
- 1.3 With respect to the Regulation 18 Consultation Report and the accompanying Sustainability Appraisal Scoping Report this statement sets out the following:
- **Section 2:** the process of consultation in relation to the overall preparation of the plan
 - **Section 3:** which bodies and persons were invited to make representations under Regulation 18 (2012)
 - **Section 4:** how those bodies and persons were invited to make such representations
 - **Section 5:** the channels available for respondents to reply
 - **Section 6:** the process for consultation on the SA Scoping report
 - **Section 7:** a summary of the main issues raised by written representations on the Regulation 18 Consultation Report and the Council response to the issues raised.
 - **Section 8:** a summary of the main issues raised by questionnaire responses and the Council response to the issues raised.
 - **Section 9:** A summary of the issues raised in a meeting with Gypsy and Traveller Forum (24.02.2016) and the Council response to the issues raised.
 - **Section 10:** A summary of the issues raised in meeting with London Gypsy and Traveller Forum (LGTU) (14.04.2016) the Council response to the issues raised.

- **Section 11:** a summary of the main issues raised by the representations in response to the SA Scoping report and the Council's response to the issues raised.
- **Section 12:** the conclusions and a statement of compliance with the requirements of Regulation 18

2.0 Consultation Process

2.1 Regulation 18 represents the first (statutory) stage in the process of preparing the GTSLP.

Figure 1: Key stages in the preparation of the GTSLP



2.2 Stage One is the initial “scoping” phase of the plan preparation process and, in accordance with Regulation 18 (1), Lewisham Council asked key stakeholders and interested people about the intention to produce the Gypsy and Traveller Site(s) Local Plan and invited representations about they thought it should contain.

2.3 Specifically, representations were sought regarding:

- the scope of the plan (the preparation of the GTSLP as a single-issue Local Plan to allocate a site or sites to meet the identified local accommodation needs of Gypsy and Traveller communities in the borough)
- the proposed search parameters and selection criteria to be used to identify a site or sites
- the proposed timetable for preparing the plan

- 2.4 The official public consultation on the GTSLP – Stage One: Scope, Search Parameters and Selection Criteria Report, and Sustainability Scoping Report was originally advertised from 3rd March 2016 to 14 April 2016 which met the minimum six week time period set out in the Statement of Community Involvement (SCI) and the Planning Regulations 2012. The consultation period was subsequently extended for an additional week, to 22 April 2016. The methods of consultation used during this time are set out in section 4 of this report.

3.0 Consultees

- 3.1 The National Planning Policy Framework (NPPF) states that a wide section of the community should be engaged in the preparation of Local Plans so that, as far as possible, they reflect a set of agreed priorities for the sustainable development of the area (para. 155).
- 3.2 Regulation 18 (2) of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires local planning authorities to consult any 'specific consultation bodies' such as national agencies and neighbouring planning authorities that they consider may have an interest in the subject of a proposed local plan. They are required to do the same for general consultation bodies, such as organizations that represent the interests of different ethnic groups, and finally, with respect to residents or other persons conducting business with the area from whom representations would also be pertinent.
- 3.3 The GTSLP will show how the Council will meet Gypsy and Traveller and Travelling Showpeople accommodation needs in Lewisham over the next 15 years and will therefore have an impact on residents across the borough. London Borough of Lewisham carried out early and meaning engagement and collaboration with neighbourhoods, local organisations and businesses, in line with paragraph 155 of the NPPF. Specifically, it was identified that the following stakeholders should be invited to make representations on the GTSLP: Stage One: Scope, Search Parameters and Selection Criteria Report:
- Existing residents and businesses within the borough
 - Representatives for and members of the Gypsy and Traveller and Travelling Showpeople community with the borough
 - Local service providers
 - Consultees listed on the planning policy database
 - Landowners
- 3.4 The contact list was taken from the planning consultation database, which has been compiled over a number of years, and is continuously amended and updated. A list of the specific consultation bodies that were consulted as required by the Regulations is provided in Appendix 1. A list of all the types general consultation groups consulted is in Appendix 2.

4.0 Methods of Consultation

4.1 Regulation 35 (Part 9) of the Town and Country Planning (Local Planning) Regulations 2012 specifies the minimum requirements for ensuring the availability of local plan consultation documents.

4.2 In addition, Lewisham's Statement of Community Involvement outlines a range of possible mechanisms to involve and engage the Lewisham's diverse population. These consultation methods were adapted to meet the requirements and needs of the GTSP: Stage One: Scope, Search Parameters and Selection Criteria Report and are listed below.

Public Display of Documents

4.3 In compliance with Regulation 35 (1a) hard copies of the documents were displayed at all the Borough libraries and the AccessPoint, at Laurence House, Catford for the duration of the consultation period.

Publish on Council Website & Consultation Portal

4.4 In compliance with Regulation 35 (1b), the plans were put on the [Council website](#) and the [Consultation Portal](#) from the start of the consultation period.

Press Notices

4.5 The SCI identifies the use of a press notice as one of the consultation tools at the disposal of Lewisham Borough Council with the potential to reach a borough-wide audience. Thus, a press notice was published in the local newspaper, the South London Press, on the 1st March 2016 for the start of the consultation period.

Mail-out to prescribed and non-statutory bodies in the planning policy consultation database

4.6 The planning policy database contains consultee addresses and is updated regularly. Letter and e-mails were used to notify consultees about the GTSLP – Stage One: Scope, Search Parameters and Selection Criteria Consultation Report.

Liaison with Neighbouring Boroughs

4.7 Neighbouring Boroughs (Greenwich, Southwark, Bromley and Tower Hamlets) were sent a letter inviting them to contact the Planning Policy Team in relation to the consultation.

Questionnaire

4.8 A questionnaire was developed and tailored to obtain feedback on the proposed search parameters to be used to identify a site or sites, and the proposed selection criteria to assess alternative sites.

Meetings with key stakeholders

4.9 Given the subject of the GTSLP it was considered appropriate to meet directly with members and representatives of the Gypsy and Traveller and Travelling showpeople Community. To this end meetings were held with the Lewisham Gypsy and Traveller Forum (24.02.16) and the London Gypsy and Traveller Unit (12.04.16) to obtain their views and discuss the subject of the consultation in detail.

Copies of documents

- 4.10 In addition, interested parties were able to obtain hard copies of the report by contacting the Planning Policy Team. The team were also available to answer questions.

5.0 Methods of Response

Communication Channels

5.1 Respondents were able to comment and made representations via the following communication channels:

Online via: https://lewisham-consult.objective.co.uk/portal/planning_policy

Email at: planning.policy@lewisham.gov.uk

Post to: Planning Policy, London Borough of Lewisham, 3rd Floor, Laurence House, 1 Catford Road, SE6 4RU

Verbally Comments made by participants at meetings (see previous section) were taken down as notes.

6.0 Sustainability Appraisal Scoping Report Consultation

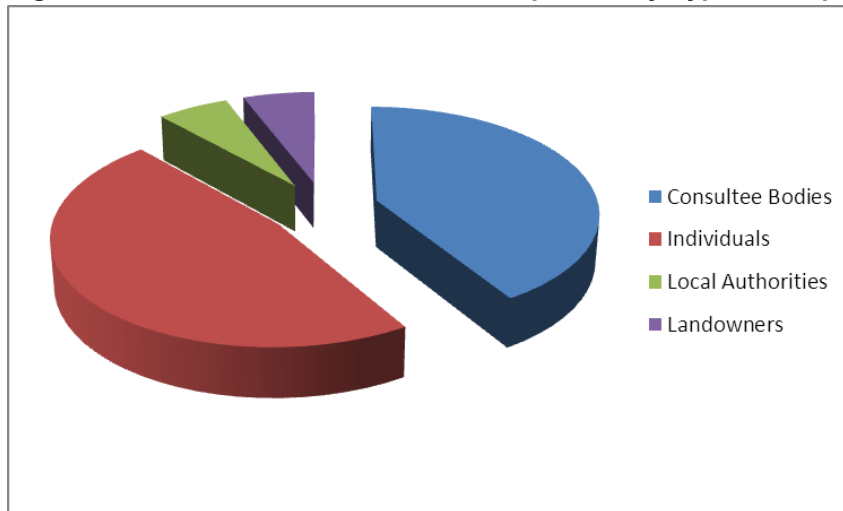
- 6.1 Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out a Sustainability Appraisal (SA) of each of the proposals in a Local Plan during its preparation. The SA involves identifying and evaluating a plan's impacts and assessing the social, environmental and economic effects to help ensure that the plan accords with sustainable development principles. Scoping forms the initial stage of the SA process and incorporates the collection of baseline data and information on other plans, policies and programmes that can influence the preparation of the Gypsy & Traveller Site(s) Local Plan. The data presented in the [Sustainability Appraisal Scoping Report](#) identified key sustainability issues, objectives and targets.
- 6.2 The Council consulted on the SA Scoping Report at the same time as consulting on the Regulation 18 Consultation Report. It was, likewise, published on the website and the consultation portal, and copies were made available at all the borough libraries and the AccessPoint at the Council offices.
- 6.3 On 8th March 2016 the Council sent the 'Sustainability Appraisal Scoping Report' to the following authorities with environmental responsibilities:
- Natural England
 - Historic England
 - Sport England
 - The Environment Agency
 - Greater London Authority

A copy of the covering letter sent to these bodies, dated 8th March 2016, is contained in Appendix 4.

7.0 Written Representations

7.1 The Council received a total of 17 written representations during the public consultation process. In the chart below the written representations are broken down by type of respondent. As can be seen the responses are divided equally between consultee bodies/Local authorities and individuals/landowners.

Figure 2: Breakdown of Consultation Responses by Type of Respondent



7.2 Full details of all comments received during the consultation can be obtained from the Planning Service and Appendix 6 contains a summary and response to each respondent. However, the main issues raised in the responses are summarised in the table below. Regulation 18 (3) requires Local planning authorities to take into account the representations made to them in response to local plan preparation and, after each distinct issue raised by through the written representations, the Council has given its response.

Table 1: Written Representations - Summary of Main Issues

Flood Risk
<p><u>Comments:</u> The Environment Agency (EA) reiterated the national policy requirements for sequential testing and, where required, the application of the exception test for sites in flood risk locations, as well as emphasizing the vulnerability to flooding of this particular use.</p> <p>The Agency also highlighted the need for the Sustainability Appraisal and the GTSLP to be informed by updated flood modelling for the area and higher allowances for the potential impacts of climate change - indicating greater future flood impact. The EA expressed the desire to discuss how these issues would inform the preparation of the GTSLP.</p> <p><u>Council Response:</u> The Council will liaise closely with the Environment Agency to ensure the most up-to-date data on flood risk is taken account of within the plan</p>

preparation.

River Corridors and Biodiversity

Comments: The Environment Agency recommended that the following additional site selection criteria be included:

Any business activities follow regulations/ good practice and do not have a negative impact on the quality of the river corridor or on the biodiversity value of any neighbouring sites which support protected or priority habitats or species.

Council Response: The Council will consider the inclusion of this in the policies for the site or sites.

Comments: The Environment Agency requested that the explanation and application of Table 5.1 Proposed Site Selection Criteria point 5 (Mixed residential and business use opportunities) be amended as highlighted in bold below:

*(b) Any likely adverse impacts are acceptable (assuming **environmental permitting regulations**, licensing and planning conditions manage activities that could be carried out).*

Council Response: The text will be amended as proposed.

Land Contamination

Comments: The Environment Agency noted the potential beneficial effects of the return to use of brownfield land in terms of improvements to land and water quality. However, they stressed that the condition of the land could restrict the use of SUDS and engender additional costs through the need to address contamination.

Council Response: The Council will take this into account.

Impact on Local Community Services and Infrastructure

Comments: There were a number of comments from local residents regarding the potential impact on the surrounding people and local services and infrastructure caused by the introduction of this land use in an area. One specific suggestion put forward by a number of residents (3) was for the inclusion of criterion that a new site should not be located within a three mile radius of any existing Gypsy and Traveller sites.

Council Response: In accordance with the Government's *Planning Policy for traveller sites* (para.4.k) the evaluation of a site would have due regard to the protection of local amenity and the local environment and 'protect local amenity and environment' (para.10.e).

