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Lewisham Council Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 22 November 2017.



Barry Quirk, Chief Executive
November 14 2017

Councillor Obajimi Adefiranye

Councillor Abdeslam Amrani

Councillor Chris Barnham

Councillor Paul Bell

Councillor Peter Bernards

Councillor Chris Best

Councillor Kevin Bonavia

Councillor Andre Bourne

Councillor David Britton

Councillor Bill Brown

Sir Steve Bullock

Councillor Suzannah Clarke

Councillor John Coughlin

Councillor Liam Curran

Councillor Janet Daby

Councillor Brenda Dacres

Councillor Amanda De Ryk

Councillor Joe Dromey

Councillor Damien Egan

Councillor Colin Elliott

Councillor Alan Hall

Councillor Carl Handley

Councillor Maja Hilton

Councillor Simon Hooks

Councillor Sue Hordijkenko

Councillor Mark Ingleby

Councillor Joyce Jacca

Councillor Stella Jeffrey

Councillor Liz Johnston-Franklin

Councillor Roy Kennedy

Councillor Helen Klier

Councillor Jim Mallory

Councillor Paul Maslin

Councillor Sophie McGeevor

Councillor David Michael

Councillor Joan Millbank

Councillor Jamie Milne

Councillor Hilary Moore

Councillor Pauline Morrison

Councillor John Muldoon

Councillor Olurotimi Ogunbadewa

Councillor Rachel Onikosi

Councillor Jacq Paschoud

Councillor John Paschoud

Councillor Pat Raven

Councillor Joan Reid

Councillor Gareth Siddorn

Councillor Jonathan Slater

Councillor Alan Smith

Councillor Luke Sorba

Councillor Eva Stamirowski

Councillor Alan Till

Councillor Paul Upex

Councillor James-J Walsh

Councillor Susan Wise

Council Agenda

Wednesday, 22 November 2017
7.30 pm, Council Chamber - Civic Suite
Civic Suite
Lewisham Town Hall
London SE6 4RU

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

Part 1

Item		Pages
1.	Declaration of Interests	1 - 3
2.	Minutes	4
3.	Young Mayor	5 - 7
4.	Petitions	8
5.	Announcements or Communications	9 - 10
6.	Public Questions	11 - 29
7.	Member questions	30 - 41
8.	Lewisham Poverty Commission	42 - 91
9.	Barriers to Politics Working Group Covering Report	92 - 139
10.	Recruitment of new Chief Executive	140 - 162
11.	London Business Rates Pilot Pool	163 - 191
12.	Financial Regulations and Schemes of Delegation	192 - 264
13.	LGO Report to Council	265 - 282
14.	Comments of the Overview and Scrutiny Committee on Local NHS GP Services	283 - 284
15.	Thames Water Scrutiny Report	285 - 305

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

16.	Motion 1 Proposed Councillor Coughlin Seconded the Mayor	306
17.	Motion 2 Proposed Councillor Jacq Paschoud Seconded Councillor Muldoon	307
18.	Motion 3 Proposed Councillor Hall Seconded Councillor Daby	308 - 311
19.	Motion 4 Proposed Councillor McGeevor Seconded Councillor Muldoon	312 - 313

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Agenda Item 1

COUNCIL		
Report Title	Declarations of Interests	
Key Decision		Item No. 1
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: November 22 2017

Declaration of interests

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

1 Personal interests

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

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

2 Disclosable pecuniary interests are defined by regulation as:-

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

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

of up to £5000

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

(6) Sensitive information

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

(7) Exempt categories

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

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

Agenda Item 2

COUNCIL		
Report Title	Minutes	
Key Decision		Item No.2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: November 22 2017

Recommendation

It is recommended that the minutes of the meeting of the Council which was open to the press and public, held on September 20 2017 be confirmed and signed (copy previously circulated).

COUNCIL		
Report Title	The Young Mayor of Lewisham	
Key Decision		Item No.
Ward	All	
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: 22 November 2017

The Young Mayor of Lewisham

On 24 March 2004 the Council endorsed the Mayor's decisions on the proposal to set up and fund the office of an annually elected Young Mayor.

The Mayor also agreed to set up an advisory group of between 12 to 30 young people to support the Young Mayor. These young people will also serve for a 1 year period and will be drawn from school councils and other representative forums from across the borough. The membership will have a degree of flexibility to allow for co-options for particular areas of interest. The group will also allow for non-successful young mayoral candidates to participate.

The Young Mayor will be an adviser to both the Mayor and to the Council as a whole, bringing a young person's perspective to issues of interest. The Young Mayor will, through various programmes have access to a wider cross section of young people's views and will be able to reflect these where appropriate. The Young Mayor will also advise the Children and Young People's Strategic Partnership Board; and be at the forefront of the framework for youth participation in the borough.

The election for a Young Mayor for 2017/18 was held on October 11 2017 with 25 candidates on the ballot paper. As a result, on an increased turnout of 54.64%, the second highest ever and in the second closest ever election, Laurelle Henry was elected Young Mayor for the year 2017/18. She will be the 14th Young Mayor and third female to serve in this position. This will be the first year there has been a female Young Mayor serving with a male Deputy Young Mayor.

The candidate with the second highest number of votes, Edafese Erhenede, will act as her Deputy Mayor during her year of office. The third and fourth placed candidates, Abdul-Rehman Javed and Shemar Stewart will represent the Borough at the UK Youth Parliament.

A Code of Conduct for the Young Mayor and the Deputy Mayor is attached as an Appendix.

Both the Young Mayor and the appointed Deputy Mayor have been invited to attend the meeting to sign their Declaration of Acceptance of Office, and an undertaking that they will abide by the Code of Conduct for their respective offices, which will be witnessed by the Chief Executive. An invitation to attend the meeting has also been extended to the members of the Advisory Group who will support the Young Mayor during her year of office.



COUNCIL MEETING

22 NOVEMBER 2017

APPENDIX

ITEM NO.

Young Mayor for Lewisham

Code of Conduct

Purpose

This Code of Conduct for the Young Mayor, and the Deputy Young Mayor, is designed to promote public confidence in the actions of elected representatives, and will apply whenever they carry out activities on behalf of the Council, or act as representatives of the Council.

The Code

- I agree that I will carry out any duties required of me to the best of my ability, and recognise I have a special duty to all young people in Lewisham, including those who did not vote for me.
- I agree that I will work closely with the Mayor, the Council, the Young Advisers and the Young Citizens' Panel, and report regularly to the young people of Lewisham.
- I agree that I will not produce materials or use access to publicity that is disrespectful to other young people, the Council or the Mayor.
- I recognise that if I bring the office of Young Mayor into disrepute or if a complaint is made against me, that I may be subject to an investigation carried out by the Chief Executive. If any allegations or breaches of code of conduct are upheld then I recognise that my term of office may be terminated immediately.
- I agree that I will not behave in a sexist, racist or other manner that may offend or discriminate against people.
- And furthermore, as the key representative of young people within the borough, I will try and challenge such behaviour if I come across it.

Signed..... Dated: 22 November 2017

Agenda Item 4

COUNCIL		
Report Title	Petitions	
Key Decision	no	Item No.
Ward	n/a	
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: November 22 2017

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

Governance Support, Town Hall, Catford, SE6 4RU

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

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

Agenda Item 5

COUNCIL		
Report Title	Announcements or Communications	
Key Decision		Item No.
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: November 22 2017

Recommendation

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

1. Frank Doran RIP

The death has been reported of Frank Doran, a former MP and husband of Honorary Freewoman Dame Joan Ruddock. His funeral was to take place on November 16 in Edinburgh and the Council was due to be represented by the Chair of Council and his wife, Sandra.

2. Freedom of the City of London – Janet Rose Senior

The Council is asked to congratulate the Executive Director for Resources and Regeneration on her appointment as a Freeman of the City of London on October 12 2017.

Her appointment was agreed by the Common Council of the City of London after considering a nomination made by Jeremy Paul Mayhew (Citizen and Loriner) and Robert James Ingham Clark (Citizen and Clothworker).

3. Looked after Children's Poetry

A book of poetry written by Lewisham Looked After Children will be available for purchase at the meeting.

4 Councillor Helen Klier

1 Summary

This report seeks the Council's approval of the reason for non-attendance of Councillor Helen Klier at Council meetings.

2 Purpose of this report

To approve the reason for Councillor Klier's non-attendance at Council meetings

3 Recommendation

The Council is recommended to approve the reason for Councillor Helen Klier's non-attendance at Council meetings since 13/9/17, as set out in this report.

4 Background

4.1 Councillor Klier's last attendance at a Council meeting was at Children and Young People Select Committee on 13th September 2017. Later that day, she sustained injuries in a domestic fire and as a result has been unable to attend Council meetings since. Indications are that Councillor Klier will be unable to attend Council meetings for several more months.

4.2 Section 85(1) Local Government Act 1972 states that if a member of a local authority fails, throughout a period of six consecutive months from the date of his/her last attendance, to attend any meeting of the authority, then unless the failure was due to a reason approved by the authority before the expiry of that period, they cease to be a member.

4.3 If the Council approves the reason for the non-attendance as proposed, Councillor Klier will not cease to be a member on expiry of her 6 months absence. Were the Council not to approve the reason for absence, a vacancy would arise on expiry of the six month period of absence, but as this would be within 6 months of the ordinary day of local election in May 2018, it would not need to be filled before that election day.

5 Legal implications

These are set out in the body of the report

6 Financial implications

There are no financial implications

7 Conclusion

Council is asked to approve the reason for Councillor Klier's absence as set out in this report.

5. Dominica

Councillor Michael will report on the situation in Dominica following his return from there.

6. White Ribbon campaign

The Mayor will report on this year's White Ribbon campaign

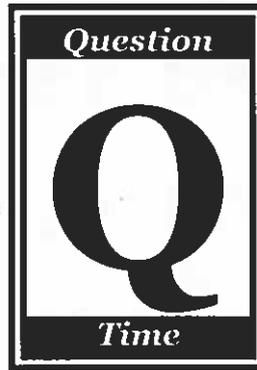
Agenda Item 6

COUNCIL		
Report Title	Public Questions	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: November 22 2017

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

Question **Questioner**

1.	Gina Raggett
2.	Carol Spurling
3.	Peter Richardson
4.	Mark Morris
5.	Patricia Richardson
6.	Chris Maines
7.	Peter Richardson
8.	Peter Richardson



ED Com Servs
PUBLIC QUESTION NO 1.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question asked by: Gina Raggett

Member to reply: Councillor Best

Question

What are the issues/visits figures for each of Lewisham's Libraries, hub and community libraries from January 2015 to April 2016?

Reply

The Visits and Issues figures are published every year on the council website as part of the Library and Information Service's annual report to the Safer Stronger Communities Select Committee report. The figures are reported on the basis of the financial running from 1 April to 31 March.

The figures for the year April 2015 – March 2016 and those for the year April 2016 – March 2017 are available on the 12/7/2017 report.

For ease of reference, a copy of the Issues and Visits breakdown is appended to this official reply.

Monthly Issues 2015 -- 2016

Table I-12

Hub Libraries	April	May	June	July	August	September	October	November	December	January	February	March	Total
Depiford	8,370	8,705	8,258	9,443	8,603	8,058	8,649	7,409	6,317	7,746	7,598	7,228	96,384
Downham	5,581	5,659	5,219	6,907	6,939	5,707	5,825	5,230	4,321	5,530	5,546	5,603	67,868
Lawisham	13,985	14,672	13,038	16,034	15,406	13,361	14,271	12,777	12,214	12,908	13,477	13,044	165,187
Catford (DOW domain)	5,391	2,152	4,664	7,402	6,550	6,240	6,040	5,619	5,016	5,813	5,539	5,575	66,000
Subtotal	33,327	31,187	31,178	39,786	37,499	33,367	34,584	31,035	27,868	31,998	32,161	31,449	395,438
Community Libraries													
Crofton Park	1,901	2,079	1,979	2,466	2,352	2,261	1,965	1,808	1,166	1,258	1,430	816	21,480
Forest Hill	7,840	7,566	7,263	9,359	7,860	9,033	7,374	7,372	5,877	7,343	6,980	6,428	90,296
New Cross	945	714	496	762	756	778	647	1,020	382	777	724	911	8,913
Pepys	75	23	41	44	53	12	22	22	22	44	15	27	400
Subtotal	10,761	10,382	9,778	12,632	11,021	12,085	10,008	10,223	7,447	9,422	9,150	8,182	121,089
Grove Park													
Torricon Road	389	335	284	402	369	305	367	319	183	296	195	355	3,800
Subtotal	2,836	3,268	3,272	4,377	3,746	3,631	3,398	2,811	2,477	3,150	2,934	2,880	38,781
Subtotal	3,225	3,604	3,556	4,780	4,115	3,937	3,765	3,130	2,660	3,446	3,129	3,235	42,582
Blackheath Village													
Manor House	1,303	1,488	1,288	1,570	1,375	1,651	1,598	1,350	1,124	1,275	1,278	1,326	16,626
Sydenham	5,506	5,465	5,488	7,191	6,636	6,099	5,674	4,474	4,207	5,300	4,991	5,014	66,044
Subtotal	7,851	7,918	7,752	10,141	9,384	9,163	8,529	6,942	6,084	7,543	7,476	7,396	13,509
Subtotal	5,043	4,719	4,668	4,822	5,087	5,304	5,137	4,865	5,051	4,745	4,935	5,790	60,166
Other issues													
Subtotal Hub Libraries	33,327	31,187	31,178	39,786	37,499	33,367	34,584	31,035	27,868	31,998	32,161	31,449	395,438
Subtotal Community Libraries	21,837	21,903	21,087	27,553	24,520	25,184	22,302	20,295	16,192	20,410	19,755	18,813	259,851
Subtotal Other issues	5,043	4,719	4,668	4,822	5,087	5,304	5,137	4,865	5,051	4,745	4,935	5,790	60,166
TOTAL ISSUES	60,207	57,809	56,933	72,160	67,106	63,855	62,023	56,195	49,110	57,153	56,851	56,052	715,455

Monthly Issues 2016 – 2017

Table I-13

Hub Libraries	April	May	June	July	August	September	October	November	December	January	February	March	Total
Deptford	7,425	6,599	6,164	6,824	7,472	7,005	7,184	6,494	4,990	6,110	5,624	6,849	78,740
	-11.3%	-24.2%	-25.4%	-27.7%	-13.2%	-13.1%	-16.9%	-12.3%	-21.0%	-21.1%	-26.0%	-5.2%	-18.3%
Downham	6,174	5,092	5,207	6,347	6,777	5,033	5,381	4,799	4,118	4,747	5,204	5,303	64,184
	10.6%	-10.0%	-0.2%	-8.1%	-2.3%	-11.8%	-4.3%	-8.2%	-4.7%	-14.2%	-6.2%	-5.3%	-5.4%
Lewisham	13,940	12,360	12,123	13,297	14,426	12,052	12,943	11,880	10,572	12,525	11,623	12,116	149,856
	-0.3%	-15.8%	-7.0%	-17.1%	-6.4%	-9.8%	-9.3%	-7.0%	-13.4%	-3.0%	-13.8%	-7.1%	-9.3%
Catford (DOW domain)	5,976	5,434	5,482	6,132	7,269	5,538	5,045	3,922	3,410	3,767	3,538	3,640	59,154
	10.9%	152.6%	17.6%	-17.2%	11.0%	-11.2%	-16.5%	-30.2%	-32.0%	-35.2%	-36.1%	-34.7%	-10.4%
Subtotal	33,515	29,486	28,976	32,599	35,943	29,628	30,555	27,096	23,090	27,149	25,989	27,908	351,934
	0.6%	-5.5%	-7.1%	-18.1%	-4.1%	-11.2%	-11.7%	-12.7%	-17.1%	-15.2%	-19.2%	-11.3%	-11.0%
Community Libraries													
Crofton Park	967	1,727	1,683	2,109	2,236	2,232	2,263	1,954	1,340	1,648	1,473	1,461	21,093
	-49.1%	-16.9%	-15.0%	-14.5%	-4.9%	-1.3%	15.2%	8.0%	14.9%	31.0%	3.0%	79.0%	-1.8%
Forest Hill	6,552	6,488	5,699	7,486	8,802	7,149	4,775	5,634	4,361	5,233	4,779	5,438	72,395
	-16.4%	-14.3%	-21.5%	-20.0%	12.0%	-20.9%	-35.2%	-23.6%	-25.8%	-28.7%	-31.5%	-15.4%	-19.8%
New Cross	969	696	666	543	700	806	680	875	309	472	375	667	7,759
	2.5%	-2.4%	-34.3%	-28.6%	-7.4%	3.5%	5.0%	-14.2%	-19.2%	-39.3%	-48.2%	-26.8%	-13.0%
Papys	14	2	16	22	44	28	25	13	4	7	5	20	200
	-81.3%	-91.3%	-61.0%	-50.0%	-17.0%	133.3%	13.6%	-40.9%	-81.8%	-84.1%	-66.7%	-25.9%	-50.0%
Subtotal	8,502	8,913	8,064	10,159	11,783	10,215	7,743	8,476	6,013	7,360	6,632	7,585	101,447
	-21.0%	-14.1%	-17.5%	-19.6%	6.9%	-15.5%	-22.6%	-17.1%	-19.3%	-21.9%	-27.5%	-7.3%	-16.2%
Other Issues													
Blackheath Village	461	327	305	350	381	348	327	331	242	311	313	323	4,020
	18.5%	-2.4%	7.2%	-13.0%	3.2%	14.1%	-10.9%	3.8%	31.8%	5.2%	60.8%	-9.1%	5.8%
Manor House	3,300	2,806	2,876	3,346	2,980	2,980	1,850	1,965	1,616	2,131	2,159	2,293	31,087
	16.4%	-14.1%	-12.1%	-23.6%	0.5%	-17.9%	-45.6%	-30.1%	-34.7%	-32.3%	-26.4%	-20.4%	-19.8%
Sydenham	3,762	3,133	3,181	3,696	4,146	3,328	2,177	2,295	1,858	2,443	2,472	2,616	35,107
	16.6%	-42.7%	-42.0%	-48.6%	-37.5%	-45.4%	-61.6%	-48.7%	-55.8%	-53.9%	-50.5%	-47.8%	-46.8%
Subtotal	1,148	990	1,239	1,372	1,384	1,084	1,295	1,362	1,061	1,196	1,082	1,342	14,555
	-11.9%	-33.4%	-3.8%	-12.6%	0.6%	-34.3%	-19.0%	0.9%	-5.6%	-6.2%	-15.3%	1.2%	-12.5%
Other Issues	5,446	4,593	4,787	5,391	6,368	5,101	4,017	2,015	1,912	1,922	1,745	2,073	45,371
	-1.1%	-15.9%	-12.8%	-25.0%	-4.0%	-16.4%	-29.2%	-55.0%	-54.6%	-63.7%	-65.0%	-58.7%	-31.3%
Subtotal	1,128	694	1,174	1,245	1,437	1,092	1,000	1,153	784	1,278	1,152	1,433	13,570
	8.3%	-28.1%	20.3%	-9.8%	4.6%	-22.7%	-20.5%	3.1%	4.1%	32.2%	-4.6%	35.6%	0.5%
Subtotal	7,723	6,278	7,200	8,009	9,188	7,278	6,311	4,530	3,757	4,396	3,979	4,948	73,496
	-1.6%	-20.7%	-7.1%	-21.0%	-2.1%	-20.6%	-26.0%	-34.7%	-38.3%	-41.7%	-46.8%	-34.5%	-23.6%
Other Issues													
Subtotal	4,748	5,278	4,936	4,971	5,292	5,501	5,508	5,206	5,181	5,552	4,839	5,608	62,660
	-5.8%	11.8%	7.0%	3.1%	4.0%	3.7%	7.2%	7.0%	2.6%	17.0%	-1.9%	-3.1%	4.2%
Subtotal Hub Libraries	33,515	29,486	28,976	32,599	35,943	29,628	30,555	27,096	23,090	27,149	25,989	27,908	351,934
Subtotal Community Libraries	19,986	18,324	18,445	21,864	25,117	20,821	16,231	15,302	11,628	14,199	13,084	15,049	210,049
Subtotal Other Issues	4,748	5,278	4,996	4,971	5,292	5,501	5,508	5,206	5,181	5,552	4,839	5,608	62,660
TOTAL ISSUES	58,250	53,088	52,417	59,434	66,352	55,950	52,293	47,603	39,898	46,900	43,912	48,565	624,663
	-3.3%	-8.2%	-7.9%	-17.6%	-1.1%	-12.4%	-15.7%	-15.3%	-18.8%	-17.9%	-22.8%	-13.4%	-12.7%

Monthly Visits 2015 – 2016

Table V-12

Hub Libraries	April	May	June	July	August	September	October	November	December	January	February	March	Total
Depiford	31,039	35,654	34,749	37,290	32,271	36,621	38,804	35,352	26,926	32,803	36,833	33,375	411,717
Downham	29,588	31,937	31,781	33,364	29,374	30,607	31,408	28,805	22,662	28,099	30,513	31,497	359,615
Lewisham	26,998	29,346	27,489	29,123	28,494	28,677	30,094	28,153	24,311	27,281	34,504	28,586	343,056
Catford (DOW domain)	17,178	4,083	15,605	18,166	15,593	17,341	17,604	16,401	13,222	15,505	16,897	16,687	184,283
Subtotal	104,783	101,020	109,625	117,943	105,732	113,246	117,910	108,711	87,121	103,688	118,747	110,145	1,298,671
Community Libraries													
Crofton Park	9,796	10,815	11,660	11,088	8,777	12,426	11,462	12,328	11,087	6,149	5,199	3,548	114,335
Forest Hill	11,270	14,147	12,069	12,227	11,291	11,665	12,286	12,277	9,095	11,520	13,331	11,158	142,336
New Cross	5,917	5,709	5,871	5,046	5,280	5,444	6,632	5,335	3,208	4,995	5,188	5,784	64,409
Pepys	26,983	30,671	29,600	28,361	25,348	29,535	30,380	29,940	23,390	22,664	23,718	20,490	321,080
Subtotal	53,966	61,347	60,139	56,722	50,645	62,999	64,738	62,263	45,698	45,328	47,446	40,970	522,458
Grove Park													
Torricon Road	3,335	3,514	3,974	4,453	3,166	3,778	4,147	3,746	2,554	2,879	2,486	3,491	41,523
Subtotal	3,980	4,565	4,316	4,817	4,608	5,056	5,085	4,636	3,569	4,386	4,663	4,236	53,917
Blackheath Village													
Manor House	8,129	7,545	9,515	9,484	7,270	8,948	10,475	11,402	7,900	9,835	8,354	8,282	107,139
Sydenham	15,900	16,259	15,816	16,323	14,240	17,651	17,926	14,304	12,896	16,014	17,229	15,038	189,596
Subtotal	24,029	23,804	25,331	25,807	21,510	26,600	28,401	25,706	20,796	25,849	25,583	23,320	296,735
Subtotal Hub Libraries	104,783	101,020	109,625	117,943	105,732	113,246	117,910	108,711	87,121	103,688	118,747	110,145	1,298,671
Subtotal Community Libraries	62,950	66,810	68,440	69,022	61,699	69,525	73,431	69,702	58,159	62,882	60,917	56,086	779,623
TOTAL VISITS	167,733	167,830	178,065	186,965	167,431	182,771	191,341	178,413	145,280	166,570	179,664	166,231	2,078,294

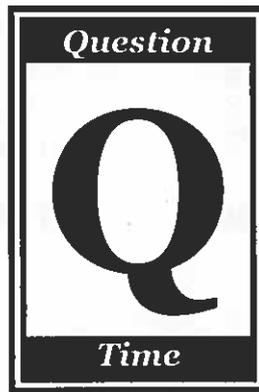
A people's counter is due to be installed at Pepys in 2017 - 2018

Monthly Visits 2016 – 2017

Table V-13

Hub Libraries	April	May	June	July	August	September	October	November	December	January	February	March	Total
Deftford	35,924 15.7%	33,863 -5.0%	39,423 13.5%	33,148 -11.1%	34,607 7.2%	33,164 -9.4%	32,282 -16.8%	34,047 -3.7%	27,280 1.3%	37,395 14.0%	33,042 -10.3%	36,243 8.6%	410,418 -0.3%
Downham	34,527 16.8%	33,575 5.1%	33,938 6.8%	33,011 -1.1%	33,997 15.7%	33,433 9.2%	36,525 16.3%	36,194 25.7%	31,857 40.6%	32,636 16.1%	31,262 2.5%	34,953 11.0%	405,908 12.9%
Lewisham	29,685 10.0%	26,996 -8.0%	27,435 -0.2%	26,755 -8.1%	28,139 -1.2%	26,054 -9.1%	28,613 -4.9%	31,011 10.2%	25,078 3.2%	30,175 10.6%	28,987 -16.0%	30,810 7.8%	339,738 -1.0%
Caiford (DOW domain)	16,377 -4.7%	15,504 279.7%	16,735 7.2%	13,274 -26.9%	16,745 7.4%	16,183 -6.7%	16,820 -4.5%	14,713 -10.3%	10,555 -20.2%	13,728 -11.5%	13,254 -21.6%	15,074 -9.7%	178,962 -2.9%
Subtotal	116,513 11.2%	109,938 8.8%	117,531 7.2%	106,188 -10.0%	113,488 7.3%	108,834 -3.9%	114,240 -3.1%	115,965 6.7%	94,770 8.8%	113,934 9.9%	106,545 -10.3%	117,080 6.3%	1,335,026 2.8%
Community Libraries													
Crofton Park	5,161 -47.3%	8,213 -24.1%	8,448 -27.5%	6,025 -45.7%	7,285 -17.0%	10,013 -19.4%	10,534 -8.1%	10,745 -12.8%	8,712 -21.4%	7,043 14.5%	7,172 37.9%	7,300 105.7%	96,651 -15.5%
Forest Hill	12,248 8.7%	11,008 -22.2%	10,030 -16.9%	11,474 -6.2%	12,331 9.2%	12,652 8.5%	3,524 -71.3%	11,767 -4.2%	10,710 17.8%	11,715 1.7%	11,294 -15.3%	13,046 16.9%	131,799 -7.4%
New Cross	6,025 1.8%	5,317 -6.9%	5,966 1.6%	5,166 2.4%	5,080 -3.8%	5,373 -1.3%	4,626 -30.2%	6,217 16.5%	3,309 3.1%	4,175 -16.4%	4,945 -4.7%	5,498 -4.9%	61,697 -4.2%
Pepys													0
Subtotal	23,434 -13.2%	24,538 -20.0%	24,444 -17.4%	22,665 -20.1%	24,696 -2.6%	26,038 -5.1%	18,694 -38.5%	28,729 -4.0%	22,731 -2.8%	22,933 1.2%	23,411 -1.3%	25,844 26.1%	290,147 -9.6%
Dove Park	2,982 -10.6%	3,456 -1.7%	3,494 -12.1%	3,710 -16.7%	3,366 6.3%	3,064 -18.9%	3,831 -7.6%	3,966 5.9%	3,120 22.2%	3,402 18.2%	3,761 51.3%	3,633 4.1%	41,785 0.6%
Freidon Road	4,435 11.4%	4,314 -5.5%	4,259 -1.3%	4,216 -12.5%	4,555 -1.2%	4,306 -14.8%	2,618 -48.5%	4,640 0.1%	3,692 3.4%	5,971 36.1%	6,029 29.3%	5,946 40.4%	54,981 2.0%
Subtotal	7,417 1.4%	7,770 -3.8%	7,753 -6.5%	7,926 -14.5%	7,921 1.9%	7,370 -16.6%	6,449 -30.1%	8,606 2.7%	6,812 11.3%	9,373 29.0%	9,790 36.9%	9,579 24.0%	96,766 1.4%
Blackheath Village	9,185 13.0%	8,558 13.4%	9,230 -3.0%	7,566 -20.2%	7,690 5.8%	11,626 29.9%	16,975 62.1%	19,472 70.8%	15,825 100.3%	16,366 66.4%	15,711 88.1%	16,342 97.3%	154,546 44.2%
Manor House	17,270 8.6%	16,894 3.9%	18,325 15.9%	18,032 -10.5%	19,486 36.8%	19,326 9.5%	14,079 -21.5%	12,113 -15.3%	11,498 -10.8%	12,828 -19.9%	12,983 -24.6%	13,301 -11.6%	186,135 -1.8%
Sydenham	4,673 1.1%	3,305 -22.3%	5,068 -2.9%	5,339 -4.4%	5,367 -24.1%	4,663 2.3%	5,282 -2.5%	4,145 -26.9%	3,726 -52.5%	4,128 -41.9%	5,170 15.7%	4,719 3.7%	55,585 -16.2%
Subtotal	31,128 8.6%	28,757 2.5%	32,623 6.8%	30,937 -1.4%	32,543 13.9%	35,615 14.3%	36,336 7.4%	35,730 13.9%	31,049 8.4%	33,322 1.1%	33,864 12.7%	34,362 23.3%	396,266 9.1%
Subtotal Hub Libraries	116,513	109,938	117,531	106,188	113,488	108,834	114,240	115,965	94,770	113,934	106,545	117,080	1,335,026
Subtotal Community Libraries	61,979	61,065	64,820	61,528	65,160	71,023	61,469	73,065	60,592	65,628	67,065	69,785	783,179
TOTAL VISITS	178,492 6.4%	171,003 1.9%	182,351 2.4%	167,716 -10.3%	178,648 6.7%	179,857 -1.6%	175,709 -6.2%	189,030 6.0%	155,362 6.9%	179,562 7.8%	173,610 -3.4%	186,865 12.4%	2,110,205 1.9%

A people's counter is due to be installed at Pepys in 2017 - 2018



PUBLIC QUESTION NO 2.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question asked by: Carol Spurling

Member to reply: Councillor Best

Question

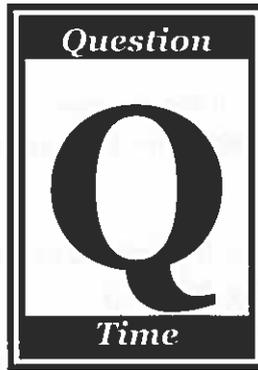
What are the figures for enrolment and completion of the Summer Reading Challenge 2017 for each library in Lewisham Borough?

Reply

The figures of starters and finishers for the Summer Reading Challenge 2017 are listed in the table below

Library	Starters	Finishers
Deptford	418	147
Downham	571	276
Lewisham	458	275
Blackheath	128	52
Catford	301	171
Crofton Park	124	61
Forest Hill	464	259
Grove Park	22	7
Manor House	417	217

New Cross Learning	81	32
Pepys	2	
Sydenham	143	64
Corbett (Torridon)	227	126
Total	3,356	1,687



PUBLIC QUESTION NO 3.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question asked by: Mr Richardson

Member to reply: Councillor Best

Question

On 22nd March 2017 a Mayor and Cabinet meeting (Contracts) was held proposing that the 'not for profit' organisation V22 Foundation, be awarded a 25 year lease on the Manor House in Old Road, Lewisham, London SE13 5SY for the purpose of ensuring Lewisham Council could continue to provide a public library service at this Grade II*-listed building. The Mayor and Cabinet approved this proposal.

It is now November 2017, and in the interim period it became known that this lease had yet to be transferred to V22 because of particular undisclosed items requiring clarification between the Council and V22. As the public was not informed what were the 'difficulties' and/or issues in the original draft which required resolution? Therefore, how did the Council change the terms and conditions of the lease as previously accepted by the Mayor and Cabinet on behalf of the public? Have these changes been formally accepted by Mayor and Cabinet or is this not considered necessary under Lewisham Council's regulations? What was the legal position of V22 being in occupation but not holding the lease on the building? What was the Council's position under these circumstances?

Can the Council confirm the lease has now been signed?

Reply

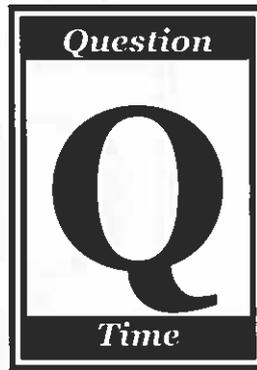
The Council agreed the transfer of the Manor House building following the servicing of plant and lift. Some delay in achieving this is one of the factors for the delay in signing the lease.

There have been no "changes" to the nature of what Mayor and Cabinet agreed in relation to the future tenure of the building.

As can be expected, the V22 Foundation requested a number of clarifications relating to the lease, particularly in relation to the apportionment of the ongoing maintenance of the building.

All these issues have been clarified, the Heads of Terms have been agreed, and the lease is in the process of being executed. We are waiting to announce that the lease has been signed very soon.

Meanwhile, V22 Foundation occupies the building on a tenancy at will pending the lease being entered into. This is a temporary arrangement which allows the occupier to use the property in a particular way pending a lease being entered into. The arrangement relies and is conditional on the future signing of the lease and can be terminated by either party without notice at any time.



PUBLIC QUESTION NO 4.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question asked by: Mark Morris

Member to reply: Councillor Smith

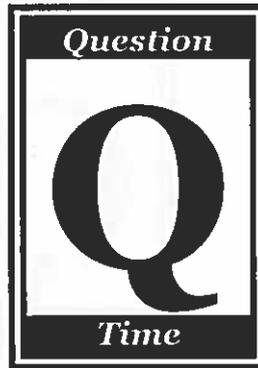
Question

In relation to the proposed footbridge over Doggett Road being introduced as part of the Catford Green development, please state (a) the exact amount that Barratt's the developer will contribute for this proposed bridge, (b) whether the proposed bridge will be step free and fully accessible for disabled people, and (c) whether Lewisham Council can provide any further update as to the programme of when this long promised bridge will be installed.

Reply

The Barratt's contribution is through a Section 106 planning obligations and is capped at £2m. The proposed bridge has a lift either side of the railway span and thus accessible by all.

The current proposal is for Barratt's to deliver the new bridge. Barratt's recently revised the bridge estimate which has increased and this needs to be agreed with the Council. Once these issues have been resolved we will be in a position to provide an update on the bridge installation programme.



PUBLIC QUESTION NO 5.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question asked by: Mrs Richardson

Member to reply: Councillor Bonavia

Question

The Council budget is due to be put forward and agreed by Lewisham Council in February next year, 2018. As elections are due to be held in May 2018 does that mean the budget could be altered under a new elected body and new elected Mayor? Is this allowed for under the terms of the Lewisham Borough Council Constitution and how is it presented to the public for accountability?