Given the size of the borough and the difficulties involved in locating a site for Gypsy and Traveller use, it is not proposed to apply an exclusion zone. Such a restriction

would be excessively restrictive in terms of site identification and the justification in terms of the impact on local services and resources unsubstantiated. It is not envisaged that the occupancy population generated by the provision of the site would be of a level that would significantly add to pressure on local services.

Integration with the existing communities in terms of the access of the site to services and community facilities, such as schools and health services, is set out in criterion 2 of the Proposed Site Selection Criteria and criteria 3, 6 and 7 satisfactorily deal with other aspects of local infrastructure. .

However, as stated in the Consultation Report, Lewisham will explore constructive approaches to the identification of a Gypsy and Traveller site or sites with neighbouring authorities and other public bodies.

Impact on Social Deprivation

Comments: One response from a local authority highlighted the need to consider the possible impact of the location of a Gypsy and Traveller site in an area where there is an existing a high level of social deprivation. The response called into question the siting of a new Gypsy and Traveller settlement in an area where services are already under pressure and suggested that this issue be incorporated amongst the criteria for site selection.

Council Response: Given the difficulties in identifying a site, it is not proposed to apply additional geographical constraints to the process of site selection. It is not envisaged that the occupancy population generated by the provision of the site will be of a level that will significantly add to pressure on local services. In addition, criterion 2 of the proposed site selection criteria will ensure any occupants of a proposed site or sites will have access to essential local services and community facilities. Criteria 3, 6 and 7 satisfactorily deal with other aspects of local infrastructure.

Accommodation Need

Comments: One respondent expressed their opposition to the provision of a Gypsy and Traveller site(s) due to the potential recipients currently already being adequately accommodated in permanent buildings in the form of houses and council flats.

Council Response: The Lewisham Gypsy and Traveller Accommodation Needs Assessment (GTANA) will be revised to take account of the new definition of “gypsies and travellers” set out in Annex 1 to the Government’s ‘Planning policy for traveller sites,’ and will consider whether Gypsies and Travellers have previously led a nomadic habit of life, the reasons for ceasing their nomadic habit of life, whether they intend to live a nomadic habit of life in the future, and if so, how soon, and in what circumstances.

Comments: The London Gypsy and Traveller Unit (LGTU) voiced their concern that a review of the Gypsy and Traveller Accommodation Needs Assessment might result in a

lower figure of accommodation need for two reasons. Firstly, due to difficulties in securing the same number of households for further interviews. Secondly, through the potential application of an incorrect interpretation of the planning definition of travellers which failed to take account of:

- the need to accommodate young Gypsy and Traveller families in the future
- the reasons why travellers have stopped travelling related to education, healthcare and access to employment opportunities, plus tenancy restrictions, as well as the lack of currently available site accommodation and limited possibilities to travel
- The diverse reasons for travelling, including cultural and traditional reasons such as visiting family, attending weddings and funerals, attending religious events and pilgrimages, and going to fairs.

Council Response: The Council notes these concerns.

Proposed Sites

Comments: A request, on behalf of the landowner, was made for land at Hither Green to the rear of St Mildred's Road and Rayford Avenue / Ronver Road. Oceanwave Estates Ltd. to be considered as a potential gypsy and traveller site.

Council Response: The Council has noted the information regarding this site and the agreed site selection criteria will be applied to assess its suitability.

Comments: One respondent suggested the Council consider locating a site on 'plot A Catford resi development by the station.'

Council Response: Planning permission was granted in 2014 for the redevelopment of the Catford Stadium site for 589 homes (DC/13/84895) and the scheme is currently being built-out. There is a current planning application (DC/15/94002) for the redevelopment of Plot A (to the north of the site, in between Catford and Catford Bridge Stations) for a part 18/part 19 residential tower.

Water Infrastructure

Comments: Extensive comments were provided by Thames Water regarding water supply, wastewater and sewerage infrastructure, including a recommendation for the content of a specific policy on these matters.

Council Response: Proposed Site Selection 6 satisfactorily deals with the supply of essential services (including water, sewerage and drainage). A detailed study may be necessary to support a planning application for a gypsy and traveller site.

Strategic Transport Infrastructure Plans

Comments: Transport for London stated that there was a need to have regard to the development of strategic infrastructure in the assessment of the location of sites for

Gypsy and Traveller accommodation and cited the example of the proposed Bakerloo line extension through to Lewisham.

Council Response: Criterion 9 of the Proposed Site Selection criteria satisfactorily addresses spatial planning and development management considerations. A reference to the constraints purposed the development of key strategic infrastructure *could* be included.

Application of Selection Criteria

Comments: The London Gypsy and Traveller Unit (LGTU) commented that the site selection criteria should not unduly hinder the selection of a site and that if a number of constraints were identified for the options resulting from the site search, the Council should demonstrate how these could be mitigated.

Council Response: The Council will take into account the potential for constraints to be mitigated in the development of a site for Gypsy and Traveller use.

Site Design

Comments:
The London Gypsy and Traveller Unit (LGTU) stated that the shape of the plot(s) and how the pitches can be accommodated on them needed to be evaluated in the assessment of the potential sites.

Council Response:
Criteria 4 and 7 of the Proposed Site Selection Criteria incorporate judgements about size and shape of potential sites with regards to for highways and parking issues (4) and as well as landscaping and play areas (7).

8.0 Questionnaire Response

- 8.1 The Council received 8 on-line questionnaire responses. The questionnaire comprised a series of 19 questions designed to obtain feedback on:
- proposed search parameters to be used to identify a site or sites
 - proposed selection criteria to assess alternative sites.
- 8.2 The main issues raised are summarised in the table below, together with the Council's consideration and response. The detailed responses are contained in Appendix 7.

Table 2: Questionnaire Response - Summary of Main Issues

Site Search Parameters
<p><u>Comments:</u> Three quarters of the respondents felt that Council-owned housing land was appropriate to consider and that private and other publicly owned land should not be included in the site search.</p> <p>A similar number of people felt that the Council should focus on Council owned property, as opposed to adjacent land in other ownerships that may be necessary to develop a Council asset. Reasons given were that non-council land is not affordable and that Council shouldn't be giving more taxpayer's money to the private sector.</p> <p>People were divided about whether Council-owned non-housing land should be included in the site search. Reasons for disagreeing with this parameter included that they felt that with limited space available in the borough and land shouldn't be allocated to travellers; that if other land is to be changed it should be for higher density housing to accommodate more housing units for more people; and, that changes of use should be for high density social housing and community infrastructure to cater for the majority of the local population, not a low density use.</p> <p><u>Council Response:</u></p> <p>Local Authorities have a duty to consider the needs of people in their area with respect to the provision of sites on which caravans can be stationed. The Council is therefore seeking to identify and designate land in the borough to meet that need. The Council continues to provide for 'bricks and mortar' housing to meet the housing needs of the settled community and, in line with 'bricks and mortar' housing, the Council is keen to optimise the actual number of pitches provided on a chosen site. Given the difficulties in identifying a site for gypsy and traveller accommodation and the need for the efficient and effective use of publicly owned urban land all types of Council-owned land will be considered.</p>
One or more sites
<p><u>Comments:</u> Over half of the respondents disagreed that the Council should focus on providing a single site. Reasons for disagreeing were that the Council should consult on all suitable sites and if a site would be overcrowded more than one site should be used. Two of the people who agreed with this parameter did so on the proviso that it should not be located within 3 or 5 miles of an existing site, including in adjoining boroughs.</p>

Council Response:

The GTANA (June 2015), identified a need for 6 pitches over the period to 2030. This is a relatively small number and for practical considerations of site management and economic considerations the Council consider this need should be met on a single site.

Given the size of the borough and the difficulties involved in locating a site, it is not proposed to apply constraints relating to distance from existing sites; such a radius (3 miles or 5 miles) would be excessively restrictive in terms of site identification and the justification in terms of the impact on local services and resources unsubstantiated. It is not envisaged that the occupancy population generated by the provision of the site will be of a level that will significantly add to pressure on local services.

Type of Site

Comments: The majority of respondents disagreed that the Council should consider the full range of potential sites, including vacant open land, open land that is in use, vacant and occupied buildings and a combination of these types of sites.

Reasons for disagreeing included that as long as the land being considered is uncontaminated, safe and away from pollution there should be no restrictions. If sites have high levels of natural fauna and flora these should not be destroyed if there is suitable brownfield space available. Half of the questionnaire respondents raised that potential sites should not be those that other people are currently using. It was highlighted that taking land used for other purposes will cause problems.

Council Response:

Given the difficulties in identifying a site for gypsy and traveller accommodation and the need for the efficient and effective use of publicly owned urban land all types of Council-owned land will be considered.

Criteria 7 and 8 of the Proposed Site Selection Criteria incorporate judgements about landscaping (7) and local environmental quality, including contamination, noise and air quality (8). In reviewing the options for potential sites, the assessment would take account of these issues.

Size of Site

Comments: Over half of the respondents disagreed that the Council should base a search for sites on an area of 400sqm per pitch. Reasons given for disagreeing included that 400sqm per pitch was at the lower end of the recommendations and that an average of the two limits should be used (557sqm), and that size should depend on the site including proximity to housing and amenities.

Council Response:

400sqm is based on the findings of the 'Net Density and Gypsy & Traveller Sites' working paper, prepared by the London Gypsy & Traveller Unit in (July 2009), which suggests that for a new site in Inner London, the density should be within the range of 14 to 25 pitches per hectare (between 400 and 714sqm per pitch). Taking account of

this and other advice in this working paper, the requirements set out in the CLG 'Designing Gypsy & Traveller Sites' Good Practice Guidance (May 2008), the Government's PPTS (August 2015) and the need to optimise the use of scarce urban land, it is proposed to base a search for sites on 400sqm per pitch. For a site of 6 pitches this equates to 2,400sqm (0.24ha) or greater.

Criteria 4 and 7 of the Proposed Site Selection Criteria incorporate judgements about size and shape of potential sites with regards to for highways and parking issues (4) and as well as landscaping and play areas (7). In reviewing the options for potential sites, the would take account of issues of size and configuration.

Location of Site

Comments: Almost three quarters of respondents felt that the Council should not exclude potential sites located outside the Borough. Reasons given were that Lewisham needs the land for Council housing, many councils are having to house people away from their borough and that there is limited space in London boroughs. It is noted that the Consultation Document didn't highlight any implications for costs associated with locating a site outside the borough and that the response was the opposite to that regarding whether private and other publicly owned land should be excluded.

Council Response:

Local Authorities have a duty to consider the needs of people in their area with respect to the provision of sites on which caravans can be stationed. The Council is therefore seeking to identify and designate land in the borough to meet that need. The Council continues to provide for 'bricks and mortar' housing to meet the housing needs of the settled community.

Site Selection Criteria

Comments: The majority of questionnaire respondents agreed with the following proposed selection criteria to be used to assess alternative sites: Access to the road network (Criteria 3), Parking, turning, service and emergency vehicles (Criteria 4), Mixed residential and business use opportunities (Criteria 5), Supply essential services (Criteria 6), Healthy lifestyles and integration (Criteria 7).

The majority of questionnaire respondents disagreed with the following proposed selection criteria to be used to assess alternative sites: Effective and efficient use of public assets (Criteria 1), Reasonable access to local shops, services and community facilities (Criteria 2); Spatial planning and development management considerations (Criteria 9) and Deliverability (Criteria 10).

Several questionnaire respondents expressed that a new site shouldn't be located within 3 miles or 5 miles of an existing site and that they should be spread to ensure an even distribution across London. One respondent disagreed with any land being allocated by the council for use by travellers. The reason given was that there is limited space in a central London borough. If the site must be located somewhere it should be in the green belt where there is lots more space.

Council Response:

Given the size of the borough and the difficulties involved in locating a site, it is not proposed to apply this constraint; such a radius (3 miles or 5 miles) would be excessively restrictive in terms of site identification and the justification in terms of the impact on local services and resources unsubstantiated. It is not envisaged that the occupancy population generated by the provision of the site will be of a level that will significantly add to pressure on local services.

However, as stated in the Consultation Report, Lewisham will explore constructive approaches to the identification of a Gypsy and Traveller site or sites with neighbouring authorities and other public bodies.