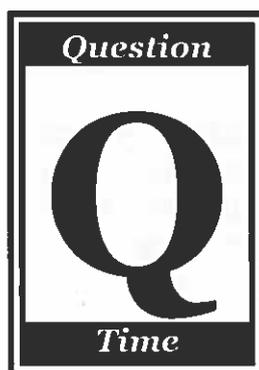
Reply

By law, the Council is bound to budget annually and to make a balanced budget. It is on this basis that the Council Tax is agreed each year. Following statutory consultation, the Mayor's proposals for the budget are presented to the full Council each year and it is for the full Council to agree the budget on an annual basis. Any budget which would exceed limits set by the Secretary of State are subject to approval in a binding referendum.

Once the annual budget has been agreed by Council, and subject to an exception where additional costs can be offset by additional income, contingency funds or

alternative savings, the Mayor may not make decisions which are not consistent with the agreed budget. Any such decision would be for full Council.

There are provisions in the Constitution which allow the Mayor to make a decision which is not consistent with the budget in an urgent situation. This requires the consent of the Chair of Council and the Chair of Business Panel and reasons must be reported to the next Council meeting



PUBLIC QUESTION NO 6.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question asked by: Mr Maines

Member to reply: Councillor Maslin

Question

What PFI contracts have the Council entered into, what is the value of each of these contracts?

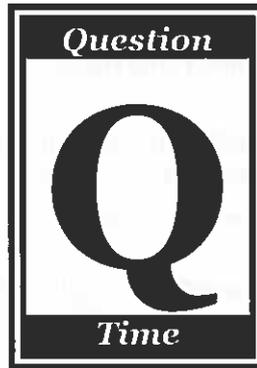
How many Lewisham schools are involved with PFI contracts and what is the value and length of each contract.

Reply

The Council has entered into eight PFI contracts, a Housing, Leisure, Street Lighting (joint with Croydon) and five Schools PFIs. The value and lengths of these contracts are below:

PFI Scheme	Brockley Housing	Downham Lifestyles	Grouped Schools	BSF 1	BSF 2	BSF 3	BSF 4	Street Lighting
Start of Contract	2007	2007	2007	2009	2011	2012	2012	2011
End of Contract	2027	2039	2036	2035	2037	2037	2038	2036
Total Estimated Cost	£285m	£76m	£226m	£240m	£85m	£118m	£223m	£95m

There are 10 Lewisham schools in the five schools PFI contracts.



PUBLIC QUESTION NO 7.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question asked by: Mr Richardson

Member to reply: Councillor Onikosi

Question

At Dacre Park Allotment site, the southern section is dominated by two huge trees located adjacent to a row of lock-up garages.

The two trees produce significant shade to a number of rented plots in this area during the growing season.

Is it not possible to pollard these mature trees in order to open up the plots to more open skies?

In addition, a row of mature Damson trees nearby, have now become feral and are invading adjacent plots. Can these not be removed?

Reply

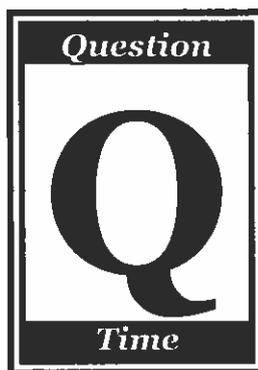
Officers responsible for the allotment service have informed me that in response to this question a request was made to the Council's Tree Services Manager on the 9th November 2017, for the inspection of the mature multi-stem Poplar near the garages.

This inspection will take place within 28 days, determining if any works are necessary. Mature trees are an important feature of the local landscape and as such

crown reduction work would only be carried out if there was a health and safety risk or if it was beneficial to the health of the tree.

Regarding the fruit trees, an officer carried out an inspection that was arranged following a similar enquiry, and they will be working with the relevant plot-holders over the winter months to resolve the issues identified.

The officers would be happy to assist you with any future allotment enquiries and can be contacted directly via 0208 314 2277 or allotments@lewisham.gov.uk



PUBLIC QUESTION NO 8.

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question asked by: Mr Richardson

Member to reply: Councillor Millbank

Question

The establishment of Ward Local Assemblies was a great success in providing collective purpose in the London Borough of Lewisham. However, it has been noted that Local Assembly funding made available for communities to bid for in all of the 18 Ward Assemblies in Lewisham has now dwindled to virtual laughably small sums since the facility was introduced. So, is it now a certainty the facility will face its dissolution in the coming 2018-19 budget?

Reply

Each Ward Assembly has received £15,000 per year since 2013, totalling £270,000 per year across the borough. Assembly funding remains highly regarded across the borough and there are currently no plans to discontinue these funds or the overall Assembly Programme. In the current year, it is anticipated that over 150 local projects will be funded through this route.



Agenda Item 7

COUNCIL		
Report Title	Member Questions	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: November 22 2017

7. Questions from Members of the Council

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

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question by Councillor Walsh
of the Deputy Mayor

Question

With regard to the recent Planning Inspectorate decision on Capital House, Rushey Green:

Daniel Hartley, Planning Inspector, whilst ruling unfavourably against the local residents and Council position, in our belief that the site was unsuitable for the proposed planning use class, did outline in his report a number of actions 'that had been, or were planned to be implemented' to ameliorate the impact of this use class. As such could a list of, and associated time line for, outstanding works to lessen impact (such as the erection of bollards), be published by way of response?

With reports from residents still detailing people: leaving the site at 5AM on a Saturday Morning; the building in full use at 0630AM on a Sunday Morning; and coming and goings at well past 1030PM most nights; as well as scores of vehicles impacting the local amenity (particularly on Sundays, but not only),

- I. Could the member liaise with appropriate teams to see if there are other reasonable measures that can be taken, that can create a more harmonious local environment, where residents can have increased 'quiet enjoyment' of their home?
- II. Could the Member liaise with appropriate teams within the Council, to reaffirm our position that control of anti-social/nuisance noise outside of the permitted hours, and conditions on the site, must be enforced.
- III. Could the member also publish what enforcement monitoring has been undertaken since the decision was made?

Reply

The conditions to the Appeal decision required the following information to be submitted / implemented in the following timeframes:

- a. Acrylic sheets / alternative treatment to windows (within 3 months of the appeal decision) and then installed within 3 months of that approval
 - b. Cycle Parking details within 1 month of appeal decision (provided within 1 month following approval)
 - c. Travel Plan within 1 month of appeal decision (and implemented immediately)
 - d. Soundproofing (as shown on approved plans and described in Condition 10) to be installed within 3 months
 - e. Works described in the Schedule of Works to be implemented within 3 months of appeal decision.
 - f. 5 Disabled car parking spaces to be provided within 3 months of appeal decision (and evidence provided to the Council of compliance within that 3 months)
 - g. Management Plan (to include detailed measures set out within condition 14) to be submitted to Council within 6 weeks of appeal decision, and implemented within 4 months of the appeal decision.
 - h. Scheme of noise suppression for Rosenthal Road fire exit doors to be submitted within one month of appeal decision, and implemented within one month of that approval
- I. Officers within the Planning Enforcement and Environmental Protection Team will seek to ensure that the planning permission (reference DC/15/093490), and the use being undertaken are being done so in accordance with the terms and conditions attached to the planning permission, and in accordance with existing environmental protection law (respectively). These are the relevant statutory powers available to the Council in this regard.
 - II. Officers have been duly informed of the need to see the relevant controls enforced.
 - III. Since the granting of planning permission by the Planning Inspector, Planning officers have received 6 applications relating to condition discharges, and have thus been in continuous contact with the applicant. Condition 14 (Management Plan) remains under assessment, and as such, if approved, would form a large part of the basis against which the carrying out of the use will be monitored. It must be noted however, that Planning officers are generally only able to undertake monitoring in response to specific evidenced complaints or requests raised by interested parties who consider that the use is in breach of its permission / the details of an approved condition.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question by Councillor Hall
of the Mayor

Question

Is the future bright for Lewisham?

Reply

While I would not usually refer to Party Political matters at full Council, and always being clear that it will be for the electorate to decide who is the next Mayor of Lewisham, I will say that knowing Cllr Egan will be a candidate enables me to say that if and when he is successful, the future for Lewisham will indeed be bright. It would be brighter still if Government showed the same understanding of the challenges facing our residents and this Council as Cllr Egan does, and took action to work with us to meet those challenges.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question by Councillor Milne
of the Mayor

Question

In light of the Government's recent announcement that it will consult on reducing the maximum stake for Fixed Odds Betting Terminals, would the Mayor provide an update on this issue?

Reply

This Council has long recognized the dangers posed by Fixed Odds Betting Terminals (FOBTs) and their proliferation throughout the borough. Users of such machines can stake as much as £100 every 20 seconds, leaving them at risk of losing very large sums of money in a very short space of time.

Last year £62,567,885 was inserted into FOBTs in Lewisham, while £15,641,971 was lost on these terminals in the same year. It is of deep concern that according to the Gambling Commission's estimates, 2070 of the 9453 residents who use the FOBTs are likely to be problem gamblers or at risk of becoming problem gamblers. This group are losing an estimated £5,771,938 a year on FOBTs, equivalent to over a month on the average local wage.

This Council agreed a motion on Wednesday 22nd January 2014 calling on the Government to give local authorities more powers to tackle the proliferation of betting shops in our communities. In the same year Lewisham joined with 92 other local authorities as part of the biggest ever submission under the Sustainable Communities Act to campaign for a reduction in the maximum amount that can be staked on FOBTs from £100 to £2.

Late last year the Government conducted a Review into Gaming Machines and Social Responsibility Measures to which Lewisham submitted evidence. We are pleased that they have accepted the case in principle for reducing the maximum stake. There is now a 12 week consultation on the appropriate level for that maximum.

We will shortly be responding to the consultation calling for the Government to curb the harmful effects of FOBTs by reducing the maximum stakes to £2 and reject the gambling industry proposals for a £20 or £30 maximum stake. I am clear that anything above £2 will continue to perpetuate problem gambling and its impact on the lives of our citizens. I would also encourage all who are concerned by this issue to respond at the link below:

<https://www.gov.uk/government/consultations/consultation-on-proposals-for-changes-to-gaming-machines-and-social-responsibility-measures>

In addition, Lewisham will continue to campaign for improved powers to combat the proliferation of betting shops and continue to use those powers we do have at our disposal to ensure our high streets can thrive.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question by Councillor Curran
of the Mayor

Question

Would the Mayor welcome the imminent re-opening of The Greyhound Pub in Sydenham?

Reply

Yes. The re-opening of the Greyhound Pub would be very welcome though I shall miss the visits to Mayor & Cabinet by friends in the Sydenham Society to hear the updates on this issue.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

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

Question

Was the recent change in Lewisham rubbish collection times and methods the result of a need on the part of the Council to save money, and if so how much money is being saved?

Reply

The change in service is as a result of a review of policy and strategy in relation to a number of key drivers.

- Improved environmental performance – the Council has had a longstanding commitment to increasing our overall recycling rate and working with our community to reduce waste and lower our collective carbon footprint. The move to offering a weekly food waste collection service is one of a number of changes which we have made in recent years which will help us achieve this aim.
- Legislative and wider national targets – there is a requirement for the Council to ensure compliance with the Waste Regulations, which include applying the Waste Hierarchy (Regulation 12) and separately collecting paper, glass, metals and plastics (Regulation 13). There is a further requirement that we contribute to the London and very challenging national recycling targets.
- Financial – our long term strategy is to reduce our overall dependence on expensive waste disposal routes and to divert future waste streams to cheaper and more environmentally friendly options. We have estimated that our future costs will not increase to the level they potentially would have to if we act now and begin securing better long term disposal options. Collecting food waste separately and reducing our overall residual waste will enable us to do this. Our current estimate is that the reduction in residual waste will eventually mean that the Council is spending between £1M and £1.5M less than it would have to if we hadn't made the changes.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question by Councillor Hall
of the Deputy Mayor

Question

Please may an update on the repair or replacement of the Broadmead footbridge in Bellingham be produced?

Reply

Network Rail have contacted the Council with the view of strengthening the existing bridge structure. We are waiting for their detailed proposals for strengthening the bridge.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

Question by Councillor Curran
of the Mayor

Question

Would the Mayor give an update on the plans for redevelopment of Catford Town Centre and also on any plans for high rise buildings?

Reply

Plans for the redevelopment of Catford Town Centre are progressing steadily following the decision in July to re-align the South Circular Road. The Council is currently undertaking an engagement process with the public, through a series of events and an online engagement platform, and this public engagement, combined with information, strategy and policies from within the Council, is being collated to inform a Masterplan Brief. Engagement also includes a monthly drop-in session for all members to attend if they wish, immediately prior to the Labour Group monthly meetings.

The Masterplan Brief will be taken to the Mayor and Cabinet for approval in February 2018 and will then be used to procure a Masterplanner in the Spring of 2018. The Masterplan is expected to take approximately one year to complete and will be used as an evidence base for the updated Local Plan. The local plan will provide guidelines for building height with the regeneration area.

The Masterplan will provide strategic guidelines for the redevelopment of Catford Town Centre and provide certainty and clear direction for development to be delivered over the next 10-15 years. More detailed update reports on the Catford Regeneration Programme are provided quarterly (as a minimum) by the Catford Regeneration Programme Team to the Sustainable Development Select Committee, and these are available to view in the usual way.

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 NOVEMBER 2017

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

Question

Hazelhurst Court is a new extra care facility. What is the Council's extra care strategy?

Reply

Extra care housing is a model which enables high quality new homes to be built, and for care to be provided on-site in people's homes. In this way it can enable a better housing and care solution for some residents, while also providing a financial saving for the Council compared to moving residents into residential care facilities.

The Council has contracted with Registered social landlords and care providers to provide extra care housing since 2002. In particular "Homes for Lewisham", the Council's housing strategy which was published in 2015 sets an objective to: *develop new extra care housing for older people using modern design standards (e.g. HAPPI)*. More recently the provision of new extra care homes has been part of the Council's strategies for both housing and care.

The Council has made excellent progress in this regard. In 2014 the 60 home new extra care facility at Conrad Court, Deptford opened. In partnership with the Notting Hill Trust the Council has used this facility to create a programme of improvements in the provision of housing and care for older residents.

In the first instance these new homes enabled the decant and closure of the Kenton Court and Somerville Extra Care schemes, which were made up mainly of bedsits and were inappropriate for the provision of care. This has freed these two sites up to enable the construction of 48 new Council homes, plans for which have been submitted for Planning consideration.

The current phase of the strategy sees the construction of two further new high-quality extra care developments. Hazelhurst Court is one of these two, developed by Phoenix Community Housing in partnership with – and part funded by – the Council

and the GLA. The development recently opened and when fully let will provide housing and care facilities for 60 Lewisham households, and free up a number of family sized homes as well.

The other development is at Campshill Road in Lewisham Central, which is being developed in partnership between the Council, the GLA and One Housing Group, and which will provide 53 new extra care homes when construction completes in early 2019.

The model of care for the new extra care developments has been to develop extra care provision as part of a wider older residents' housing development. This allows residents to downsize or take advantage of the added benefits of living close to other older residents well before requiring extra care services. The latter can then be provided as and when they are required without residents having to move home.

Extra care housing is a crucial part of the Council's offer for those who require care later in life, but is not of course, the only option available as many wish to remain where they currently live or are drawn more to a residential / nursing home setting.

Agenda Item 8

COUNCIL			
Title	Working together to tackle poverty in Lewisham – Final report of the Lewisham Poverty Commission		
Key Decision	No		Item No.
Ward	all		
Contributors	Executive Director for Resources and Regeneration		
Class	Part 1	Date: 22 November 2017	

1. Purpose

- 1.1 Mayor and Cabinet agreed on 7 September 2017, following a recommendation by the Safer Stronger Communities Select Committee, to establish a Commission to review poverty in borough and develop recommendations to tackle poverty.
- 1.1 The Lewisham Poverty Commission was since established and held its first meeting in February 2017. Attached is the Commission's final report "Working together to tackle poverty in Lewisham". The report contains recommendations to Lewisham Council, other public sector bodies in the borough, partners in the borough's voluntary and community sector and national government.
- 1.2 This report will have been presented to Safer Stronger Communities Select Committee on 2 November and Mayor and Cabinet on 15 November. The report to Mayor and Cabinet provides an outline of the scope of Lewisham Poverty Commission, its focus for preparing recommendations and the process that was followed to come to these recommendations. The report to Mayor and Cabinet contains recommendations for Mayor and Cabinet to respond to the Commission's report.
- 1.3 Below follows the text of that Mayor and Cabinet report. The Council will be provided with a verbal update at the meeting on the response by Mayor and Cabinet. The Council is recommended to note the "Working together to tackle poverty in Lewisham" report.

2. Recommendations to the Council

- 2.1 The Council is recommended to:
 - Welcome the challenge and insight provided by the Lewisham Poverty Commission and thank the Commissioners for their time and expertise
 - Note the final report of the Lewisham Poverty Commission and its recommendations
 - Note the report to Mayor and Cabinet presenting the final report of the Lewisham Poverty Commission
 - Receive a verbal update on decisions made at Mayor and Cabinet on 15 November.

3 Recommendations to the Mayor

3.1 The Mayor is recommended to:

- Welcome the challenge and insight provided by the Lewisham Poverty Commission and thank the Commissioners for their time and expertise
- Note the final report of the Lewisham Poverty Commission and its recommendations
- asks officers to develop a detailed response to the report's findings and recommendations including an action plan
- retain a Cabinet Member with responsibility for overseeing Lewisham Council's actions to tackle poverty, including presenting a yearly report to the Council's scrutiny and executive functions so progress can be tracked.

4 Policy context

- 4.1 Lewisham's Sustainable Communities Strategy (2008-2020) sets out a vision of a resilient, healthy and prosperous borough. The Strategy informs the direction of Council policy and it guides the process of decision making. One of the governing principles of the Strategy is the ambition to 'reduce inequality and narrow the gap in outcomes for citizens'. It is recognised in the Strategy that '...deprivation and poverty can limit people's prospects (and) some of our communities are more likely to experience their effects than others'.
- 4.2 In addition, the Council has a number of corporate priorities, three of which are particularly relevant to the commission's work: Community leadership, Decent Homes for All and Strengthening the local economy. The Commission has made recommendations for action in each of these areas.
- 4.3 The final report of the Lewisham Poverty Commission makes recommendations to Lewisham Council and its partners on how poverty can be alleviated, how its negative effects can be mitigated against and how people's resilience can be strengthened. The Commission recommendations therefore contribute to the aims of Lewisham's Sustainable Communities Strategy and to the three corporate priorities of the Council as outlined above.

5 Lewisham Poverty Commission

The Commission

- 5.1 The Lewisham Poverty Commission was set up to combine expertise about poverty with expertise about the local area. Its members were:
- Alice Woudhuysen, Child Poverty Action Group
 - Bharat Mehta, Trust for London
 - Bill Davies, Head of Policy, Central London Forward
 - Claire Mansfield, New Local Government Network
 - Debbie Weekes-Bernard, Joseph Rowntree Foundation
 - Gloria Wyse, Lewisham Citizens
 - Councillor Joe Dromey (*Chair*), Cabinet Member for Policy and Performance
 - Dr Simon Griffiths, Senior Lecturer in Politics, Goldsmiths
 - Councillor Brenda Dacres, Lewisham Council
 - Councillor Colin Elliot, Lewisham Council

- Councillor James J-Walsh, Lewisham Council
- Councillor Joan Millbank, Cabinet Member for Third Sector and Community
- Councillor Joyce Jacca, Lewisham Council

Scope of the Commission's work

- 5.2 Poverty is complex and multidimensional. The Commission has used the Joseph Rowntree Foundation's definition, where poverty is a situation in which 'a person's resources (mainly their material resources) are not sufficient to meet their minimum needs (including social participation)'.¹ In this definition, 'needs' encompass both basic material goods and the ability to participate in social life. The term 'resources' refers to the financial and in-kind means necessary to meet these needs. In-kind resources may be formal goods and services (those provided by a local authority, for example) or informal goods and services (accessed via social networks or community organisations, for example).
- 5.3 The Commission was set up to draft recommendations that aim to alleviate poverty, mitigate against its negative effects and strengthen people's resilience. At its first meeting, the Commission discussed the need to be targeted in its approach to the issue, as poverty is such a broad concept. The Commission has also been aware of the limited time available to them. As a result, the Commission agreed to focus on policy areas and recommendations that could have a genuine impact for people living in poverty in Lewisham.
- 5.4 Many of the Commission's recommendations have been directed at Lewisham Council. The Commission has recognised that local authorities have a significant impact on the lives of their residents through the many services they provide, commission and facilitate. The Commission has also recognised the good work Lewisham Council has been doing for many years to tackle poverty and support its residents who are dealing with the consequences. However a local authority by itself can only do so much, particularly given the government's decision to cut two third of Lewisham Council's funding since 2010; cuts which are set to continue. In this context, the Commission has worked to create recommendations to the Council that are ambitious but realistic.
- 5.5 The Commission has been keenly aware that local authorities also have a significant role to play in their local area by bringing local partners together to tackle pressing issues. The borough contains many significant publicly funded institutions aside from the Council including a world class university, social housing providers, a large further education college as well as a large NHS trust. All provide important services for the citizens of Lewisham including education, housing and care. These organisations also make up a significant proportion of local employment and are significant sources of investment in the local area. The Commission's final report therefore sets out ambitious actions for Lewisham Council with its local partners to take to make a real difference to the lives of local people.
- 5.6 Finally, some of the barriers faced by the poorest Lewisham residents could only be removed through changes in policy by national government. The Commission has therefore also called on national government to play their part: to support people that desperately need it and to create the conditions that enable individuals, local communities and local organisations to solve poverty.

6 The Commission's areas of focus

¹ See <https://www.jrf.org.uk/report/definition-poverty>.

Supporting residents to access well-paid, secure jobs inside and outside of Lewisham

- 6.1 The main and sustainable route out of poverty is getting people into well-paid and secure jobs. Lewisham is situated on the doorstep of London, a growing and thriving city, and three in five residents work outside of the borough. While the London employment market is easy for residents to access, the growth in jobs has been at the high and low end of the labour market, with comparatively few jobs in-between. There has also been a growth in insecure employment. Given this, and the Government's cuts to funding for training, it can be difficult for residents in low-paid and insecure jobs to progress to higher-paid and secure work. Lewisham's local economy is comparatively small, with the lowest number of jobs per capita of any London borough and a high proportion of jobs in Small and Medium-sized Enterprises (SMEs).
- 6.2 Supporting, growing and attracting businesses in Lewisham will be important to increase job opportunities for Lewisham residents. In the absence of large private employers, Lewisham's public sector institutions play an important role not just as providers of public services, but as major employers too. These partners working together to increase employment opportunities for Lewisham residents and opportunities to develop their skills so residents can advantage of the local and London-wide labour market have therefore been an area of focus for the Commission.

Tackling child poverty by supporting parents into decent work

- 6.3 Lewisham is among the 20 local authorities with the highest levels of child poverty in the UK. Child poverty has a direct impact on the life chances of young people, limiting their ability to achieve their potential. Children in lone parent households are more likely to grow up in poverty as lone parents often struggle to find flexible and high quality employment that fits around childcare.
- 6.4 The Commission has recommended ways to improve the availability of flexible and high-quality job opportunities in the borough and opportunities for parents to develop their skills, ways to improve the affordability but also accessibility of child care and finally, access to advice about entitlements to child care as well as general advice about benefits.

Improving the local housing market

- 6.5 The cost of housing is an important factor in London's and Lewisham's higher poverty rate. Over one in four Londoners live in poverty after housing costs are taken into account, compared with one in five nationally. House prices in Lewisham are lower than the London average, but they have risen sharply, and the median house price is 14 times greater than the median income. Given high housing costs and a shortage of social homes, more residents are living in the private rented sector. Rents are rising fast, and many residents are subject to rogue landlords and insecurity.
- 6.6 The Commission has made recommendations about ways the Council can enhance its housebuilding programme, influence the private rented sector to improve conditions for residents, and work to prevent homelessness. Finally, the Commission has looked at changes to national policies that would increase the Council's ability to invest in social housing and help prevent residents going into rent arrears.

7 Engagement with residents, partners and stakeholders

- 7.1 The Commission has been keenly aware of how important it is to include the Council's partners but particularly our residents in their work. The Commission has prepared

their final report following several months of research and public consultation. The process involved a qualitative study of the lived experience of poverty in Lewisham; analysis of quantitative data and existing literature on poverty; discussions at local assemblies across the borough; an online consultation; a summit which brought together communities and wider stakeholder representatives from across the borough.

- 7.2 The Commission has held four meetings during the course of its work. At the first meeting on 28 February 2017, the Commission discussed its scope and focus. The Commission was also presented with data about Lewisham's population and the nature of poverty in the borough. The second meeting on 4 May provided the Commission with a paper on the experience of life in Lewisham for people on low incomes as well as information on the Council's work in their areas of focus, as well as examples of positive work done elsewhere. The third meeting was the Lewisham Poverty Summit on 12 July, to discuss the Commission's thinking with partners, stakeholders and residents, and get feedback. At their final meeting on 28 September, the Commission has agreed its final report and recommendations.
- 7.3 The voices and experiences of those who are or were experiencing poverty are particularly important to the Commission. People themselves will (often) know best what would help them, but engaging people can be challenging. The approach taken was to allow people to comment and provide their ideas while genuinely listening to them.
- 7.4 All Lewisham Councillors have also been informed about the project as it progressed and approached to provide comments. The Commission was aware that local Councillors have a wealth of knowledge about their local area and their residents, so are seen as important partners.

Lived experience paper

- 7.5 The Commission has considered a paper on the experience of life in Lewisham for people on low incomes. The paper provided some qualitative material to complement the quantitative, policy-focused picture in the other background papers. The material was gathered from conversations and informal interviews with Lewisham residents, who were approached via a number of voluntary and community organisations in the borough.
- 7.6 Much of the material was gathered from people who are 'getting by', rather than those destitute or in crisis, and the paper shows some of what enables residents to 'stand on their own two feet', to borrow one resident's words. Conversations with residents highlighted the precariousness of life for many in the borough (the fact that everyone is 'only a pay check away from poverty', as one put it), the importance of access to advice and support networks, and the value of a sense of place and community. In their discussion of the paper, Commissioners noted the high levels of physical and mental health problems in Lewisham and the associated barriers to employment and social participation. However, they also recognised the importance of building on residents' existing skills, interests and desire to contribute to their communities.

Website and online call for evidence

- 7.7 The Commission has a webpage at www.lewisham.gov.uk/povertycommission. It contains information about the Commission's work including papers for its meetings as well as a call for evidence. The page also contained a short survey where people as well as organisations could submit their views, experiences and suggestions for change. The questions asked in the survey were:

- What makes it difficult to make ends meet in Lewisham?

- What can you and your community do to help make it easier to get by?
- What can the Council and its partners do to help?
- Is there anything else you would like the Commission to know about?

7.8 The webpage and survey have been promoted via the Council's social media accounts and were included in the Lewisham Life email several times.

Local Assemblies

7.9 All Councillors were invited to add an item on the Lewisham Poverty Commission to the agenda for their assemblies in this period. These sessions have allowed the assemblies to discuss the work of the Commission and poverty in the borough generally. A toolkit for the discussion session was developed in advance and provided to all Councillors. Six of the borough's local assemblies have taken up this opportunity: Crofton Park, Grove Park, New Cross, Blackheath, Catford South and Evelyn.

Visits

7.10 A number of visits to drop-in centres have been arranged to hear about residents experiences and thoughts, both for officers working on the project and for Commissioners. The organisations or projects visited have been the Council's housing options centre, two of the borough's Children's Centres, the provider of employment support for the Pathways to Employment programme, a community library, the Whitefoot and Downham Community Food Project, a employment support programme by a local housing provider, Lewisham Credit Union, a local church and a session of the Council's Young Advisors meeting.

London Boroughs

7.11 All London Boroughs were written to, so they were aware of the Commission's work and so they could share examples of good work in their areas. Those Councils that had experience of organising their own Commissions on fairness, equality or poverty were also specifically asked to share lessons they had learnt. The responses were incorporated in some of the papers presented to the Commission at their last meeting.

The Lewisham Poverty Summit

7.12 The Lewisham Poverty Summit took place on Wednesday 12th July. The Summit was an opportunity to discuss the Commission's work with the Council's partners and stakeholders. More than 70 people attended, including representatives from partner organisations, the voluntary and community sector, faiths organisations and residents.

8 The Council's response

8.1 The Lewisham Poverty Commission has functioned as an advisory body to the Council. Its membership has combined expertise about poverty with expertise about the local area. Following the extensive consultation processes described in section 7, it has now made recommendations to Lewisham Council in each of the policy areas described in section 6. The Commission has worked to make recommendations that are realistic but ambitious, and fit the specific circumstances of poverty in the London Borough of Lewisham.

8.2 The Mayor is now asked to note the "Working together to tackle poverty in Lewisham" report and ask officers to develop a detailed response to its recommendations for Lewisham Council. This response should include an action plan.

- 8.3 The Commission is aware that tackling poverty will not happen overnight. The Commission has therefore requested that a Cabinet Member retains specific responsibility for overseeing Lewisham Council's actions to tackle poverty, and recommends that this Cabinet Member present a yearly report to the Council's scrutiny and executive functions, so progress can be tracked.
- 8.4 Finally, the Mayor is asked to thank the members of the Commission for their time and expertise, and the insight they have provided to the Council.

9 Financial implications

- 9.1 There are no financial implications following from this report.
- 9.2 The Lewisham Poverty Commission has been focused on improving and coordinating existing work by the Council and its partners as opposed to recommendations that would require additional financial resources.
- 9.3 Financial implications may arise when it comes to the implementation of the recommendations in the Working together to tackle poverty in Lewisham – Final report of the Lewisham Poverty Commission. However, any decision to spend money would then be subject to the Council's formal decision-making.

10 Legal implications

- 10.1 There are no legal implications following from this report.
- 10.1 Legal implications may arise when it comes to the implementation of the recommendations in the Working together to tackle poverty in Lewisham – Final report of the Lewisham Poverty Commission. However, this would be then be subject to the Council's formal decision-making.

11 Equalities implications

- 11.1 The Commission has worked to challenge some of the systemic inequalities existing in the borough. Its recommendations are aimed at tackling poverty and preventing the negative impacts it has on people's lives, such as lower educational attainment, a persistence of intergenerational poverty, and poor physical and mental health outcomes.
- 11.2 The Commission has made every effort in its work to draw views and ideas from across the community, but particularly from those residents living in poverty in Lewisham. The process of engagement followed by the Commission is described in section 7 of this report.
- 11.3 Any decisions that arise from the implementation of the recommendations in the Commission's "Working together to tackle poverty in Lewisham" report will be subject to the Council's formal decision-making and an assessment of the equalities implications of those decisions will be made then.
- 11.4 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Poverty is not a protected characteristic under the Equality Act 2010.

- 11.5 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.
- 11.6 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

Background documents and originator

Appendix A: Working together to tackle poverty in Lewisham – Final report of the Lewisham Poverty Commission

Appendix B: Working together to tackle poverty in Lewisham – Final report of the Lewisham Poverty Commission, Executive Summary

Further information about the Lewisham Poverty Commission and its work can be found here: www.lewisham.gov.uk/povertycommission

For further information, please contact Simone van Elk, 020 831 46441

Working together to tackle poverty in Lewisham

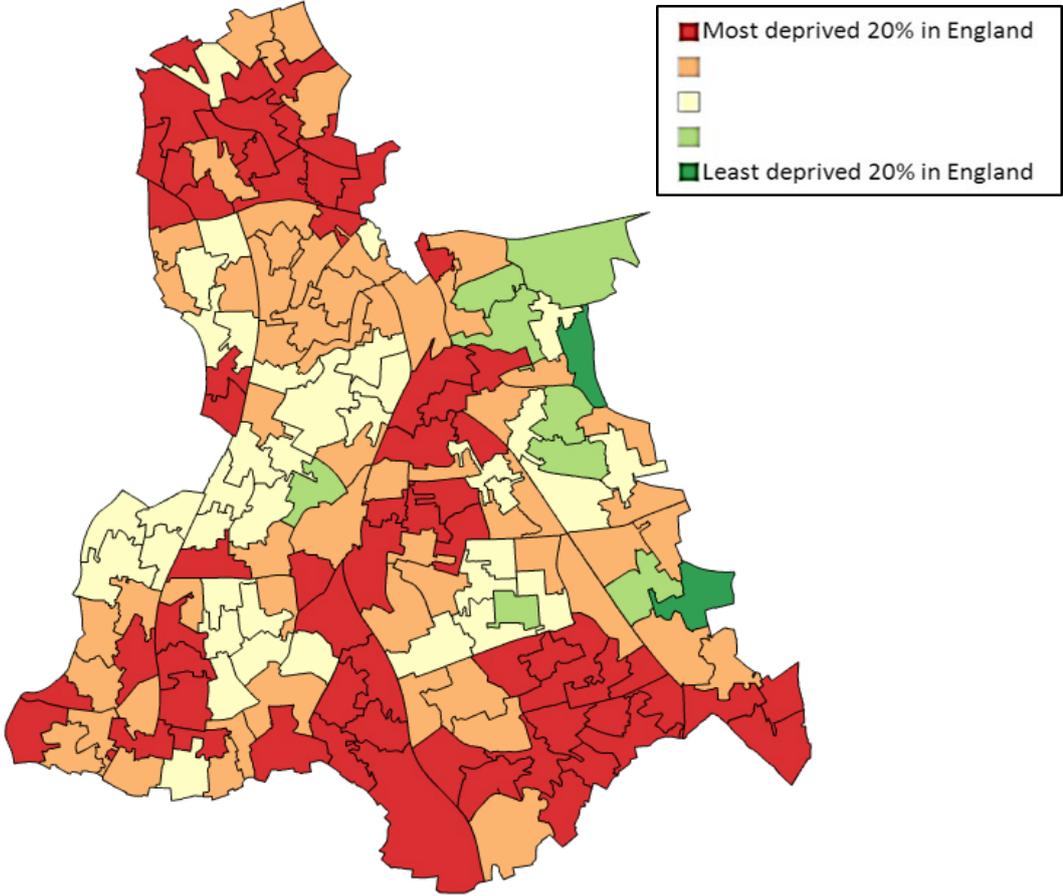
The final report of the Lewisham Poverty Commission, September 2017 Executive summary

Poverty in Lewisham

Lewisham is a successful, diverse and inclusive inner London borough. The borough has good transport links to the rest of London, excellent primary and improving secondary schools, attractive residential neighbourhoods and an active voluntary and community sector. Yet, despite its many assets, its proximity to Central London, and the efforts of the Council and other partners, Lewisham continues to have high levels of poverty and deprivation.