9.0 Gypsy and Traveller Forum Meeting (24.02.2016)

- 9.1 On the 24th February 2016 a Gypsy and Traveller Forum meeting was convened to discuss the consultation issues. The key issues identified are summarised in the table below.

Table 3: Gypsy and Traveller Forum Meeting (24.02.2016) – Summary of Key Issues

Accommodation Need
<p><u>Comments:</u> Concerns were expressed within the Gypsy and Traveller community that their needs had not been prioritised and that many of them had moved to surrounding boroughs to access housing, but wished to return. Moreover, it was stated that many members of the community had been living in temporary accommodation since a previous site closed in 2009.</p> <p><u>Council Response:</u> The purpose of the Gypsy and Traveller Site(s) Local Plan is to ensure identified need is provided for within the borough.</p>
Assessment of Need
<p><u>Comments:</u> Concern was expressed regarding the implications of the revised planning definition of Gypsies and Travellers in terms of identifying need for a new site within the borough.</p> <p><u>Council Response:</u> It was agreed that the needs assessment would need to be revisited in the light of the new definition.</p>
Site Requirements
<p><u>Comments:</u> Key requirements identified for a new site included children’s play provision and access to day-care facilities.</p> <p><u>Council Response:</u> Within the published Regulation 18 Consultation Report, site selection criterion 7 ‘Scope for healthy lifestyles and integration’ includes opportunities for the incorporation of adequate play areas. Criterion 2 specifies the need for the site to afford reasonable access to community facilities which includes day-case facilities.</p>
Site Design
<p><u>Comments:</u> The Coldharbour Lane site Maidstone, the proposed design for the Church Grove site, and the relocated Olympic site in Tower Hamlets were all identified as best practice examples of modern permanent Gypsy and Traveller sites.</p> <p><u>Council Response:</u> The Council notes the examples given.</p>

10.0 London Gypsy and Traveller Unit Meeting (LGTU) (14.04.2016)

- 10.1 On the 14th April 2016 representatives of the Council's planning team met with representatives of the London Gypsy and Traveller Unit (LGTU) to discuss the consultation issues. The key issues discussed are summarised in the table below.

Table 3: London Gypsy and Traveller Forum Meeting (14.04.2016) – Summary of Key Issues

Definition of Need
<p><u>Comments:</u> Concerns were expressed regarding the interpretation of the definition of Gypsies and Travellers. Members of the London Gypsy and Traveller Unit stated that they felt that had been inconsistencies with respect to the Consultants' application of the definition of need. They stated that the Consultants were employing a restrictive definition which was based solely on whether Gypsies and Travellers had travelled for work purposes in the last 12 months. The members of the London Gypsy and Traveller Unit stated that in other boroughs travelling for family reasons or access to fairs was encompassed in the needs assessments. They identified other Gypsy and Traveller studies for other London boroughs, undertaken by the same consultants commissioned for Lewisham, which had produced a zero figure for need.</p> <p><u>Council Response:</u> The Council acknowledges the concern expressed by the members of the LGTU. The methodology to be used to re-survey the community will seek to collect a range of information about the participants in order to obtain a full picture of their lifestyle as it relates to the definition of Gypsy and Traveller.</p>
Site Size and Layout
<p><u>Comments:</u> The representatives of the London Gypsy and Traveller Unit commented on the physical configuration of a site and any pitches to be provided. They commented that 400 sqm would be somewhat tight, if it included turning, and added that feasibility work would need to be done on the site layout.</p> <p><u>Council Response:</u> In reviewing the options for potential sites, the Council would take account of issues of size and configuration.</p>
Allocations/Waiting List Policy
<p><u>Comments</u> There was some discussion regarding an allocations policy and associated waiting list to decide on the occupants of any identified pitch provision. The London Gypsy and Traveller Unit representatives cited examples of the policies of other London boroughs and asked to be consulted on a draft allocations policy for Lewisham.</p>

Council Response:

The Council representatives responded that an allocations policy and associated waiting list would be produced. The Council's planning team representatives undertook to inform the Corporate Working Group that the LGTU wish to be consulted on the draft allocations policy.

11.0 SA Scoping Report Consultation Responses

- 11.1 Responses commenting on the Sustainable Appraisal Scoping Report were received from the Environment Agency and Natural England.

Table 4: SA Scoping Report: Written Representations - Summary of Main Issues

Environment Agency
<p><u>Comments:</u> The Environment Agency made a number of requests for additions and amendments to the pertinent plans, policies and programmes identified in Tables 3.1 and 5.1 and in Appendix A to the report. Full details of their comments are contained in Appendix 6. They also requested that the following be included as a key issue in table 5.1:</p> <p style="text-align: center;"><i>Spaces and places need to be of high design quality, respecting historical and natural features and promoting local distinctiveness, providing access for all.</i></p> <p><u>Council Response:</u> The London Borough of Lewisham will address the matters raised through the Sustainability Appraisal process, which will be documented in the Sustainability Appraisal Report.</p>
Natural England
<p><u>Comments:</u> Natural England stated that they were broadly supportive of the sustainability objectives, but recommended the inclusion of an objective relating to the creation, management and enhancement of green infrastructure. Natural England also suggested that it might be advantageous for the scoping report to look at greenspace provision to assist in the targeting of where new green infrastructure and greenspace provision, would have most benefits, particularly in relation to biodiversity, human wellbeing and health.</p> <p><u>Council Response:</u> The London Borough of Lewisham will address the matters raised through the Sustainability Appraisal process, which will be documented in the Sustainability Appraisal Report.</p>

12.0 Conclusions and Statement of Compliance

- 12.1 This Consultation Statement serves as a record of the consultation undertaken by the London Borough of Lewisham for Stage One: Scope, Search Parameters and Selection in the preparation of the Gypsy and Traveller Site (s) Local Plan (GTSLP). It demonstrates that public consultation undertaken by the Council on the Regulation 18 Consultation Report, between the 3rd March 2016 and 22nd April 2016, exceeded the minimum Government requirements for consultation on DPDS set out in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012¹ and followed the Council's standards for community participation set out in the Statement of Community Involvement (SCI), adopted in 2006.
- 12.2 There was a modest response to the consultation. In general there was a mix of written representations from statutory organisations and the general public. The thoughts of Gypsies and Travellers were effectively captured via targeted meetings with members of this community.
- 12.3 The responses to the consultation will be used to shape and inform the next stage of the preparation of the GTSLP. The following are ways in which responses to this consultation may be taken account of:
- Where appropriate, emails will be exchanged with respondents to discuss the issues raised and share information to improve the quality of the emerging Gypsy and Traveller Site(s) Local Plan
 - Further meetings will be arranged to take the plan forward and deal with the issues raised
 - Work that has already been drafted is being reviewed and changes made where appropriate to address the issues that have been raised.
 - All comments submitted are being considered in the light of on-going work and our ability to address the issues raised
- 12.4 The Planning Policy team will work to ensure that the report on the preferred site or sites addresses the points raised before it is issued for consultation later this year.

Appendix 1: Specific Consultation Bodies

The Town and Country Planning (Local Planning) (England) Regulations 2012 define the following organisations as 'specific consultation bodies':

- The Coal Authority
- The Environment Agency
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- The Highways Agency
- Adjoining Local Planning Authorities
- Relevant telecommunications companies
- Lewisham Clinical Commissioning Group
- NHS England
- Relevant electricity and gas companies
- Thames Water
- The Mayor of London (including the designated housing function and TfL)

The Council consulted as a minimum the following bodies on the scope of the Sustainability Appraisal:

- Environment Agency
- Natural England
- Historic England
- Sport England

Local Policing Body

- The Mayor's Office for Policing and Crime

Appendix 2: General Consultation Bodies & Other Consultees

The Government has defined General Consultation Bodies as voluntary bodies some or all of whose activities benefit any part of the authority's area and other bodies who represent, in the authority's area, the interests of different racial, ethnic or national groups, different religious groups, disabled persons, and business interests.

The Lewisham Planning Policy database contains over 1,500 groups, organisations and companies from the following categories:

- Adjoining boroughs
- Advice and information groups
- Amenity groups 21
- Architects, planners and other professionals
- Black and Minority Ethnic Groups
- Builders
- Community groups
- Conservation and heritage groups
- Developers
- Disability groups
- Education/children/young people's groups
- Elderly groups
- Employment/business interests
- Environmental and ecology groups
- Faith groups
- Health organisations including NHS Trusts
- House builders
- Housing associations
- Landowners
- Police and other emergency services
- Political parties
- Regeneration groups and partnerships
- Rivers and riverside interest groups
- Shopkeepers
- Sport and leisure groups
- Statutory consultees
- Tenants and residents associations
- Town centre partnerships
- Transport groups
- Utility companies
- Women's groups
- Youth Groups

Appendix 3: Notification of Public Consultation



LONDON BOROUGH OF LEWISHAM
Planning and Compulsory Purchase Act 2004
Town and Country Planning (Local Planning) (England) Regulations 2012
Public participation on the preparation of a local plan

The Council intends to prepare a **Gypsy and Traveller Site(s) Local Plan (GTSLP)** which will allocate a site or sites to accommodate Gypsies and Travellers in the borough. The Council has identified issues the GTSLP is likely to include and would like to hear your views about the scope, search parameters and selection criteria.

The relevant documents will be available at the following locations and times: **Thursday 3rd March 2016 to Friday 22nd April 2016:**

- **On line** at <http://lewisham-consult.objective.co.uk/portal> or www.lewisham.gov.uk/myservices/planning/policy/LDF/Pages/Gypsy-and-Traveller-local-plan.aspx
- **London Borough of Lewisham** Ground Floor, Laurence House, 1 Catford Road, London, SE6 4RU (Monday to Friday 8.30am to 5pm).
- **All Public and Community Libraries** for details of locations and opening hours visit www.lewisham.gov.uk/libraries or telephone 020 8314 6399

Representations must be in writing (either online or by hand) and will need to arrive at the addresses specified below by **5pm, Friday 22nd April 2016**.

- Online at <http://lewisham-consult.objective.co.uk/portal>
- By e-mail to planning.policy@lewisham.gov.uk
- By post to Planning Service, London Borough of Lewisham, 3rd Floor Laurence House, 1 Catford Road, London, SE6 4RU

All representations received will be considered through the process of preparing the draft local plan.

If you have any queries please contact the Planning Service on 020 8314 7400.

M. KIELY
Head of Planning (acting)
Laurence House
1 Catford Road
SE6 4RU

Appendix 4: Consultation on Sustainability Appraisal Scoping Report - Example of Letter Sent to Authorities with Environmental Responsibilities



Department for Environment,
Food and Rural Affairs
Nobel House
17 Smith Square
SW1P 3JR

Brian Regan

planning.policy@lewisham.gov.uk
Tel: 020 8314 7400

Date: 8th March 2016

Dear Sir/Madam

Lewisham Gypsy & Traveller's Site Local Plan (GTSLP) – Consultation on Sustainability Appraisal Scoping Report

We are currently consulting on the Sustainability Appraisal Scoping Report for the Lewisham Gypsy & Traveller's Site Local Plan (GTSLP).

Scoping forms the initial stage of the Sustainability Appraisal (SA) process and incorporates the collection of baseline data and information on other plans, policies and programmes that can influence the preparation of the Gypsy & Traveller Sites Local Plan. The data presented in the Sustainability Appraisal Scoping Report identifies key sustainability issues, objectives and targets. The information contained within the report will be used to inform the SA framework.

We are consulting on the Sustainability Appraisal and Scoping Report for a period of 6 weeks between **Thursday 3rd March 2016 to Friday 22nd April 2016**. During the consultation period, we encourage comments to be submitted, where you can suggest improvements or point out if there is anything we have missed.

The relevant documents are available at the following locations:

- On our website at:
<https://www.lewisham.gov.uk/myservices/planning/policy/LDF/Pages/Gypsy-and-Traveller-local-plan.aspx>
- On our Objective portal at:
<http://lewisham-consult.objective.co.uk/portal>
- **London Borough of Lewisham** Ground Floor, Laurence House, 1 Catford Road, London, SE6 4RU (Monday to Friday 8.30am to 5pm).
- **All Public and Community Libraries** for details of locations and opening hours visit www.lewisham.gov.uk/libraries or telephone 020 8314 6399

Representations must be made in writing (including electronically) and will need to arrive at the addresses specified below by **5pm, Friday 22nd April 2016**.