Unemployment in Lewisham has fallen significantly in recent years and incomes are higher than the national average. However, high levels of inequality and high housing costs contribute to high levels of poverty. Lewisham is in the top 20% most deprived local authorities in England, with particular concentrations of poverty in the north and south of the borough. One in four people working in Lewisham earn less than the Living Wage, and Lewisham has amongst the highest levels of child poverty in the country.

Figure 1. A map showing Lewisham’s Index of Multiple Deprivation (IMD) scores by small areas.¹



¹ DCLG 2015. The IMD measures relative deprivation across: income; employment; education, training and skills; health deprivation and disability; crime; barriers to housing and other services; and the living environment.

Poverty is complex and multidimensional. The Commission has used the Joseph Rowntree Foundation's broad definition, where poverty is a situation in which a person's resources are not sufficient to meet their minimum needs, including social participation.² Poverty blights lives. It is associated with lower educational attainment, with poor health and mental health, and with shorter life expectancy. Children who grow up in poverty often go on to suffer from poverty in adult life.

The Lewisham Poverty Commission was set up by Lewisham Council to investigate the extent of, causes of, and solutions to poverty in Lewisham. Made up of local Councillors and national experts, the Commission has heard a range of evidence on poverty in Lewisham, including the lived experience of residents who are struggling to make ends meet. From this evidence, four key areas of focus were chosen:

A) supporting residents to access well-paid, secure jobs inside and outside of Lewisham

Well-paid, secure jobs are the main route out of poverty. Lewisham is situated on the doorstep of London, a growing and thriving city, and three in five residents work outside of the borough. While the London employment market is easy for residents to access, the growth in jobs has been at the high and low end of the labour market, with comparatively few jobs in-between. There has also been a growth in insecure employment. Given this, and the Government's cuts to funding for training, it can be difficult for adults in low-paid and insecure jobs to progress to higher-paid and secure work. Lewisham's local economy is comparatively small, with the lowest number of jobs per capita of any London borough and a high proportion of jobs in Small and Medium-sized Enterprises (SMEs). In the absence of large private employers, Lewisham's public sector institutions play an important role not just as providers of public services, but as major employers too.

'There are no big businesses in Lewisham, or trades young people can be apprenticed to'
Grove Park Assembly

Recommendations:

- The Council and its public sector partners, as the borough's main employers and biggest spenders in terms of procurement, should cooperate closely to support local economic growth and good jobs. This group of anchor institutions should work to establish a 'Lewisham Deal' which outlines joint commitments to good work and inclusive economic growth. This should include a commitment to fair pay, flexible work and investing in training.
- The Council and its public sector partners should develop a shared approach to skills and local economic development. Building on the strength of the Council's existing apprenticeship programme, this should include maximising spending of the apprenticeship levy to support access to high-quality employment and better career prospects.
- The Council should support inclusive growth and good jobs in the local economy. It should support the creation and growth of new businesses, including by increasing the availability of high-quality business premises, through the provision of co-working spaces, and through a local currency to stimulate local demand. The Council should continue to promote fair pay, including through incentives for local employers to become accredited Living Wage employers.

² See <https://www.jrf.org.uk/report/definition-poverty>.

B) Tackling child poverty by supporting parents into decent work

Lewisham is in the top 20 local authorities in the country in terms of child poverty. Child poverty has a direct impact on the life chances of young people, limiting their ability to achieve their potential. Children in lone parent households are more likely to grow up in poverty as lone parents often struggle to find flexible and high quality employment that fits around childcare.

'We young single parents aren't getting the help that we're supposed to. There is work out there, but the work that you want to do, who's going to look after the children or pick them up for you?... Once we can get help, there is cleaning jobs out there, there is evening jobs out there. If I could get somebody, I would go. It's not as though I don't want to work. I'm happy to work because I'm having it hard.'

A single mother and Phoenix resident.

Recommendations:

- The Council should take the lead on providing flexible and high-quality employment opportunities for local residents, including those with childcare responsibilities. It should become an accredited Timewise employer, and encourage other local employers to follow its lead.
- The Council should raise awareness of and increase the use of local high-quality childcare provision. The Family Information Service (FIS) directory should be improved to include detailed information on available childcare and information on eligibility criteria for that care. This should be provided through an accessible digital platform.
- The Council should work with Children's Centres, providers and parent groups to explore ways to encourage parents and extended family to participate in the provision of childcare, including by exploring options for co-operative childcare clubs and parent-led nurseries. Parents participating in these forms of co-produced child care can then also be supported into related careers.

C) Improving the local housing market

The cost of housing is an important factor in London's and Lewisham's higher poverty rate. Over one in four Londoners live in poverty after housing costs are taken into account, compared with one in five nationally. House prices in Lewisham are lower than the London average, but they have risen sharply, and the median house price is 14 times greater than the median income. Given high housing costs and a shortage of social homes, more residents are living in the private rented sector. Rents are rising fast, and many residents are subject to rogue landlords and insecurity.

Recommendations:

- The Council should continue to deliver as much affordable and social housing as possible, as part of mixed communities. It should push developers to maximise the amount of affordable housing and push the government to lift the cap on borrowing from the Housing Revenue Account.
- The Council should establish a social lettings agency in Lewisham to work with mainstream landlords in order to offer more secure tenancies at the lower end of the market. This could be done either through expanding the work of its existing lettings agency or encouraging an existing social or ethical lettings agency to operate in the borough.
- In order to protect tenants in the private rented sector, the council should seek to expand its landlord licensing scheme and a local tenants' union should be established in the borough to offer advice services and organise campaigns. Lewisham Citizens, Goldsmiths' students union and existing tenant and residents associations could be asked to develop the union.

'Provide more advice on what people should do with rent arrears' Crofton Park Assembly

D) Strengthening support within communities

Lewisham has a strong community and a long history of civic activism. At present, there are over 800 active voluntary groups, with a recent survey revealing that 35% of Lewisham residents had volunteered over the past 12 months. From speaking to residents, we know how valuable support within communities can be for people facing poverty. Where people can tap into both formal and informal networks, they are more likely to be able to access goods and services (including information, advice and support), to find work and to feel connected to a place.

Recommendations:

- The Lewisham Local collaboration³ should consider developing an anti-poverty fund to fill the current gap in micro-grants to support local community activity. This could be funded by using relevant financial contributions from planning obligations.
- The Council should improve and promote its employee volunteering policy to encourage council staff to contribute to local communities. This employee volunteering policy can then be used as an exemplar for Lewisham Local partners to promote to businesses inside and outside the borough, and encourage best practice.

'It needs to be easier for people to know how they can volunteer' **Blackheath assembly**

Working together to tackle poverty

The Commission encourages Lewisham Council to adopt these recommendations and to begin implementing them as soon as possible. The Commission recommends that the next Mayor appoints a lead member on poverty, and that they report back on an annual basis to scrutiny and the executive on progress in tackling poverty in Lewisham.

However, the Council can't do this alone. If we are to make a real difference in tackling poverty, we need to work together with local partners, and we need policy change from national government.

The Commission will be writing to the Secretary of State for Work and Pensions, the Secretary of State for Communities and Local Government, and the Housing Minister to start a conversation about improvements to the welfare system, to prevent people going into debt, and improvements to local government finance, to increase the building of social housing.

Poverty can be tackled but only if we all work together.

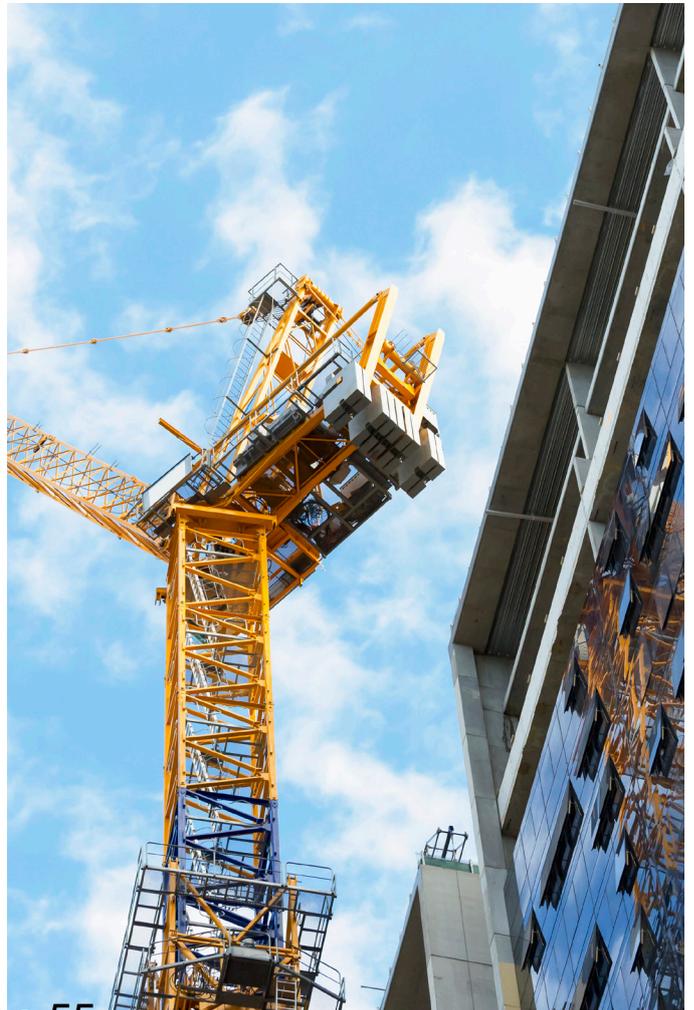
³ For more information about Lewisham Local, see www.lewishamlocal.org.uk/

Working together to tackle poverty in Lewisham



The final report of the Lewisham Poverty Commission

October 2017



Contents

Foreword	3
1. Introducing the Poverty Commission: a realistic but ambitious approach	4
The Commission	4
Focusing on poverty	4
The role of Lewisham Council in tackling poverty	5
Action at a local level	5
Working together to tackle poverty	5
2. Poverty in Lewisham	6
Lewisham and its people	6
The impacts of poverty	6
Quantifying poverty in Lewisham	8
The difficulties in getting well-paid, secure work	10
Children living in poverty	13
The price of unaffordable housing	14
The Commission's focus	14
3. Supporting residents to access well-paid, secure jobs inside and outside of Lewisham	15
Works, skills and the role of anchor institutions	15
Recommendations	17
4. Tackling child poverty by supporting parents into decent work	20
Child poverty, child care and lone parent unemployment	20
Recommendations	21
5. Improving the local housing market	23
Housing in Lewisham	23
Recommendations	24
6. Strengthening support within communities	27
Increasing community resilience	27
Recommendations	29
7. Working together to tackle poverty: next steps and implementation	31
An immediate response	31
Change across the community	31
Advising national government	31
Staying the course	31
Appendix 1: Listening to Lewisham's people and its organisations	32
Our approach to consultation and engagement	32
Further data and evidence	33
Summary of comments received from residents	34

Foreword

Lewisham is a great place to live, with a strong and diverse community. Yet, despite being situated in the heart of London, on the doorsteps of one of the wealthiest cities in the world, tens of thousands of Lewisham residents live in poverty.

There is a wealth of evidence of the damage poverty does. We know child poverty is associated with lower educational achievement, and it prevents kids from fulfilling their potential. We know poverty is linked to poor physical and mental health, and to shorter life expectancy. We know poverty is often inter-generational, with people growing up poor being more likely to suffer from poverty later in life. And we know that high levels of inequality; with significant wealth alongside poverty, is a cause of significant social ills. A fundamentally unequal society can never be a good society.

Lewisham has a proud record of fighting poverty. We are proud that we were the first council to become an accredited Living Wage employer, and since we introduced a business rate incentive, the number of Living Wage employers locally has rocketed. We've seen strong employment growth, with the Council helping hundreds of residents into work in recent years.

Yet despite our efforts, poverty in Lewisham remains stubbornly high. And we know things may get worse. The Government's failure to tackle the housing crisis has been a driver of poverty in London. Their welfare freeze has led directly to an increase in poverty both for those who can't work, and those in work on low pay. And the Government's huge cuts to Lewisham Council's funding limit what we can do to tackle poverty.

But we know there is more that we can do. That's why the Safer Stronger Select Committee called for a Commission to review our approach. This report is the outcome of the Lewisham Poverty Commission. It has involved a new approach; with Councillors working alongside local stakeholders and national experts to look at the nature of poverty in Lewisham, assess what we're currently doing and what other councils are doing, and develop a comprehensive plan to tackle the scourge of poverty. We've spoken to residents affected by poverty, we've sought input from across the community, and we've come up with some recommendations which we think are ambitious but practical and which we hope can make a real difference.

We've focused on four areas; supporting residents to access decent work; tackling child poverty; improving the local housing market; and strengthening support within communities. In each area, we've made recommendations which we hope the current Mayor and the next Mayor will implement. But we can't do this alone. If we are to make a real impact, we will need to work with local partners, and we will need to continue to push for changes in Government policy.

I am grateful to Safer Stronger Select Committee for proposing this commission, to our Mayor Sir Steve Bullock for asking me to Chair it, to everyone who fed in and to our fantastic officers for their support – particularly Simone van Elk. But most of all, I'm hugely grateful to all our commissioners who gave their time and their significant expertise.

We all share a commitment to tackling poverty. It's what drives us. We hope that the work of the Lewisham Poverty Commission can help us tackle the scourge of poverty in our community.



Councillor Joe Dromey, Chair of the Lewisham Poverty Commission

1. Introducing the Poverty Commission: a realistic but ambitious approach

The Commission

Tackling poverty, deprivation and inequality is at the heart of Lewisham Council's vision for a resilient, healthy and prosperous borough. With this in mind, Lewisham Council agreed to convene the Lewisham Poverty Commission to understand and tackle the poverty faced by residents and communities in Lewisham, bringing Council representatives together with partner organisations of the Council.

The Commission is a group of local councillors and poverty experts that have come together to consider how poverty can be tackled in the borough. Its members are:

Alice Woudhuysen (Child Poverty Action Group)	Bharat Mehta (Trust for London)
Bill Davies (Central London Forward)	Councillor Brenda Dacres
Claire Mansfield (New Local Government Network)	Councillor Colin Elliot
Debbie Weekes-Bernard (Joseph Rowntree Foundation)	Gloria Wyse (Lewisham Citizens)
Councillor James J-Walsh	Councillor Joan Millbank
Councillor Joe Dromey (<i>Chair</i>)	Councillor Joyce Jacca
Dr Simon Griffiths (Goldsmiths)	

Focusing on poverty

Poverty is complex and multidimensional. The Commission has used the Joseph Rowntree Foundation's definition, where poverty is a situation in which 'a person's resources (mainly their material resources) are not sufficient to meet their minimum needs (including social participation)'.¹ In this definition, 'needs' encompass both basic material goods and the ability to participate in social life. The term 'resources' refers to the financial and in-kind means necessary to meet these needs. In-kind resources may be formal goods and services (those provided by a local authority, for example) or informal goods and services (accessed via social networks or community organisations, for example).

The principal aim of the Commission has been to agree recommendations to alleviate poverty in Lewisham, mitigate against its negative effects and strengthen people's resilience.

The Commission has prepared this final report following several months of research and public consultation. The process involved a qualitative study of the lived experience of poverty in Lewisham; analysis of quantitative data and existing literature on poverty; discussions at local assemblies across the borough; an online consultation; a summit which brought together communities and wider stakeholder representatives from across the borough.² This report summarises the Commission's findings on poverty in Lewisham and presents their recommendations to the Council and partners.

¹ See www.jrf.org.uk/report/definition-poverty.

² A full methodology can be found as Appendix 1.

The role of Lewisham Council in tackling poverty

Many of the Commission's recommendations are naturally directed at Lewisham Council. The Commission recognises that local authorities have a significant impact on the lives of their residents through the many services they provide, commission and facilitate – examples include children's centres, the provision of temporary accommodation and employment support programmes. The Commission also recognises the good work Lewisham Council has been doing for many years to tackle poverty and support its residents who are dealing with the consequences. However a local authority by itself can only do so much, particularly given the government's deep cuts to local government budgets since 2010; cuts which are set to continue. In this context, the Commission has worked to create recommendations to the Council that are ambitious but realistic.

Action at a local level

The borough contains many significant publicly funded institutions aside from the Council including a world class university, social housing providers, a large further education college as well as a large NHS trust. All provide important services for the citizens of Lewisham including education, housing and care. These organisations also make up a significant proportion of local employment and are significant sources of investment in the local area. The Commission has therefore also looked at positive steps these organisations, together with the Council, can take to tackle poverty.

Working together to tackle poverty

The Commission has been keenly aware that local authorities also have a significant role to play in their local area by bringing local partners together to tackle pressing issues. This report therefore sets out ambitious actions for Lewisham Council and other local partners which we hope can make a real difference to the lives of local people.

Nevertheless there are limits to what local organisations can do by themselves to tackle the problem of poverty in Lewisham. Some of the barriers faced by the poorest Lewisham residents can only be removed through changes in policy by national government. The Commission therefore also calls on national government to play their part: to support people that desperately need it and to create the conditions that enable individuals, local communities and local organisations to solve poverty.

Poverty can be tackled but only if we all work together.

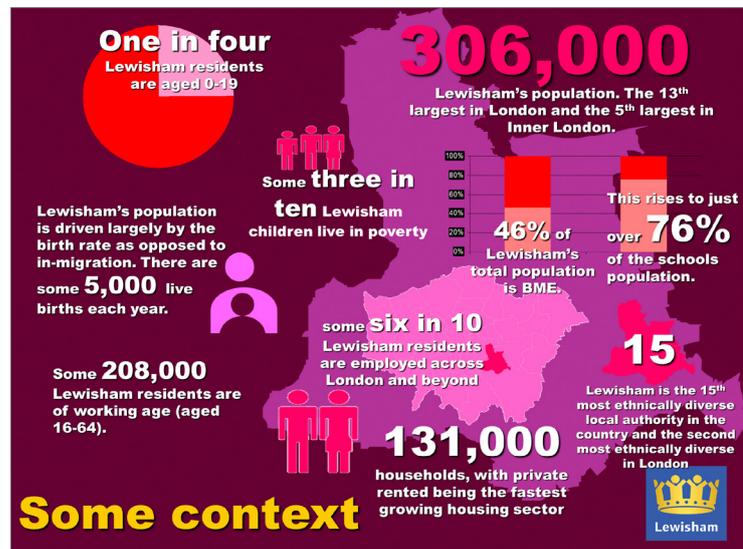
2. Poverty in Lewisham

Lewisham and its people

Lewisham is a successful, diverse and inclusive inner London borough. The borough has good transport links to the rest of London, excellent primary and improving secondary schools, attractive residential neighbourhoods and an active voluntary and community sector.

Lewisham has a population of 306,000 people. It is the 15th most ethnically diverse borough in the country. From the 2011 Census, 46.4% of Lewisham's people are from a Black, Asian, and, Minority Ethnic (BAME) background. 14.4% of Lewisham's residents described themselves as living with a long-term health condition in the Census, compared to 17.6% for England. It also a very young borough as a quarter of its residents are less than 20 years old. Lewisham is characterised by the energy and diversity of its local communities and shares several characteristics with both inner and outer London. Yet, despite its many assets and rich history as a leader in debates surrounding social justice, Lewisham continues to have high levels of poverty and deprivation.

Figure 1. An overview of the demographics of Lewisham



The impacts of poverty

There is a wealth of evidence of the negative impact of poverty on people's lives.

Educational attainment and intergenerational poverty

Children growing up in poverty have far poorer educational outcomes than other children. Pupils who receive free school meals (FSM) are significantly less likely to achieve good GCSE results. In England, 43.1% of children on FSM score a grade C or better for English and maths GCSEs, compared to 63% of all children. The numbers in Lewisham are 45.9% for children on FSM compared to 56.2% overall.³ Nationally, just one in five (22%) young people on FSM progresses to university, compared to two in five (39%) young people who did not receive FSM.⁴

Partly as a result of the large gaps in educational attainment between those who grow up in poverty and those who don't, there are high levels of intergenerational transmission of poverty, where poverty is transferred from one generation to the next, and low levels of social mobility in the UK.⁵

³ Department for Education, 2016 at www.compare-school-performance.service.gov.uk/

⁴ Department for Education (DfE), Widening participation in Higher Education, England, 2016

⁵ Office for National Statistics, Intergenerational transmission of disadvantage in the UK and the EU, Sept 2014

Children growing up in the most deprived 10% of neighbourhoods in the UK are at least 10 times more likely to be taken into care or put on a child protection plan than children in the 10% least deprived neighbourhoods⁶. In Lewisham, the number of looked after children per 10,000 population is 65.1, compared to 60 nationally.⁷

Physical health and life expectancy

People who are poor tend to die younger than people who are not. In England, the wealthiest women live on average 6.6 years longer than the most deprived. For men, the gap is 7.7 years.⁸ This is particularly relevant for homeless people who are sleeping rough. Their average life expectancy is 42, compared to 79 for women and 76 for men nationally.

Poverty also has a significant impact on people's physical health. People living in poverty have increased rates of cardio-vascular diseases and lung cancer as well as respiratory illnesses related to cold housing.

Mental health and wellbeing

Reduced income, income inequality, unemployment and unaffordable housing have all been associated with poor mental and physical health outcomes.

Stress, anxiety, depression, substance misuse disorders and minor psychiatric illnesses have all been linked to different aspects of living in poverty, such as being in debt, experiencing a decrease in household income or being unemployed. Some studies have shown that the risk of death by suicide was two to three times higher for unemployed people compared to those with jobs.⁹ Furthermore, those working in insecure and low-paid jobs are more at risk of suffering from stress, and job insecurity has been strongly associated with depression.¹⁰ This was born out in interviews with Lewisham residents and community organisers:

'People begin at a place where they, you know, if they got a job they probably wouldn't be able to cope because they don't have the correct coping strategies around anxiety, around saying what they think, around turning up for things on time, that kind of thing. And a lot of that is around mental health... I mean some weeks we'll have hardly anyone here and when you ask people why, it's because they were really depressed and they couldn't get out of bed or that kind of thing.'

Reverend, Church in Downham

⁶ The Child Welfare Inequalities Project, led by Coventry University at www.coventry.ac.uk/Global/08%20New%20Research%20Section/Researchers/CCSJ/CWIP%20Summary%202015.pdf

⁷ Report on Lewisham Council's children's social care budget from September 2017 at <http://councilmeetings.lewisham.gov.uk/documents/s52583/04%20Childrens%20social%20care%20budget%20270917.pdf>

⁸ Public Health England, 2016

⁹ Giuntoli, 2011 at <https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/unemployment-mental-health-full.pdf>

¹⁰ The Marmot review, 2010 at <http://www.parliament.uk/documents/fair-society-healthy-lives-full-report.pdf> and Meltzer et al (2010) Job insecurity, socio-economic circumstances and depression in Psychological Medicine.

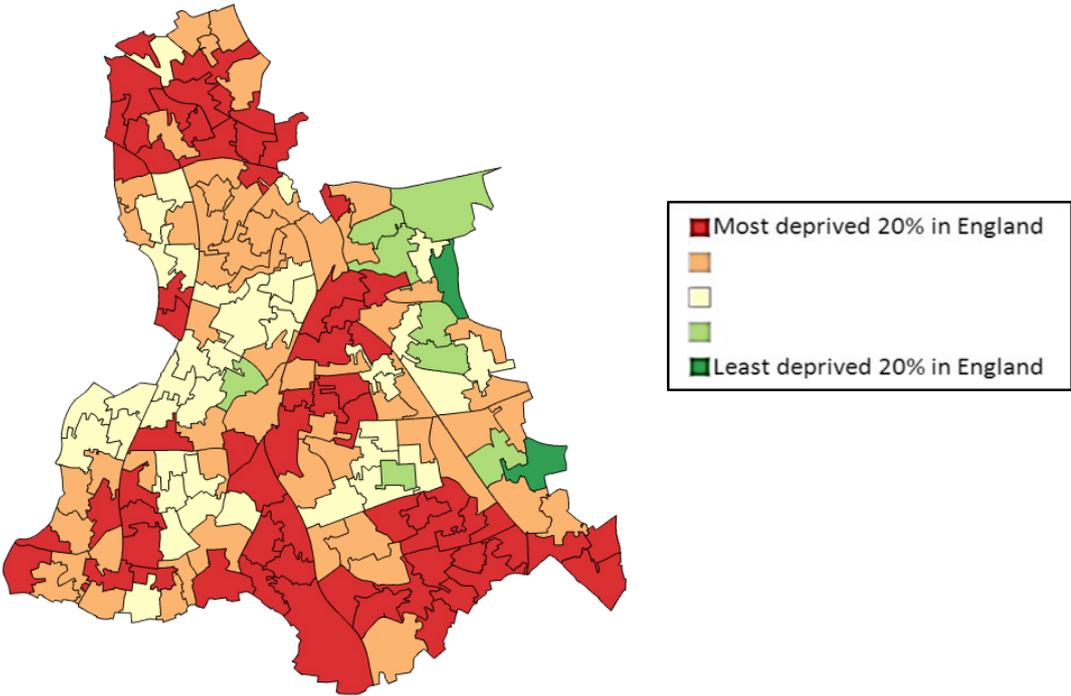
Quantifying poverty in Lewisham

Lewisham is situated close to the centre of London, one of the wealthiest cities in the world. Yet as with many London boroughs, Lewisham’s community still suffers from high levels of poverty and inequality.

According to the Department for Communities and Local Government’s 2015 Index of Multiple Deprivation (IMD), the borough ranked 48th out of 326 local authorities (1st being most deprived). This is a marked improvement from 2011 when it was ranked 31st, yet Lewisham remains well within the most deprived quartile of local authorities.

There are significant variations by area in Lewisham. Two of Lewisham’s neighbourhoods are in the least deprived 20% in the country, while 63 of the borough’s communities (37%) are in the 20% most deprived in the country. Areas of significant wealth exist alongside areas with high levels of deprivation. There are concentrations of deprivation in the far north and the far south of the borough.¹¹

Figure 2. A map showing Lewisham’s Index of Multiple Deprivation (IMD) scores by LSOA¹² (Source: DCLG 2015).



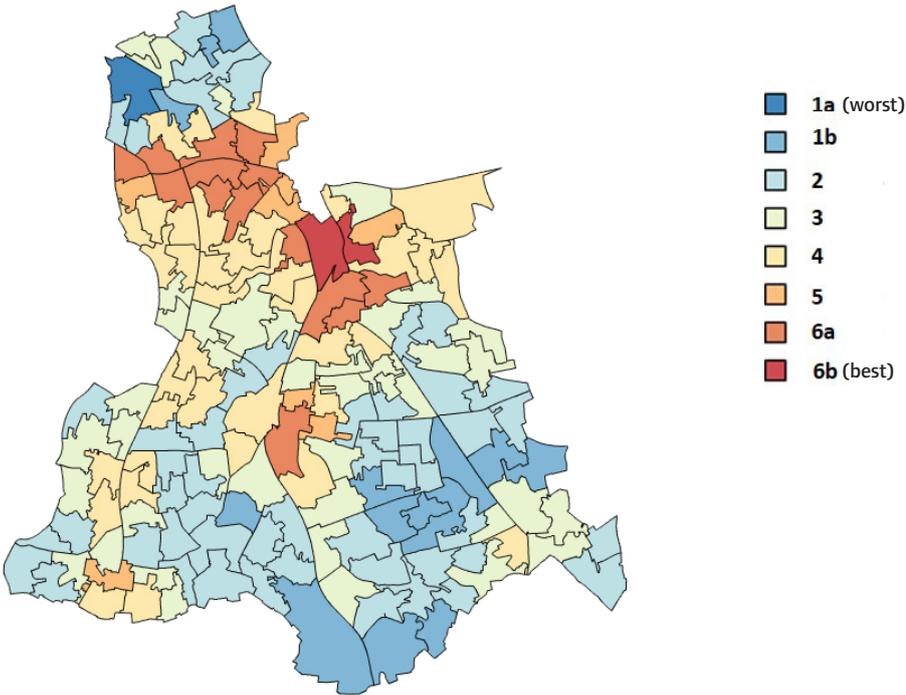
¹¹ The IMD measures relative deprivation across 7 domains: income; employment; education, training and skills; health deprivation and disability; crime; barriers to housing and other services; and the living environment.

¹² Lower Super Output Areas (LSOAs) are geographical areas with an average population of 1,500 people used in the IMD. Lewisham has 169 LSOAs spread across 18 wards.

In the Trust for London’s 2017 London Poverty Profile, Lewisham ranked among the bottom 25% of all 32 London boroughs for the average across all indicators. The Trust noted that Lewisham is in the worst four boroughs for numbers of out-of-work benefit claimants, the average size of income loss from Council tax support and proportion of 19 year olds lacking level 3 qualifications.¹³ The borough was worst amongst London Boroughs for pupils receiving A*-C grades in English and maths.¹⁴

In the north of the borough, high housing costs and low incomes combine to produce high levels of deprivation, but there are good connections to the rest of London. In the south, housing tends to be marginally more affordable but incomes are low and residents are more likely to be unemployed and in receipt of out-of-work benefits. One of the key challenges across the south of the borough is poor transport connectivity, with low Public Transport Accessibility Levels (PTALs)¹⁵, as illustrated by Figure 3. There is a significant overlap between poor transport accessibility and concentrations of deprivation in the borough.

Figure 3. A map showing PTAL’s across Lewisham.



‘The cost of public transport’ [makes it difficult to get by]
Grove Park Local Assembly

¹³ For information, level 3 qualifications are, or are similar in level to A-levels. For details of what different qualification levels mean, see www.gov.uk/what-different-qualification-levels-mean/list-of-qualification-levels

¹⁴ www.trustforlondon.org.uk/data/boroughs/borough-overview/

¹⁵ PTAL is a measure of connectivity of an area by public transport. PTAL values range from 0-6, with 6 representing the best connectivity. Data for London can be found here: <https://london.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat/webcat>

The difficulties in getting well-paid, secure work

While unemployment has fallen, and while average incomes in Lewisham are higher than the UK average, high levels of inequality and high housing costs lead to high levels of poverty.

'Alright, they say you can get round it. You can do cheap meals, yeah I do now that. But it's just that little bit of extra money, little bit of pocket money that you can go and buy a pair of shoes [with] or something like that. That's all it is, really, just having that extra bit of money. And that's what the government don't understand.'

Woman, part-time employed

Median weekly earnings in the borough in 2016 were £620.80 for full time workers compared to £632.4 in London and £541.80 for England and Wales.¹⁶ Men in Lewisham earn £641.4 a week, which is below the London average for men but above the England average, whilst women at £586.8 a week are above both the London and England averages for women.¹⁷ The median household income across the borough is £29,848, 15% lower than the London average. There is also significant income equality in Lewisham, reflected in Figure 1 above. In four wards (Evelyn, Bellingham, Downham and New Cross) the median income is below £25,000.

Unemployment in Lewisham has fallen steadily for the last six years and now stands at 5.7% of the working age population. This is in line with the London average (5.7%) but higher than the national average (4.7%). Lewisham has higher levels of people on out of work benefits than the rest of London (9.1% compared to 7.2%). The numbers of adults claiming Job Seekers Allowance (JSA) has fallen in recent years, though at 1.7% it is higher than the London average of 1.2%. While the number of JSA claimants has declined, the numbers for Employment Support Allowance and Incapacity benefits claimants have largely staid the same, with 5.7% of the population on these benefits compared to 4.8% across London. The number of lone parents claiming out of work benefits is also higher; 1.5% compared to 1.0% in London.¹⁸

¹⁶ NOMIS, official labour market statistics by Office for National Statistics, Labour Market Profile Lewisham, 2016 at <https://www.nomisweb.co.uk/reports/lmp/la/1946157254/report.aspx?town=lewisham>

¹⁷ <http://councilmeetings.lewisham.gov.uk/documents/s48217/866ESAnnualReview2016Safer080317.pdf>

¹⁸ NOMIS, see footnote 13

The government's welfare freeze will have a significant impact on these groups.

'It is extra hard for some – if you have a disability, if you aren't white, if you are queer – poverty isn't just about resources, it's racism, homophobia'
Crofton Park Local Assembly

There are significant differences in the employment rates among different groups of residents. Unemployment is far higher among men in Lewisham at 6.5% than among women at 4.1%. This is above the London average for men, whereas for women it is significantly below¹⁹. Across the UK the unemployment rate for people from a BAME background is 8.2% compared to 4.3% for people who self-identify as white ethnic. For Lewisham the numbers are 8.1% for BAME residents and 4.1% for white ethnic.²⁰ There is also a significant disability employment gap nationally, with just 48.3% of disabled people aged 16-64 in employment in the last quarter of 2016 compared to 80.5% of non-disabled people²¹ and 9% of economically active disabled people are unemployed across the UK.²² In Lewisham, 22.4% of people who are economically inactive are long-term sick, compared to just 16.7% across London.²³ Some people will be part of more than one group that is disadvantaged in the labour market and this can compound any difficulties they face in getting well-paid, secure work.

While Lewisham has seen significant falls in unemployment in recent years, it has also seen a significant rise of in-work poverty. In 2015, it was estimated that 27% of Lewisham's residents were earning less than the London Living Wage (£9.75 per hour since April 2017). This is higher than at any time since 2008, suggesting that wages are not keeping pace with rising living costs.

Lewisham has a very small economy, with a predominance of small and micro businesses and very few larger businesses. Lewisham's public sector institutions are the major employers in the borough. It is well connected by transport links into Westminster, the City of London, Canary Wharf and Southwark and over 60% of Lewisham residents work outside the borough. Job density – the number of jobs per working age adult – is 0.40 in Lewisham, lower than all other London Borough.²⁴

Lewisham was the joint first local authority in the country to become an accredited Living Wage employer.²⁵ Lewisham has also introduced a business rate discount to incentivise other local employers to become accredited Living Wage employers. The number of Living Wage employers in Lewisham has risen from 5 in 2015 to 33 in August 2017.²⁶

¹⁹ NOMIS, see footnote 13

²⁰ Annual Population Survey, April 2016 - March 2017

²¹ House of Commons briefing paper nr 7540, Key statistics on people with disabilities in employment, Dec 2016

²² Office for National Statistics, A08: Labour market status of disabled people, 16 August 2017

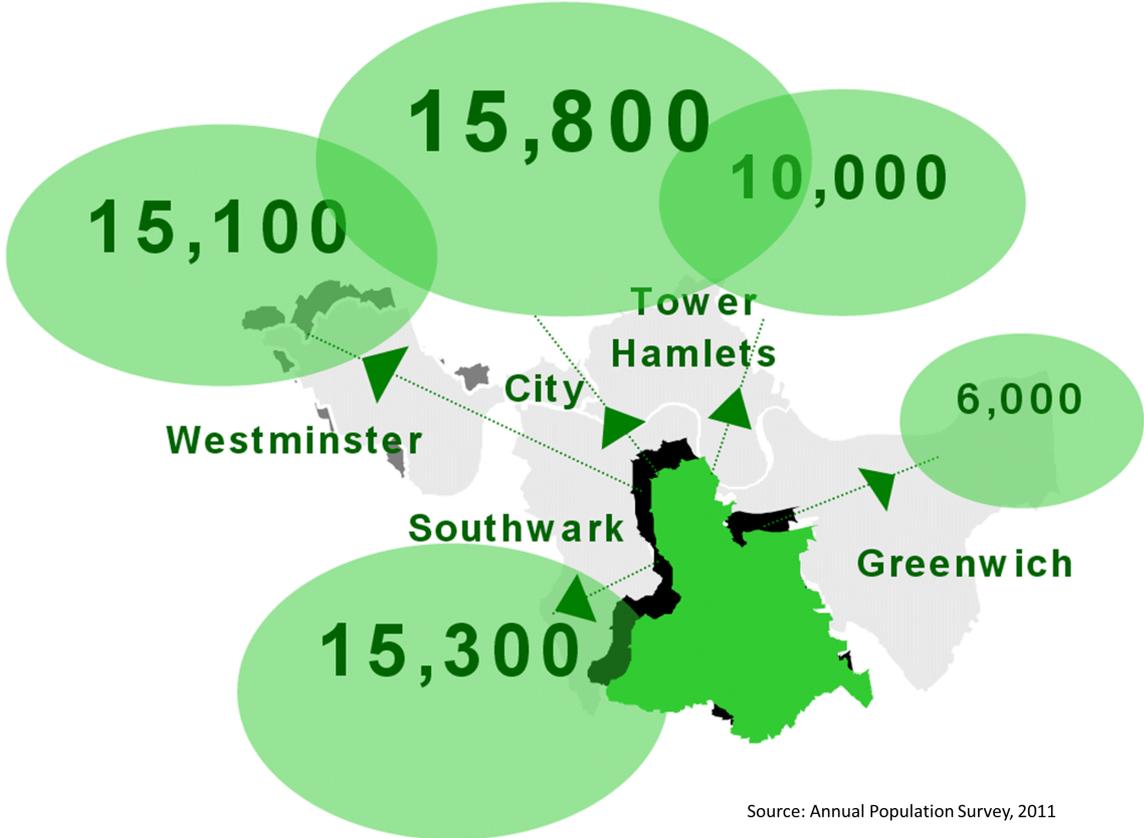
²³ NOMIS, see footnote 13

²⁴ Job density is a measure of the number of jobs in an area divided by the resident population aged 16-64. For example, a job density of 1.0 would mean that there is one job for every resident aged 16-64.

²⁵ www.livingwage.org.uk/news/first-london-living-wage-boroughs-announced

²⁶ www.lewisham.gov.uk/news/Pages/Living-Wage-employers-rise-by-560-per-cent.aspx

Figure 4. Commuter flows from Annual Population Survey, 2011.



The opportunities available in the wider London economy are vital for Lewisham’s residents, but there is a growing concentration of jobs both at the very high end of the skills spectrum and at the extreme lower end. This makes it difficult for people with low level qualifications to progress into well-paid jobs. While the London employment market is easy for residents to access, 6.3% of Lewisham’s working age residents having no qualifications and 35.9% have qualifications at Levels 1, 2 or 3.²⁷

Well-paid, secure jobs are the main route out of poverty. This has therefore become an area of focus for the Commission.

Children living in poverty

Lewisham is in the top 20 of local authorities in the country with highest levels of child poverty.²⁸ Child poverty has a direct impact on the life chances of young people, limiting their chances of succeeding at school and going on to find secure employment. Child poverty is also associated with a wide range of health-damaging impacts, including adverse long-term social and psychological effects. The poor health associated with child poverty limits children's potential and development, leading to reduced life chances in adulthood.²⁹

Education and training are vital routes out of poverty. Lewisham has excellent primary schools, but it has the worst GCSE results in London and high numbers of young people with no qualifications. In Lewisham only 45.9% of pupils eligible for free school meals achieve 5 GCSEs at A*-C, compared to 56.2% of all pupils. The pupil cohort that performed the least well (by March 2017) were black, white, and disadvantaged pupils.³⁰ The need to improve standards and raise educational outcomes, especially in secondary schools, was at the heart of the recommendations made by Lewisham's recent Education Commission.³¹

In 2015, it was estimated that 18.5% of children aged 0-15 in Lewisham lived in households in which a parent or guardian was claiming out-of-work benefits, the seventh highest of all 32 London boroughs. At the same time, being in work is no guarantee of escaping poverty. In 2015, the Institute for Fiscal Studies found that nearly two thirds of children in poverty lived in working households.³² Low incomes, changes to the benefit system and the rise of insecure part-time work can put immense pressure on working parents with dependent children, especially in larger households.

Children in lone parent households are more likely to grow up in poverty as lone parents often struggle to balance work and childcare and are therefore more likely to be on low incomes. According to the last Census, 11% of households in the borough are lone parent households, compared to an average of 8.5% in inner London. The overwhelming majority (91.5%) of lone parent households in Lewisham are headed by women.

'Financially, we get help with our rent, we get help with DLA [Disability Living Allowance]. But although we are probably getting a little bit more money than everyone else because of DLA, it's still a struggle on a day-to-day basis because, you know, all the kids go to different establishments. This week, for instance, it's Red Nose Day, so one has got own clothes day on Friday, they're needing a pound for that, the other one has got a play next week and they're needing a new t-shirt and new tracksuit bottoms for that, the other one has got a trip so they need a packed lunch, you know. There's always something.'

Mother of son with autism

²⁸ After housing costs have been taken into account.

²⁹ See, for example, <http://adc.bmj.com/content/early/2016/02/08/archdischild-2014-306746>.

³⁰ <http://councilmeetings.lewisham.gov.uk/documents/s48217/06CESAnnualReview2016Safer080317.pdf>

³¹ The Commission's final report is available at <http://councilmeetings.lewisham.gov.uk/documents/s44260/Lewisham%20Education%20Commission%20Report.pdf>.

³² <https://www.ifs.org.uk/publications/7880>.

The price of unaffordable housing

The cost of housing is an important factor in London and Lewisham’s higher poverty rate. London and Lewisham have a higher than national average income but the cost of housing is such that 27% of Londoners and 31% of inner London residents (including Lewisham) live in poverty after housing costs are taken into account, compared with 21% nationally.³³

House prices in Lewisham are currently lower than the London average, but the median house price is still 14 times greater than the median income in the borough. Private rents in Lewisham are below the inner London average but are rising faster than elsewhere in London, increasing by 40% between 2011 and 2016. This means many tenants pay more than half their income in rent. The median market rent in the borough also exceeds the maximum Local Housing Allowance (LHA) that can be claimed, and LHA rates have been frozen till 2020.

Affordability is an issue across all types of tenure.



The Median Market Rent in the borough significantly exceeds the maximum Housing Benefit that can be claimed.

Source: Valuation Office Agency, Inner London Housing allowance

The Commission’s focus

The Commission also heard from people in Lewisham about what made it difficult to make ends meet in addition to a range of evidence on Lewisham’s population, London’s economy, the housing market, child poverty in the borough, and links between poverty and health outcomes.³⁴ From this evidence, four key areas of focus were chosen:

- Supporting residents to access well-paid, secure jobs inside and outside of Lewisham;
- Tackling child poverty by supporting parents into decent work;
- Improving the local housing market; and
- Strengthening support within communities.

³³ https://data.london.gov.uk/apps_and_analysis/poverty-in-london-201516-2/

³⁴ A full methodology can be found as Appendix 1.

3. Supporting residents to access well-paid, secure jobs inside and outside of Lewisham

'The kind of clients that we see, even where they are employed, they tend to be on low incomes, on zero-hours contracts, so the money that is coming in is not enough... but it's also not stable, it's not money that they can rely on... So yes, these cases are real in Lewisham... People don't have job security, they don't have well-paid jobs and, in most cases, they really are, you know, on the edge.'

Citizens Advice Bureau caseworker, Lewisham Advice Bureau

Works, skills and the role of anchor institutions

While Lewisham has a low jobs density, London has a thriving economy with an immense range of employment opportunities. The challenge for the Council and other local public sector partners is to equip residents with the necessary skills to ensure that they can benefit from the projected growth of London's economy by finding secure, well-paid jobs, with opportunities for personal fulfilment and progression. This is particularly important as Universal Credit will extend conditionality within the benefits system to claimants who are already in work and earning below a certain threshold.

Jobcentre Plus administers benefits and provides advice on finding employment, with the Work Programme supporting those who have been long-term unemployed. This has been relatively effective in supporting those on JSA into work, but it was far less successful with those on incapacity benefits. In this context, Lewisham has been working with Lambeth and Southwark to deliver the Pathways to Employment programme, a council-led employment-support service which has helped people with complex employment support needs into work. In its first phase, the programme helped 25% of participants into work,³⁵ compared to 3.9% for ex Incapacity Benefit ESA claimants after a year on the Work Programme.³⁶ In total the programme has now supported 380 residents into work.

The Work Programme is soon to be replaced by the Work and Health Programme. In Central London, the programme will be known as Central London Works. This will be more devolved, and support will be more focused on those who face greater challenges, including health and mental health conditions. However, the budget for the programme will be far smaller, with £554m over the lifetime of the Work and Health Programme, compared to an estimated £1.5bn spent on disability employment through the Work Programme and Work Choice.³⁷ It therefore risks being unable to meet the levels of demand and provide support for those in Lewisham who may need it.

'There are no big businesses in Lewisham, or trades young people can be apprenticed to'
Grove Park Assembly

³⁵ <http://moderngov.southwark.gov.uk/documents/s58339/Report%20Pathways%20to%20employment%20phase%202%20-%20contract%20award.pdf>

³⁶ <https://publications.parliament.uk/pa/cm201516/cmselect/cmworpen/363/363.pdf>

³⁷ <https://www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/news-parliament-2015/future-of-jobcentre-plus-report-published-16-17/>

While Lewisham has a highly qualified population, residents who don't have high levels of qualification face poorer employment outcomes and often lack support into training. The number of adults aged 19 and over starting a further education or skills course in Lewisham declined by 27.5% between 2012/13 and 2015/16.³⁸ This was broadly in line with the decline seen nationally (28.0%) and it followed a 35% reduction in spending on adult skills in the last parliament.³⁹

The number of apprenticeship starts among Lewisham residents jumped from 530 in 2007/8 to 2170 in 2011/12.⁴⁰ Nine in ten apprenticeship starts in Lewisham are at level 2 or level 3, with nearly half (43.6%) being among those aged 25 and over. It has remained relatively stable since then. From April, the government's apprenticeship levy came into effect, under which large employers have to pay 0.5% of their payroll into a digital account, with the funds only being redeemable against apprenticeship training fees. Given Lewisham's employment profile, only large public sector employers will pay the levy, and much of the levy funds may go unspent. The levy may stimulate investment in training by large employers across the rest of London but there are concerns it may lead to lower apprenticeship recruitment among smaller non-levy paying employers as some aren't willing to pay the 10% co-investment contribution.⁴¹ This could have a particular impact in Lewisham, given the predominance of Small and Medium-sized Enterprises (SMEs) in the local economy.

The reductions in funding for further education and for adult education provided by local authorities combined with the reduced footprint for employment support under the Central London Works programme, will make it difficult for many adults – both those unemployed and those in work on low pay – to access the training and support they may need. It also raises questions over how people who will be subject to in-work conditionality in the future under Universal Credit, will be able to access the training they may need to improve their income.

While there are immense opportunities in the London economy, the low jobs density in Lewisham means there are fewer high quality local employment opportunities for residents than in other boroughs. As well as supporting residents to access opportunities in the Lewisham and London economy, Lewisham Council should also seek to promote business growth and high-quality jobs locally. In addition, if existing proposals for the extension of the Bakerloo line through Lewisham and Catford to Bromley Town Centre as well as Hayes are implemented, residents living in the south of the borough would gain significantly better access to job opportunities across London.

'We need to do more to reach the working strugglers'
Blackheath Assembly

³⁸ DfE and Education and Skills Funding Agency (ESFA), Further Education (FE) Data Library, 2017

³⁹ Associations of Colleges submission for July 2015 budget at <https://www.aoc.co.uk/sites/default/files/AoC%20submission%20to%20the%20Budget%205%20June%202015.pdf#page=28>

⁴⁰ DfE and ESFA, FE Data Library, 2017

⁴¹ Association of Employment and Learning Providers and Warwick Institute for Employment Research, The impacts of the apprenticeship levy, 2017.

Beyond this, there is an important role for ‘anchor institutions’ - bodies such as local authorities, hospitals, universities, housing associations and large private sector organisations - in tackling poverty and promoting inclusive growth.⁴² As Lewisham has no large private employers, all of these institutions are public.

Through the money they spend procuring goods and services, the number of local people they employ, and their ownership of public assets, these institutions make significant contributions to the local economy. The table below provides staff numbers for some of the bigger public organisations in the borough allowing for a rough indication of their impact as local employers:⁴³

Anchor institutions	Full-time equivalent staff (2016)
Lewisham Council	2,038
Goldsmiths	1,156
Lewisham Southwark College	398
Lewisham and Greenwich NHS Trust	6,065
Lewisham Homes	468
Phoenix Community Housing	158

These anchor institutions can have a significant impact on the local workforce and employee conditions by the training they provide their staff, the working conditions they offer such as opportunities for flexible working, and general support they provide their staff, particularly those with health conditions. The amount spent on procurement by such bodies can be used to negotiate social value in contracts, such as training opportunities and pay conditions. Finally, there are also wider benefits such as working with the borough’s large and diverse voluntary sector and existing programmes such as Lewisham Local.⁴⁴

Recommendations

Anchor institutions

- **The Council and its public sector partners**, as the borough’s main employers and biggest spenders in terms of procurement, should cooperate closely to support local economic growth. This group of anchor institutions should work to establish a ‘Lewisham Deal’ which outlines joint commitments to improve opportunities for residents and support inclusive local economic growth. The Lewisham Deal could include:
 - A coordinated approach to apprenticeships to promote opportunities for residents, including maximising the local spend of the apprenticeship levy for upskilling and in-work progression, building on the strength of the Council’s existing apprenticeship programme.

⁴² See, for example <https://www.jrf.org.uk/report/we-can-solve-poverty-uk> and https://www.thersa.org/globalassets/pdfs/reports/rsa_inclusive-growth-commission-final-report-march-2017.pdf.

⁴³ The information has been taken from respective organisations’ statement of accounts, annual accounts or annual employment profiles. This information can’t be easily compared, as a number of these organisations work across borough boundaries and their financial years end on different dates. It also doesn’t contain information about the organisations’ overall spend either as direct provider of services or through procurement.

⁴⁴ For more information about Lewisham Local, see <https://www.lewishamlocal.org.uk/>

- A shared commitment to London Living Wage accreditation and promotion, flexible working and opportunities for job progression for employees.
- A shared commitment to support good mental health in work by committing to the 'Time to Change' Employer Pledge,⁴⁵ by developing an action plan that normalises conversations about mental health in the workplace and ensures that employees who are facing these problems feel supported.
- A shared commitment to generating social value through procurement, for example by negotiating for the provision of apprenticeships and job opportunities for local residents.
- A commitment to investigate whether the organisation's procurement processes could create opportunities for local, often smaller, businesses to provide goods and services, to enable more money to stay in the borough.
- A shared strategic approach to the skills and local economic development agenda, including training, employment opportunities and business engagement. This could enable the skills shortages in the NHS and wider public sector to be met through higher level apprenticeships, pre-employment support, training while in employment and routes through to Further Education (FE) and Higher Education (HE).
- A coordinated approach to encourage staff to contribute to local communities by linking staff and service users with local volunteering opportunities.
- A joint commitment to supporting the community and voluntary sector by building on existing work by Goldsmiths, Voluntary Action Lewisham and the Lewisham Local collaboration.
- A commitment to engage with local schools and FE colleges to raise aspirations of their students and provide information and advice about apprenticeships and further/higher education or work experience opportunities.

Improving the work and skills landscape locally

- **The Council** should work with Lambeth, Southwark and Jobcentre Plus to build on the success of its joint Pathways to Employment programme to develop a pilot that supports career progression for residents who are in work, but in poverty.
- **The Council's adult education service** should work with partners, including **housing providers**, to support those furthest away from the job market to develop soft skills by providing access to pre-employment training.
- **The Council and its partners** should continue to prioritise the improvement of Lewisham's secondary schools to offer young people the best start in life, building on the work of the Lewisham Education Commission.
- **The Council and its partners** should explore ways to raise aspirations and provide good quality careers advice in schools by linking industry, public sector institutions, professional trade bodies and HE and FE providers with local schools. The Council and partners should start a pilot where their staff, via their staff volunteering programmes, are encouraged to volunteer

in support schools and FE colleges with careers advice and mentoring programmes. This can be expanded to include people working elsewhere in Lewisham and London.

- **The Council's Pension Investment Committee** should use its influence as an investor of roughly £1bn to open discussions about pay, working conditions and job opportunities for London residents with the businesses it invests in across London.
- **The Council** should use its procurement processes to ensure that all components of the Social Value Act (2012) are geared towards the needs of the most deprived members of the borough. The Council should include statements on the social value offer in the reports it uses in the Council's formal decision-making processes including for its Mayor and Cabinet meetings, for decisions to go to tender or to award a contract.
- **The Council** should encourage business growth in the borough, particularly in growth sectors of the London economy. This should build on the success of the existing Council created Dek co-working business spaces ⁴⁶ and investigate the potential to introduce a local currency – the Lewisham Pound – to support local businesses.
- **The Council** should continue to champion the Living Wage in Lewisham. It should continue to provide an incentive in the form of a business rates discount to employers that become accredited London Living Wage employers.
- Regeneration should deliver not just the homes that Lewisham needs, but high quality jobs too. **New residential developments** should look to provide space for businesses, particularly new and small businesses, so employment in the borough can be stimulated.

Regional and national changes to work and skills

- **The Council** should work with **Central London Forward and other London partners** to ensure that the devolved Central London Works Programme offers the support local people need to overcome barriers to employment and access high quality jobs. Where possible, the Central London Works Programme should link to existing infrastructure, communities and local partner organisations, building on the success of the Pathways to Employment programme.
- **Transport for London** should extend the Bakerloo line from Elephant and Castle beyond Lewisham to Hayes as a minimum but also to Bromley Town Centre to improve access to job opportunities across London for residents living in the areas of concentrated deprivation in the south of the borough.
- **The Council** should lobby central government to ensure that London boroughs can use unspent apprenticeship levy to invest in business support and the wider skills development of their residents alongside their employees.

'Do something to stop the delay in benefits'
Catford South Local Assembly

- **Central government** should pause the roll out of Universal Credit and review its design and implementation, particularly the 6-week wait for an initial payment which is causing many recipients to fall into debt.⁴⁷ The **Council** should also lobby central government for an end to the welfare freeze which are impacting on those who are out of work and those who are in work on low incomes, pushing both further into poverty, and for a reversal of the cuts to Universal Credit.

4. Tackling child poverty by supporting parents into decent work

'We young single parents aren't getting the help that we're supposed to. There is work out there, but the work that you want to do, who's going to look after the children or pick them up for you?... Once we can get help, there is cleaning jobs out there, there is evening jobs out there. If I could get somebody, I would go. It's not as though I don't want to work. I'm happy to work because I'm having it hard.'

A single mother and Phoenix resident.

Child poverty, child care and lone parent unemployment

Parents in Lewisham face two major and inter-related challenges to being able to increase their incomes. One is finding suitable employment; another is finding affordable and suitable childcare.

Part-time and/or flexible employment opportunities are vital in enabling lone parents, and parents in general, to juggle childcare with work. Only 27.7% of lone parents in Lewisham are in full-time employment and another 27.8% in part-time employment, leaving 44.6% not in employment. There is evidence that single parents want access to flexible work, but are not always able to find it.⁴⁸ Research suggests that nations with higher maternal employment rates – more mothers in work – are more likely to have employers that offer flexible work options, including the ability to set some of your own hours or to use accumulated hours to earn leave.⁴⁹

The other major challenge facing all parents is suitable and affordable childcare. Access to flexible, affordable childcare can reduce pressures on family income and help parents to participate in work, education or training. According to research, four in ten mothers identify childcare costs as the single biggest obstacle to work (42 per cent of those in work and 41 per cent of those not working).⁵⁰ Childcare has to be affordable, sufficiently flexible and available at the right time to enable parents to combine work and family life.

⁴⁷ <https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/media/press-releases/citizens-advice-responds-to-news-universal-credit-roll-out-will-not-be-paused/>

⁴⁸ http://www.gingerbread.org.uk/file_download.aspx?id=7866.

⁴⁹ <http://www.resolutionfoundation.org/media/press-releases/two-in-three-mothers-say-high-cost-of-childcare-is-a-barrier-to-working-more/>.

⁵⁰ See the Resolution Foundation report cited above.

Lewisham has a broad mix of childcare provision and a good reputation for the high standard of its early years provision. There are good working relationships between the Council and Early Years Foundation Stage (EYFS) providers across the sector that have been established over a long period and a strong shared commitment to delivering high quality provision.

The challenges for Lewisham are to promote high quality, well-paid, flexible job opportunities, and ensure the provision of flexible and high quality child care by promoting innovative models of childcare. The Council also needs to ensure that parents have access to high quality, up to-date advice about childcare provision in the borough. Parents may also need support understanding their childcare entitlements, especially the new 30 hours entitlement for three- and four-year olds which has recently been introduced as well as the existing entitlement for some two-year-olds of 570 hours of free early education or childcare per year. Finally, information about and access to benefits is crucial for parents who are not in work and for those parents who work but are on low incomes.

Recommendations

Opportunities for flexible working and skills development

- The Council should set an example by improving its offer of flexible working opportunities. The Council should become an accredited Timewise employer⁵¹ and work with the Timewise foundation to develop an improvement plan that ensures it offers good quality flexible working opportunities to its employees. The Council should encourage its partners to do the same.
- **The Council** should work with its public sector partners to promote flexible working across the borough to support parental and lone-parent employment, including by engaging with local businesses.
- **The Council** should work with employment and skills partners to support lone parents to develop the skills that will enable them to take jobs that offer flexible working opportunities.
- **The Council's adult education service** and **the local FE college** should work together to help parents with childcaring responsibilities to access opportunities that allow them to upskill and support their career progression. This could be done by creating flexible and/or family friendly learning opportunities that lead from the Adult Learning Lewisham through to more formal learning in a college setting.

'Access to relevant learning opportunities'
Evelyn/New Cross Local Assembly

⁵¹ <http://timewise.co.uk/what-we-do/accreditation/>

Access to information and advice

- **The Council's** Family Information Service (FIS) directory should be improved so that it provides easy-to-use to contain up-to-date information on childcare provision in the borough. The directory should include information on the provision of childcare, including out-of-hours provision, holiday provision, schools' breakfast clubs and after-school clubs. It should include information on eligibility criteria for that care, including advice on childcare entitlements, eligibility criteria for financial support for childcare and information on which providers accept childcare vouchers. The FIS should allow parents to enter their postcode, select the type of providers they are interested in and the geographical area they would like to search, and then be provided with a list of available care providers. The Council should make sure the FIS keeps up-to-date records of extended schools services in the borough.
- **The Council** should launch a targeted information campaign to promote the 30 hours entitlement to child care being introduced in September 2017 to maximise take-up, as well as provide information on the existing entitlement for some 2 year olds. The Council should work with its Councillors and partners such as **Children's Centres, private providers, schools, Jobcentre Plus and GP surgeries** to get the message out to parents, including those who do not have access to the internet, and those with literacy issues. Information about childcare should be routinely offered to parents who access other council services such as the housing options centre or employment support services.
- **The Council, children centres, schools, private, voluntary and independent nurseries** but also organisations such as food banks should work with **Advice Lewisham**, the network of the main free advice providers in Lewisham⁵², so parents are helped to access free, expert advice about benefits and their entitlements.

Childcare provision

- **The Council** should work with **Children's Centres**, providers and parent groups to explore ways to encourage parents and extended family to participate in the provision of childcare, including by exploring options for co-operative childcare clubs, community-led and community-owned nurseries. Parents, extended family and other members of the community participating in these forms of co-produced child care can then also be supported into related careers.
- School buildings should be used for the provision of breakfast and after-schools clubs, either by **schools** providing these services directly or by schools making their buildings available for childcare provision by other providers. Parents should be encouraged to participate in the breakfast and after-schools clubs at their children's schools, which could be run as social enterprises.
- **The Council and the Early Years Partnership Board** should work closely with private, voluntary and independent nurseries, schools and childminders to increase out-of-hours provision of childcare, including encouraging flexible childminders that can provide care at short notice.

5. Improving the local housing market

'We have to stay where we are because the rent that we get charged is the rent that we got charged when we first moved in because the landlord is so bad, he just leaves things... But we physically can't afford to move anywhere else because if we do, and if they accept housing benefit, they are wanting a massive deposit. Where are we going to find that?'

Mother and full time carer

Housing in Lewisham

Lewisham has relatively affordable housing compared to the London average, but the average house price is still 14 times the median salary in the Borough. Affordability is an issue across all types of tenure. The focus of the council has been to increase the number of housing units to help tackle Lewisham and London's housing crisis and the Council has exceeded its London Plan targets year on year. The Council is delivering on its commitment to secure 2,000 new affordable homes in the borough by 2018, of which at least 500 will be new Council homes, but even more affordable homes are needed.

A growing number of households in Lewisham – including those on low incomes – are in the private rented sector (PRS). The number of Lewisham residents in PRS has doubled in the last decade. Private rents in Lewisham are below the inner London average but are rising faster than elsewhere in London, increasing by 40% between 2011 and 2016. This means many tenants pay more than half their income in rent. In addition, Assured Shorthold Tenancies (ASTs) offer little security and fixed periods of as little of 6 months. Many Lewisham residents live in poor quality rental properties and may be reluctant to report problems for fear of revenge evictions.

In June 2017, there were just over 1,900 Lewisham households in temporary accommodation, less than 500 of which were in temporary accommodation. The Council has been working to increase the quality of temporary accommodation its offers by increasing the units available in the borough. This is being done by acquiring properties on the open market, converting existing properties such as a former care home and a long term empty office block, and by developing PLACE/Ladywell⁵³. PLACE/Ladywell offers 24 modular apartments almost entirely constructed off site, and as a result built quicker and cheaper than standard construction methods. The structure sits on currently vacant Council land while longer-term regeneration plans are being developed, and can be moved to another vacant site in the borough after several years.⁵⁴

Homelessness in Lewisham is largely driven by evictions from the private rented sector. The Council uses Discretionary Housing Payments (DHP) to help those affected by the benefit cap and works closely with the Lewisham Credit Union to provide bridging loans to households to prevent homelessness. In future the Council want to increase the number of households accessing housing support before reaching crisis point, and has developed a landlord licensing scheme for homes in multiple occupation above commercial premises to drive up quality in the private rented sector. Early support by housing providers for people with mental health

⁵³ <http://councilmeetings.lewisham.gov.uk/documents/s47627/04%20Temporary%20accommodation%20pressures%20250117.pdf>

⁵⁴ <https://www.lewisham.gov.uk/inmyarea/regeneration/lewishamtowncentre/Pages/placeladywell.aspx>

problems, where there can often be links to housing issues including worries over rent arrears and (anticipated) threats of eviction, is important as well.

However, major challenges in the housing market remain for Lewisham. Supply is a key concern as it is across London and for most parts of the UK, with housebuilding in the capital only now picking up after decades at an all-time low. The other main concern is the ability of the Council to have a positive impact on the affordability and quality of homes in the Private Rented Sector. The challenge remains for the Council to secure better outcomes for residents in the private rented sector, and prevent homelessness.

Recommendations

Building the homes Lewisham needs

- **The Council** should build as much social housing as possible, and continue to press national government to lift restrictions on local authorities’ abilities to use their capital funding, to allow local authorities to retain Right to Buy receipts in order to invest in new social housing, and to lift the borrowing cap on the Housing Revenue Account.
- **The Council** should prioritise the building of units with more secure tenancies at rents that are affordable in relation to people’s wages as opposed to units at market rent. The Council should also continue to negotiate to increase the numbers of social and affordable housing units and other benefits from developers.
- **The Council’s** land should be used more ambitiously to build mixed developments at greater density and scale, recognising that most often more market-rate properties need to be developed to deliver affordable units. Joint ventures, land-sharing arrangements, community land trusts, partnerships with housing associations and new forms of ownership should all be explored. Exploring the broad range of options above will best enable the council to balance the needs of those that require new housing, particularly those on the Council’s housing waiting list, with the needs of current residents. Plans should be developed in consultation with local communities.
- **The Council** should promote new types of housing, especially step-down units for older residents to ensure people that want to move to smaller properties are able to.

‘Build more social housing and retain ownership of it, lobby central government for a rent cap and ban leasehold on new builds’
Online Consultation

Influencing the Private Rented Sector

- A social lettings agency should be operating in the borough that works with mainstream landlords to offer more secure tenancies at the lower end of the market. This agency can provide a convenient way for tenants to provide feedback about the quality of rental properties in the borough. **The Council** could look to expand the work of its existing lettings agency or encourage an existing social or ethical lettings agency to operate in the borough.
- **The Council** should demand that lettings agents operating in the borough provide tenants with an information pack at the start of tenancies about their rights as tenants and how tenants can access Council services to help enforce those rights.
- A local tenants' union should be established in the borough to offer advice services, help tenants enforce their rights and organise campaigns. **Lewisham Citizens, Goldsmiths' students union** and **existing tenant and residents associations** could be asked to develop the union.
- **The Council** should consider investing in the enforcement of quality standards in the PRS to create wider changes to the behaviour of bad landlords as they perceive the risk of enforcement against them to increase. Newly introduced powers that allow local authorities to use civil penalties against landlords in breach of certain conditions could be used to fund this increased service.
- **The Council** should look into expanding the current landlord licensing scheme, and make the case to government for this.

'Provide more advice on what people should do with rent arrears'
Crofton Park Assembly

Preventing homelessness

- **The Council** should work to identify those at risk of homelessness at an early stage by greater use of local data and using lessons from behavioural economics to engage with residents to prevent homelessness.
- **The Council** should create a single point of contact for private landlords to discuss the implications of universal credit and to help safeguard tenants during their transition to universal credit, and proactively reach out to landlords via letting agents operating in the borough.
- **The Council** should extend its programme of developing units such as PLACE/Ladywell and acquiring properties to increase the quality of temporary accommodation it offers.
- **National government** should lift the cap on Local Housing Allowance rates which is driving up homelessness and instead tie it to median market rents.
- **The Council** should also join calls for a pause to the rollout of Universal Credit, pending a review of the system. It should call for an end to the 6-week wait for an initial payment is pushing people into rent arrears.⁵⁵

⁵⁵ Evidence submitted to the Work and Pensions Committee's Universal Credit Rollout inquiry, Sept 2017 at: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/work-and-pensions-committee/universal-credit-rollout/written/70154.pdf>

Regional and national policies for the Private Rented Sector

- **Government** should consider introducing an insurance product for tenants to replace deposits. This insurance product would cover legitimate costs for the landlord up to a maximum amount in a similar way to how deposits are currently used. This would replace the need for tenants to pay expensive deposits at the start of tenancies.
- **The Council** should lobby for the Mayor of London and local authorities to have greater powers over regulation of the private rented sector. This could include powers to review developers' viability assessments; to implement rent controls; to mandate quality standards in the PRS; to make it more difficult for people to be evicted from private rental properties; and to monitor and prevent discrimination in the PRS.

6. Strengthening support within communities

'We are quite lucky [on this] estate... when we get together, it's a melting pot of amazingsness. You know, everybody... if you're not good at one thing, there's always someone that is. If you need support, there's always someone that can help. If you are struggling with a situation or a bit of paperwork, there's always someone that can [do it]. That, for me, is magic and it's got me through...'

Mother of son with autism

Increasing community resilience

Strong social networks can play an important role in helping to protect people against poverty and deprivation and to mitigate against its effects.⁵⁶ Where people can tap into both formal and informal networks, they are more likely to be able to access goods and services such information, advice and support. They are also better able to opportunities to develop their skills, find work and to feel connected to and invested in a place. A key element of strong social networks or resilient communities is their ability to adapt to at times unexpected, changing circumstances and successfully bounce back from adverse situations.⁵⁷

From speaking to residents, the Commission knows how valuable support within communities can be for people facing difficulties. Lewisham has strong communities, and a long history of civic activism. At present, there are over 800 active voluntary groups and more than 200 individual faith groups, with a recent survey revealing that 35% of Lewisham residents had volunteered over the past 12 months.⁵⁸

Together, these individuals and organisations do a huge amount to support Lewisham residents in managing the challenges of poverty, particularly in areas of childcare, employment and housing. The third sector plays a particularly important role in supporting people with often multiple, complex issues. The challenge for Lewisham is how such resilient communities can be grown and supported.

⁵⁶ See Social networks: their role in addressing poverty, 2011 at <https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/poverty-social-networks-full.pdf>.

⁵⁷ See RSA, Connected Communities: How Social Networks Power and Sustain the Big Society (2010: p. 47): <https://www.thersa.org/discover/publications-and-articles/reports/connected-communities-how-social-networks-power-and-sustain-the-big-society>, and CLES, Understanding community resilience (2013: p. 16) at <https://www.barrowcadbury.org.uk/wp-content/uploads/2013/11/CLES-UNDERSTANDING-COMMUNITY-RESILIENCE-2013.pdf>

⁵⁸ See more at: <http://www.valewisham.org.uk/blog/state-sector-survey-takeaways>

Whitefoot & Downham Community Food + Project (wdcfplus) case study

wdcfplus exists to combat deprivation, alleviate food poverty and build caring communities in its local area. Initially providing a food service for those experiencing hardship, the project now also works with other agencies to offer advice and support relating to health, nutrition, housing, employment, training and money management.