- By e-mail to planning.policy@lewisham.gov.uk
- By post to Planning Service, London Borough of Lewisham, 3rd Floor Laurence House, 1 Catford Road, London, SE6 4RU

If you have any queries please contact the Planning Service on 020 8314 7400.

Yours Sincerely

Brian M Regan, Planning Policy Manager

Appendix 5: Press Notice - South London Press, 1st March 2016



LONDON BOROUGH OF LEWISHAM
Planning and Compulsory Purchase Act 2004
Town and Country Planning (Local Planning)
(England) Regulations 2012
Public participation on the preparation of
a local plan

The Council intends to prepare a **Gypsy and Traveller Site(s) Local Plan (GTLP)** which will allocate a site or sites to accommodate Gypsies and Travellers in the borough. The Council has identified issues the GTLP is likely to include and would like to hear your views about the scope, search parameters and selection criteria.

The relevant documents will be available at the following locations and times: **Thursday 3rd March 2016 to Thursday 14 April 2016:**

- **On line** at <http://lewisham-consult.objective.co.uk/portal> or www.lewisham.gov.uk/myservices/planning/policy/LDF/Pages/Gypsy-and-Traveller-local-plan.aspx
- **London Borough of Lewisham** Ground Floor, Laurence House, 1 Catford Road, London, SE6 4RU (Monday to Friday 8.30am to 5pm).
- **All Public and Community Libraries** for details of locations and opening hours visit www.lewisham.gov.uk/libraries or telephone 020 8314 6399

Representations must be in writing (including electronically) and will need to arrive at the addresses specified below by **5pm, Thursday 14th April 2016.**

- Online at <http://lewisham-consult.objective.co.uk/portal>
- By e-mail to planning.policy@lewisham.gov.uk
- By post to Planning Service, London Borough of Lewisham, 3rd Floor Laurence House, 1 Catford Road, London, SE6 4RU

All representations received will be considered through the process of preparing the draft local plan.

If you have any queries please contact the Planning Service on 020 8314 7400.

M. KIELY
Head of Planning (Acting)

Laurence House
1 Catford Road
SE6 4RU

Appendix 6: Table of Written Representations made on the GTSLP and Sustainability Appraisal Scoping Report during the Regulation 18 public consultation

There were 17 respondents to the consultation. Officers have reviewed the representations received and provided comments in response.

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
1	Miss Judith Cooke, Planning Advisor	Environment Agency (EA)	<p><u>Flood risk</u></p> <ul style="list-style-type: none"> Flood risks from all sources need to be included in the Sustainability Appraisal (SA). SA needs to demonstrate how sites in flood risk locations have been sequentially tested and that it will be feasible, in principle, to meet the requirements of the Exception Test where necessary. When assessing sites the council should be mindful of the highly vulnerable nature of this use to flooding identified within the supporting technical guidance to the National Planning Policy Framework. The SA appraisal needs to be informed by an up to date strategic flood risk assessment (SFRA). Since the publication of the council's latest version in 2015, The EA has completed updated flood modelling of the risk of flooding from the River Ravensbourne and its tributaries. This new information has not yet been transferred into the EA's published Flood Map for Planning. This is expected to be updated later this year. In the meantime it should be considered as the best available data and considered in the assessment of flood risk to the site allocations. New EA guidance issued on revised, higher allowances for the potential impacts of climate 	<ul style="list-style-type: none"> Noted. Noted The Council will work closely with the EA to ensure the new data is taken account of in the site selection process. The Council will work closely with the EA to ensure the new guidance is taken account of in the site selection process and the

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
			<p>https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances) Allowances indicate greater future flood impact and need to be included. The EA would welcome the opportunity to discuss how this would inform the SFRA and the preparation of the GTLP.</p> <p><u>River corridors and biodiversity</u></p> <ul style="list-style-type: none"> EA agree there is a need to augment the Core Strategy criteria for Gypsy and Traveller to respond more robustly to local environmental quality issues EA Recommend that Core Strategy Policy 2 is amended to include the following additional specific selection criterion: <i>Any business activities follow regulations/ good practice and do not have a negative impact on the quality of the river corridor or on the biodiversity value of any neighbouring sites which support protected or priority habitats or species.</i> Request that the explanation and application of Table 5.1 Proposed Site Selection Criteria point 5 (Mixed residential and business use opportunities) be amended as highlighted in bold below <i>(b) Any likely adverse impacts are acceptable (assuming environmental permitting regulations, licensing and planning conditions manage activities that could be carried out).</i> <p><u>Land contamination</u></p> <ul style="list-style-type: none"> Pleased proposed site selection criteria will address the importance of considering the condition of 	<p>preparation of the GTLP.</p> <ul style="list-style-type: none"> Noted. The Council will consider the inclusion of this in the policies for the site or sites. Agree. Text will be amended. Noted

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
			<p>brownfield sites. The condition of the land could restrict the use of SUDS and could incur additional costs through the need to address contamination issues.</p> <ul style="list-style-type: none"> • Note potential beneficial effects of return to use of brownfield land in terms of improvements in land and water quality. • The Environment Agency also made comments on the Sustainability Appraisal Scoping Report. These will be addressed in a respond to that document. <p>Lewisham Gypsy & Traveller's Site Local Plan (GTSLP) – Consultation on Sustainability Appraisal Scoping Report</p> <p><u>Table 3.1 Plans, Policies and Programmes</u></p> <p>Please add the following to the National section:</p> <ul style="list-style-type: none"> • Natural Environment and Rural Communities (NERC) Act, 2006 • Wildlife and Countryside Act, 1981 (as amended) • Countryside and Rights of Way Act, 2000 • National Flood Risk Assessment, Environment Agency • Thames Flood Risk Management Plan, Environment Agency 2015 <p>and change:</p> <ul style="list-style-type: none"> • Environment Agency, Creating a better place strategy 2010-2015 <p>to</p> <ul style="list-style-type: none"> • Environment Agency Corporate Plan, Creating a 	<ul style="list-style-type: none"> • The London Borough of Lewisham will address the matters raised through the Sustainability Appraisal process, which will be documented in the Sustainability Appraisal Report.

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
			<p>better place 2014 to 2016.</p> <ul style="list-style-type: none"> • Thames River Basin Management Plan (2009) <p>to</p> <ul style="list-style-type: none"> • Thames River Basin Management Plan, December 2015. <p>Please add to the Lewisham section:</p> <ul style="list-style-type: none"> • Local Flood Risk Strategy, London Borough of Lewisham 2015 • Local Flood Risk Management Plan, London Borough of Lewisham 2015 (Objectives are published within the Environment Agency Thames Flood Risk Management Plan). <p><u>Table 5.1: Sustainability Requirements, Issues and Trends</u> Under Effective protection of the Environment and prudent use of resources, please add the following sources:</p> <ul style="list-style-type: none"> • Natural Environment and Rural Communities (NERC) Act, 2006, Sections 40 and 41 • Wildlife and Countryside Act, 1981 (as amended) • Countryside and Rights of Way Act, 2000 • Pollution Prevention Guidelines <p>to the list against the key issue, “Gypsy and Traveller sites should be provided at locations with good access to open space. The adequacy and quality of open space should be considered. The provision of Gypsy and Traveller sites should be balanced with the protection of designated nature conservation sites, biodiversity, flora and</p>	

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
Page 466			<p>fauna.”</p> <p>We ask that the following key issue be amended as highlighted below in bold:</p> <p style="padding-left: 40px;">“Spaces and places need to be of high design quality, respecting historical and natural features and promoting local distinctiveness, providing access for all.”</p> <p>and that the Lewisham River Corridor Improvement Plan (2015) be included with the corresponding policy context.</p> <p><u>Appendix A Plans, Policies and Programmes</u></p> <p>Please make the corresponding changes here that we have mentioned above for Table 3.1</p>	
2	Local Resident (Identify Confidential)	Individual	<ul style="list-style-type: none"> • Confidential - Comments omitted due to requirements of the Local Government (Access to Information) Act 1985 and the Equalities Act 2010. 	<ul style="list-style-type: none"> • The Local Government (Access to Information) Act 1985 requires any material which is defamatory or likely to incite racial hatred or contempt, to be marked 'confidential' and not disclosed to the public. The Equalities Act 2010 makes it unlawful for anyone to induce or attempt to induce another person to discriminate on the grounds of race.

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
3.	Stewart Murray, Assistant Director – Planning	Greater London Authority	<ul style="list-style-type: none"> No specific comments regarding the scope, search parameters and selection criteria. Borough needs to meet Government's Planning Policy for Traveller sites and London Plan policy including policy 3.8 	<ul style="list-style-type: none"> Agreed.
4.	Ian Duffy	Individual	<ul style="list-style-type: none"> Sensible Approach Request for clarification regarding 'relative weighting of judgement on impact on existing local users by the travellers versus impact of the local users on the travelling community.' 	<ul style="list-style-type: none"> In accordance with the Government's Planning Policy for traveller sites (para.4.k) the evaluation of a site would have due regard to the protection of local amenity and the local environment and 'protect local amenity and environment' (para.10.e).
5.	Lee Longhurst, Deputy team leader of Plan Making	Croydon Borough Council	<ul style="list-style-type: none"> Need to consider the possible impact of the location of sites in areas where there is already a high level of social deprivation. Where services are already under pressure it may not be advisable to compound this by siting a new gypsy and traveller site in such an area. Suggest consideration of above criterion for site selection. 	<ul style="list-style-type: none"> Given the difficulties in identifying a site, it is not proposed that additional geographical constraints are identified. It is not envisaged that the occupancy population generated by the provision of the site will be of a level that will significantly add to pressure on local services. In addition, criterion 2 of the proposed site selection criteria will ensure any occupants of a proposed site or sites will have access to essential local services and community facilities. Criteria 3, 6 and 7 satisfactorily deal with other aspects of local infrastructure.

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
6.	Respondent's name not given.	Marine Management Organisation (MMO)	<ul style="list-style-type: none"> No specific comments. General guidance for development outlined with respect to the areas covered by the MMO. 	<ul style="list-style-type: none"> Noted.
7.	Mats Staafgard	Individual	<ul style="list-style-type: none"> Request for clarification regarding the location of potential Ladywell site. Opposition to the provision of Traveller's sites due to potential recipients currently being already accommodated in permanent buildings in the form of houses and council flats. 	<ul style="list-style-type: none"> The public consultation on a preferred site or sites is scheduled for Autumn 2016. This will identify the location of the potential site or sites. The Lewisham Gypsy and Traveller Accommodation Needs Assessment (GTANA) will be revised to take account of the new definition of "gypsies and travellers" set out in Annex 1 to the Government's 'Planning policy for traveller sites,' and will consider whether Gypsies and Travellers have previously led a nomadic habit of life, the reasons for ceasing their nomadic habit of life, whether they intend to live a nomadic habit of life in the future, and if so, how soon and in what circumstances.

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
8.	Mrs Trang Dinh	Individual	<ul style="list-style-type: none"> Request to include reference to a sites not being located with a three mile radius of existing Gypsy and Traveller sites. <p>Proposed text: <i>New Gypsy & Traveller Sites should not be located within three miles of existing Gypsy & Traveller Sites whether in Lewisham or a neighbouring borough. This will ensure better integration of Gypsies & Travellers into existing communities and ensure there are enough resources to support Gypsies & Travellers locally.</i></p>	<ul style="list-style-type: none"> Given the size of the borough and the difficulties involved in locating a site, it is not proposed to apply this constraint; such a radius (3 miles/5 km) would be excessively restrictive in terms of site identification and the justification in terms of the impact on local services and resources unsubstantiated. It is not envisaged that the occupancy population generated by the provision of the site will be of a level that will significantly add to pressure on local services. <p>Integration with the existing communities in terms of the access of the site to services and community facilities such as schools and health services it is set out in criterion 2 of the Proposed Site Selection Criteria and criteria 3, 6 and 7 satisfactorily deal with other aspects of local infrastructure. .</p> <p>However, as stated in the Consultation Report, Lewisham will explore constructive approaches to the identification of a Gypsy and Traveller site or sites with neighbouring authorities and other public bodies.</p>
9.	Mr Jamie Melvin Planning Adviser West Anglia Team	Natural England	<p>Lewisham Gypsy & Traveller's Site Local Plan (GTSLP) – Consultation on Sustainability Appraisal Scoping Report</p> <ul style="list-style-type: none"> Natural England is broadly supportive of the Sustainability objectives, but would recommend that there is an objective relating to the creation, management and enhancement of green infrastructure. It may also be helpful for the scoping 	<ul style="list-style-type: none"> The London Borough of Lewisham will address the matters raised through the Sustainability Appraisal process, which will be documented in the Sustainability Appraisal Report.