The project also encourages volunteering as a means for local residents to connect with others, prevent social isolation and build togetherness in the community. The project has mobilised over 50 volunteers from all sections of the community and several volunteers are former service users. wdcfplus has helped build confidence for some to enter employment and training, or it has been a lifeline for others where their benefits have been frozen or stopped.

One former visitor and volunteer said his time with wdcfplus was “the first time in several years that my skills were being used... The project gave me that confidence to get up and find a job”.

By their nature, resilient communities are to a significant extent self-reliant while also being well-connected to formal organisations across public, private and social spheres. However, despite the less formal structure of many social networks, they can still be supported by public and private bodies alike. Small bits of funding, from planning obligations or by crowdfunding, and the sharing of existing facilities, such as Lewisham’s library service including the community libraries and the existing local assemblies programme, can make big differences to informal and often small groups. Public bodies can also make efforts to become better connected to existing community groups to share information and opportunities. The growing practice of social prescribing where GPs and other care professionals can refer patients to a range of local (non-medical) services may be one such way. These referrals happen alongside treatment for medical issues and exists to support people with a wide range of social, emotional and practical needs.⁵⁹ This can include referrals to debt advice services or legal advice as well as volunteering and befriending as ways to tackle social isolation.

Existing, more formalised, community organisations have seen significant pressures in recent years which are constraining and changing the way they operate. A significant proportion of Lewisham’s charitable sector is financially vulnerable, as many organisations have had to use their reserves in the last year, and 22% not holding any reserves. While Lewisham Council continues to prioritise community activity, cuts to council budgets have impacted its grants programme, with a reduction of 15% in 2017 alone. To adapt to this new environment, 79% of Lewisham community organisations are delivering services in collaboration or partnership, with 76% of community organisations interested in co-location should the opportunity arise.

‘It needs to be easier for people to know how they can volunteer’
Blackheath assembly

Nevertheless, the tight operating context for community organisations means that many local charities and groups are focused on survival rather than extending their reach into the wider community or fundraising. With this in mind, a range of local partners have established

Lewisham Local, a place-based sharing and giving initiative which is a catalyst, to increase local giving and champion local involvement to encourage civil society growth.

The challenge for Lewisham Council is to find ways to improve the resilience of local communities. The borough's third sector need to make the most of different funding opportunities and increase collaboration by building on the good work already under way. Coordination of existing activities and sharing of information is particularly important in this regard. Beyond this, wider community participation needs to be supported and promoted to ensure that no individual is left behind.

Recommendations

Supporting community activity

- **Lewisham Local** should consider developing an anti-poverty fund to fill the current gap in micro-grants to support local community activity. This could be funded by using relevant financial contributions from planning obligations.
- A 'vulnerability audit' should be conducted by the **Community Connections Service**,⁶⁰ that identifies where there are 'invisible needs' and where resilience is lowest across the borough to ensure services can become more targeted towards the borough's most deprived residents.
- **Local Assemblies** should be encouraged to function as spaces in which the community sector can develop partnerships, share learning and share information on local activities.
- **Lewisham Council** should work with **Lewisham Clinical Commissioning Group (CCG)**, **Lewisham GPs** and **the borough's third sector** to enable GPs to take up Social Prescribing across the borough.

Increasing people's access to advice and support

- **Lewisham Council** should build on its work with Go On Lewisham⁶¹ to support the most deprived parts of the community gain basic digital skills by supporting and prioritising community activity which helps develop people's digital skills, with due consideration of where these services are located.
- The activities by the **borough's community sector** should be actively promoted to residents and amongst community organisations by:
 - Developing a consolidated and live register of community activity
 - Promoting Voluntary Action Lewisham (VAL) contact information in Lewisham Life
 - Promoting local community activity more in the local press

⁶⁰ The Community Connections Service is delivered by Age UK Lewisham and Southwark and a consortium of voluntary sector partners to increase people's wellbeing and link them to local services. More information can be found here: <http://www.ageuk.org.uk/lewishamandsouthwark/services/community-connections/>

⁶¹ <https://local.go-on.co.uk/groups/34/>

The benefits of volunteering

- **The Council** should improve and promote its employee volunteering policy to encourage council staff to volunteer in the borough's most deprived communities by working with **Voluntary Action Lewisham** and using the evidence from the 'vulnerability audit' described above. The newly launched employee volunteering policy could then be used as an exemplar for **Lewisham Local partners** to promote to businesses inside and outside the borough, and encourage best practice.
- **Lewisham Local**, working with employers inside and outside the borough, should work towards supporting people who are not ready for work into volunteering opportunities which allow them to develop transferable skills and provide training on how to communicate or translate this in practice.

A stronger voluntary sector

- **The Council** should work with **VAL** and **Lewisham CCG** to support the borough's voluntary and community sector to access contract opportunities by organising 'meet the commissioner days' and committing to early notification when contracts go to tender.
- **The Council** should use its procurement processes to ensure that all components of the Social Value Act (2012), including community engagement, are geared towards the needs of the most deprived members of the borough. This could be achieved by:
 - Ensuring that all procurement processes are brought to the attention of the Social Value Officer in time to develop relationships with providers
 - Including statements on the social value offer of all new contracts and all decisions to go to tender in the reports used in the Council's formal decision-making processes including for its Mayor and Cabinet meetings.
 - Making community consultation and service user engagement a key component of social value

'Coordinate and publish a list of people willing to do DIY and repair jobs for other members of the community to save money when jobs need to be done'

Catford South Assembly

Assets

- **Lewisham Council** should continue to support the local voluntary and community sector to use their assets (such as community buildings) more efficiently and wherever possible, co-locate.
- **The Council** should work to ensure that there is a good provision of community resources in new residential developments by supporting developers to work with local community organisations.

'Stop the loss of community assets by conversion to residential'
Crofton Park Assembly

7. Working together to tackle poverty: next steps and implementation

An immediate response

This report will be presented to Lewisham Council's executive Mayor and Cabinet meeting in November 2017. The Commission expects Lewisham Council to adopt these recommendations and to begin implementing them as soon as possible.

Change across the community

The Commission will also be asking other organisations in the borough to contribute, and we'll be writing to Lewisham and Southwark College, Lewisham Homes, Goldsmiths, Phoenix Community Housing and Lewisham and Greenwich NHS Trust to ask for their response. The Council should convene a meeting with these partners to discuss this report and the Commission looks forward to receiving their response to our recommendations. The Commission will also be writing to Voluntary Action Lewisham as the central membership organisation for charities, community groups and social enterprises in the borough, and asking VAL to distribute this report amongst their members.

Advising national government

Furthermore, the Commission will be writing to:

- the Secretary of State for Work and Pensions to set out our concerns over Universal Credit and the welfare freeze
- the Secretary of State for Communities and Local Government to highlight the impact of council cuts on deprived communities
- the Housing Minister to call for changes to the LHA, to greater freedoms to borrow to invest in social housing, and for greater powers to regulate the private rented sector.

Staying the course

This report contains suggestions that can be implemented quickly, such as improvements to the Council's Family Information Service and signing up to Timewise, but some will take much longer time to implement, such as the building of more social housing.

The Commission therefore requests that a lead member at the Council remains responsible for overseeing Lewisham Council's actions to tackle poverty, to ensure that these long-term changes are enacted. The Commission encourages this Cabinet Member to present a yearly report to the Council's scrutiny and executive functions so progress can be tracked.

Appendix 1:

Listening to Lewisham's people and its organisations

Our approach to consultation and engagement

In early commission meetings, we considered data on Lewisham's population, London's economy, the housing market, child poverty in the borough, and links between poverty and health outcomes. This helped establish the commission's focus and the four core themes. We considered where we could add value to the work already being done in Lewisham, reviewed examples of best practice, and explored new approaches. We have also looked at what we could learn from the work of other commissions on fairness or equality.

We have engaged with local residents, representatives from community organisations and faith groups, partner organisations and stakeholders by:

Lived experience paper – Early on, we organised visits to drop-in sessions at voluntary and community organisations where officers have spoken to a small number of residents about how they experience life in the borough and how they're getting by.

Website and online survey – The webpage contains information about the Commission's work including papers for its meetings. There is also a survey where anyone or any organisation can submit their views, experiences and suggestions for change. The Commission's work has also been promoted via the Council's social media accounts and its Lewisham Life email service.

Press – A number of articles about the Commission's work have appeared in local media.

Local Assemblies – Local assemblies are open meetings organised per electoral ward for anyone who lives, works or learns in the borough. All local assemblies were asked to discuss the work of the commission, so residents and Councillors could contribute their thoughts on causes of poverty and their ideas for local solutions.

Visits – Visits have been organised for the Commission to local services such as the Council's housing options centre, a provider of employment support and a Children's Centre to speak to residents and observe provision of services.

Young Advisors – Members of the Commission have attended a meeting of Lewisham's Young Advisors to discuss their thoughts on poverty and potential solutions.

London Boroughs – All London Boroughs have been approached to provide examples of work they are doing to combat poverty or its effects, and their experiences if they had hosted a similar Commission themselves.

Poverty summit – The Commission organised a summit to explore the issues of poverty and its effects on residents' lives on 12 July. More than 70 people, including local residents and

representatives from community organisations and faith groups, came together to discuss the challenges facing those living in poverty in Lewisham. The summit was an opportunity for us to listen, learn and take away ideas from participants on what could be done to tackle the issues around poverty.

Further data and evidence

This report has been deliberately kept brief. Papers with further evidence and data we considered can be found here: www.lewisham.gov.uk/povertycommission

Summary of comments received from residents

The following is a snapshot of the comments received from residents during local assembly meetings and from the online survey following some broad questions on poverty and living in Lewisham.

What makes it difficult to make ends meet in Lewisham?

'The cost of public transport'

Grove Park Local Assembly

'Jobs in Lewisham tend to be poorly paid'

Blackheath Local Assembly

'The cost of school meals'

Crofton Park Local Assembly

'The feeling of shame about being poor means isolated communities don't look for help'

Grove Park Local Assembly

'Rogue landlords and extortionate rent and fees'

Catford South Local Assembly

'Families being broken up and sent to other parts of the country leaves no support networks'

Catford South Local Assembly

'Fear of crime, anti-social behaviour'

Evelyn/New Cross Local Assembly

'Long term health conditions make it difficult for people to work and make ends meet'

Crofton Park Local Assembly

'A lack of awareness about what help is available'

Evelyn/New Cross Local Assembly

'There are no big businesses in Lewisham, or trades young people can be apprenticed to'

Grove Park Local Assembly

'Low income, parking problems and unfair tickets being issued to vulnerable groups, poor housing and ineffective pressure on poor landlords to fulfil housing requirements from single older houses'

Online Consultation

'Lone parents being treated as second class citizens'

Evelyn/New Cross Local Assembly

'It is extra hard for some – if you have a disability, if you aren't white, if you are queer – poverty isn't just about resources, it's racism, homophobia'

Crofton Park Local Assembly

'A high percentage of work is outside of the borough which creates transport poverty'

Blackheath Local Assembly

'Access to relevant learning opportunities'

Evelyn/New Cross Local Assembly

'We need more access to free food, and places to get healthy food' Online Consultation

What can you and your community do to help make it easier to get by?

'Free to use skill sharing events to help build resilience and a more joined up sense of community. The idea being to encourage different sides of the community to help each other e.g. city lawyers and marketing professionals offering tips to community services or initiatives'

Online Consultation

'Where can I donate food?'

**Grove Park
Local Assembly**

'Help people improve their diets'

**Crofton Park
Local Assembly**

'We need event venues for parties, dancing and drinking for young adults'

Catford South Assembly

'We need the CAB to be free to do more campaigning'

**Blackheath
Local Assembly**

'It needs to be easier for people to volunteer'

**Blackheath
Local Assembly**

'I support Lewisham Foodbank by donating food. They gave out 4850 3 days of emergency food last year. They need more publicity and support'

Online Consultation

'Coordinate and publish a list of people willing to do DIY and repair jobs for other members of the community to save money when jobs need to be done'

Catford South Assembly

'Can the council help publicise the credit union?'

**Blackheath Local
Assembly**

What can the Council and its partners do to help?

Housing

'We need real council housing – social rent'

Grove Park Local Assembly

'Build more social housing and retain ownership of it, lobby central government for a rent cap and ban leasehold on new builds'

Online Consultation

'Ensure that the housing associations that don't come up to scratch are held to account and do inspections and put pressure on them to fulfil their responsibilities, especially where tenants are being harassed'

Online Consultation

'Please ensure builders contracted by housing associations are registered with the council and therefore bound by a code of conduct - and that they are not exploited or forced labour'

Online Consultation

'Support more community led housing by making land available'

**Crofton Park and
Grove Park Local Assembly**

'Do more to address the challenges of rogue landlords'

Catford South Local Assembly

Community

'Stop the loss of community assets by conversion to residential' Crofton Park Local Assembly

'We need a council kite mark for approved services so people know where to go and who to trust'
Blackheath Local Assembly

'Please ensure the contract for the Ladywell Tower goes to the presentation that offers the greatest community capital and not just private profit'
Online Consultation

Changes to service delivery

'We need more action on and awareness of mental health issues' Evelyn/New Cross Local Assembly

'People need help using IT to access services'
Evelyn Local Assembly

'Provide more advice on what people should do with rent arrears' Crofton Park Local Assembly

'Recognise that not everything can go online – sometimes you need to speak to a person'
Catford South Local Assembly

'Please ensure that where there are unclear parking restrictions resulting in penalties to people who live in those areas these are addressed as soon as possible. A specific councillor should be given the lead on investigating these issues and then asked to account about progress towards change' Online Consultation

'Make claiming and reclaiming benefits easier for those who have no access to the internet'
Crofton Park Local Assembly

'We need more flexible care options and better transportation'
Evelyn Local Assembly

'Help people get out of debt by making it clearer where to get advice'
Grove Park Local Assembly

Benefits and taxes

'A council tax relief fund would help ends meet'
**Blackheath
Local Assembly**

'Do something to stop the delay in benefits'
**Catford South
Local Assembly**

'Have a special council tax rate for pensioners living alone'
**Catford South Local
Assembly**

'We need to do more to reach the working strugglers'
Blackheath Local Assembly

The local economy

'Create more opportunities for adult work placements'
**Catford South
Local Assembly**

'Internationally, organisations such as LendwithCare use interest free loans provided by supporters such as me to lift people out of poverty. Could this model be adapted by councils for the UK?' **Online Consultation**

'We need a forum whereby residents are encouraged to meet with officials to talk about their concerns'
**Catford South Local
Assembly**

'Attract more businesses through a positive policy plan for new business'
**Blackheath
Local Assembly**

'Create subsidies or a local investment fund for new local businesses - incentives for employing local people'
Online Consultation

'People need to be empowered to look for a job'
**Catford South Local
Assembly**

'Provide more cheap loans through the credit unions'
**Crofton Park
Local Assembly**

N.B. This report contains a number of quotes from residents. All names have been anonymised.

Agenda Item 9

Council			
REPORT	Report of the Barriers to Politics Working Group		
KEY DECISION	No	Item No:	
WARD	N/A		
CONTRIBUTORS	Executive Director for Resources & Regeneration		
CLASS	Part 1	Date:	22 November 2017

1. SUMMARY

- 1.1. This report sets out the approach of the Barriers to Politics Working Group, who were tasked by Council with examining the barriers to those wishing to enter politics as an elected member and, once elected, the barriers to remaining in post or progressing.
- 1.2. The final report of the Barriers to Politics Working Group, including recommendations and findings, is attached at Appendix A.

2. RECOMMENDATIONS

- 2.1. The Council is recommended to:
 - a. Note the recommendations of the Barriers to Politics Working Group as outlined in the report attached at Appendix A.
 - b. Refer the recommendations to the appropriate bodies as stated within the recommendations.

3. CONTEXT

- 3.1. The Equality Act 2010 defines the following characteristics as protected characteristics:
 - age
 - disability
 - gender reassignment
 - marriage and civil partnership
 - pregnancy and maternity
 - race
 - religion or belief
 - sex
 - sexual orientation
- 3.2. Lewisham's Comprehensive Equality Scheme (CES) 2016-20 sets out how the Council will meet its duties to improve the quality of life and life chances of all Lewisham's residents as well as the various equality groups afforded specific protection under the Equality Act of 2010. The scheme contains the following five overarching objectives:

- Tackle victimisation, discrimination and harassment.
 - Improve access to services.
 - Close the gap in outcomes for our citizens.
 - Increase mutual understanding and respect within and between communities.
 - Increase participation and engagement.
- 3.3. The Census of Local Authority Councillors 2013, conducted by the Local Government Association, provides the most up-to-date 'snapshot' of local government representation and analysis of trends over time. The Census asked councillors about their work as councillors, their views on a range of issues and their background.
- 3.4. Over a third of councillors in London were female at the time of the last Census (36% in London and 31.6% nationally). The proportion of women in leadership roles was smaller than the proportion of men: 13% of council leaders across England were female.
- 3.5. The average age of a councillor in London was 56.5 years (cf. 60.2 nationally); 10.2% of councillors in London were aged under 35 years, 46.7% were aged over 60 years.
- 3.6. A smaller proportion of councillors in London described themselves as having a long term illness, a proxy for disability, than nationally (8.9% in London and 13.2% across England); this compares with 14.1% of the overall London population and 14.4% of the Lewisham population describing themselves as having a limiting long-term illness or disability.
- 3.7. At the time of the Census, 84.3% of councillors across London were White ethnic origin (cf. 96% nationally); 11.8% were Asian, Asian British ethnic origin (cf. 2.8% nationally) and 2.1% were Black, African, Caribbean, Black British ethnic origin (cf. 0.6% nationally).
- 3.8. No information was collected on religion or belief, sexual orientation, gender reassignment or marriage and civil partnership as part of the Census of Local Authority Councillors 2013.

4. BACKGROUND

- 4.1. The Barriers to Politics Working Group was established by a Motion to Council on 22 February 2017 in the name of Councillor Clarke and seconded by Councillor Elliot.
- 4.2. The Barriers to Politics Working Group was tasked with examining the barriers to those wishing to enter politics as an elected member and, once elected, the barriers to remaining in post or progressing.
- 4.3. The Group's aims were to identify and investigate the various barriers that exist for individuals wishing to apply for or to undertake the role of a councillor, and to put forward recommendations to Council on how to address them.
- 4.4. The Group's discussions were broadly focused on barriers in relation to the protected characteristics, the nine criteria by which all people are protected from discrimination

by equalities legislation, as defined within the Equality Act 2010 and set out in section 3.1 of this report.

- 4.5. The Barriers to Politics Working Group invited expert witnesses and considered research conducted by campaigning organisations, charities and public bodies. Details of the expert witnesses and evidence sessions are contained within the report attached at Appendix A.
- 4.6. In addition to evidence sessions, the group conducted surveys of existing councillors and residents to gather perceptions about the role and barriers which people had faced or thought they would face as a local councillor. The survey of residents was sent out through local assemblies, the Lewisham Life online newsletter and was featured in the News Shopper local newspaper.
- 4.7. Due to the wealth of evidence submitted to the Barriers to Politics Working Group, it was agreed that reporting deadlines were to be extended from the original September Council meeting to November 2017.

5. REPORT

- 5.1. The Report of the Barriers to Politics Working Group is attached at Appendix A.
- 5.2. The Report sets out the timeline and approach of the Barriers to Politics Working group and provides context in terms of the profile of the London Borough of Lewisham, the structure of the Council and the roles which councillors have. Information about the current support available to councillors in the London Borough of Lewisham and neighbouring boroughs is also provided.
- 5.3. The body of the attached Report is structured around the evidence sessions which have taken place since the Barriers to Politics Working Group was established; these were broadly themed around the protected characteristics as outlined in section 3.1 of this report. Each of the themed sections of the Report provides context (largely from the most up-to-date Census of Local Authority Councillors), a summary of evidence considered as part of the evidence sessions, and details of the findings of the Group.
- 5.4. The Barriers to Politics Working Group has made 31 recommendations to the Council, elected members, political parties and the Local Government Association.
- 5.5. Some of the issues raised at the Barriers to Politics Working Group were not within the direct influence of Lewisham Council, however they were identified as having a significant impact. Wider recommendations were made by the Working Group which could be addressed through other organisations or at national level.

6. EQUALITY IMPLICATIONS

- 6.1. 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.

- 6.2. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 6.3. 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 6.2 above.
- 6.4. 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.
- 6.5. 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>
- 6.6. 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](#)
- 6.7. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed

guidance on key areas and advice on good practice. Further information and resources are available at:

- <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

6.8. The measures in this document are designed to be consistent with the Council's equality duties.

7. FINANCIAL IMPLICATIONS

7.1. There are no direct financial implications from noting the recommendations of the Barriers to Politics Working Group. There may be financial implications were the Council to act upon all or some of the recommendations; these will be considered in subsequent reports.

8. LEGAL IMPLICATIONS

General

8.1. The Localism Act 2011 provides a general power of competence to local authorities to do anything which an individual generally may do. This power is subject to limitations which existed prior to the enactment of the Localism Act, and to specific post implementation limitations.

Recommendations 1 – 6 – Addressing Discrimination and Promoting Equality

8.2. The recommendations are generally within the powers of the Council. The Standards Committee has within its remit the review of the Member Code of Conduct. It reviews the Code periodically. The Code must reflect statutory minimum requirements but there is some discretion to local authorities to build on these minimum requirements. The Code only applies to members when they act or hold themselves out as acting as such. Specific legal implications will be given to the Standards Committee when it reviews the Code of Conduct. Any proposed changes would be for the Council to agree.

Recommendations 7 -16 - Ways of Working

8.3. There are no specific legal implications. The recommendations are within the powers of the Council. Member induction does include training on the Member Code of Conduct and this is frequently refreshed.

Recommendations 17 – 18 - Councillor Complaints and Concerns

8.4. Recommendation 17 relates to representations to the Local Government Association and does not have any legal implications. Recommendation 18 proposes that the Council provide a counselling service for elected members. Further legal advice would be needed on this proposal if it is pursued in detail.

Recommendations 19 – 22 Financial Support

8.5. Allowances to be paid to members are subject to regulation. The relevant regulations are the Local Authorities (Members' Allowances) (England) Regulations 2003 as amended. The Council must publish its Scheme of Members' Allowances, dealing with basic allowances and special responsibility allowances. Payments to members of the

Council may only be made in accordance with this scheme. The Scheme may also provide for travel allowances, subsistence and carers' allowance.

- 8.6. Payments may only be made in accordance with a scheme of members' allowances which has been agreed by full Council, having first had regard to the recommendations of an independent remuneration panel.

Recommendations 23 – 27 Wider Engagement

- 8.7. There are no specific legal implications. The Young Mayor and Young Advisers have already been very involved in encouraging electoral registration and participation in the political process.

Recommendations 28 – 31 Political parties

- 8.8. These recommendations are for the political parties and not the Council and so do not involve action by the Council and therefore have no legal implications for it.

9. BACKGROUND DOCUMENTS

- 9.1. Appendix A: Report of the Barriers to Politics Working Group (November 2017)



Report of the Lewisham Barriers to Politics Working Group

November 2017

CONTENTS

1	Chair's Introduction	2
2	Executive Summary	4
3	About the Group	8
4	Working Group Timeline	10
5	Lewisham Profile.....	11
6	The Role of a Councillor	12
7	Remuneration & Support.....	14
8	Councillor Profile	16
9	Gender	17
10	Age.....	20
11	Ethnicity	23
12	Disability	26
13	Sexual Orientation & Gender Identity.....	28
14	Religion or Belief.....	31
15	Conclusion	34
16	Recommendations.....	35
	Appendix A: Councillors Survey.....	38
	Appendix B: Residents Survey	40

1 CHAIR'S INTRODUCTION



Councillor Suzannah Clarke, Chair
(Labour Party, Grove Park)

I feel that the greatest discrimination in society is against women and is prevalent at every level and in all walks of life. In public life virtually all representative bodies have a two-thirds majority of men in positions of power. In the world, Britain ranks 38th for women in parliament and 23rd for women in ministerial positions.¹

Contributing to this statistic, and underlying its continuation over a century since women's suffrage was achieved, seems to be the acceptance that men are more suited to these positions in political life. This is accompanied by subtle behaviours which are difficult to define but which help cement women's lack of belief in their own abilities. Women do not see themselves as valued and, therefore, do not step forward for public office and, even when they do, they do not seek higher office for the same reason. This seems to be a world-wide phenomenon and the reasons for it underpin the reluctance of women to stand for public office and, moreover, when they do, can be the reason for leaving.

We want to ensure that Lewisham bucks this trend and women and other under-represented groups feel able to put themselves forward for political office and are supported to progress to the highest levels possible.

We have identified a number of ways which we feel can help achieve this goal:

WAYS OF WORKING

A repeated issue was the amount of work and information councillors had to deal with across the three main areas: Council, Ward, and Political Party. Councillors felt that other ways of working should be explored which would be more efficient and effective, and better support those with time pressures. A heavy workload impacts more on those with caring responsibilities who are, more often than not, women.

REMUNERATION

Although the role of Councillor is an elected public service role, discussion included whether a councillor should have employment rights because, although the councillor allowance is subject to income tax and National Insurance, the right to a pension was taken away by Parliament. Having access to a pension may protect and enable those with more limited income.

¹ World Economic Forum, 'The Global Gender Gap Report 2017' (November 2017)

For some Councillors undertaking the role resulted in losing caring allowances which meant that there was, in effect, a penalty for undertaking elected office. It was also recognised that allowances paid to councillors are highly variable among councils across the country and any increase in remuneration is voted on by the members benefiting from it, which can be politically contentious.

CARING

A significant issue brought to the committee was that of caring responsibilities restricting the ability of some people to take elected office. The role of the councillor and the need to attend meetings or events across the week, from Monday to Sunday, was seen as an obstacle; often care services are not available, or are more difficult or costly to find outside working hours. Caring covered many forms: caring for a child or for another relative, for example for an elderly and/or disabled relative. The Working Group noted the fact that caring for a disabled child can be a commitment for life.

DISCRIMINATION

Discrimination needs to be tackled and not tolerated in any form. The Council and all individual councillors need to continue to lead the way in promoting and supporting equality of opportunity and ensuring that is reinforced by positive messages in respect of all of the protected characteristics.

POLITICAL PARTY PROCESSES

Finally, it is impossible to deal with the barriers to politics without addressing the main route for most candidates into politics and one of the main influences as to whether or not elected members develop and progress in their roles: political parties. The Working Group felt that political parties need to examine their candidate selection and appeals procedures and routes to higher office for sitting councillors, as well as ensuring there is a robust, transparent and fair grievance procedure.

The barriers highlighted relating to caring responsibilities apply equally to the political party processes where difficulties are encountered fulfilling wider political duties.

I would like to thank all of those involved with the work of the Barriers to Politics Working Group, particularly the officers, Salena Mulhere and David Humphreys, whose guidance and hard-work was invaluable, and my colleagues, the Councillors, who were Members or contributors. Thanks is extended to those who came to give evidence from the various organisations, the Working Group was grateful for their time and the insight they gave. Finally, thank you to the wider Council for agreeing to form this working group and support this extremely important area of work.



Councillor Suzannah Clarke

2 EXECUTIVE SUMMARY

Background & Context

The Barriers to Politics Working Group was established by a Motion to Council on 22nd February 2017 and was tasked with examining the barriers to those wishing to enter politics as an elected member and, once elected, the barriers to remaining in post or progressing.

The Census of Local Authority Councillors 2013, conducted by the Local Government Association, provides the most up-to-date 'snapshot' of local government representation and analysis of trends over time. The Census asked councillors about their work as councillors, their views on a range of issues and their background. The Census provided context to all of the evidence sessions conducted by the Barriers to Politics Working Group. The following key statistics were taken from the 2013 Census:

36% of councillors in London were female and 31.6% of councillors nationally.	35.1% of female councillors had a caring responsibility , compared to 24.6% of male councillors.
Around one in eight councillors were under 45 .	The proportion of councillors aged 70 or over increased from 13.8% to 22.2% between 2004 and 2013.
2.1% of councillors in London were Black , 11.8% were Asian and 84.3% White.	Nationally, the vast majority of councillors were White (96%) . In 2010, 96.3% of councillors were white and in 2008 the figure was 96.6%.
Over one in eight (13.2%) councillors had a disability or long-term illness.	No data is currently collected on the Religion or Belief, Sexual Orientation or Gender Identify of councillors.

About Councillors

No generic job description exists for councillors, but responsibilities can broadly be grouped around the following three areas as defined within Lewisham Council's Members' Handbook:

1. Advocacy: raising casework, meeting with local people to discuss their concerns, presenting the views of your constituents to Council.
2. Leadership: chairing your local assembly, assisting your community in putting its ideas into practice.
3. Representation: representing the Council at other organisations in the borough, or city-wide, prioritising the needs of the whole borough when making decisions, representing Lewisham at regional or national level.

In the London Borough of Lewisham, Council consists of 54 elected councillors (three for each of the 18 wards) and appoints committees, approves the policy framework and budget. Overview and Scrutiny is ultimately responsible for providing scrutiny of decision-making. The Business Panel co-ordinates the

work programmes of six select committees. There are additional statutory committees which councillors may be appointed to.

Councillors are not employees of the Council and they are not paid a salary for their duties. They do, however, receive an allowance designed to recompense them for the work which they undertake. The Basic Allowance amounts to £9,812 per year in the London Borough of Lewisham. The payment is made in monthly instalments and tax and National Insurance is payable on this. As well as their basic allowance, a councillor may receive a special responsibility allowance in recognition of the fact they have taken on extra duties in addition to those carried out by every councillor (e.g. Chair of a scrutiny or planning committee or a cabinet member). In some circumstances, councillors may also be entitled to claim allowances for refunds for travel, subsistence and for employing a carer.

Lewisham Council provides support for councillors to assist them in conducting their role, for example through a range of ICT options, access to facilities and staff. In addition to an induction, Lewisham's member development programme provides opportunities for councillors to participate in ongoing development and training. One to one support is offered through a Personal Development Plan.

At the time of the 2013 Census of Local Authority Councillors, councillors in London had served for an average of 10.8 years, this compared with 9.5 years nationally. On average, councillors were members of 3.5 committees or subcommittees (this is in line with national position of 3.3 committees or subcommittees).

A greater proportion of councillors in London were in full time paid employment than across England as a whole (27.3% in London and 19.2% nationally) and 34.4% in London were retired (cf. 46.6% nationally); of the councillors in employment, 22.8% responded that their employer provided no support. The majority of councillors undertake at least one other role in the community, for example, as a school governor or magistrate (72.4%).

Evidence Sessions

The evidence sessions for the Barriers to Politics Working Group broadly focused on the protected characteristics as defined within the Equality Act 2010: the evidence sessions covered gender, age, ethnicity, disabilities, sexual orientation, gender identity and religion or belief, as well as the role of a councillor and caring responsibilities.

Gender

The Barriers to Politics Working Group felt that men had greater access to informal networks which could help them advance their career as councillors. The Working Group primarily explored caring responsibilities in the context of Gender and discussed the time meetings take place. The Group found that varying the times of meeting may shift barriers to different groups. The Barriers to Politics Working Group discussed utilising technology to tackle some of the practical barriers councillors with caring responsibilities may face; options of video conferencing or conference calling were identified a possible solution to barriers to participation, for example if a councillor was on maternity leave. The Group endorsed the idea of members being more vocal of their personal caring circumstances which prohibit them from fulfilling their role as councillors to give other councillors more understanding about the barriers they face. The Barriers to Politics Working Group also identified financial barriers associated with caring responsibilities, for example the sufficiency of the current allowance for caring and the electorate's attitude towards a politician's expenses.

Age

The Barriers to Politics Working found that many councillors felt that working full time and being a councillor was challenging and that this might restrict younger people from entering local politics. The Barriers to Politics Working Group felt that there should be more clarity given prior to selection in relation to the Council's expectation of councillors. Members raised concern over the pressures councillors might face in terms of progress and the impact that this might have on older and younger councillors. Members felt that councillors should be able to fulfil their role as best as they can, without the perception that they are not progressing. The Group recognised that incumbency could present a barrier for younger councillors, but felt that caution was needed as not to simply shift barriers. The Barriers to Politics Working Group recognised that more could be done to engage and inform young people about politics at a local level, and highlighted the importance of visibility.

Ethnicity

The Barriers to Politics Working Group recognised that none of the social, educational or financial issues which campaigning organisations sought to address were exclusive to ethnicity. The Group felt that most of the barriers related to communication and that it was in part the responsibility of councillors who were already 'on the inside' to engage the community. The Working Group felt that demystifying the process for entering politics was key to addressing the barriers which people from ethnic minority backgrounds face or perceive. Taking part in initiatives such as those run by Operation Black Vote, an organisation which aims to improve political participation by lobbying institutions and encouraging communities, was seen as effective in improving an individual's chances of participation and progression, however it was noted that these opportunities were not available to everyone. The Barriers to Politics Working Group highlighted that efforts to ensure networking opportunities were open to all regardless of their background were essential.

Disability

The Barriers to Politics Working Group recognised that technology is of great use to supporting those with disabilities to enter or progress in local politics, particularly for those with learning difficulties. The Group felt that if a greater effort was made to communicate clearly, for example by not using jargon, this would help to ensure that everyone understands what is being discussed and no one is being excluded. The Group recognised that the support required for councillors and candidates with disabilities would vary on a case by case basis and highlighted the benefit of having case by case discussions about support.

Sexual Orientation & Gender Identity

The Barriers to Politics Working Group recognised that it is daunting to stand for election regardless of an individual's sexual orientation and the fear of being scrutinised because of sexual orientation adds to this. The Working Group found that Language plays a key part in engaging LGBT individuals in political life and more broadly. The Barriers to Politics Working Group recognised that sometimes discrimination might not be direct or immediately obvious, for example terms like "family values" might be used by heterosexual candidates when standing against an LGBT candidate. The Barriers to Politics Working Group highlighted that there are four strands that form LGBT, yet little activity or awareness in relation to transgender individuals is observed within the Council. The Group recognised that it is important to respect wishes for privacy but to ensure that people feel that they can openly discuss their sexual orientation or gender identity should they so wish. The Barriers to Politics Working Group felt that visibility was crucial and that LGBT role models would help encourage individuals to engage in politics.