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
10			<p>report to look at greenspace provision to assist in the targeting of where new green infrastructure and greenspace provision would have the most benefits, particularly in relation to biodiversity, human wellbeing and health.</p> <ul style="list-style-type: none"> The Gypsy and Traveller Local Plan appears to be of relatively low risk to the ecological assets which compose our statutory purpose. We therefore have no detailed comments to make on the document presented. 	
	<p>Claire Parker Assistant Planning Consultant for and on behalf of Cassidy + Ashton Group Ltd</p>	<p>Oceanwave Estates Ltd. (Owners of land at Hither Green to the rear of St Mildred's Road and Rayford Avenue / Ronver Road)</p>	<ul style="list-style-type: none"> Request for land at Hither Green to the rear of St Mildred's Road and Rayford Avenue / Ronver Road. Oceanwave Estates Ltd. to be considered as a potential gypsy and traveller site. 	<ul style="list-style-type: none"> The information regarding this site has been noted and the agreed site selection criteria will be applied to assess its suitability.
11.	Scott Barkwith	Individual	<ul style="list-style-type: none"> Request to include reference to a sites not being located with a three mile radius of existing Gypsy and Traveller sites to ensure that resources are available to support them and ensure better integration of this community. 	<ul style="list-style-type: none"> Given the size of the borough and the difficulties involved in locating a site, it is not proposed to apply this constraint; such a radius (3 miles/5 km) would be excessively restrictive in terms of site identification and the justification in terms of the impact on local services and resources unsubstantiated. It is not envisaged that the occupancy population generated by the provision of the site will be of a level that

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
12. Page 471				<p>will significantly add to pressure on local services.</p> <p>Integration with the existing communities in terms of the access of the site to services and community facilities such as schools and health services it is set out in criterion 2 of the Proposed Site Selection Criteria and criteria 3, 6 and 7 satisfactorily deal with other aspects of local infrastructure. .</p> <p>However, as stated in the Consultation Report, Lewisham will explore constructive approaches to the identification of a Gypsy and Traveller site or sites with neighbouring authorities and other public bodies.</p>
	Trina Lynskey	Individual	<ul style="list-style-type: none"> Request to include reference to a sites not being located with a three mile radius of existing Gypsy and Traveller sites to ensure that resources are available to support them and ensure better integration of this community. 	<ul style="list-style-type: none"> Given the size of the borough and the difficulties involved in locating a site, it is not proposed to apply this constraint; such a radius (3 miles/5 km) would be excessively restrictive in terms of site identification and the justification in terms of the impact on local services and resources unsubstantiated. It is not envisaged that the occupancy population generated by the provision of the site will be of a level that will significantly add to pressure on local services. <p>Integration with the existing communities in terms of the access of the site to services and community facilities such as schools and health services it is set out in criterion 2 of the Proposed Site Selection Criteria and</p>

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
				<p>criteria 3, 6 and 7 satisfactorily deal with other aspects of local infrastructure. .</p> <p>However, as stated in the Consultation Report, Lewisham will explore constructive approaches to the identification of a Gypsy and Traveller site or sites with neighbouring authorities and other public bodies.</p>
13. Page 472	Cameron Wallace Planner – Borough Planning	Transport for London	<ul style="list-style-type: none"> • Need to have regard to the development of strategic transport infrastructure in the assessment of specific sites for gypsy and traveller accommodation. For example, the proposed Bakerloo line extension to Lewisham. 	<ul style="list-style-type: none"> • Criterion 9 of the Proposed Site Selection Criteria satisfactorily addresses spatial planning and development management considerations.
14.	David Wilson BA (Hons), BTP, MRTPI Associate Director Planning, Savills	Thames Water	<ul style="list-style-type: none"> • To comment on the sewerage requirements an indication of the location and number of pitches being proposed would be necessary in order to model the impacts on the existing systems. • Noted: generally quicker to deliver infrastructure on a small number of clearly defined large sites than it is in a large number of less clearly defined small sites. • In the absence of sewers within the vicinity, the developer of the accommodation will be required to make provision for wastewater services either via connection to public sewerage network or on-site provision via, for example , a septic tank. • Recommend a specific Policy dealing with water and sewerage infrastructure along the lines of the 	<ul style="list-style-type: none"> • Noted. This will be forthcoming at the next stage of consultation. • Noted • Noted • Proposed Site Selection 6 satisfactorily

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
Page 473			<p>following:</p> <p><u>“Water Supply, Wastewater & Sewerage Infrastructure</u></p> <p><i>Developers will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water and/or waste water infrastructure.</i></p> <p><i>Drainage on the site must maintain separation of foul and surface flows.</i></p> <p><i>Where there is an infrastructure capacity constraint the Council will require the developer to set out what appropriate improvements are required and how they will be delivered.</i></p>	<p>deals with the supply of essential services (including water, sewerage and drainage). A detailed study may be necessary to support a planning application for a gypsy and traveller site.</p>
15.	Brenda Johnson	Individual	<ul style="list-style-type: none"> • Request for clarification regarding location of potential sites • Request for clarification regarding work schedule and timescales for plan production 	<ul style="list-style-type: none"> • The Consultation Report proposes a set of criteria to identify an appropriate site or sites. The identity and location of the preferred site or sites will be published at the next round of public consultation. • The proposed timescales for the plan are outlined in the Consultation Report (Table 6.1 Proposed Timetable, p12).

Number	Respondent's Name	Capacity of Response	Summary of representation	Officers' response
			<p>constraints are identified for the options resulting from the site search, the council should demonstrate how these could be mitigated.</p> <ul style="list-style-type: none"> • Site selection criteria: in assessment of potential sites the shape of the site, the shape of the pitches and what can fit on them need to be evaluated. • Need for a clear, transparent mechanism for establishing who will be a priority for accessing the pitch. 	<ul style="list-style-type: none"> • Criteria 4 and 7 of the Proposed Site Selection Criteria incorporate judgements about size and shape of potential sites with regards to for highways and parking issues (4) and as also landscaping and play areas (7). • Noted. The Director of Customer Services is intending to prepare a waiting list and allocations policy.

Appendix 7: Questionnaire Response

The Council received 8 on-line questionnaire responses. The questionnaire comprised a series of 19 questions designed to obtain feedback on:

- proposed search parameters to be used to identify a site or sites
- proposed selection criteria to assess alternative sites

Site Search Parameters

A series of 9 questions were used to obtain feedback on the proposed search parameters to be used to identify a site or sites. These are outlined below under the headings

Land ownership type

1. Do you think that **“Council-owned housing land”** is an appropriate parameter? (Please refer to Paragraph 5.2 of the Consultation Report.) Please explain your response below.
2. Do you think that **Council-owned non-housing land** is an appropriate criteria? (Please refer to Paragraph 5.3 of the Consultation Report.) Please explain your response below.
3. Do you think that **private and other publicly owned land** is an appropriate criteria? (Please refer to Paragraph 5.4 of the Consultation Report.) Please explain your response below.

Other parameters

4. Do you think that the Council should **focus on Council-owned property, as opposed to adjacent land in other ownerships that may be necessary to develop a Council asset?** (Please refer to Paragraph 5.6 of the Consultation Report.) Please explain your response below.
5. Do you think the Council should **focus on a single site?** (Please refer to Paragraph 5.7 of the Consultation Report.) Please explain your response below.
6. Do you think that the Council should **consider the full range of potential sites, including vacant open land, open land that is in use, vacant and occupied buildings and a combination of these types of sites?** (Please refer to Paragraph 5.9 of the Consultation Report.) Please explain your response below.
7. Do you think that the Council should **base a search for sites on an area of 400 sqm per pitch?** (Please refer to Paragraph 5.9 of the Consultation Report.) Please explain your response below.
8. Do you think that the Council should **exclude geographical preferences?** (Please refer to Paragraph 5.10 of the Consultation Report.) Please explain your response below.
9. Do you think that the Council should **exclude potential sites located outside the Borough?** (Please refer to Paragraph 5.11 of the Consultation Report.) Please explain your response below.

Site Selection Criteria

A series of 10 questions were used to obtain feedback on the 10 proposed selection criteria to assess alternative sites.

- Do you support Site Selection Criteria [...] as currently proposed? (Please refer to Table 5.1 of the Consultation Report.) Please explain your response below.

Summary of Key Findings

Search parameters to be used to identify a site or sites

The key findings of the questionnaire response are summarised below and the detailed response is presented in **Tables 1 to 4**.

The majority of questionnaire respondents agreed with the following parameters to be used to identify a site or sites:

- **Council-owned housing land** - 75% felt that Council-owned housing land was appropriate to consider. One person who disagreed explained that Council needed to clarify that is land that doesn't currently have housing on it.
- **Private and other publicly owned land** - 75% felt that private and other publicly owned land should not be included in the site search. Reasons given were that the council cannot afford to buy land for low density housing.
- **Focus for site search** - around 70% felt that the Council should focus on Council owned property, as opposed to adjacent land in other ownerships that may be necessary to develop a Council asset. Reasons given were that non-council land is not affordable and that Council shouldn't be giving more taxpayer's money to the private sector.
- **Geographical preferences** - 60% agreed that the Council should exclude geographical preferences.

There was a divided response to the following parameter:

- **Council-owned non-housing land** - Respondents were divided about whether Council-owned non-housing land should be included in the site search. One of the people who agreed with this parameter explained that it would be a quicker and less expensive option.
Three of the people who disagreed, explain that they felt that with limited space available in the borough, land shouldn't be allocated to travellers; that if other land is to be changed it should be for higher density housing to accommodate more housing units for more people; and, that changes of use should be for high density social housing and community infrastructure to cater for the majority of the local population, not a low density use.

The majority of questionnaire respondents disagreed with the following parameters to be used to identify a site or sites:

- **One or more sites** - Around 60% disagreed that the Council should focus on a single site. Reasons for disagreeing were that the Council should consult on all suitable sites and if a site would be overcrowded more than one site should be used. Two of the people who agreed with this parameter did so on the proviso that it should not be located within 3 or 5 miles of an existing site, including in adjoining boroughs.
- **Type of site** – Around 88% disagreed that the Council should consider the full range of potential sites, including vacant open land, open land that is in use, vacant and occupied buildings and a combination of these types of sites. Reasons for disagreeing included that as long as the land being considered is uncontaminated, safe and away from pollution there should be no restrictions. If sites have high levels of natural fauna and flora there should not be destroyed if there is suitable brownfield space available. Half of the questionnaire respondents raised that potential sites should not be those that other people are currently using. It was highlighted that taking land used for other purposes will cause problems.
- **Size of site** - Around 60% disagreed that the Council should base a search for sites on an area of 400sqm per pitch. Reasons given for disagreeing included that 400sqm per pitch was at the lower end of the recommendations and that an average of the two limits should be used (557sqm), and that size should depend on the site including proximity to housing and amenities.
- **Location of site** - Around 70% felt that the Council should not exclude potential sites located outside the Borough. Reasons given were that Lewisham needs the land for Council housing, many councils are having to house people away from their borough and

that there is limited space in London boroughs. It is noted that the Consultation Document didn't highlight any implications for costs associated with locating a site outside the borough and that the response was the opposite to question 3, where 75% felt that private and other publicly owned land should be excluded.

Site Selection Criteria

The key findings of the questionnaire response are summarised below and the detailed response is presented in **Table 5** and **Table 6**.

The majority of questionnaire respondents agreed with the following proposed selection criteria to be used to assess alternative sites. They are presented from the highest to lowest level of support.

- **Criteria 6 (Supply of essential services) – 86%** supported Criteria 6 relating to supply of essential services such as water, sewerage and drainage and waste disposal.
- **Criteria 8 (Local environmental quality) – 86%** supported Criteria 8 relating to contamination, noise, air quality and flooding.
- **Criteria 4 (Parking, turning, service and emergency vehicles) – 71%** supported Criteria 4 relating to the capability of satisfactory provision for parking, turning, service and emergency vehicles.
- **Criteria 7 (Healthy lifestyles and integration) – 67%** supported Criteria 7 relating to opportunities for health lifestyles such as adequate landscaping and play areas and a high standard of design and landscaping which facilitates the integration of the site with the surrounding environment and amenity of the occupiers adjoining the site. One participant raised that provision for site maintenance must be factored on and that it shouldn't be up to residents alone to maintain the site.
- **Criteria 5 (Mixed residential and business use opportunities) – 67%** supported Criteria 5 relating to mixed-use residential and business use being acceptable in principle and that any likely adverse impacts are acceptable. The meaning of this criteria may have been unclear to some respondents. One participant disagreed with this criteria on the basis that 'given the client group, unless the business use it tailored for them, it's going to be difficult to market and get people to work there.'
- **Criteria 3 (Access to the road network) – 57%** supported Criteria 3 relating to safe and reasonably convenient access to the road network. One respondent who disagreed with this criteria felt that it was a 'nice to have' rather than a necessity.

The majority of questionnaire respondents disagreed with the following proposed selection criteria to be used to assess alternative sites.

- **Criteria 2 (Reasonable access to local shops, services and community facilities in particular schools and health services) – 83%** didn't support Criteria 2 as currently proposed. Reasons given included that proximity to public transport wasn't necessary for a traveller site and that there are many places in Lewisham that don't meet this. It was therefore considered a 'nice to have' criteria rather than a necessity.
- **Criteria 9 (Spatial planning & development management considerations) – 80%** didn't support Criteria 9, relating to spatial planning and development management considerations, as currently proposed. The meaning of this criteria given in the explanation may have been unclear to some respondents. Reasons given for disagreeing with this criteria included that no site should be located within 3 to 5 miles of an existing gypsy and traveller site and that a no site should be located in a built up area like Lewisham.
- **Criteria 10 (Deliverability) – 71%** didn't support Criteria 2 as currently proposed. The explanation of the criteria given was that sites should be available now, offer a suitable location for development and be achievable with realistic prospect that development will be delivered on the site within five years. Reasons given for disagreeing with this criteria included that it may eliminate some sites that 'would do', that no site should be located within 3 to 5 miles of an existing gypsy and traveller site and that a no site should be located in a built up area like Lewisham.

- **Criteria 1 (Effective and efficient use of public assets) – 62%** didn't support Criteria 2 as currently proposed. Reasons given included that the distance from shops and health facilities is too far for those with mobility issues, and three respondents felt that gypsy and traveller sites shouldn't be concentrated in one area or neighbourhood.

Table 1: Quantitative Feedback – Site Search Parameters: Land Ownership Type

Do you think that “...” is an appropriate parameter/criteria?

Land Ownership Type	RESPONSE COUNT			No. of Responses
	Yes	No	No response	
Council-owned housing land	6 75%	2 25%	0	8 (100%)
Council-owned non-housing land	4 50%	4 50%	0	8 (100%)
Private and other publicly owned land	2 25%	6 75%	0	8 (100%)

Table 2: Qualitative Feedback – Site Search Parameters: Land Ownership Type

Do you think that “...” is an appropriate parameter/criteria? Please explain your response below.

Reason given for response	No. of Responses	YES	NO
Council-owned housing land	4	<ul style="list-style-type: none"> • It is land owned by the council. • Yes as owned by the council already 	<ul style="list-style-type: none"> • Need to clarify that this is land that doesn't currently have housing on it. • There is limited space in a central London borough. I do not believe land should be allocated by the local authority for use by travellers.
Council-owned non-housing land	4	<ul style="list-style-type: none"> • It is best to start with Council owned non-housing land if available and later consider further if necessary - this would be quicker and less expensive. 	<ul style="list-style-type: none"> • There is limited space in a central London borough. I do not believe land should be allocated by the local authority for use by travellers. • If the designation of other land is to be changed it should be for higher density housing to accommodate more housing units for more people to be housed. • Change of usage should be used for high density social housing and community infrastructure ie schools to cater for the majority of local population not for a low density house build which this would be.
Private and other publicly owned land	5	No reasons given.	<ul style="list-style-type: none"> • Someone owns the land. So you'd have to pay at least to compulsory purchase it. Resources are low enough as it is. • There is limited space in a London Boroughs. I do not believe land should be allocated in this way. • The council can not afford to buy land for low density housing. • Private land would be difficult to negotiate. • The council cannot afford local services so cannot spend money to buy land.

Table 3: Quantitative Feedback – Other Parameters

Do you think that the Council should.....?

Other Parameters	RESPONSE COUNT*			No. of Responses
	Yes	No	No response	
Focus on Council-owned property, as opposed to adjacent land in other ownerships that may be necessary to develop a Council asset	5 71.4%	2 28.6%	1	7 (87.5%)
Focus on a single site	3 37.5%	5 62.5%	0	8 (100%)
Consider the full range of potential sites, including vacant open land, open land that is in use, vacant and occupied buildings and a combination of these types of sites	1 12.5%	7 87.5%	0	8 (100%)
Base a search for sites on an area of 400sqm per pitch	3 37.5%	5 62.5%	0	8 (100%)
Exclude geographical preferences	3 60%	2 40%	3	5 (62.5%)
Exclude potential sites located outside the Borough	2 28.6%	5 71.4%	1	7 (87.5%)

Table 4: Qualitative Feedback – Site Search Parameters: Land Ownership Type

Do you think that the Council should.....? Please explain your response below.

Reason given for response	RESPONSE COUNT	YES	NO
Focus on Council-owned property, as opposed to adjacent land in other ownerships that may be necessary to develop a Council asset	3	<ul style="list-style-type: none"> Let's not give more taxpayers' money to the private sector Non council land is not affordable 	<ul style="list-style-type: none"> There is limited space in a London Boroughs. I do not believe land should be allocated in this way.
Focus on a single site	6	<ul style="list-style-type: none"> Yes and that it should be at least 3 miles from any existing sites including sites located on other boroughs to ensure there is an even distribution across London. I say 'yes' preferably but each case should be considered individually depending on local opinion, facilities available and the stress on the existing community in the area with regard to people density, traffic etc. Yes and it should ensure it is not within 5 miles of an existing site which may be on borders of other boroughs sites they should be spread to ensure even distribution across London. 	<ul style="list-style-type: none"> Start with all sites that are suitable, then consult on those - not least with the gypsies and travellers who will be living there. If it means a site would be overcrowded then more than one site should be used. There is no reason to penalise people for their chosen lifestyle. 1 space is unsuitable let alone 6. There is limited space in a London Boroughs. I do not believe land should be allocated in this way.
Consider the full range of potential sites, including vacant open land, open land that is in use, vacant and occupied buildings and a combination of these types of sites	6	No reasons given.	<ul style="list-style-type: none"> Potential sites should be limited to council-owned land that is not currently used for anything else. As long as the land being considered is uncontaminated, safe, and away from sources of pollution there should be no restrictions. If the land is not suitable for habitation then it should not be considered. Additionally, if any sites that contain high levels of natural flora and fauna these should not be destroyed to make space if suitable brownfield space is available. There is limited space in a London Boroughs. I do not believe land should be allocated in this way. The council are looking at a small number of housing units. The land chosen

Reason given for response	RESPONSE COUNT	YES	NO
			<p>should not be land other people are currently using. Taking land used for other purposes will cause problems. No land within 3 miles of an existing site including sites in other boroughs should be considered.</p> <ul style="list-style-type: none"> It is very difficult to give a 'yes' or 'no' on this - definitely not occupied buildings. This is for a small amount of housing units council should not take land where it is currently being used. Site should not be located within 5 miles of a neighbouring boroughs site located on Lewisham borders.
Base a search for sites on an area of 400sqm per pitch	5	<ul style="list-style-type: none"> That is the recommendation but all 6 pitches should be grouped together and the site should not be located within 3 miles of an existing site including those located in other boroughs. That is the recommendation all 6 pitches should be site together and not within a five mile radius of existing border borough G&T sites. 	<ul style="list-style-type: none"> 400sqm per pitch is at the lowest end of the recommendations set out by the Net Density and Gypsy & Traveller Sites' working paper. It would be better for those who live on the site if the council took an average of the two limits and go with that instead. $(400 + 714 / 2 = 557\text{sqm per pitch})$ There is limited space in a London Boroughs. I do not believe land should be allocated in this way. I say 'No' because size would depend on what was appropriate according to the site under consideration -proximity to nearby housing, amenities etc,
Exclude geographical preferences	4	<ul style="list-style-type: none"> As it has been noted, no geographical preferences have been identified. As such, no area should be excluded from the search, including more affluent areas of the borough. There is limited space in a London Boroughs. I do not believe land should be allocated in this way 	<ul style="list-style-type: none"> As long as it is not within 5 miles radius of another G&T site across border of neighbouring borough

Reason given for response	RESPONSE COUNT	YES	NO
Exclude potential sites located outside the Borough	7	<ul style="list-style-type: none"> • LBL is responsible for its part in finding suitable sites for LBL travellers. LBL should not encroach on sites other boroughs may wish to use to fulfill their commitments. 	<ul style="list-style-type: none"> • It would be much better to have sites outside Lewisham. Lewisham needs the land for Council housing. • Many councils are having to house people away from their borough; the nature of defining yourself as 'traveller' or 'gypsy' does mean 'not rooted in one place' • There is limited space in a London Boroughs. I do not believe land should be allocated in this way. If the site must be located somewhere it should be located somewhere in the green belt where there is lots more space. • Sites should be at least 3 miles apart both within the Borough and in relation to sites beyond Lewisham. • As long as the site is not within 5 mile radius of a neighbouring boroughs G&T provision for even distribution we should work with other boroughs to ensure this is a plan.

Table 4: Other Comments

These are comments where there was 'no response' to the Yes/No question but the explanation field had been completed.

Exclude geographical preferences

- No site should be located within 3 miles of an existing including sites located in another borough site to ensure an even spread of sites across London.

Exclude potential sites located outside the Borough

- As long as the sites are not located within 3 miles of an existing site including sites located in another borough.

Table 5: Quantitative Feedback – Site Selection Criteria

Do you support Site Selection Criteria [...] as currently proposed? (Please refer to Table 5.1 of the Consultation Report.) Please explain your response below.

Site Selection Criteria	RESPONSE COUNT*			No. of Responses
	Yes	No	No response	
1. Effective and efficient use of public assets.	3 37.5%	5 62.5%	0	100%
2. Reasonable access to local shops, services and community facilities in particular schools and health services.	1 16.7%%	5 83.3%	2	6 (75%)
3. Safe and reasonably convenient access to the road network.	4 57.1%	3 42.9%	1	7 (87.5%)
4. Capable of satisfactory provision for parking, turning, service and emergency vehicles.	5 71.4%	2 28.6%	1	7 (87.5%)
5. Mixed residential and business use opportunities.	4 66.7%	2 33.3%	2	6 (75%)
6. Supply of essential services such as water, sewerage and drainage and waste disposal.	6 85.7%	1 14.3%	1	7 (87.5%)
7. Scope for healthy lifestyles and integration.	4 66.7%	2 33.3%	2	6 (75%)
8. Local environmental quality.	6 85.7%	1 14.3%	1	7 (87.5%)
9. Spatial planning & development management considerations.	1 20%	4 80%	3	5 (62.5%)
10. Deliverability.	2 28.6%	5 71.4%	1	7 (87.5%)

Table 6: Qualitative Feedback – Site Selection Criteria

Do you support Site Selection Criteria [...] as currently proposed? (Please refer to Table 5.1 of the Consultation Report.) Please explain your response below.