Although visibility and openness was found to be extremely important, the Group noted that there would also need to be infrastructure, for example LGBT networks, to support this.

Religion or Belief

The Barriers to Politics Working Group recognised that being involved in a process or policy that conflicts with an individual's personal beliefs could act as a barrier to those who belong to a religious group as much as those who have no religion or belief. The Group highlighted the fact that conflicts were far less likely to occur at a local level than a national level due to the fact that law-making occurs nationally; communication was felt to be key to addressing these concerns. Councillors recognised that social media can act as a platform for criticising politicians and this in turn could result in individuals feeling uncomfortable voicing their beliefs. Often politicians are forced to justify the actions and words of others with whom they share a religion or belief, rather than their own actions and words. It was also noted that nationally some politicians have resigned due to the fact that they feel unable to reconcile their religious and political beliefs.

Recommendations

The recommendations of the Barriers to Politics Working Group seek to address the barriers to those wishing to enter politics as an elected member and, once elected, the barriers to remaining in post or progressing. Some issues raised at the Barriers to Politics Working Group were not within the direct influence of Lewisham Council, however they were identified as being important barriers to some groups which have a significant impact on participation. Wider recommendations were made by the committee which could be addressed through other organisations or through action at national level. The recommendations of the Barriers to Politics Working Group, which are set out in Section 16 of this report, are grouped under the following headings:

- Addressing Discrimination And Promoting Equality
- Ways Of Working
- Councillor Complaints And Concerns
- Financial Support
- Wider Engagement
- Political Party Processes

The Barriers to Politics Working Group has made 31 recommendations. The majority of these recommendations are directed towards Lewisham Council, however it should be noted that many or all of these recommendations will be relevant to councils across the country. Other recommendations are intended for elected members themselves, political parties, the Local Government Association and other local organisations, such as Lewisham's voluntary sector and Young Advisers Forum.

The recommendations of the Barriers to Politics Working Group are intended to provoke thought and action across Lewisham Council and more broadly. Although the Group has recognised that great progress has been made in some areas, more can be done to ensure that there are equal opportunities in politics and there are great benefits associated with better representation.

3 ABOUT THE GROUP

The Barriers to Politics Working Group was established by a Motion to Council on 22nd February 2017 in the name of Councillor Clarke and seconded by Councillor Elliot.

Lewisham Council established the time-limited all-party Barriers to Politics Working Group to examine barriers to those wishing to enter politics as an elected member and, once elected, the barriers to remaining in post or progressing.

The Group's aims were to identify and investigate the various barriers that exist for individuals wishing to apply for or to undertake the role of a councillor, and to put forward recommendations to Council on how to address them. The Barriers to Politics Working Group focused on action the Council could take to remove or reduce barriers for individuals wishing to enter or progress in local politics, rather than action for political parties.

The Group's discussions were broadly focused on barriers in relation to the protected characteristics, the nine criteria by which all people are protected from discrimination by equalities legislation, as defined within the Equality Act 2010:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

The Barriers to Politics Working Group invited expert witnesses and considered research conducted by campaigning organisations, charities and public bodies. In addition to evidence sessions, the Group conducted surveys of existing councillors and residents to gather perceptions about the role and barriers which people had faced or thought they would face as a local councillor. The survey of residents was sent out through local assemblies, the Lewisham Life online newsletter and was featured in the News Shopper local newspaper. A summary of results from the survey of councillors can be found at Appendix A of this report and a summary of results from the survey of residents can be found at Appendix B.

Due to the wealth of evidence submitted to the Barriers to Politics Working Group it was agreed that reporting deadlines were to be extended from the original September 2017 Council meeting to November 2017.

Membership



Councillor Suzannah Clarke, Chair
(Labour Party, Grove Park)



Councillor Jacq Paschoud, Vice-chair
(Labour Party, Bellingham)



Councillor Colin Elliott
(Labour Party, Grove Park)



Councillor Maja Hilton
(Labour Party, Forest Hill)



Councillor Joyce Jacca
(Labour Party, Evelyn)



Councillor Joan Millbank
(Labour Party, Telegraph Hill)



Councillor Hilary Moore
(Labour Party, Grove Park)

The following councillors also contributed to evidence sessions:

Councillor Paul Bell (Labour Party, Telegraph Hill)

Councillor Bill Brown (Labour Party, Ladywell)

Councillor Liz Johnston-Franklin (Labour Party, Ladywell)

Councillor Jim Mallory (Labour Party, Lee Green)

Councillor Sophie McGeevor (Labour Party, Brockley)

Councillor Luke Sorba (Labour Party, Telegraph Hill)

Councillor James-J Walsh (Labour Party, Rushey Green)

4 WORKING GROUP TIMELINE

Council (22 February 2017): Motion to establish the Barriers to Politics Working Group

First Evidence Session (14 March 2017): The Role of a Councillor

Second Evidence Session (18 April 2017): Gender, Age and Caring Responsibilities

- Gill Kirkup and Sheila Thornton from the Milton Keynes Fawcett Group, co-authors of 'Exploring Women's Participation in Local Politics' gave evidence.
- Rebecca Manson Jones (Candidate in both the recent Brockley by-election and the GLA elections) and Madeline Petrillo (Lewisham Branch Leader) from the Lewisham and Greenwich Branch of the Women's Equality Party gave evidence.

Third Evidence Session (27 June 2017): Gender, Age and Caring Responsibilities Cont.

- Lauren Lucas, Project Lead (LGiU) for the Commission on Women in Local Government, gave evidence.
- A representative from the Lewisham Parent and Carer's Forum gave evidence at the meeting.
- Carers Lewisham provided written evidence which was considered at the meeting.
- Lewisham Positive Ageing Council provided written evidence which was considered at the meeting.

Fourth Evidence Session (24 July 2017): Ethnicity and Disabilities

- Ashok Viswanathan, Operations Manager at Operation Black Vote, gave evidence at the meeting.
- Will Davies, Advocacy Service Manager at Lewisham Speaking Up, and representatives from Lewisham Speaking Up gave evidence at the meeting.

Fifth Evidence Session (6 September 2017): Sexual Orientation, Gender Identity and Religion or Belief

- Rev Carol Bostridge, representative from the Standing Advisory Council on Religious Education (SACRE), gave evidence at the meeting.

Young Advisers meetings (9 & 30 October 2017): Age

- Councillor Suzannah Clarke and Councillor Jacq Paschoud attended Lewisham Young Advisers meetings to gather evidence on the perception of young people of the role of a councillor.

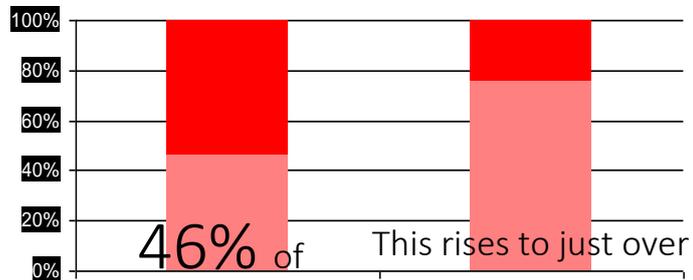
Final Barriers to Politics Meeting (6 November 2017): Recommendations

Council (22 November 2017): Report to Council

5 LEWISHAM PROFILE



Three in ten children in Lewisham live in poverty



Lewisham's total population is BME. **76%** of the schools population.



Lewisham is the 15th most ethnically diverse local authority in the country and the second most ethnically diverse in London

6 THE ROLE OF A COUNCILLOR

In the Councillors' Guide 2016/17, the Local Government Association (LGA) explains that a councillor has different roles to balance. The LGA groups the role of a councillor across the following areas:

- Representing the local area.
- Community leadership.
- Developing council policy.
- Planning and regulation.

The five main areas of responsibility for councillors, as defined in Lewisham Council's Handbook for Council Members (August 2016), are as follows:

- Deciding on overall Council policy and giving the authority political leadership.
- Making decisions within overall Council policy.
- Monitoring and reviewing performance in implementing policy and delivering services.
- Representing the area and the Council externally.
- Acting as advocates on behalf of constituents .

No generic job description exists for councillors; responsibilities can broadly be grouped around the following three areas as defined within the Handbook:

1. Advocacy: raising casework, meeting with local people to discuss their concerns, and presenting the views of your constituents to Council.
2. Leadership: chairing your local assembly and assisting your community in putting its ideas into practice.
3. Representation: representing the Council at other organisations in the borough, or city-wide, prioritising the needs of the whole borough when making decisions, and representing Lewisham at regional or national level.

Lewisham Council's Constitution does not prescribe the number of meetings a councillor must attend or the responsibilities a councillor must undertake. The Constitution does however state that councillors must attend a Council meeting at least once every six months in order to remain in post; councillors who are unable to meet this threshold due to exceptional circumstances may have absence approved by Council.

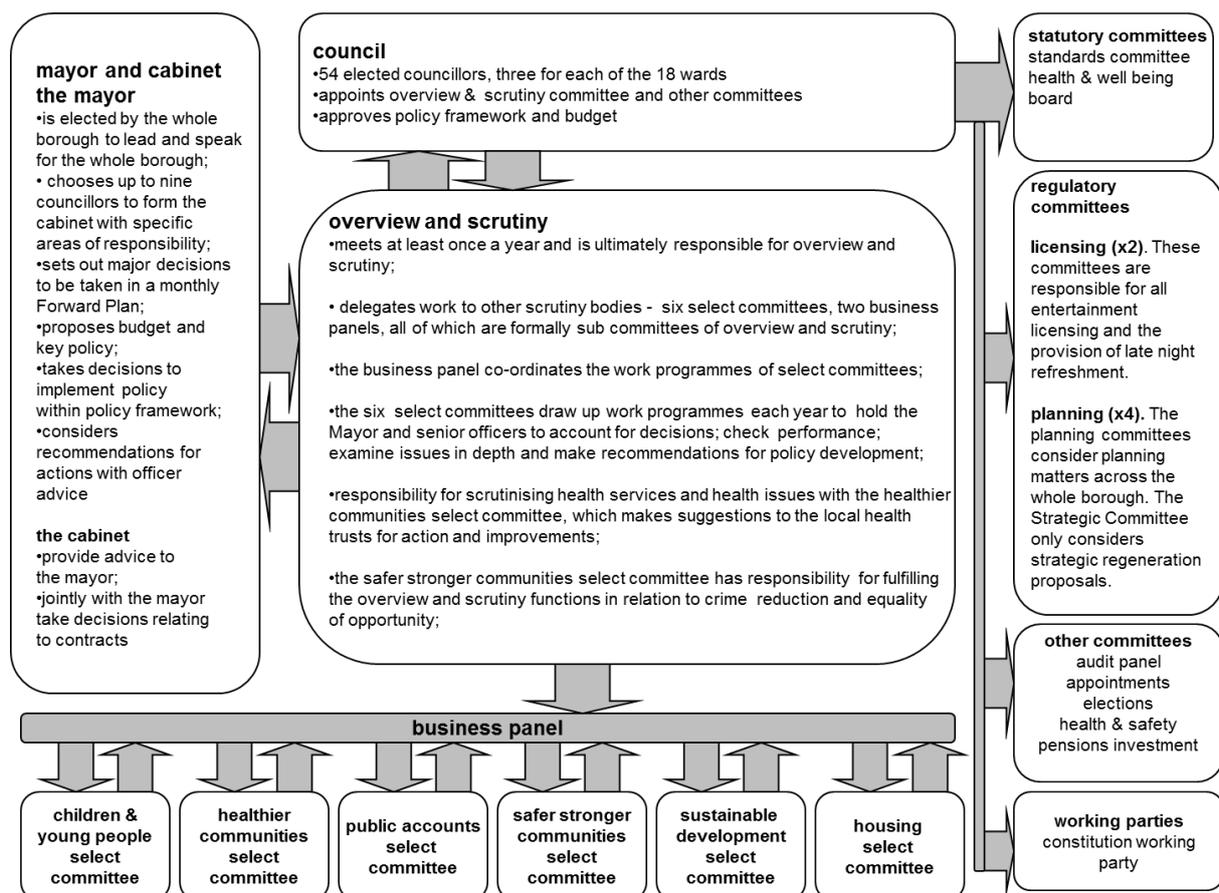
Lewisham Council Structure

In the London Borough of Lewisham, Council consists of 54 elected councillors (three for each of the 18 wards) and appoints committees, approves the policy framework and budget. The Mayor is elected by the whole borough to lead and speak for the whole borough; the cabinet provide advice to the Mayor and jointly with the Mayor take decisions relating to contracts.

Overview and Scrutiny meets at least once per year and is ultimately responsible for providing scrutiny of decision-making. The Business Panel co-ordinates the work programmes of the six select committees. The Standards Committee and the Health & Wellbeing Board are statutory committees and the Safer Lewisham Partnership is the statutory board for the Lewisham Crime & Disorder Partnership, for which Safer Stronger Communities Select Committee carries out the scrutiny function. There are six regulatory committees: two responsible for licensing and four responsible for planning matters. The Council has several other committees – including Audit Panel, Appointments and Elections – and working groups.

In addition to the above Council meetings, councillors may also chair a local assembly in their ward.

The below diagram outlines the key committees of the Council and their functions:



7 REMUNERATION & SUPPORT

Basic & Special Responsibility Allowance

Councillors are not employees of the Council and they are not paid a salary for their duties. They do, however, receive an allowance designed to recompense them for the work which they undertake. The Basic Allowance amounts to £9,812 per year in the London Borough of Lewisham. The payment is made in monthly instalments; tax and National Insurance is payable on this.

In September 2014, Council, having regard to the advice of the London Councils remuneration panel and the advice of Sir Rodney Brooke, opted not to approve a scheme of allowances which included a Basic Allowance of £10,703. The current rate of Basic Allowance has remained fixed since the decision in 2014. The following table sets out the Basic Allowance payable to councillors in neighbouring boroughs:

Local Authority	Basic Allowance (2015/16)
London Borough of Bexley	£9,418
London Borough of Bromley	£10,870
London Borough of Croydon	£11,239
Royal Borough of Greenwich	£10,210
London Borough of Lambeth	£10,597
London Borough of Lewisham	£9,812
London Borough of Southwark	£10,832

As well as their basic allowance, a councillor may receive a special allowance in recognition of the fact they have taken on extra duties in addition to those carried out by every councillor (e.g. Chair of Scrutiny or Planning Committee or a Cabinet Member). These amounts vary between £67,909.92 for the Mayor to £6,146.43 for a select committee or planning committee chair.

Additional Allowances

Councillors are entitled to claim travel allowances for the use of a private car or a full refund for public transport for council duties outside the borough. Subsistence allowances can be claimed for any day in which an official duty lasts more than four hours, and a full cost reimbursement can be claimed for council duties which take a councillor away from home overnight.

In the London Borough of Lewisham, an allowance to employ a carer of £9.40 per hour plus travelling expenses can be claimed to pay someone to take up a member's caring responsibilities while they are away from the home on Council business; this payment is based on the London Living Wage. The below table sets out carer's allowances payable to councillors in neighbouring boroughs in 2015/16:

Local Authority	Basic Allowance (per hour)
London Borough of Bexley	£5.27
London Borough of Bromley	No allowance
London Borough of Croydon	£8.80
Royal Borough of Greenwich	£9.15
London Borough of Lambeth	£7.00
London Borough of Lewisham	£9.40
London Borough of Southwark	£9.40

Support for Councillors

Councillors in Lewisham are supported by a range of ICT options to assist them in carrying out their role. As well as access to computers, printers, fax and scanners within the Civic Suite, members are also offered a tablet device to use for council business, as well as a mobile phone. Councillors are given a Lewisham email address and access to the Lewisham computer network; training is provided by officers to assist members when they log on to equipment for the first time and further training sessions are provided as required.

The Civic Suite in Catford contains a range of facilities to support councillors; it is the venue for most meetings of the Council as well as a range of community and civic events. There are a number of committee rooms, including the Council Chamber, which are used for public meetings. A members' room provides a computer linked to the Lewisham network, a phone, fax machine and a confidential waste bin for the safe disposal of confidential papers. A range of key corporate publications are also kept in the members' room. Internal and external post, including committee papers, is collected for members and delivered to their homes twice per week via a courier.

Governance support staff (in the Overview & Scrutiny and Business & Committee teams) are available to support members, along with Communications staff, staff from the Mayor's office and political group officers. Casework officers are available to investigate and respond to member queries.

Meeting space is offered in appropriate Lewisham Council buildings for members to hold surgeries with constituents; if necessary, the Council will pay for members to hire suitable space in their wards for ward surgeries.

Members are entitled to a car park permit for the multi-storey car park in Catford or the open air car park behind Laurence House to facilitate attendance at meetings. These permits are offered to members free of charge.

Lewisham has a Member Development Strategy, which informs the planning and delivery of all member development activities. The objectives for member development in Lewisham are to:

- Equip all Lewisham councillors with the skills and knowledge they need to carry out their roles as elected representatives within the Council and the local area they represent.
- Fulfil the councils commitment to ensuring that all councillors have access to training and development opportunities.
- Maintain member input and contribution to the member development programme, ensuring that the programme reflects emerging best practice, the needs of members and is aligned to corporate priorities.

Lewisham's member development programme provides opportunities for councillors to participate in ongoing development and training. Before serving on a committee which discharges any quasi-judicial function (such as planning or licensing), councillors are required to undertake training on their legal responsibilities. There is also compulsory training for councillors who have adoption, fostering or corporate parenting responsibilities.

Following induction, all non-executive councillors are invited to meet with the lead officer for member development (the Overview and Scrutiny Manager) in order to agree a Personal Development Plan (PDP). The PDP is designed to help councillors to identify their strengths and to focus on areas for development and learning.

8 COUNCILLOR PROFILE

Data from the Census of Local Authority Councillors 2013, conducted by the Local Government Association was used extensively by the Barriers to Politics Working Group. It provides the most up-to-date 'snapshot' of local government representation and analysis of trends over time. The Census asked councillors about their work as councillors, their views on a range of issues and their background. Information about the protected characteristics of councillors is analysed throughout this report.

Becoming a Councillor

According to the Census, the most prevalent reason for taking on the role given by councillors was to serve the community (88.8% in London and 90% in England); the second most prevalent reason in London was for political beliefs (65.9% in London, cf. 54.4% nationally).

Commitments

At the time of the 2013 Census, councillors in London had served for an average of 10.8 years, this compared with 9.5 years nationally. On average, councillors were members of 3.5 committees or subcommittees (this is in line with national position of 3.3 committees or subcommittees), and 55.1% of councillors in London boroughs held one or more positions. The Barriers to Politics Working Group found that the number of hours a councillor spent carrying out their role varied significantly between councillors and between weeks; some councillors spent above average hours and others below. The table below shows the average number of hours per week a councillor spends on council business based on the Census of Local Authority Councillors 2013:

How time is spent (decimalised)	London (hours)	England (hours)
Attendance at council meetings, committees, etc.	7.8	8
Engaging with constituents, surgeries, constituent enquires, etc.	7	6
Working with community groups	4.9	4.5
Other e.g. external meetings, seminars, training, travel related to council, etc.	4	4.1
Average no. of hours per week	22.5	21.3

Councillors in London spent an additional 5.4 hours per week on party/group business; this compared with 4.3 hours per week nationally.

Fewer councillors in London had received training and development opportunities in 12 months prior to the 2013 Census than councillors nationally (68.3% in London and 85% in England).

Employment Status

A greater proportion of councillors in London were in full time paid employment than across England as a whole (27.3% in London and 19.2% nationally) and 34.4% in London were retired (cf. 46.6% nationally); of the councillors in employment, 22.8% responded that their employer provided no support. The majority of councillors undertake at least one other role in the community (72.4%), for example as a school governor or magistrate.

9 GENDER

Context

Census of Local Authority Councillors 2013

- 36% of councillors in London and 31.6% of councillors nationally were female.
- 15.8% of male councillors who responded to the Census were Group leaders or deputy leaders, compared to 8.7% of women.
- On average, male councillors in England had been a councillor for 10 years, compared to women who had been councillors for 8.3 years.
- Female councillors spent 22 hours per week on council business compared with male councillors who spent 20.2 hours per week.
- The following table outlines the percentage of men and women with caring responsibilities.

Caring Responsibilities for:	Male (%)	Female (%)
Child/Children	12.9	17.9
Partner	8	7.8
Relative	5.6	11.9
Other	1.4	3.2
One or more caring resp.	24.6	35.1
No caring resp.	75.4	64.9

Survey of Local Election Candidates 2014²

- 26% of candidates who contested in the local elections in 2014 were female.
-

Evidence

The Barriers to Politics Working Group considered the support on offer from political parties and found that all major political parties actively campaign to encourage women to enter politics at a national and local level. The Working Group drew on wider research examining how men and women approach applications more broadly and found that men apply for a job when they meet 60% of the qualifications, but women only apply if they meet 100% of them.³

In September 2016, the Fawcett Society published 'Exploring Women's Participation in Local Politics', an observational study of Milton Keynes Council Meetings which explored whether or not there were gender differences and/or inequalities in the way council business was seen to be carried out in public fora.⁴ Members of the Milton Keynes Fawcett Society gave evidence to the Lewisham Barriers to Politics Working Group. The research identified that women councillors were over-represented in committees such as corporate parenting, health and adult social care. The Fawcett Society's observational study found that in council meetings, female councillors made up 33% of those councillors present but were only responsible for 19% of all interventions by councillors. Members of the Milton Keynes Fawcett

² Colin Rallings et al, '2014 Survey of Local Election Candidates', *The Elections Centre* (2014); the 2014 Survey of Local Election Candidates provides the most up to date and relevant information on local election candidate demographics.

³ Claire Shipman & Katty Kay, 'The Confidence Code', *HarperBusiness* (April 2014)

⁴ Ms. Gill Bryan, Ms. Margaret Gallagher, Dr. Gill Kirkup (Convenor), Professor Joan Swann & Ms. Sheila Thornton 'Exploring Women's Participation In Local Politics', *Milton Keynes Fawcett Group* (September 2016)

Society told the Working Group that women were observed to join discussions late in meetings, by this time many members of the public had left the chamber and hence did not observe these contributions.

Caring responsibilities were largely considered by the Barriers to Politics Working Group in the context of gender due to the disproportionate number of women with caring responsibilities as evidenced above. Evidence given to the Communities and Local Government Committee by the Centre for Women and Democracy stated that hours and commitments expected of councillors are very high, and not always geared to the needs of people who work or who have caring responsibilities.⁵ It was also noted by the Barriers to Politics Working Group that there were many men with caring responsibilities and people from across different characteristics.

The Barriers to Politics Working Group further drew from evidence from the Centre for Women and Democracy which suggested that women are often particularly concerned about physical security, especially when working alone. The Communities and Local Government Committee were told that women in particular find the idea of being 'on call' 24 hours a day, combined with personal details such as home addresses being public, worrying. This was particularly true for women who were living alone or with children.

Gill Kirkup and Sheila Thornton from the Milton Keynes Fawcett Group, co-authors of 'Exploring Women's Participation in Local Politics' attended a Barriers to Politics Working Group meeting to give evidence. The Group were told that the Fawcett Group's concerns lie within the fact that women's local authority representation is stagnating; while media and parties tend to concentrate on representation at a national level, the desired impact of support organisations isn't happening at a local council level. The Milton Keynes Fawcett Group's recommendations were for both councillors and political parties and included that political parties should examine who is given roles on council committees and that councillors should take the training opportunities offered. The Fawcett Group's research found that although there was no direct correlation between men and women who were absent from meetings, the fact that women were unequally distributed, often meant that the absence of one woman was more noticeable.

Rebecca Manson Jones (Candidate in both the recent Brockley by-election and the GLA elections) and Madeline Petrillo (Lewisham Branch Leader) from the Lewisham and Greenwich Branch of the Women's Equality Party gave evidence to the Barriers to Politics Working Group. The representatives from the Women's Equality Party told the Group that their research covered wider society and that they had found that not only are women generally paid less, they also are time-poor due to increased numbers with caring responsibilities for children or parents. The Women's Equality Party also told the Group that they had found that women believed that their time was better spent volunteering in the community if they wanted to bring about social change, rather than in local politics. The representatives from the Women's Equality Party recommended that councils should consider how being a councillor can fit around family and work life, compensation should be adequate and fair and that council work should be made more accessible and flexible.

Lauren Lucas, Project Lead (LGiU) for the Commission on Women in Local Government, attended an evidence session to give evidence and told the Barriers to Politics Working Group that progress of women in local government has remained almost unchanged in the last 10 years; at the current rate it would take 48 years to achieve equal representation between female and male councillors. Drawing on research conducted by the Commission on Women in Local Government, the Group were told that men

⁵ House of Commons Communities and Local Government Committee, 'Councillors on the frontline', *Sixth Report of Session 2012–13* (January 2013)

tend to stay in their political positions longer than women and this incumbency holds a big advantage for men in terms of electoral success. The report of the Commission, 'Does Local Government Work for Women?' published in July 2017, found that a third of councillors surveyed had experienced sexist comments from other councillors.⁶ The Barriers to Politics Working Group were told that institutional barriers, such as a lack of childcare or diary clashes, could be addressed by greater flexibility in terms of the times of meetings, the provision of childcare and the better use of technology. The Barriers to Politics Working Group were also told that mentoring is an effective way of giving women confidence to put themselves forward for leadership positions.

Findings

Discussing the flexibility of the time of meetings, the Barriers to Politics Working Group found that varying the times of a meeting may not make a great difference to reducing barriers faced by local councillors: day time meetings could negatively impact those in employment and evening meetings could negatively impact those with children.

The Barriers to Politics Working Group discussed utilising technology to tackle some of the practical barriers councillors with caring responsibilities may face, for example to taking part in meetings, with the options of video conferencing and conference calling identified as possible solutions. Caution was urged as it was felt that this wouldn't necessarily be beneficial on a regular basis as the Group found visibility was key to promoting political engagement amongst women, but accepted that technology could have a place in certain circumstances such as whilst a councillor was on maternity leave.

The Group found that women were more likely to hold positions in the wider community than men (for example, as school governors, as part of voluntary committees or local charities) despite the fact that fewer women than men entered local politics.

Looking at caring responsibilities, members of the Barriers to Politics Working Group highlighted the fact that as a child grew older and as they grew more independent it may become easier for parents/carers to enter local politics. However, this would not always be true for councillors caring for children with disabilities. The Group endorsed the idea of members being more vocal of their personal caring circumstances which prohibit them from fulfilling their role as councillors to give other councillors more understanding about the barriers they face. The Barriers to Politics Working Group also identified financial barriers associated with caring responsibilities, for example, the sufficiency of the current allowance to pay for a carer and the electorate's attitude towards a politician's expenses.

The Barriers to Politics Working Group felt that men had more access to informal networks which could help them advance their career as councillors. The Group identified that an informal women's councillor network could be a highly beneficial way of experienced female councillors supporting and engaging with other female councillors.

⁶ The Fawcett Society, 'Does Local Government Work for Women? Final Report of the Local Government Commission' (July 2017)

10 AGE

Context

Census of Local Authority Councillors 2013

- The average age of a councillor in London was 56.5 years (cf. 60.2 nationally).
- Around one in eight councillors are under 45.
- The proportion aged 70 or over increased from 13.8% to 22.2% between 2004 and 2013.
- A greater proportion of men were aged over 65 (46.2%) compared to women (38.6%). At the younger age bracket, 8.4% of male councillors were aged under 40, compared to 6.7% of female councillors.

Local Elections Post-Polling Public Opinion Research 2013 (Electoral Commission)

- Approximately 32% of 18-24 year olds and 32% of 25 to 34 year olds voted in the 2013 local elections; this compares to 43% of 18-25 year olds and 54% of 25-34 year olds who voted in the previous General Election.

Evidence

In the context of political apathy, voter turnout suggests that young people are disengaged in local politics until they are much older than they are with national politics. The research considered as part of this report suggested that this is in part about the way information is presented, and the way in which they experienced and are involved in the local political sector from a young age.⁷

Detailed information about local election turnout is not available, however the 2013 Post Election Survey conducted by BMG Research for the Electoral Commission estimated local election turnout at 51%.⁸ Of those aged 18-24 and those aged 25 to 34, 32% voted in each age bracket. Conversely, in general elections a spike in turnout can be observed between 18-24 year olds and 25-34 year olds; in 2015 an 11 percentage point increase can be observed (from 43% of 18-25 year olds to 54% of 25-34 year olds). Those aged over 65 were most likely to vote in local elections (72%). The 2013 Post Election Survey found that 53% of voters and non-voters knew 'not very much' or 'nothing at all' about the election.⁹ Recent research into young people's engagement with the EU referendum found that young people are less likely to vote in elections or join a political party, but are more likely to sign a petition, attend a protest and join a campaign on a singular issue than older people.¹⁰

Councillor Suzannah Clarke and Councillor Jacq Paschoud attended meetings of the Lewisham Young Advisers, a group of young people who look at key decision-making reports and engage with service managers, policy-makers and elected members. The Young Advisers felt that they knew little about local politics, despite recognising that they were more politically engaged than their peers. Throughout

⁷ Richard Berry & Patrick Dunleavy, 'Engaging young voters with enhanced election information', *Democratic Audit UK* (March 2014)

⁸ Electoral Commission, '2013 local elections post-polling public opinion research' (May 2013)

⁹ Richard Berry & Patrick Dunleavy, 'Engaging young voters with enhanced election information', *Democratic Audit UK* (March 2014)

¹⁰ Katy Owen and Caroline Macfarland, 'A Generation Apart: Were younger people left behind by the EU referendum?', *CoVi(Common Vision)* (July 2016)

the discussions with young people, education was identified as key to improving engagement: some young people had learned about national politics in Citizenship lessons and others had not received any Citizenship lessons.

The Young Advisers felt that some councillors were more visible than others and recommended that councillors visited local schools to increase the awareness of local politics amongst young people. The Young Advisers felt that there was no stepping stone between their group and being a local councillor despite the fact that they would be eligible to stand as local councillors once they reached the age of 18.

Dr. Kalbir Shukra, Senior Lecturer and Head of Community Studies at Goldsmiths University of London, has been evaluating Lewisham's Young Mayor Programme since 2012 and views it as a civic innovation at the heart of the town hall that has successfully broken down barriers in engaging young people in politics. Dr Shukra identified that the turnout in Young Mayor elections is much higher than in local elections; the voter turnout for Young Mayor elections has varied between 42% and 56% and the process of standing as a candidate encourages a "strong civic identity". Dr. Shukra recommended to the Barriers to Politics Working Group that the Council holds an event to allow councillors and other adults to discuss with young advisers how they have experienced or overcome difficulties with their political engagement.

Research by the think-tank the International Longevity Centre for Help the Aged has found that, for some, the beginning of retirement can result in a period of greater community engagement; involvement with political groups is particularly high amongst those aged 65 to 69 although participation declines swiftly with age.¹¹ As outlined in the findings from the Councillor Census 2013, the Barriers to Politics Working Group found that in practice, increasingly, councillors were remaining in post past the age of 70.

The Positive Ageing Council suggested that young people now seemed to show more respect than they did in previous years. Members of the Lewisham Positive Ageing Council felt that as a councillor they would have to be on call 24 hours per day and that this could present a barrier for older councillors in particular. Some members of the Positive Ageing Council also said that they were fearful of modern technology and highlighted the fact that committee reports were now on tablets.

The Positive Ageing Council highlighted the impact that being a councillor would have on family life and they thought that partners must also be made aware of the commitments. Members of the Positive Ageing Council suggested that partners should be invited to a training session before selection as a candidate so a family could make an informed choice about the feasibility of a partner becoming a councillor.

Findings

The Barriers to Politics Working found that many councillors felt that working full time and being a councillor was challenging and that this might restrict younger people from entering local politics. Flexibility was said to be a barrier because of the constant changes in day-to-day council work and some councillors felt that they would not be able to take up full-time employment alongside being a councillor. The Group noted that the Council's Constitution does not prescribe the number of meetings a councillor must attend or the responsibilities a councillor must undertake; councillors must attend at

¹¹ International Longevity Centre, 'Voice: a briefing paper on the voice of older people in society' (2008)

least one meeting every six months in order to retain their post, however if they are unable to do so due to exceptional circumstances, this can be approved by Council. The Barriers to Politics Working Group felt that there should be more clarity given prior to selection in relation to the Council's expectation of councillors.

Members raised concern over the pressures councillors might face in terms of progress and the impact that this might have on older and younger councillors. Members felt that councillors should be able to fulfil their role as best as they can, without the perception that they are not progressing. Progression is something that is appropriate at certain points of each individuals' life. It is fair for a councillor to step into the role when they believe they are in a good position to fulfil all of their obligations as best as possible without fear of criticism for not being ambitious.

The Barriers to Politics Working Group identified that older councillors may feel pressure to retire from Council sooner than they would prefer to make room for younger councillors. The Group recognised that incumbency could present a barrier for younger councillors, but felt that caution was needed as not to simply shift barriers.

The Barriers to Politics Working Group recognised that more could be done to engage and inform young people about politics at a local level, and highlighted the importance of visibility.

11 ETHNICITY

Context

United Kingdom Census 2011

- The table below shows the percentage of residents from each ethnic group at the time of the National Census 2011 across the population of England, London and Lewisham.

Area	White (%)	Mixed/multiple ethnic groups (%)	Asian/Asian British (%)	Black/African/Caribbean/Black British (%)	Other ethnic group (%)
England	85.4	2.3	7.8	3.5	1.0
London	59.8	5.0	18.5	13.3	3.4
Lewisham	53.5	7.4	9.3	27.2	2.6

Census of Local Authority Councillors 2013

- Nationally, the vast majority of councillors were White (96%). These figures were similar to previous censuses. In 2010, 96.3% of councillors were White and in 2008 the figure was 96.6%.
- 84.3% of councillors in London who responded to the 2013 Census were White, 11.8% were Asian and 2.1% were Black.
- 1.6% of respondents who were not White were a local authority leader compared to 2.8% of White respondents.
- White councillors were over twice as likely to be party/group leader than those from other ethnic backgrounds (7.6% compared to 3.4%).
- Respondents to the Census from other ethnicities were far more likely to become a councillor to resolve an issue (33.7% compared to 13.7%). White councillors were over twice as likely to say they became a councillor because they were asked to compared to councillors of another ethnicity (28.1% of White councillors compared to 13.6% from another ethnicity).
- Councillors from a non-White background were more likely to say that they had more influence than they had expected before entering the role (60% for other ethnicities and 40.8% of White councillors).
- Respondents who were from a non-White ethnicity were more likely to have one or more caring responsibility (38.6% compared to 27.5%).
- Approximately a third of councillors in England were women, but minority ethnic women were particularly under-represented; in 2010, 2% of female councillors were not White and in 2013, 3.5% of female councillors were not White.