Reason given for response	RESPONSE COUNT	YES	NO
1. Effective and efficient use of public assets.	5	<ul style="list-style-type: none"> Yes, as long as all areas are considered and travellers not marginalised to areas that already contain large numbers of people living in poverty. To do this will only increase social tensions and possibly result in higher costs of policing and other social services. 	<ul style="list-style-type: none"> There is limited space in a London Boroughs. I do not believe land should be allocated in this way. It should be specified that no site should be located within 3 miles of an existing site including sites located in another borough. This is to ensure an even spread of sites across London and not concentrated in one area and neighbourhood. I'm concerned that careful consideration is given to each individual possible site and that there be a 3 mile separation so that assimilation will be harmonious and facilities adequate for all. Sites to be distributed fairly and should not be located within 5 miles of an existing site on border of neighbouring boroughs
2. Reasonable access to local shops, services and community facilities in particular schools and health services.	5 (also see other comments below)	No reasons given.	<ul style="list-style-type: none"> The distances from shops and health facilities is too far. For anyone with mobility issues this could prove to be very limiting to their lifestyle. Under 800m would be best. I am sure there are lots of places in Lewisham that don't meet this. It's a nice to have, not a necessity. Why is locating a traveller camp near to public transport important? Travelers have their own mode of transport. Sites should be evenly distributed and not located within 5 miles of neighbouring boroughs G&T sites
3. Safe and reasonably convenient access to the road network.	4	<ul style="list-style-type: none"> Yes, as long as a clearance height of 3.7m is suitable for the majority of traveller vehicles. As long as sites should not be located within a 5 mile radius of a neighbouring boroughs site. 	<ul style="list-style-type: none"> As with 2 - it's a nice to have not a necessity There is limited space in a London Boroughs. I do not believe land should be allocated in this way.

Reason given for response	RESPONSE COUNT	YES	NO
4. Capable of satisfactory provision for parking, turning, service and emergency vehicles.	2	<ul style="list-style-type: none"> As long as site not be located within 5 mile radius of neighbouring borough G&T site. 	<ul style="list-style-type: none"> There is limited space in a London Boroughs. I do not believe land should be allocated in this way.
5. Mixed residential and business use opportunities.	3 (also see other comments below)	<ul style="list-style-type: none"> But site should not be located within 5 mile radius of neighbouring G&T site. 	<ul style="list-style-type: none"> Given the client group, unless the business use is tailored for them, it is going to be difficult to market and difficult to get people to work there.
6. Supply of essential services such as water, sewerage and drainage and waste disposal.	5	<ul style="list-style-type: none"> Absolutely Yes, all essential services must be provided however the term 'Average' is very vague. 'Acceptable' would be better. Water and Sewage should be supplied to a camp but the camp should not be located in a built up area like Lewisham. But site should not be located within 5 mile radius of existing neighbouring borough G&T site. 	<ul style="list-style-type: none"> It should be specified that no site should be located within 3 miles of an existing site including sites located in another borough. This will support local integration.
7. Scope for healthy lifestyles and integration.	4	<ul style="list-style-type: none"> Yes, though provision for site maintenance must be factored in. It should not be up to the residents alone to maintain this site themselves. Provision can be made for healthy lifestyles but a camp should not be located in a built up area like Lewisham. Site should not be located within 5 miles of neighbouring borough G&T site. 	<ul style="list-style-type: none"> Nice to have not essential.
8. Local environmental quality.	3	<ul style="list-style-type: none"> This is the sort of basic level we should all enjoy. The camp should not be located in a built up area like Lewisham but any camp that does get built should adhere to local 	

Reason given for response	RESPONSE COUNT	YES	NO
		<p>environmental quality.</p> <ul style="list-style-type: none"> Site should not be located within 5 mile radius of neighbouring boroughs site. 	
9. Spatial planning & development management considerations.	4 (also see other comments below)	No reasons given.	<ul style="list-style-type: none"> The camp should not be located in a built up area like Lewisham. It should be specified that no site should be located within 3 miles of an existing site including sites located in another borough. No site should be within 5 miles of neighbouring boroughs G&T site.
10. Deliverability.	5	<ul style="list-style-type: none"> A suitable location for development must include the possibility of more affluent areas being considered also. 	<ul style="list-style-type: none"> This may eliminate some sites that 'would do'. The camp should not be located in a built up area like Lewisham. It should be specified that no site should be located within 3 miles of an existing site including sites located in another borough. Sites should not be located within 5 miles of another neighbouring boroughs site.

Table 6: Other Comments:

These are comments where there was 'no response' to the Yes/No question but the explanation field had been completed.

Criteria 2

- It should be specified that no site should be located within 3 miles of an existing site including sites located in another borough

Criteria 5

- This really is inappropriate. How can you locate a traveller camp in the middle of a residential / business opportunity area?

Criteria 9

- Have absolutely no idea what you mean.

Agenda Item 12

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

Date of Meeting	7 September 2016
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Title of Report	Response to Sustainable Development Committee – Catford Regeneration
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Originator of Report	Kplom Lotsu	Ext 49283
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 26/8/16

Signed:  Director/Head of Service

Date: 30/8/16

Control Record by Committee Support

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

Mayor and Cabinet			
Title	Response to Sustainable Development Committee - Catford Regeneration	Item No	
Contributors	Executive Director for Resources and Regeneration		
Class	Part 1	Date	7 September 2016

1. Purpose of paper

- 1.1 At its meeting on 29 June 2016, the Sustainable Development Select Committee held discussions on the Catford Regeneration Programme Interim Report and discussed the recommendations of the Creative Lewisham 2001 report.
- 1.2 Mayor and Cabinet was advised of the views of Sustainable Development Select Committee on 13th of July and a response was requested from the Executive Director for Resources and Regeneration to the issues raised. This paper sets out the response.

2. Recommendations

- 2.1 The Mayor is recommended to:

- note the content of the report

3. Sustainable Development Select Committee's Views and Executive Director for Resources and Regeneration's response.

- 3.1 The Committee commended the Creative Lewisham 2001 report to Mayor and Cabinet and particularly its call for a vision for urban developments in the borough and its call for high ambitions.
- 3.2 The Committee endorses the comments from the Lewisham Culture & Urban Development Commission's report about the benefits of a piazza in the centre of Catford:
- 3.3 *"The square's main café will be a central meeting point and the library will put on events, often outside, which give a sense that libraries are innovative. The Council's offices, as a consequence, will become for citizens 'our place' and the interactions between ordinary people and officials will happen often by chance encounter. St Modwen's shopping centre will have had a dramatic overhaul having decided that, with these new developments, it can no longer hang back. The market will wend itself round into the square by putting on niche markets to appeal to varied tastes. The route down from the station will feel processional engender a sense of expectation of what is to come. The setting of the Catford stations will be vastly improved so making arrival a joyful experience and the open spaces will not feel cut off by fencing, and will at special moments become an entertainments venue relating well to what is going on in the square. At night*

the lighting of major civic buildings will create a feeling of drama.” (Creative Lewisham: the report of the Lewisham Culture & Urban Development Commission, page 39).

3.4 **Executive Director’s response -**

- 3.5 Although the Creative Lewisham report is now 15 years old, many of the aspirations outlined for Catford in 2001 remain highly relevant today. Our recent work with Allies and Morrison looks at creating something unique and interesting from the redevelopment of Catford. The process of understanding what is already great about the area, or could become great with the right approach, is fundamental to creating a place with its own appeal and identity.
- 3.6 Although the buildings themselves are important, it is often the places in between the buildings which make or break an area. This is why we have applied for and secured funds to improve the arrival spaces at Catford’s stations so that first impressions of the area can be vastly improved. We are also working intensively with TfL on options for improving their network, with a particular focus on creating an attractive route between the stations and the town centre. In the town centre itself we are working with TfL on alternative options, all of which seek to rebalance the public realm, giving greater consideration to pedestrians and cyclists and creating attractive public space in key locations like outside the theatre. We do believe that some buildings are critical to the success of the town centre though, and we think that the Broadway Theatre is one of these. It is central to the success of Catford as a place and is one of the unique features which can take Catford’s offer to the community to a completely different level. We aim to revitalise the building as part of the wider vision to make sure this happens.
- 3.7 Redevelopment of Lewisham Town Hall site will also create the opportunity to reinforce the importance of Catford Broadway and create greater activity on this currently one sided street. The improved public offer on this site will act to draw visitors into Catford Broadway, the revamped theatre and redeveloped shopping centre (which the Council has since acquired from St Modwen). The street will then become a livelier place where activity can spill from the buildings along its length and the street market can flourish.
- 3.8 These are just a few examples of where there are synergies between the creative Lewisham report and the current vision. High aspirations are central to the vision for Catford town centre and officers in planning and regeneration will set out a new programme for progressing these plans in the autumn.

For further information please contact: Kplom Lotsu, SGM Capital Programme Delivery Ext: 49283

Chief Officer Confirmation of Report Submission
Cabinet Member Confirmation of Briefing

Report for: Mayor
 Mayor and Cabinet
 Mayor and Cabinet (Contracts)
 Executive Director

Information Part 1 Part 2 Key Decision

Date of Meeting 7 September 2016

Title of Report Response to the referral by the Sustainable Development Select Committee on Section 106 and CIL

Originator of Report Emma Talbot

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

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

Signed:  Executive Member

Date: 26/8/16

Signed:  Director/Head of Service

Date 30/8/16

Control Record by Committee Support

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

Mayor and Cabinet		
Report Title	Response to the referral by the Sustainable Development Select Committee on the Use of section 106 and CIL	
Key Decision	No	Item No.
Ward	All	
Contributors	Executive Director Resources & Regeneration; Executive Director Customer Services	
Class	Part 1	Date: 7 September 2016

1. Summary

- 1.1 This report sets out the Executive Director's response to the recommendations arising from the Sustainable Development Select Committee's consideration on the use of Section 106 (S106) and CIL which was presented at the Mayor and Cabinet meeting of 1st June 2016.

2. Purpose

- 2.1 On the 1st June 2016, the Sustainable Development Select Committee (SDSC) considered a further response on the use of S106 and CIL recommended that:
- The Committee felt it was important that the processes for allocating section 106 and CIL funding were made transparent so accountability could take place.
 - The Committee was aware that officers are considering the process and options for further public and Member engagement in the allocation of section 106 and CIL funds. The Committee felt a timeline should be established for when this consideration would be completed, so Councillors and members of the public could be made aware of the results.
 - The Committee felt that local assemblies should be made aware of any proposals for the allocation of Section 106 funding where communities would be involved in the allocation process. This should include those areas where a neighbourhood forum exists.
 - The Committee felt that participatory budgeting techniques should be considered as a method to involve communities in the allocation of relevant Section 106 or CIL funding.
- 2.2 The purpose of this report is to set out the Executive Director's response to the recommendations arising from the SDSC consideration on the use of S106 and CIL.

3. Recommendations

The Mayor is recommended to:

3.1 Approve the response from the Executive Director for Resource and Regeneration to the Sustainable Development Select Committee

3.2 Agree the content of this report and agree that the matters discussed in this report be reported back 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 Sustainable Development Select Committee held a meeting on 22 October 2015 at which they considered a report on the collection and use of section 106 and Community Infrastructure Levy funds. The views, comments and recommendations of the SDSC arising at that meeting were then reported to Mayor and Cabinet on 11 November 2015

5.2 A response to the 11 November 2015 SDSC referral was reported at Mayor and Cabinet on 13 January 2016.

5.3 The response was subsequently forwarded on to the SDSC for consideration at their meeting on 18 April 2016, and the Committee requested that the following points were addressed:

- *The response to the Committee's referral was quite general and did not specify in detail how decisions about the allocation of Section 106 and Community Infrastructure Levy (CIL) funds get made. The Committee felt greater clarity was needed about the process used to allocate Section 106 and CIL funds, and that this process needed to be effective and accountable for local communities.*
- *The Committee's suggestion of setting up a Community Trust were aimed at avoiding the 2 year deadline for allocation Section 106 and CIL funds, and the Committee felt the response did not address this particular point.*
- *The Committee requested more information about the allocation of funding to areas that have a neighbourhood forum but did not have a parish council.*
- *The Committee also requested more information on how Councillors could be involved in the process of allocating Section 106 and CIL funds.*

- *The Committee wondered how the decision was made which wards to include in the pilot scheme for allocating unspent Section 106 monies.*

5.4 On 12 May 2016, the Sustainable Development Select Committee considered the further response to address the outstanding points. A referral was reported at Mayor and Cabinet on 1 June 2016.