Evidence

The Barriers to Politics Working Group explored different organisations which campaigned to support people from Black, Asian, and minority ethnic (BAME) backgrounds to pursue careers in politics. Operation Black Vote and the Government Equalities Office's 'Black Asian Minority Ethnic Women Councillor Shadowing Scheme' ran in over 50 local authorities and 60 BAME women from across the

country took part.¹² The experience equipped the participants to stand for elected office and resulted in nearly a quarter of participants standing in the May 2010 local elections, with four participants elected as councillors.

The Barriers to Politics Working Group considered the work of the BAME Women Councillors' Taskforce which had conducted outreach events, a community leadership programme and a mentoring programme.¹³ The Taskforce highlighted the importance of good communications between partner organisations to harness the valuable input of each and coordinate efforts from an early stage. The Taskforce recommended that a single clear summary of the steps to becoming a councillor is developed and highlighted the importance of supporting the individual journey to becoming a councillor. The Taskforce recommended that care is taken in matching mentors and that expectations should be managed along the way. The BAME Women Councillors' Taskforce highlighted the need for political parties to recognise that more support is needed to engage BAME women in party politics.

In 2017, the Fawcett Society's Commission on Women in Local Government found that Black, Asian, and minority ethnic women are underrepresented in local government.¹⁴ Only 5.5% of female councillors responding to the Commission's survey identified as BAME, slightly greater than the 3.8% of men but vastly below the 14% of the England and Wales population which identifies as BAME. The Commission on Women in Local Government noted that due to the very small numbers of respondents to their survey who were BAME, they were unable to draw statistically significant conclusions. The data however did indicate that 24 of 48 BAME female respondents said they had experienced discrimination based on their protected characteristics other than gender, and 22 of 53 BAME male councillors respondents said that they had.

Ashok Viswanathan, co-founder and deputy director of Operation Black Vote (OBV) gave a presentation to the Barriers to Politics Working Group as part of the evidence sessions. OBV aims to change the picture of politics by lobbying institutions and encouraging communities, particularly African-Caribbean and Asian communities, which were traditionally less likely register to vote. The Barriers to Politics Working Group were told that in these communities, 25% of people are not registered to vote and over 50% of those registered do not go out to a polling station; this compared to 1 in 16 who are not registered to vote in the wider community. The Barriers to Politics Working Group were told that there is still a high level of distrust which manifests itself in the political arena. The Barriers to Politics Working Group were told that the barriers related to ethnicity which OBV seeks to address could be summarised as follows:

- Social: individuals from BAME communities often feel as though they have fewer networks available to them.
- Educational: individuals from BAME communities often feel as though they have less knowledge about political processes and systems.
- Financial: individuals from BAME communities often feel as though the cost of entering politics is a barrier.

¹² <http://www.obv.org.uk/what-we-do/schemes-programmes-and-campaigns/councillor-shadowing-schemes-2011>

¹³ Government Equalities Office, 'Evaluation of the Black, Asian and Minority Ethnic Women Councillors Taskforce' (2010)

¹⁴ The Fawcett Society, 'Does Local Government Work for Women? Final Report of the Local Government Commission' (July 2017)

Findings

Lewisham Council ran its first Councillor Shadowing scheme as part of Operation Black Vote (OBV) in 2009 and the most recent was run in 2015. The Council has been commended for its work to improve participation in Black, Asian, and minority ethnic communities.

The Barriers to Politics Working Group found that being a member of a political party increases chances of candidates being elected, however the Working Group were told that the membership fees were seen as a barrier by candidates taking part in the OBV programmes. The Working Group felt that demystifying the process for entering politics was key to addressing the barriers which people from ethnic minority backgrounds face or perceive. The Group highlighted the fact that charges for political parties are not linked to an individual's income.

Taking part in initiatives such as those run by OBV were seen as effective in improving an individual's chances of participation and progression, however it was noted that they are not available to everyone. The Barriers to Politics Working Group highlighted that efforts to ensure networking opportunities were open to all regardless of their background were essential.

The Barriers to Politics Working Group recognised that none of the social, educational or financial issues which OBV sought to address were exclusive to ethnicity. The Group felt that most of the barriers related to communication and that it was in part the responsibility of councillors who were already 'on the inside' to engage the community.

12 DISABILITY

Context

Census of Local Authority Councillors 2013

- Just over one in eight (13.2%) councillors stated that they had a long-term illness, a proxy for disability, which had impacted them in the last 12 months. This proportion had fallen slightly from 2010 (14.1%), however it should be noted that the question in 2010 did not include the timescale.
- The proportion of councillors who had a long-term illness or disability was highest in the North East (16.8%), the West Midlands (16.1%), and the East Midlands (15.3%) and lowest in London (8.9%), the South East (11.4%) and the East of England (11.6%). The position in London remained fixed between the 2010 and 2013 Census of Local Authority Councillors with 8.9% identifying themselves as having a long-term illness.
- No differences were observed between male and female councillors in relation to whether or not the respondent identified as having a disability.
- In terms of ethnicity, 13.3% of respondents who were White identified that they had a disability, compared with 9.3% of respondents from other ethnicities.
- 3.5% of councillors aged under 40 had a long term illness.

Evidence

The Barriers to Politics Working Group considered evidence from the 2010 House of Commons, Speaker's Conference on Parliamentary Representation which found that "many disabled people are deterred from any sort of involvement in politics or public life by problems at a local level, with their councils".¹⁵ The Group considered a survey conducted by Disability Rights: UK of disabled people who are board level directors; the survey identified that mentoring and support from senior staff were key to their success, however the research also found that disabled people were significantly less likely to have access to this kind of mentoring and senior support.¹⁶

The 2016 Equality and Human Rights Commission response to the UN Special Rapporteur on the rights of persons with disabilities call for evidence, 'Smoothing the Pathway to Politics for Disabled People', was considered by the Barriers to Politics Working Group. One of the Commission's recommendations was directed at representation in local government: steps taken by local authorities to allow elected members and the public to fully participate in public life should be exemplary practice.

The Government Equalities Office has published 'Political Life: Disabled People's Stories' which sets out experiences disabled people have had in getting experience, standing for elected office and working in politics. The case studies give examples of barriers which people with disabilities have faced and how they have overcome them. One of the case studies by a former Parliamentary intern recognised that some people expect there to be people who have negative attitudes towards their involvement in politics because of their disability, but his experience was that people's attitudes are very positive towards disabled people being involved in politics. However, one councillor included in the Government

¹⁵ House of Commons, 'Speaker's Conference (on Parliamentary Representation)' (2010)

¹⁶ Disability Rights UK, 'Doing Seniority Differently' (2010)

Equalities Office publication had experienced a lack of understanding from others within all sectors. Other case studies identified the cost of funding a British Sign Language translator or support worker as a barrier for candidates with disabilities. One candidate identified logistics for attending meetings as a potential barrier which he would overcome by thoroughly researching locations ahead of time.

The Local Government Association has published 'Make a Difference. Be a Councillor. A Guide for Disabled People' and introduced a mentoring scheme to support and encourage disabled people in politics as part of the 'Be a Councillor' Campaign. As part of the previous government's Access to Elected Office for Disabled People Strategy, the Access to Elected Office for Disabled People Fund was established; a cross-party group of MPs has recently called on the Government to reopen the fund.

The Barriers to Politics Working Group considered the barriers which those who care for other people with disabilities could face should they wish to pursue or progress in a career in local politics. The Group received evidence from Piers Goodman, Interim Adult Services Manager at Carers Lewisham, an organisation which supports carers in the London Borough of Lewisham from the age of five, by providing advice, information, support and coping strategies. Carers Lewisham highlighted the importance of carers being able to discuss flexible working arrangements on a case by case basis, being able to access advice and support, and utilising technology to allow for more effective working.

The Barriers to Politics Working Group heard evidence from Will Davies, Advocacy Service Manager at Lewisham Speaking Up, and representatives from Lewisham Speaking Up, a charity for people with learning disabilities. Representatives from Lewisham Speaking Up told the group that if help was available to all those with disabilities, including those with disabilities that are not visible, this would provide equal opportunities. It was identified that reading or writing difficulties is sometimes a barrier for those who have learning disabilities, however Lewisham Speaking Up told the group that this shouldn't be an issue if they had the right people supporting and encouraging them. Representatives from Lewisham Speaking Up said that some of the main things that would stop them from being councillors were the forms and also people asking them lots of questions about their disabilities.

Findings

The Barriers to Politics Working Group recognised that technology is of great use to supporting those with disabilities to enter or progress in local politics, particularly for those with learning difficulties. The Group highlighted that, as reading and writing skills are essential for most jobs, including those in politics, learning disabilities like dyslexia can affect an individual's confidence and make it very difficult for them to progress; councillors recognised that the time taken to complete tasks had been identified as a barrier to politics across other protected characteristics and it might take those with learning disabilities longer to complete tasks.

Councillors thought that it would be beneficial for all if people were less judgemental and over-expectant of politicians. The Group felt that if a greater effort was made to communicate clearly, for example not using jargon, this would help to ensure that everyone understands what is being discussed and no one is being excluded. The Barriers to Politics Working Group agreed that it would also be beneficial to have digests of reports; this would make things simpler without losing the quality of work. The Barriers to Politics Working Group felt that Council documents should also be made friendly for those with different disabilities, for example with options to change font or the colour of paper. The Group recognised that the support required for councillors and candidates with disabilities would vary on a case by case basis and highlighted the benefit of having case by case discussions about support.

13 SEXUAL ORIENTATION & GENDER IDENTITY

Context

- It is not possible to identify the representativeness of local and national politics in relation to the sexual orientation or gender identity of politicians as this information is not routinely collected: the Census of Local Authority Councillors 2013 did not ask any questions relating to sexual orientation.
- Nationally, sexual identity estimates are based on social survey data from the Annual Population Survey (APS). The questions collect information on self-identified sexual identity from the household population aged 16 and over in the UK. In 2016, 2% of the UK population identified themselves as lesbian, gay or bisexual (LGB). More males (2.3%) than females (1.6%) identified themselves as LGB in 2016; 4.6% of respondents identified themselves as “other”, “don’t know” or did not respond.
- British voters returned a record number of openly LGB MPs to Parliament in the 2017 General Election; forty-five LGB MPs were elected in June 2017 (approximately 7% of all MPs), six more than in the previous parliament.
- Despite a growing number of openly LGB Members of Parliament, there are no openly transgender MPs in the UK. Labour Candidate Sophie Cook stood in the Worthing East and Shoreham Parliamentary Constituency in June 2017; although she was unsuccessful in being elected, the Labour party observed gains of 19.8% of the electorate in the constituency compared with the 2015 position (compared to a 9.5% increase in vote share nationwide).
- Labour, Liberal Democrats, Conservatives, Greens and UKIP all have councillors who openly identify as transgender. The Labour Party elected its first openly transgender councillor in May 2016.

Evidence

The Barriers to Politics Working Group considered extensive research conducted by Stonewall. In their 2013 report, ‘Gay in Britain’, it was found that many political parties’ own lesbian, gay and bisexual (LGB) supporters believed they would face discrimination if they were to seek selection as a parliamentary candidate: 52% of gay Conservative Party supporters said they would face barriers in their own party, compared with 23% of gay Labour Party supporters and 20% of gay Liberal Democrat supporters.¹⁷ At a local political level, Stonewall found that an even higher percentage of LGB party supporters felt they would face barriers should they seek selection to run as a local councillor: 74% of party supporters thought they would face barriers from the Conservative Party if they were seeking selection to run as a local councillor; 39% would expect to face barriers from the Labour Party and 33% from the Liberal Democrats.

In Stonewall’s report, Iain Stewart (Conservative MP for Milton Keynes South) highlighted the barrier that negative campaigning can play against LGB candidates and argues that “although all parties are

¹⁷ Stonewall, ‘Gay in Britain’ (2013)

signed up publicly and at leadership level, at constituency level there can sometimes be discrimination in subtle or unsubtle ways”.¹⁸

Stonewall had found that younger people, aged 18 to 29, were more likely to expect discrimination: 82% said this of the Conservative Party, 45% of the Labour Party and 37% of the Liberal Democrats. However, a smaller percentage of LGB people in 2013 expected to experience discrimination if they sought selection by a political party to run for parliament than when the survey was conducted in 2008.

The Barriers to Politics Working Group explored some of the programmes available to support lesbian, gay, bisexual and transgender (LGBT) individuals: for example, Stonewall has run a Leadership programme for senior LGBT individuals for 14 years which brings together senior leaders who identify as LGBT from across a range of sectors and industries.

Perception in the media and discrimination was identified as a cause for concern: in 2013, 76% of gay people surveyed believed that LGB politicians were subject to greater scrutiny, including by the media, compared to heterosexual politicians.¹⁹ Senior leaders believe that a culture of openness results in fewer issues and Stonewall recommends that political parties collect monitoring information about candidates and members – although this information is not currently readily available publically.²⁰

The Commission on Women in Local Government recognised that it is hard to identify whether or not LGBT+ women are underrepresented due to challenges in measuring these identities in the wider population.²¹ Surveys carried out by the Commission did however find that many of the LGBT+ female councillors who responded had experienced multiple discrimination.

Findings

The Barriers to Politics Working Group recognised that it is daunting to stand for election regardless of an individual’s sexual orientation and the fear of being scrutinised because of sexual orientation adds to this. The Group recognised that Lewisham Council is proactive in championing equality and noted the review of LGBT provision conducted by Safer Stronger Communities Select Committee.

Language plays a key part in engaging LGBT individuals in political life and more broadly. The Barriers to Politics Working Group recognised that sometimes discrimination might not be direct or immediately obvious – for example, terms like “family values” might be used by heterosexual candidates when standing against an LGBT candidate.

The Barriers to Politics Working Group highlighted that there are four strands that form LGBT, yet little activity or awareness in relation to transgender individuals is observed within the Council. The Group recognised that some individuals are very vocal about their sexual orientation and others are not; it is important to respect wishes for privacy but also to ensure that people feel that they can openly discuss their sexual orientation or gender identity should they so wish.

The Barriers to Politics Working Group were cautioned by a current councillor who openly identified as gay that people who identified as LGBT should not be pigeon-holed; for example, there is sometimes a

¹⁸ Stonewall, ‘Gay in Britain’ (2013)

¹⁹ ibid

²⁰ ibid

²¹ The Fawcett Society, ‘Does Local Government Work for Women? Final Report of the Local Government Commission’ (July 2017)

misconception that people who identify as LGBT have a greater concern about HIV and other sexually transmitted diseases.

Councillors championed the idea of a councillor survey in which people were given the opportunity to identify who they are, and felt that this would create a culture of openness. Members of the Barriers to Politics Working Group commended the work of the Young Mayor's programme as young people in Lewisham are having conversations about sexual orientation openly.

The Barriers to Politics Working Group felt that visibility was crucial and that LGBT role models would help encourage LGBT individuals to engage in politics. Although visibility and openness was found to be extremely important, the Group noted that there would also need to be infrastructure, for example LGBT networks, to support this.

14 RELIGION OR BELIEF

Context

- At the time of the United Kingdom Census 2011, the breakdown of religions across the London Borough of Lewisham, London and England as a percentage of the total population was as follows:

Religion	Lewisham (% of total population)	London (% of total population)	England (% of total population)
Has religion	63.9	70.8	68.1
Christian	52.8	48.4	59.4
Buddhist	1.3	1.0	0.5
Hindu	2.4	5.0	1.5
Jewish	0.2	1.8	0.5
Muslim	6.4	12.4	5.0
Sikh	0.2	1.5	0.8
Other religion	0.5	0.6	0.4
No religion	27.2	20.7	24.7
Religion not stated	8.9	8.5	7.2

- No comprehensive details about the religion or belief of MPs is routinely collected.
- The Census of Local Authority Councillors 2013 did not collect any information on the religion or belief of councillors so it is not possible to comment on the representativeness of local politics.

Evidence

The Barriers to Politics Working Group considered Religion or Belief both broadly across public life and in the context of the political sphere. In 2015, Baroness Butler-Sloss chaired the Commission on Religion and Belief in British Public Life.²² The Commission's report 'Life Living with Difference: Community, Diversity and the Common Good' noted the decline in Christian affiliation and made recommendations to increase diversity in political representation (including representation of different religious groups in the House of Lords). The report also noted that the way different religions are represented can create polarisation, particularly in relation to the way Islam is portrayed in the media.²³ A national and local decline in the percentage of residents citing Christianity as their religion can be observed: Lewisham saw an 8.4 percentage point reduction in residents identifying as Christian between the 2001 Census and 2011 Census (down from 61.2% to 52.8%).

²² Commission on Religion and Belief in British Public Life, 'Life Living with Difference: Community, Diversity and the Common Good' (2015)

²³ *ibid*

A 2015 YouGov poll asked the public whether they view party leaders at the time more positively or negatively because of their religious beliefs.²⁴ The overwhelming majority (71-75%) said that in each case it would make no difference, but slightly more people were likely to view politicians more positively due to their atheism than negatively, while about the same number of people viewed politicians more positively than more negatively due to membership of the Church of England.

The Barriers to Politics Working Group considered research conducted by Ekaterina Kolpinskaya, Associate Lecturer in Quantitative Methods at the University of Exeter, in her paper 'Does religion count for religious parliamentary representation? Evidence from Early Day Motions'.²⁵ The group heard that having a religious minority background meant that MPs were more likely to raise 'minority issues' generally.²⁶

When surveyed, the majority of respondents believed that religion and politics should be separate, and 74% of Christians strongly agreed or tended to agree that religion should not have a special influence on public policy (based on a 2012 Ipsos MORI survey of those who ticked 'Christian' on the UK Census 2011).²⁷

In terms of wider community engagement and religion or belief, figures released by the Department for Communities and Local Government published in the report following the last Citizenship Survey in September 2011 demonstrate that there is almost no difference in participation between those with no religion (56%) and Christians (58%).²⁸ The proportion of Hindus and Muslims participating in civic engagement and formal volunteering was the lowest of all religion or belief groups, at 44% respectively.²⁹

The Barriers to Politics Working Group explored religious groups which provide networks for supporting politicians with shared religion or beliefs: for example, Christians in Politics is an all-party, non-denominational organisation which seeks to encourage and inspire Christians to get involved in politics and public life.

Rev. Carol Bostridge, representative from Lewisham's Standing Advisory Council on Religious Education (SACRE) and the Free Church (Baptist), gave evidence to the Barriers to Politics Working Group. Rev. Carol Bostridge explained that there was a strong base of faith groups in Lewisham and the Council has made the groups feel welcome and valued. The Group were told that often people engaged with religious groups were very busy in the community and often felt that they did not have time to be a councillor. Rev. Carol Bostridge highlighted that joining a political party can create a dilemma for people if they feel the values of the political party conflict with their personal beliefs. The Group were told that a lack of awareness as to the requirements of the role accompanied by the anticipated scrutiny of someone's religion or beliefs are often factors which can dissuade people from entering politics.

²⁴ William Jordan, 'A third of British adults don't believe in a higher power', *YouGov* (2015)

²⁵ Ekaterina Kolpinskaya, 'Does religion count for religious parliamentary representation? Evidence from Early Day Motions'(2016)

²⁶ *ibid*

²⁷ Richard Dawkins Foundation, *Religious and Social Attitudes of UK Christians in 2011* (2012)

²⁸ Department for Communities and Local Government, 'Citizenship Survey: April 2010 - March 2011, England' (2011)

²⁹ *ibid*

Findings

The Barriers to Politics Working Group recognised that being involved in a process or policy that conflicts with an individual's personal beliefs could act as a barrier to those who belong to a religious group as much as those who have no religion or belief. The Group highlighted the fact that conflicts were far less likely to occur at a local level than a national level due to the fact that law-making occurs at a national level; communication was felt to be key to addressing these concerns.

Councillors recognised that social media can act as a platform for criticising politicians and this in turn could result in individuals feeling uncomfortable voicing their beliefs. Often politicians are forced to justify the actions and words of others with whom they share a religion or belief, rather than their own actions and words. It was also noted that nationally some politicians have resigned due to the fact that they feel unable to reconcile their religious and political beliefs.

The Barriers to Politics Working Group highlighted the fact that it was important not just to focus on Christianity but other religions too. The Group felt that Lewisham Council was very good at planning around Christian holidays, but felt that the Council should be better at taking account of non-Christian holidays and obligations when setting meetings to show that Lewisham is inclusive. Councillors felt that buildings should be more inclusive and that a quiet space for religious reflection, not just for staff and councillors but members of the public, would contribute to a welcoming environment for people of different religions or beliefs.

15 CONCLUSION

The Barriers to Politics working group has identified that many of the barriers to entering or progressing in local politics transcend multiple or all protected characteristics. The Group identified that representation and visibility at a local level contributed to wider political and community engagement and that communication plays a key role in addressing barriers.

Women are underrepresented in local and national politics. The research presented within this report suggests that this could be due to a lack of information about the election processes, and a tendency for women to be less likely than men to apply for positions when they are unsure about whether or not they will be successful.

A disproportionate number of female councillors have caring responsibilities than men (35.1% of women, compared to 24.6% of men) although this is in line with disparity observed within the population as a whole. Caring responsibilities were found to create a major barrier for candidates and councillors. The Group has found that assistance needs to consider individual circumstances in order to truly provide support; for example, allowances for caring should be sufficient to cover true costs.

In the context of political apathy, voter turnout suggests that young people are disengaged in local politics until they are much older than they are with national politics. The research considered as part of this report suggests that this is in part about the way information is presented, and the way in which they experienced and are involved in the local political sector from a young age.

Many of the barriers to entering or progressing in local politics which individuals face by virtue of their ethnicity are the similar to those faced by other groups, for example by virtue of a lack of support networks. The Barriers to Politics Working Group has found that providing support and opening networks should be the responsibility of everyone, not just campaign groups or organisations.

The Barriers to Politics Working Group has found that many of the barriers faced by candidates and councillors with disabilities are exacerbated, for example people with disabilities might equally face pressures in relation to time commitments as well as difficulties in relation to participation. The Group heard that being mindful of this at all levels and utilising technology can help to mitigate challenges.

It is not possible to identify the representativeness of local politics in relation to the religion or belief, sexual orientation or gender identity of politicians as this information is not routinely collected. In instances where the information is requested, it is not always shared.

An increasing number of openly LGBT individuals are entering politics at a national level, however many people still perceive they will face barriers from political parties should they wish to stand for election. More people expect barriers at a local level than at a national level, and this could be due to both subtle and unsubtle discrimination.

A culture of openness, regardless of background, has been found to be effective in encouraging individuals representing all of the protected characteristics to feel empowered to stand in local elections or progress as councillors.

The recommendations of the Barriers to Politics Working Group are intended to provoke thought and action across Lewisham Council and more broadly. Although the Group has recognised that great progress has been made in some areas, more can be done to ensure that there are equal opportunities in politics and there are great benefits associated with better representation.

16 RECOMMENDATIONS

The recommendations of the Barriers to Politics Working Group seek to address the barriers to those wishing to enter politics as an elected member and, once elected, the barriers to remaining in post or progressing. Some issues raised at the Barriers to Politics Working Group were not within the direct influence of Lewisham Council, however they were identified as being important barriers to some groups and have a significant impact. Wider recommendations were made by the committee which could be addressed through other organisations or at national level. Not to address these issues would have been to avoid some of the most important barriers to access to political life.

ADDRESSING DISCRIMINATION AND PROMOTING EQUALITY

- 1 The Council should conduct equalities monitoring of all councillors following local elections.
- 2 The Council should establish an ongoing working party which meets every six months to review the impact of the implementation of the recommendations of the Barriers to Politics Working Group.
- 3 The Council's underlying commitment to equality in every aspect of the Council's work should be reinforced by positive messages in respect of all of the protected characteristics given out in Council material, newsletters, newspapers, radio, TV and social media.
- 4 The Council should review the Member Code of Conduct, including the process for reporting concerns, to ensure it is robust and reflects the findings of the Barriers to Politics Working Group.
- 5 The Council should regularly remind councillors of how to deal with concerns. The Council should also provide information about escalation routes, such as those suggested in recommendation 17.
- 6 The Council should provide annual equalities training to all councillors to remind them of their responsibilities surrounding equalities. This training should be mandatory.

WAYS OF WORKING

- 7 The Council should produce guidance to indicate the total number of hours per week councillors can expect to spend carrying out their role. The hours identified would not be mandatory but would give councillors and potential candidates an indication as to the expectations of the role.
- 8 The member induction process should include mandatory training on the Member Code of Conduct and this training should be refreshed every two years. The induction process should be thorough and support councillors more broadly, for example by informing them of their right to reasonable time off for public duties. The use of mentoring, and help and guidance with casework should also be explored to support newly elected councillors.
- 9 All newly appointed committee chairs should be required to undertake training before commencing the role.
- 10 The Council should offer more IT training (one-to-one where necessary) with follow-up support for elected members.

- 11 The Council should explore better uses of technology to remove barriers to participation, such as online training and virtual meetings.
- 12 The Council should explore ways of working which support councillors more efficiently, for example through the introduction of a single intranet page with a calendar including all meetings, events and training, key officer contact lists and guidance on responding to and categorising emails.
- 13 Council officers and councillors should communicate clearly, avoid using jargon wherever possible and define acronyms and abbreviations. Where complex language is necessary, a glossary of terms should be provided.
- 14 Council officers should produce executive summaries of longer reports.
- 15 The Council should ensure that councillors with disabilities are adequately supported in their role, for example ensuring that there are options for Council documents to be displayed in an accessible format. This should involve feedback from those with disabilities.
- 16 Councillors should be encouraged and supported to establish equalities networks or become equalities champions.

COUNCILLOR COMPLAINTS AND CONCERNS

- 17 The Local Government Association should explore establishing a national ombudsman, or similar body, to which any elected representative can refer any complaint which they feel cannot be dealt with fairly at a local level.
- 18 The Council should offer an easily accessible and confidential counselling service to elected representatives. The availability of this should be communicated regularly to members.

FINANCIAL SUPPORT

- 19 The Local Government Association should conduct an investigation into the role of a councillor, including an examination of the hours worked, responsibilities of councillors, employment rights and pension rights. This should include an investigation into the variance of councillor allowances, including special responsibility allowances, to ascertain whether or not the current system is fair and equitable across the country.
- 20 The Council should produce a detailed Equalities Analysis Assessment for consideration by members when allowances are next reviewed; this should include information on the impact of the decision on those who are in receipt of benefits.
- 21 The Council should ensure that councillors are adequately supported, both financially and practically, to balance home life and their work as a councillor. This should involve feedback from those with caring and other support commitments.
- 22 The Council should review the impact of a councillor allowance on state benefits and consider what support is necessary to ensure that councillors on benefits are not adversely affected when the Council reviews remuneration arrangements.

WIDER ENGAGEMENT

- 23 The Council should provide more information to residents about being a councillor, for example how to become a candidate, the employment status of a councillor and a role description.
- 24 The local voluntary sector should play a greater role in encouraging people to participate in local politics and become councillors. The Council should support the local voluntary sector to do this.
- 25 Secondary schools should give young people a broader understanding of the political system and the role of elected representatives at a local, regional and national level.
- 26 The Council should explore the way in which it can build on the work of existing networks in the Borough to increase awareness of the role of local councillors.
- 27 The Young Mayor and Young Advisers should work with youth groups in the Borough to develop political literacy amongst young people. The Council should work with the Young Advisers Forum to ensure that young people in the London Borough of Lewisham are aware of the opportunities to engage with local politics.

POLITICAL PARTY PROCESSES

- 28 Political parties should develop more innovative ways of attracting candidates from a wider range of backgrounds.
- 29 Political parties need to ensure that their procedures and systems are fair, just and transparent and based on clearly defined criteria. Political parties should support candidates who have applied for positions and are not successful, in order to help candidates understand how they may improve their chances should they wish to apply again.
- 30 Political parties should look at their practice and procedures at a ward level to enable all candidates to feel comfortable with the councillor role and not feel that it comes into conflict with other essential commitments.
- 31 Political parties and political advisers should offer advice to support councillors to negotiate with their employers for time off for public duties.

APPENDIX A: COUNCILLORS SURVEY

The Barriers to Politics Working Group sent a survey to all councillors in the London Borough of Lewisham. The survey ran from 15th September 2017 until 22nd October 2017, and 30 councillors responded during this time. Due to the sample size, it is not possible to draw conclusions about the representativeness of Lewisham Council, however the survey does offer insight and context about councillors in the Borough.

Lewisham Councillor Profile

- Of the 30 councillors who responded, 28 provided their gender: 11 respondents were female (39%) and 17 were male (61%).
- Of the respondents who provided their age, 5 were aged under 40 (17%), 6 were between 40 and 50 (21%), 6 were between 50 and 60 (21%), 10 were aged between 60 and 70 (34%), and 2 were aged over 70 (7%).
- Of the respondents who chose to give information about disability, 4 of the 29 respondents considered themselves to be a disabled person (14%).
- Of the respondents who chose to give information about sexual orientation, 4 of the 29 respondents identified as lesbian, gay or bisexual (14%).
- Of the 29 respondents who chose to give information about their ethnicity, 25 were from a White background (86%), the remaining 4 councillors were from Black Asian Minority Ethnic (BAME) or multiple ethnic group backgrounds (14%).
- Of the 28 respondents who provided information about their religion or belief, 14 identified as having no religion (54%) and 12 identified as Christian (43%).

Becoming a Councillor

- The primary reason why Lewisham Councillors took on the role was to “serve [their] ward and local community”, followed by the desire to “influence decisions in [their] local area”.
- Before becoming councillors, 21 respondents expected to spend between 10 and 19 hours per week carrying out the role (70%) and 7 expected to spend less than 10 hours (23%).
- No respondent thought that they would spend most of their time per week on party commitments; 15 respondents thought they would spend most of their time attending council meetings (50%) and 12 respondents thought they would spend most of their time engaging with constituents (40%).

Being a Councillor

- Half of councillors who responded were members of 5 committees, the second most popular response was 4 committees (4 respondents; 13%).
- The majority of councillors (17 respondents; 57%) received between 10 and 20 emails per week from residents. The majority of councillors received between 20 and 30 emails per week from officers (12 respondents; 40%) and the 72% of the remainder received less than 20 (13 respondents).
- Of the councillors who provided their gender, 4 women (36% of female respondents) and 3 men (17% of male respondents) had never held a position of special responsibility. Nearly two thirds of respondents who had never held a position of special responsibility (4 of the 7

respondents; 57%) did not hold the position because either they did not think they would be selected or had not been selected.

- Of the 10 respondents who indicated that they had claimed additional allowances (e.g. for travel or caring responsibilities), 2 responded that they were not sufficient to cover costs and 5 responded that they were sufficient.

Commitments Outside of Council

- Of the councillors who provided their gender, nearly three quarters of female councillors (73%; 8 respondents) had caring responsibilities, three quarters of male councillors (75%; 12 respondents) did not. The majority of councillors with caring responsibilities indicated that this impacted on their ability to undertake their councillor role (5 female, 3 male).
- 8 councillors who responded to the survey indicated that they were retired (27%) and 10 indicated that they were in full-time or part-time employment (30%). 11 councillors (37%) indicated that their employment status had changed because they became a councillor.
- 21 councillors (70%) indicated that they held positions outside of the Council, such as a school governor or trustee of another organisation; 12 male respondents (71%) and 8 female respondents (73%) indicated that they held positions outside of the Council.

Comments from Respondents

- Several respondents raised concern about the impact of taxation on allowances, particularly the additional allowance for caring responsibilities. Some respondents to the survey felt that as allowances were linked to the London Living Wage, once Employer's National Insurance for example was taken into account, allowances did not cover the true cost of employing a carer. Similarly as allowances were subject to tax, one councillor was concerned that the allowance for caring responsibilities would barely cover 60% of the true costs incurred.
- When surveyed, several current Lewisham councillors felt that they were only able to stand for office once they were older and had retired. Several councillors felt that they would not even start to pursue a career in local politics until they had finished working due to the time commitments of the role.
- When surveyed, one Lewisham councillor highlighted that they were considering not standing again as a local councillor because they were finding it increasingly difficult to hear what people were saying in meetings.
- Multiple respondents identified the length of meetings, and the time required to prepare for meetings, as a challenge. The time meetings finished presented difficulties, including in travelling, for some respondents.
- Several respondents indicated that because many training opportunities are held during work hours, it is difficult for some councillors to attend. Other respondents indicated that being a councillor had impacted on their ability to progress in a career.
- Multiple respondents highlighted the challenge of balancing council meetings with community events and political party commitments and indicated that diary clashes sometimes occur.
- Many of the respondents who provided comments indicated that caring responsibilities presented a barrier to attending meetings and participating more generally.

APPENDIX B: RESIDENTS SURVEY

The Barriers to Politics Working Group conducted a survey of residents entitled 'Understanding Attitudes to Entering Local Politics'. The survey ran between 15th September 2017 and 24th October 2017 and was completed by 85 residents. The survey was promoted in the Lewisham Life e-Newsletter, in the News Shopper local newspaper and through local assemblies. The purpose of the survey was to establish what residents' perception of the role of a councillor is, how their expectations are set and what would support them to consider local politics. Due to the sample size, it is not possible to conduct detailed analysis across the protected characteristics, however the findings do provide insight into the perception of residents. External data in relation to the protected characteristics is presented throughout this report.

Respondent Profile

- Of the 85 respondents, 82 chose to provide their gender. 48 respondents were female (59%) and 34 were male (41%).
- 78 respondent chose to provide information about their ethnicity; 66 respondents identified as White (85%) and 12 identified as from Black, Asian, and minority ethnic (BAME) or multiple ethnic group backgrounds (15%).
- 76 respondents chose to provide information about whether or not they had a disability; 9 respondents identified as disabled (12%).
- 69 respondents chose to give information about their religion; 34 identified as having no religion (49%) and 30 identified as Christian (43%).
- 68 respondents chose to give information about their sexual orientation; 10 respondents identified as LGB (15%).
- 39 respondents were in full time employment (46%), 16 were self-employed (19%), 12 were in part-time employment (14%) and 11 were retired (13%).
- 35 respondents indicated that they had caring responsibilities (41%), the majority of these respondents were female (24 respondents; 69%).