Their recommendations are set out below.

6 Recommendations made by the SDSC

Recommendation 1

6.1 *The Committee felt it was important that the processes for allocating section 106 and CIL funding were made transparent so accountability could take place.*

Response:

6.2 The spending of section 106 and CIL monies sometimes requires difficult decisions to be made and it is not always possible to reach consensus. Decisions need to be made in the public interest and this inevitably does not always accord with local or topic based priorities. The need for transparent and accountable processes in the allocation of this money is therefore vital.

The Council has existing formal approval processes in place for the allocation of section 106 and CIL, which needs to accord with legal requirements. These are being reviewed to ensure that they are fit for purpose as well as looking at opportunities to use the Council's website to improve reporting and transparency.

Recommendation 2

6.3 *The Committee was aware that officers are considering the process and options for further public and Member engagement in the allocation of section 106 and CIL funds. The Committee felt a timeline should be established for when this consideration would be completed, so Councillors and members of the public could be made aware of the results.*

Response:

6.4 Officers are investigating the process and options for further public and Member engagement in the allocation of section 106 and CIL funds and are currently preparing a statement on the approach to the neighbourhood portion for consultation. It is proposed that this will be consulted on in autumn 2016 and the results reported by early 2017.

6.5 Given the complexities and scope of this work, any new process at a local level is likely to have to be implemented in stages and timelines will be established once the outcome of the consultation is known. However, it is proposed that improved reporting on the Council's website is put place for the beginning of the 2017/18 financial year.

- 6.6 The Planning Service will publish details of the section 106 and CIL funding received in the previous financial year on the Council's website. Officers are also proposing to publish details of the decision making process for the allocation of S106 and CIL.
- 6.7 The Planning Service also intends to update the Infrastructure Delivery Plan which outlines infrastructure needs across the Borough to support growth and the new unified Local Plan and the Gypsy and Traveller Site(s) Local Plan. This work will recommence towards the end of the year and will be subject to consultation with a wide range of Council services and external infrastructure providers before being published.

Recommendation 3

- 6.8 *The Committee felt that local assemblies should be made aware of any proposals for the allocation of Section 106 funding where communities would be involved in the allocation process. This should include those areas where a neighbourhood forum exists.*

Response:

- 6.9 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. It is however, recognised that there should be a parallel role for local assemblies in all areas, including those with a neighbourhood forum, to allow residents to have the opportunity to influence the spend of some of the funding generated within their local area by establishing local priorities as well as influencing direct spend in some cases.
- 6.10 The approach piloted by community services for the spend of communities pots of money is intended to be rolled out across the borough, enhancing local democracy.
- 6.11 The potential for a 'Community Infrastructure Project List' is also currently being explored as a way of engaging with the public, interest groups and Members to understand and generate ideas for publically accessible physical improvements that could be funded from existing S106 agreements or the local CIL proportion in local areas. This 'List' or 'project bank' could then be used to inform and direct available funding. This approach has been utilised by other Boroughs as a way of engaging with communities to inform the allocation of monies as and when they become available and would be an agreed and published list to ensure transparency.

Recommendation 4

- 6.12 *The Committee felt that participatory budgeting techniques should be considered as a method to involve communities in the allocation of relevant Section 106 or CIL funding.*

Response:

- 6.13 As part of the consideration of options for the allocation of spend officers will also consider the potential role and scope of participatory budgeting.

7 Legal Implications

- 7.1 The report sets out for approval the response from the Executive Director to the Sustainability Development Select Committee on matters raised, there are no direct legal implications on the responses.

8 Financial Implications

- 8.1 There are no direct financial implications arising from this report per se.

9 Equalities implications

- 9.1 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

- 9.2 There are no direct equalities implications arising from this response.

10 Environmental implications

- 10.1 There are no environmental implications from this report.

11 Conclusion

- 11.1 The recommendation referred to the Mayor from the Sustainable Development Select Committee has been answered in section 6 of this report and it is proposed that this response is referred back to the committee

12 Background documents and report author

- [Planning Obligations SPD](#)
- [Report to SDSC 12 May 2016](#)
- [Report to SDSC 22 October 2015](#)
- [Report to Mayor and Cabinet 13 January 2016](#)

- [Lewisham CIL page documents](#)

- [IDP and latest update](#)
- [Local Plan](#)
- [Corporate Priorities and Vision](#)

12.1 If you have any queries on this report, please contact Emma Talbot, Head of Planning, 5th floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 9051.

Agenda Item 14

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

Date of Meeting	7 September 2016
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Title of Report	Response to the comments of the Safer Stronger Communities Select Committee report on Poverty in Lewisham
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Originator of Report	Sam Elliot	Ext 49258
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At the time of submission for the Agenda, I confirm that the report has:

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

Signed:  Executive Member

Date: 30/8/16

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

Date: 30/8/16

Control Record by Committee Support

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

MAYOR AND CABINET			
Report Title	Response to the Comments of the Safer Stronger Communities Select Committee Report on Poverty in Lewisham		
Key Decision	No	Item No.	
Ward	All		
Contributors	Executive Director for Resources and Regeneration		
Class	Part 1	Date:	September 7 2016

1. Purpose

- 1.1 This report sets out the response to the Safer Stronger Communities Select Committee report *Poverty in Lewisham* which was presented at the Mayor and Cabinet meeting of 1st June 2016.

2. Recommendations

The Mayor is recommended to:

- 2.1 Approve the responses from the Executive Director for Resources and Regeneration to the Safer Stronger Communities Select Committee report *Poverty in Lewisham*;
- 2.2 Appoint the Cabinet Member of Policy and Performance as the lead member responsible for the overseeing the Council's actions to tackle poverty;
- 2.3 Agree that a Lewisham Poverty Taskforce be convened to develop a comprehensive Poverty Strategy; and
- 2.4 Agree that this report be forwarded to the Safer Stronger Communities Select Committee.

3. Background

- 3.1 The Safer Stronger Communities Select Committee undertook a review of poverty in Lewisham during 2015/16. It set out to examine the extent of poverty in the borough, the effect it has on different demographic groups, the impact of welfare reform and the likely future distribution and scale of poverty in Lewisham. It also reviewed the Council's approach to tackling inequality, reducing deprivation, and mitigating the impact of reductions in Council services on protected groups.
- 3.2 The Committee made six recommendations:
- a. That the Council should agree a definition of poverty to set a direction for the Council's work in tackling poverty and its effects, as well as develop key performance indicators so that levels of poverty in the borough can

be effectively monitored.

- b. That the Council reviews how it evaluates tenders for contracts, to ensure that a proper weighting is given to tenders that would improve employment opportunities for the local workforce and business opportunities for local suppliers.
- c. That the Mayor makes representations to the Department for Communities and Local Government that the implementation of the Pay to Stay housing policy should take account of the high housing costs faced by people in London and be adjusted to prevent exacerbating poverty faced by London residents.
- d. That the Council should organise a poverty summit similar to those organised in City of Lincoln Council with the aim of formulating a joined-up approach against poverty in the borough. Key experts in the field, such as the Child Poverty Action Group and Joseph Rowntree Trust, should be invited to attend alongside partner organisations and representatives for Lewisham Council.
- e. The Council should establish a Lewisham Poverty Taskforce to understand and tackle the poverty faced by residents and communities in Lewisham, bringing Council representatives together with partner organisations of the Council. The taskforce would be responsible for working with key stakeholders to action Council's policies that tackle poverty. The Committee recommends that the Lewisham Poverty Taskforce pursue the following issues:
 - i. Tackling in-work poverty in the borough;
 - ii. Tackling out-of-work poverty, namely for pensioners relying on state pensions;
 - iii. Tackling poverty prevalent amongst young families struggling with a combination of housing and child care costs;
 - iv. Ensuring residents are proactively informed about legislative changes that could impact both positively and negatively on their income and general financial welfare;
 - v. Staying up-to-date on legislative changes and advise on appropriate changes to the Council's work accordingly.
- f. That the Mayor add the issue of poverty to one or more of the Cabinet portfolios to ensure that there is continuous oversight by the Council's Executive on the Council's actions to tackle poverty.

4. Response

- 4.1 The *Poverty in Lewisham* report outlines the multiple areas of the Council's work that has impact on levels of deprivation in the borough, and clearly shows how a strategic overview of the issue might be beneficial.
- 4.2 Following consultation with the Mayor and Cabinet, it is proposed that the Cabinet Member for Policy and Performance be appointed as the lead member for overseeing the Council's work to reduce poverty and tackle inequality (**recommendation f**).
- 4.3 The Committee also recommends the establishment of a Lewisham Poverty Taskforce, inspired by the work of the Camden Equality Taskforce. Chaired by Naomi Eisenstadt of the University of Oxford, the Camden Taskforce

brought together senior councillors, public sector partners, business and national experts and worked for almost a year to develop a set of recommendations for the council to implement.

- 4.4 Given the work already undertaken by the Safer Stronger Communities Select Committee on this issue, and the urgency they identify in addressing these issues, Lewisham should move quickly to identify what further practical measures it can take, whilst consulting widely and incorporating expert opinion and analysis.
- 4.5 The Mayor is therefore recommended to approve the establishment of a Lewisham Poverty Taskforce consisting of council officers from relevant directorates and representatives of partner organisations like Lewisham Homes, housing associations, the health service and the voluntary sector (**recommendation e**). The officer lead will be the Head of Strategy.
- 4.6 The lead member and Poverty Taskforce will oversee the development of a comprehensive poverty strategy that will embed challenging inequality across all council policy areas and identify specific interventions the local authority can make.
- 4.7 This will include those areas suggested by the Committee, including agreeing a clear definition of poverty to inform new performance measures, allowing the authority to accurately monitor levels of poverty in the local area; reviewing the council's procurement processes to ensure they continue to promote local employment opportunities; and informing residents about benefit changes and entitlements (**recommendations a, b & e**).
- 4.8 The Poverty Taskforce will also convene a Lewisham Poverty Summit in late 2016 to bring together councillors, local partners and national experts to inform the development and implementation of the new Poverty Strategy (**recommendation d**). A proposed strategy should be brought before Mayor and Cabinet in early 2017.
- 4.9 The Committee made a specific recommendation for the Council to lobby DCLG regarding the implementation of mandatory rent increases for high income local authority tenants or "Pay to Stay", especially with regard to the impact of high housing costs in London. The authority has supported the work of London Councils and the Local Government Association to influence the shape of the relevant legislation on its journey through Parliament and to respond to relevant consultations.
- 4.10 The policy, which will require households who earn more than a certain amount to pay higher rents, already attempts to reflect the higher cost levels in London through a earnings threshold of £40,000 (as compared to a threshold of £30,000 elsewhere in the country). After a consultation in early 2016, the Government has also announced that rent increases would be tapered, so that households with income just above the minimum income thresholds would see lower rent increases.
- 4.11 Following the Housing and Planning Act 2016 receiving Royal Assent, the Secretary of State will in due course make regulations that will lay out further details of how the policy will be implemented. The Council will look at how it can continue to support efforts to mitigate the impact on Lewisham residents and make further representations as appropriate (**recommendation c**).

5. Financial implications

- 5.1 There are no financial implications arising from the initial measures, which will be covered through existing budgets and officer resource.

6. Legal implications

- 6.1 There are no specific legal implications arising from this response, save for noting that the Council's Constitution provides that the Executive may respond to reports and recommendations from the Overview and Scrutiny Committee.

7. Crime and Disorder Implications

- 7.1 There are no specific crime and disorder implications.

8. Equalities Implications

- 8.1 While the limited recommendations contained in this report have no specific equalities implications, the measures outlined are intended as the first steps in designing a new strategic approach to tackling levels of poverty, deprivation and inequality in the borough as identified by the Select Committee.

9. Environmental Implications

- 9.1 There are no environmental implications.

Background Documents

- [Matters referred by the Safer Stronger Communities Select Committee – Review into poverty \(Mayor & Cabinet, 1st June 2016\)](#)
- [Poverty in Lewisham \(Report of the Safer Strong Communities Select Committee, May 2016\)](#)

If there are any queries on this report please contact Sam Elliot, Executive Manager, Mayor and Cabinet Office, 020 8314 9258.