Community Engagement

- 24% of respondents 'strongly agreed' that they were engaged with their local community and 26% of respondents 'agreed'. 19% of respondents 'disagreed' that they were engaged with their local community and 13% 'strongly disagreed'.
- 66% of respondents indicated that they either volunteered or held a position in the community (for example, as a school governor or magistrate).
- Little difference can be observed between female respondents who strongly agreed or agreed that they were involved in the local community (47.9%) and male respondents (47.1%). Despite this, male respondents were more likely to indicate that they strongly agreed (26.5%) than female respondents (16.7%).

Local Politics

- Of the 85 respondents to the survey, 38 indicated that they had previously attended a council meeting (45%). The majority of respondents who had attended a council meeting did not have caring responsibilities (54%), although this is in line with the respondent profile.

- Male respondents were more likely to say that they agreed or strongly agreed that they were involved in local politics (41.2%) compared to female respondents (37.5%). Half of the 34 men who responded to the survey had attended a council meeting, compared to 37.5% of the 48 female respondents.
- 26 respondents indicated that they had not had any contact with their councillor (31%), the remainder had contact at council meetings, surgeries and local assemblies for example.
- A higher proportion of male respondents hadn't had any contact with their local councillor (35.3%), compared to female respondents (29.2%).

Standing as a Councillor

- Of the 85 respondents to the survey, 11 indicated that they had previously stood as a candidate in a local election (13%), 23 respondents hadn't stood previously but had considered it (27%).
- Respondents who had not stood as a councillor in a local election were asked why they had not and were able to give multiple reasons. The main reason why respondents had not stood in a local election was because they were too busy (24 responses; 19%), the second most popular reason was because the respondent felt that they didn't know enough about the role (22 responses, 18%) and the third most popular reason was because the respondent didn't think they would be successful in being elected (21 responses; 17%).
- A higher proportion of female respondents to the survey hadn't considered standing as a councillor before (64.6%) compared with male councillors (50%).
- Two thirds of female respondents who had not considered standing as a councillor said that this was in part or wholly due to the fact that they did not think they would be successful in getting elected, this compared to less than one third (28.6%) of male respondents.

Resident Comments

- Multiple respondents indicated that they had not stood as a councillor in a local election because they required more information, for example about how to juggle work commitments with being a councillor and also about local political party meetings.
- Two respondents who gave additional comments about why they had not stood as a councillor cited caring responsibilities. Many additional respondents indicated that time commitments, for example for meetings, would act as a barrier to them entering politics.
- Three respondents who gave additional comments about why they had not stood as a councillor indicated that this was due to long standing councillors meaning they thought it would be difficult to get elected and a perception that the political party is a closed group.
- Several respondents indicated that they had not entered local politics because they were unable to align their views with a political party.
- Multiple respondents indicated that the political make-up of the London Borough of Lewisham would mean that they didn't think they would be elected.
- Several respondents indicated that the cost of being elected, particularly as an independent candidate, would prevent them from standing in a local election.
- Two respondents indicated that they perceived that they would not be taken seriously as a candidate in a local election due to their age and their ethnicity respectively.
- The most common comment in relation to the barriers to standing as a candidate was that many respondents didn't know "where to start". One respondent suggested information sessions for those interested in becoming a councillor.

Agenda Item 10

COUNCIL		
Report Title	Recruitment of new Chief Executive	
Key Decision		
Ward	All	
Contributors	Head of Law	
Class	Part 1	Date 22 November 2017

1. Summary

This report asks the Council to note that Barry Quirk, the Council's incumbent Chief Executive, has given notice to terminate his employment with the Council; to agree the procedure for the appointment of a new Chief Executive on the terms and conditions agreed by the Appointments Committee; and to agree that the current interim management arrangements continue pending the appointment of a new Chief Executive.

2. Purpose

The purpose of this report is to agree arrangements to secure that a new Chief Executive is in place as soon as possible to fulfil the statutory duties of the Head of Paid Service and to ensure that the Council's interim arrangements provide continuity of management direction at the highest level in the meantime.

3. Recommendations

- 3.1 To note that the Chief Executive has served notice of termination of his employment with the Council and that his last day of service will be 31/01/2018
- 3.2 To agree the terms and conditions upon which a new Chief Executive is to be recruited as suggested by the Appointments Committee and referred to in Paragraph 4.11 and Appendix 1 to this report;
- 3.3 To agree the process by which a new Chief Executive is to be recruited, as set out in paragraphs 4.12-4.16 of this report and to note that the Head of Organisational Development & Human Resources will appoint an external recruitment agency and former London Chief Executive to assist with that process;
- 3.4 To agree that an Advisory Panel of 9 members of the Council be appointed as set out in paragraphs 4.17-4.22 below with the terms of reference set out in

paragraph 4.21 below;

- 3.5 Subject to agreement to 3.4 above, to appoint members to that Advisory Panel;
- 3.6 To agree to the clarification of the constitutional position set out in paragraph 5.3 of this report.
- 3.7 To note the interim management arrangements put in place by the Chief Executive to date and to agree that in accordance with paragraphs 4.6-4.9, the Executive Director for Resources and Regeneration continue to fill the role of Acting Chief Executive until a new Chief Executive is appointed and is in post. Such appointment will authorise the Executive Director for Resources and Regeneration to exercise all of the functions currently exercisable by the current Chief Executive, including those of Returning Officer and Electoral Registration Officer.
- 3.8 In recognition of the additional duties, to authorise the Head of Organisational Development & Human Resources on the basis of external advice, to agree an appropriate honorarium in respect of the additional duties associated with acting as Interim Chief Executive.

4. Background

A time of change

- 4.1 After 16 years as the elected Mayor of Lewisham, Sir Steve Bullock will stand down from that position in May 2018, when a new Mayor will be elected. At the same time, 54 councillors will be elected to represent the borough's 18 wards. Together the new Mayor and the newly elected councillors will undoubtedly wish to set a new direction for the Council to achieve the objective of improving the wellbeing of local people. It will no doubt seek new ways to work with its partners, local residents and stakeholders to strive to make Lewisham the best place in London to live, work and learn. In such a context, the Council's new Chief Executive will play a key role in implementing the new Council's strategic priorities.

The incumbent Chief Executive

- 4.2 Barry Quirk has served as the Council's Chief Executive for approximately 23 years, since his appointment in November 1994. In 2011, at his request, the Appointments Committee agreed under the Council's flexible retirement scheme to vary his contract of employment so that his hours and salary reduced to the equivalent of 60% of his full time salary.
- 4.3 It is testament to the high esteem in which the Chief Executive is held that, following his involvement with several other London Chief Executives via

London Gold in response to the tragic events at Grenfell Tower on 14 June 2017, on 23 June 2017, Barry Quirk was seconded from Lewisham to the Royal Borough of Kensington and Chelsea (RBKC) to act as their Head of Paid Service. He was given particular responsibility to be the officer lead on their response to the disastrous fire that sadly took the lives of so many people and had such a devastating effect on the lives of so many more.

- 4.4 RBKC has agreed to reimburse Lewisham for the full costs of the Chief Executive's Lewisham salary during this secondment and will continue to do so until the Chief Executive's formal last day of service with the Council. For the element of his time when the Chief Executive is not employed by Lewisham, he is employed directly as the Head of Paid Service with RBKC, a role which he will conduct on a full time basis, once his employment with Lewisham formally comes to an end.
- 4.5 Barry Quirk has now served formal notice of termination of his employment with the Council and his last day of service with the Council will be 31/01/2018.

Interim arrangements

- 4.6 On the secondment of the Chief Executive to RBKC, it was imperative to put in place temporary arrangements that secured appropriate continuity in the management of the Council. Because of the strength of the Executive Management Team which works collaboratively and efficiently together, the Chief Executive delegated authority to Executive Directors to act with his authority within their own remit, with the overall corporate management of the Council delegated to the Executive Director for Resources and Regeneration.
- 4.7 Given the scale of the task facing RBKC, the temporary secondment of the Chief Executive has become more extended as the management issues facing RBKC are unprecedented and enormous. So that there can be no confusion during his absence, the Chief Executive has made it clear that, whilst Executive Directors still retain their own responsibilities, the power to exercise all of his functions under his existing contract as Chief Executive are delegated by him to the Executive Director for Resources and Regeneration. He notified the Council of this delegation in writing on 30th October 2017.
- 4.8 During the period of his notice, whilst formally employed with the Council, the Chief Executive retains the responsibilities that attach to his role and it is incumbent upon him to be satisfied that the interim arrangements are working satisfactorily. To this end, he has given assurance that he will be in contact with the Executive Director for Resources and Regeneration and will be available to her to discuss any concerns she may have about Lewisham management issues and to offer advice if necessary, whilst he is formally the Council's Chief Executive.

- 4.9 The Council is now asked to endorse these arrangements and to agree that the Executive Director for Resources and Regeneration continue to act as Acting Chief Executive in the period until a new Chief Executive has been appointed and is in post. If this is approved, given that the arrangement is likely to subsist for several months pending the appointment of a new Chief Executive, it will be necessary to ensure that there are sufficient additional resources to support the Executive Director for Resources and Regeneration in relation to her current duties to provide her with the time and capacity to perform the significant duties of Acting Chief Executive over the coming months as the recruitment process proceeds. It would only be fair and proper to compensate her for this longer term interim arrangement.

The terms and conditions of the new Chief Executive

- 4.10 When it was agreed that the contract of the Chief Executive could be amended to a reduced hours basis, it was recognised that doing so enabled the Council to retain the services of a Chief Executive with vast amounts of experience who is very highly esteemed not only in the local government world but across the public sector. These reduced hours arrangements have been under continual and regular review by the Appointments Committee. At its meeting on 31 October 2016, that Committee approved the current Chief Executive's working arrangements but resolved that should he leave the Council's service, the terms and conditions attaching to the post should be reconsidered.
- 4.11 The Appointments Committee met on 13 November 2017 to conduct that review. A copy of the report it received now appears at Appendix 1. The Appointments Committee accepted all of the recommendations in it. Members will note that it agreed that any new Chief Executive should be appointed on a full time basis at a salary of up to £185,000 with discretion to the Head of Organisational Development & Human Resources to agree an additional £10,000 to appoint a Chief Executive who would not otherwise be appointed. The rationale for these recommendations is set out in Appendix 1 and Members' attention is drawn to its contents and to the external advice contained in it.

Council is asked to agree that a Chief Executive be appointed on a contract which reflects those terms and conditions, and which accords with the decisions of the Appointments Committee on 13th November 2017.

The recruitment process

- 4.12 Subject to agreement to the terms and conditions on which the vacancy is to be advertised, it is proposed that the Head of Organisational Development & Human Resources would commission an external recruitment agency to assist with the recruitment process. The Head of Organisational Development & Human Resources has already carried out preparatory work in this respect,

and subject to the Council's approval to the process, would be in a position to formally commission that the recruitment process begin without any delay.

- 4.13 Given the importance of the position to the Council, it is proposed that alongside the appointed recruitment agency, the Council should bring in the services of a senior former London Chief Executive who has particular experience of the requirements of the role, to assist in the process. Adverts would be placed very soon after Council approval is obtained to proceed, with a closing date of approximately the end of 2017, providing sufficient time to attract quality applications from a wide field of candidates. The appointed agency would conduct the longlisting process following consideration of applications received, appropriate testing and initial interviews.
- 4.14 It would then be proposed that the agency submit a long list of candidates to a Panel (as to which see below) which would prepare a shortlist of their preferred candidates, again with assistance from external advisors if desired and the Head of Organisational Development & Human Resources. It is envisaged that the shortlisting process could be complete by the end of January 2018, with formal interviews scheduled to take place in February. Given the need for the newly appointed Chief Executive to liaise closely with Council partners, officers are seeking to arrange that as part of the recruitment process, they too should have the opportunity to meet the shortlisted candidates.
- 4.15 The appointment of a Chief Executive would require a formal Council decision and need to follow statutory process, so if the recruitment process does not fit with the existing Council timetable, an additional meeting may need to be called, possibly in March 2018.
- 4.16 If an appointment were made, there would then be a need to obtain clearances, and formal offer and acceptance before the successful candidate (if external) could serve notice to terminate their current employment, which may be 3 or 6 months depending on their existing contractual position. It is possible therefore, (if an external appointment were made) that a new Chief Executive may not be in post until June or September 2018, after upcoming local elections. Any new appointee (if external) would be able to liaise with a newly elected Mayor pending their start date, about the anticipated direction of the Council.

An Advisory Panel

- 4.17 By law the decision to appoint a new Chief Executive is reserved to full Council. This legal requirement is reflected in the Council's Constitution. However, given the length of time for which the current Chief Executive has been in post, there has not, until now, been the need to consider the recruitment of a replacement since the introduction of the new political governance arrangements in 2002.

- 4.18 Article 9 of the Council's Constitution states that the Council's Appointments Committee will assist the Council in this recruitment process if so requested by the Council. This makes it clear that the final decision is for full Council. The Council's procedural rules further state that the Appointments Committee will carry out the appointment of the Chief Executive subject to the approval of the full Council. Again it is clear that it is for full Council to make the formal decision.
- 4.19 Members may now wish to consider adopting a recruitment process which would be appropriate in the current circumstances which are unprecedented under the existing political management arrangements. On the one hand it would be impractical, not to say impossible, for the full Council (all 54 councillors and the elected Mayor acting together) to administer the recruitment process and to interview candidates. On the other hand, the membership of the Appointments Committee is rather restricted and ad hoc. It is appointed on a meeting by meeting basis and need only consist of 5 members including the Chair of Overview and Scrutiny, two executive members and two non-executive members (or the smallest higher number to reflect the political composition of the Council). The Mayor may attend as a non-voting member.
- 4.20 Given the significance of this appointment to the future of the Council, Members may take the view that it would be appropriate for an advisory panel to be established to facilitate participation of a larger, though not unwieldy, number of members in the recruitment process. Members may take the view that such a panel, if established, consist of 9 members, namely the Chair of Council (who should chair the Panel), the Chair of Overview and Scrutiny Committee and the Mayor, plus 3 additional members of the Executive, 2 members from the largest political group who are not members of the Mayor and Cabinet, and one further non-executive member who is not a member of the largest political group. This would provide for a broader involvement of members, both executive and non-executive, though still remain on a manageable scale.
- 4.21 The proposed terms of reference for the Advisory Panel would be to shortlist and interview candidates for the post of Chief Executive and, with professional support from the external advisors and the Head of Organisational Development & Human Resources, to report to full Council with a recommendation concerning the appointment of a new Chief Executive.
- 4.22 If the Council agrees to the establishment of this Panel, it is asked to agree its constitution, terms of reference and to make appointments to it.

5 Legal Implications

- 5.1 The Council's general power to appoint staff is set out in Section 112 Local Government Act 1972. In Lewisham, the Chief Executive is designated as the

Head of Paid Service under Section 4 Local Government and Housing Act 1989. This is a statutory post with the duties set out in Section 4 (3) of the 1989 Act which include reporting, (where they think it appropriate) on the co-ordination of the discharge of the Council's functions, the number and grades of staff required, the organisation of staff and their appointment and proper management. The post is also designated as the Council's Returning Officer and Electoral Registration Officer for the purposes of legislation pertaining to electoral law.

- 5.2 By virtue of the Local Authorities (Standing Orders) (England) Regulations 2001, as amended, Councils must include in their procedural rules that an offer of appointment as the Head of Paid Service is subject to the approval of full Council. Before an offer of appointment may be made, the Regulations require that the Authority must ensure that the proper officer notify each member of the Executive of the proposed appointment giving them an opportunity to object to the proposed appointment. An offer of appointment may only be made if either the Mayor has confirmed that there is no objection, no objection has been raised or any objection made is not deemed material. The Council's Constitution reflects these legal requirements which must be followed in this recruitment process.
- 5.3 Article 9(1) of the Council's Constitution states that the appointment of the Head of Paid Service is a matter for full Council. Though the terms of reference of the Appointments Committee include the terms and conditions of employment of the Head of Paid Service, the recruitment and selection of the Head of Paid Service is excluded from the remit of the Appointments Committee. The Constitution's detailed rules relating to staffing matters are set out in Part H – Employment Procedure Rules. The recruitment and dismissal of the Head of Paid Service is dealt with at Paragraph H6. This states that the recruitment of the Head of Paid Service is delegated to the Appointments Committee, subject to the approval of full Council. Both provisions state that the decision must be taken by full Council and in this respect are consistent. However the constitutional wording may be thought to be a little contradictory. Council may now eliminate any possible confusion. It is open to full Council to clarify its intentions so that the procedure to be followed accords with its wishes. If the Council is minded to approve the proposal in this report for the establishment of an Advisory Panel, then it is at liberty to do so. The insertion of a short addition before the existing text of paragraph H6 would provide absolute clarity. The amended paragraph H6 would read as follows:-

“Where the Council requests the Appointments Committee to assist with the appointment of the Head of Paid Service, the functions of the appointment of the Head of Paid Service are delegated to the Appointments Committee in accordance with Article 9, subject to the approval of full Council. No letter of appointment or dismissal may be sent until such approval is obtained “

- 5.4 The Council's Constitution provides that its Constitution Working Party may keep the Constitution under review and advise the Council on any amendments which it thinks may be necessary. However, this does not mean that the Council has no power to make any amendments it considers necessary in particular circumstances. There is no prohibition on any change which the Council deems necessary and the Council itself may at any time exercise functions which it has delegated.
- 5.5 It is proposed that an Advisory Panel be appointed to assist the Council to make its final decision. Formally this body would be an advisory committee of the Council making recommendations to the Council for decision by it. It is subject to the political balance requirements set out in Section 15 Local Government and Housing Act 1989 and regulations pertaining to it. In any event it is proposed that the single Lewisham councillor outside the majority party should serve on this Panel. The proposals meet the conditions in Section 15 and relevant regulations.
- 5.6 The Council's Pay Policy Statement which is agreed annually under the provisions of Section 38 Localism Act 2011 et seq. provides that if the salary for a post which did not previously exist is proposed to exceed £100,000 then that salary must be approved by full Council. It is a statutory requirement that the Council must abide by its Pay Policy Statement once agreed. The Head of Law is of the view that the change to the terms and conditions of the Chief Executive are not sufficiently material to trigger the requirement for this approval, but in any event the Council is now asked to agree to the proposed salary for a new Chief Executive as set out in this report.
- 5.7 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.
- 5.8 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.
- 5.9 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 in the paragraph above.

5.10 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.

5.11 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>

5.12 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](#)

5.13 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>

6 Financial implications

- 6.1 The cost of the full time salary of the current Chief Executive is £117,000 plus on costs. This is met from existing budgets. The additional costs of a newly appointed Chief Executive paid in the range of £175,000 to £185,000 p.a.(and any additional salary up to £10,000) and on costs can be met from corporate provisions. The total costs of the recruitment process are likely to be approximately £35,000 (including advertising, agency, search and selection) and can also be met from corporate provisions.
- 6.2 The Council is recouping the current salary of the Chief Executive from RBKC and so the Chief Executive's Lewisham salary will be saved in total from the date of his secondment until a new Chief Executive is in post. If a new Chief Executive were to take up their post in June 2018, this would be equivalent to approximately one year's salary of £117,000. Any honorarium to be paid to an Acting Chief Executive, and any back up costs to support this interim position would be covered by these savings.

7 Conclusion

The need to recruit to the position of Chief Executive is pressing. With the Mayoral and local elections in May 2018, whoever is elected, the new administration will no doubt want to set the Council's future direction as soon as possible. The proposals in this report are designed to ensure that the recruitment of a new Chief Executive proceeds as smoothly as possible, so that the vision of a new Mayor and Council can be embarked upon at the earliest opportunity with a view to improving the life chances of local people and improving the Council's contribution to their wellbeing.

APPOINTMENTS COMMITTEE – Appendix 1 for Council meeting on November 22		
Report Title	Terms and Conditions of new Chief Executive Post	
Key Decision	no	
Ward	n/a	
Contributors	Head of Organisational Development and Human Resources	
Class	Part 1	Date 13 November 2017

1. Summary

This report asks the Appointments Committee to note that Barry Quirk, the Council's incumbent Chief Executive, has given notice to terminate his employment with the Council, and to recommend the terms and conditions of employment for the new Chief Executive. By law the decision to appoint a new Chief Executive is reserved to full Council and as such Council will receive a report on the process for recruiting the new Chief Executive on the 22nd November 2017. The Appointments Committee recommendations on terms and conditions of employment will feed into this Council report.

2. Purpose

The purpose of this report is to recommend terms and conditions of employment for the new Chief Executive to allow for a search and selection campaign to take place to enable the council to recruit a new Chief Executive of a high level, subject to approval by Council on 22nd November,

3. Recommendations

3.1 To note that the Chief Executive has served notice of termination of his employment with the Council and that his last day of service will be [31/01/2018]

3.2 To recommend to Council the terms and conditions to which a new Chief Executive will be recruited:-

3.2.1 The Chief Executive post will be appointed to on a full time basis.

3.2.2 The salary range of the Chief Executive post will be £175,000 to £185,000 depending on the experience of the candidate.

3.2.3 To delegate to the Head of Organisational Development and Human Resources, having taken external advice, authority to approve that the

maximum salary can be increased by up to £10,000 to secure an exceptional candidate who would otherwise not be appointed.

3.2.4 To delegate to the Head of Organisational Development and Human Resources authority to amend the job description and person specification on external advice, without changing substantially the nature of the role, to the extent necessary to reflect current requirements and best practice.

3.2.5 To delegate to the Head of Organisational Development and Human Resources, on advice from the Head of Law, authority to finalise the Chief Executive contract in a way which reflects the existing contractual terms and conditions and reflects current legislation and circumstances subject to the changes proposed in 5.1 – 5.22 relating to remuneration, the role being a full time position and the removal of provisions relating to payment on termination .

4 Background

The incumbent Chief Executive

4.1 Barry Quirk has served as the Council's Chief Executive for approximately 23 years, since his appointment in November 1994.

4.2 It is testament to the high esteem in which the Chief Executive is held that, following his involvement with several other London Chief Executives via London Gold in response to the tragic events at Grenfell Tower on 14 June 2017, on 23 June 2017, Barry Quirk was seconded from Lewisham to the Royal Borough of Kensington and Chelsea (RBKC) to act as their Head of Paid Service. He was given particular responsibility to be the officer lead on their response to the disastrous fire that sadly took the lives of so many people and had such a devastating effect on the lives of so many more.

4.3 RBKC has agreed to reimburse Lewisham for the full costs of the Chief Executive's Lewisham salary during this secondment and will continue to do so until the Chief Executive's formal last day of service with the Council. For the element of his time when the Chief Executive is not employed by Lewisham, he is employed directly as the Head of Paid Service with RBKC, a role which he will conduct on a full time basis, once his employment with Lewisham formally comes to an end.

4.4 Barry Quirk has now served formal notice of termination of his employment with the Council and his last day of service with the Council will be [31/01/2018]

Interim arrangements

- 4.5 On the secondment of the Chief Executive to RBKC, it was imperative to put in place temporary arrangements that secured appropriate continuity in the management of the Council. Because of the strength of the Executive Management Team which works collaboratively and efficiently together, the Chief Executive delegated authority to Executive Directors to act with his authority within their own remit, with the overall corporate management of the Council delegated to the Executive Director for Resources and Regeneration.
- 4.6 During the period of his notice, whilst formally employed with the Council, the Chief Executive retains the responsibilities that attach to his role and proposed future interim arrangements will be reported to Council on 22 November to cover the period until the new Chief Executive is in post.

5 The Terms and Conditions of the New Chief Executive

Full Time Role

- 5.1 Barry Quirk was appointed on a full time basis on November 1994, and is the longest serving Chief Executive in the whole of English Local Government.
- 5.2 At its meeting on 17th February 2011 the Appointments Committee agreed, under the Council's flexible retirement scheme, to vary the Chief Executive's contract of employment so that his hours and salary reduced to the equivalent of 60% of his full time salary. It received an independent report from Stephen Taylor of Blakesley Associates who recommended that although 'a part time Chief Executive would not normally be appropriate' that a 'unique set of circumstances call for a unique consideration'. It was recognised that allowing Barry Quirk to reduce to three days a week enabled the Council to retain the services of a Chief Executive with vast amounts of experience who is very highly esteemed not only in the local government world but across the public sector.
- 5.3 This reduced hours arrangement has been under continual and regular review by the Appointments Committee.
- 5.4 At its meeting on 31 October 2016, the Appointments Committee reviewed and approved the current Chief Executive's working arrangements but resolved that should he leave the Council's service, the terms and conditions attaching to the post should be reconsidered. It received an independent report from Jerry Cope of t-three Group that concurred that 'if a new Chief Executive is appointed in the future, a high level evaluation suggested that this would need to be on a full time basis, as is common across London boroughs'. Their recommendation was based primarily on the grounds of workload and expectations, but also considered the issue of being able to attract a candidate to apply for such a high demanding role whilst only being paid for three days to carry it out in.

- 5.5 However the unique set of circumstances that supported a part time Chief Executive have changed. The Chief Executive will now be new in role and also joining a new administration following Mayoral and local elections in May 2018. Whoever is elected, the new administration will no doubt want to set the Council's future direction as soon as possible, so that the vision of a new Mayor and Council can be embarked upon at the earliest opportunity with a view to improving the life chances of local people and improving the Council's contribution to their wellbeing. The time requirements on a new Chief Executive to support delivery of the future direction will be far too stretching to be able to consider anything other than a full time position.

Remuneration

- 5.6 The Chief Executive's role in local government is highly complex, managing diverse functions in a highly politicised environment where often local and national pressures conflict. The Council's ability to attract and retain a high calibre leader capable of delivering this complex agenda, particularly during times of financial challenge is crucial.
- 5.7 Recruitment for Chief Executives is currently an extremely competitive market with a high degree of turnover across the London Boroughs and upcoming appointments at Westminster and Hammersmith and Fulham and possible appointments to come at other London Boroughs. On a national level there are also recruitment campaigns running for Chief Executives at Birmingham, Surrey, Worcestershire and Wokingham.
- 5.8 The remuneration offered for the post needs to be adequate to attract and retain a high quality employee dedicated to the service of the public. However, at the same time with the current challenging financial climate, there is a need to avoid being unnecessarily generous or otherwise excessive.
- 5.9 Therefore, to enable a salary range to be set for the new Chief Executive external research has been conducted to both understand the London Local Authority landscape and also through leading search consultants with experience of the London Local Authority marketplace, to understand the dynamics of what salary range would need to be offered to attract a high calibre appointment. This wide external expert referencing has taken place due to there being insufficient time to reconstitute the independent Executive Remuneration Panel following the resignation of the chair.
- 5.10 Analysis of Chief Executive basic salaries across London has been carried out using London Councils 2016 data (Appendix A). This is the best representation of current data available but needs to be caveated by the facts that there will have been a few post changes since the data was collected and that the data does not include the 1% pay award to Chief Executives this year.

- 5.11 With the 1% pay increase factored in London Borough Chief Executive basic salaries vary widely and range from £162k (Islington) to £242k (City of London). However it is important to reflect that some Boroughs, unlike Lewisham, also pay additional remuneration, such as a car allowance or performance bonus.
- 5.12 Analysis of Inner London versus outer London salaries (Table 1 below) shows not surprisingly a c£12,000 premium to Inner London Salaries. However, when analysing salaries by political control there is little difference between inner London and Outer London for Labour controlled Boroughs.

Table 1 Analysis of London Chief Executive Basic Salaries

	All London Councils	Conservative	Labour	Liberal Democrat	No Overall Control
Inner London	£193,932	£209,899	£182,531		£215,581
Outer London	£182,064	£184,110	£183,902	£164,630	£167,216
TOTAL	£185,035	£193,780	£183,353	£164,630	£199,459

Source London Councils 2016 (uplifted by 1% pay award)

- 5.13 The full time equivalent salary for Lewisham's Chief Executive is currently £196,254, for which Barry Quirk was paid on a pro rata basis at 60% full time equivalent, receiving £117,752 per annum.
- 5.14 Expert advice has been sought by the Head of Organisational Development and Human Resources from leading search and selection consultants with experience of the Local Authority Chief Executive market place and in particular with experience of the London landscape. These independent consultants were asked to give advice on the salary range that should be offered to attract a strong candidate (table 2 below)

Search Consultancy	Salary Range	Additional Comments
Penna	£165k - £185k	Appointment salary based on experience but within this range. However if you wished to attract existing London Chief Executives then the top of the range and possibly more could have to be paid.
Gatenby Sanderson	£180k	Would attract Executive Directors from London Boroughs and possibly Chief Executives from Unitary Authorities, but more may need to be paid in order to attract a highly experienced Chief Executive
SOLACE	£170k - £180k	

Berwick/Odgers	£175k - £195k	
Davidson and Partners	£185k - £195k	To attract interest from some existing London borough Chief Executives would need to pay £195k

- 5.15 When considering the correct salary range to offer one needs to take into account that offering a salary range that is too low will mean it will be more difficult to attract Executive Directors from both London Boroughs and County Councils, as the premium to their existing salary would be too little. Also there is a need to be mindful that potential candidates will be aware that other Boroughs have Chief Executive vacancies that may be advertised soon, and that potential candidates may hold out for these if the salary on offer at Lewisham is not sufficiently attractive.
- 5.16 In summary, the most important consideration is that the salary on offer is right for Lewisham and reflects the challenges of the role but avoids being unnecessarily generous or even excessive. Bearing this in mind, and the analysis and external advice in the points above, it is suggested that the salary range on offer should be £175k - £185k to attract strong Executive Directors from London, County Councils and major Metropolitan Councils as well as Chief Executives from Unitary Authorities, and also allow Lewisham to be competitive in light of possible upcoming Chief Executive vacancies. The salary range represents up to c£20k reduction against the current full time equivalent salary for Lewisham's Chief Executive of £196,254
- 5.17 To support what is a dynamic process, officers recommend that delegated authority be given to the Head of Organisational Development and Human Resources to agree, having taken external advice, that the maximum salary can be increased by up to £10,000 to secure an exceptional candidate who would otherwise not be appointed.

Other Contractual Terms and Conditions

- 5.18 The role profile and person specification will need to be refreshed to ensure they reflect the present day and future requirements of a Chief Executive role, as the existing version was produced 20 years ago. It is proposed that the Head of Organisational Development and Human Resources update these as appropriate with the support of external advice to reflect current requirements and best practice. However, any changes would not substantially change the nature of the Chief Executive role.
- 5.19 The Chief Executive contract again was mainly written 20 years ago and needs refreshing mostly with minor changes to better reflect the newer wording in Lewisham's standard contract and the JNC Local Authority Chief Executives conditions of service handbook. It already contains the standard

sickness absence entitlements and annual leave provision. Newer standard contract clauses for example around intellectual property rights will be added as well new clauses under an emergency planning heading relating to the Chief Executives Gold Command responsibilities at both a Borough and London level.

5.20 Termination notice periods in the contract have been reviewed. The clauses that it is proposed will remain will be the notice period that the Chief Executive would need to give the Council (at least three months written notice) and the Council needing to give the Chief Executive six months notice for reasons outside gross misconduct/misconduct/incapability. Also the standard clauses relating to gross misconduct (no notice period), incapability (three months written notice) and committing act/acts of misconduct (three months written notice) would remain.

5.21 The current contract of the Chief Executive contains a provision for a termination payment in the event of his dismissal from the Council for a reason that would amount to unfair dismissal. These provisions were agreed at the time when the Chief Executive was already in post and moving from a fixed term contract to a permanent one. They were agreed by Members and considered appropriate in the circumstances prevailing at the time. However the appointment of a new Chief Executive will be in a different context and officers are of the view that such a clause is not now necessary or appropriate. In any event, anticipated legislative changes are likely to limit the scope for any such payment. For these reasons, officers propose that there be no provision for a termination payment (other than for notice) in the contract of the new Chief Executive.

5.22 Therefore the Appointments Committee is asked to agree that a Chief Executive be appointed on a contract which mostly reflects the existing contractual terms and conditions, with the main contractual changes recommended being those proposed earlier relating to remuneration, the role being a full time position and the removal of any contractual provisions relating to payment on termination .

6. Legal Implications

6.1 The Appointments Committee is being asked to consider the terms and conditions on which a new Chief Executive is to be appointed. Under the Council's Constitution, such matters are delegated to the Appointments Committee. The Council will receive a detailed report on the process to be followed to appoint a new Chief Executive when it meets on 22nd November to which this report and the resolution of this committee will be appended.

6.2 The Council's general power to appoint staff is set out in Section 112 Local Government Act 1972. In Lewisham, the Chief Executive is designated as the Head of Paid Service under Section 4 Local Government and Housing Act 1989. This is a statutory post with the duties set out in Section 4 (3) of the

1989 Act which include reporting, (where they think it appropriate) on the co-ordination of the discharge of the Council's functions, the number and grades of staff required, the organisation of staff and their appointment and proper management. The post is also designated as the Council's Returning Officer and Electoral Registration Officer for the purposes of legislation pertaining to electoral law.

- 6.3 By virtue of the Local Authorities (Standing Orders) (England) Regulations 2001, as amended, Councils must include in their procedural rules that an offer of appointment as the Head of Paid Service is subject to the approval of full Council. Before an offer of appointment may be made, the Regulations require that the Authority must ensure that the proper officer notify each member of the Executive of the proposed appointment giving them an opportunity to object to the proposed appointment. An offer of appointment may only be made if either the Mayor has confirmed that there is no objection, no objection has been raised or any objection made is not deemed material. The Council's Constitution reflects these legal requirements which must be followed in this recruitment process.
- 6.4 The Council's Pay Policy Statement which is agreed annually under the provisions of Section 38 Localism Act 2011 et seq. provides that if the salary for a post which did not previously exist is proposed to exceed £100,000 then that salary must be approved by full Council. It is a statutory requirement that the Council must abide by its Pay Policy Statement once agreed. The Head of Law is of the view that, the proposed changes to the terms and conditions of the Chief Executive are not sufficiently material to trigger the requirement for this approval, but in any event the Council will be asked on the 22nd November to agree to the proposed salary for a new Chief Executive recommended by the Appointments Committee.
- 6.5 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.
- 6.6 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.
- 6.7 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 in the paragraph above.

6.8 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.

6.9 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:

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6.10 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](#)
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6.11 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:

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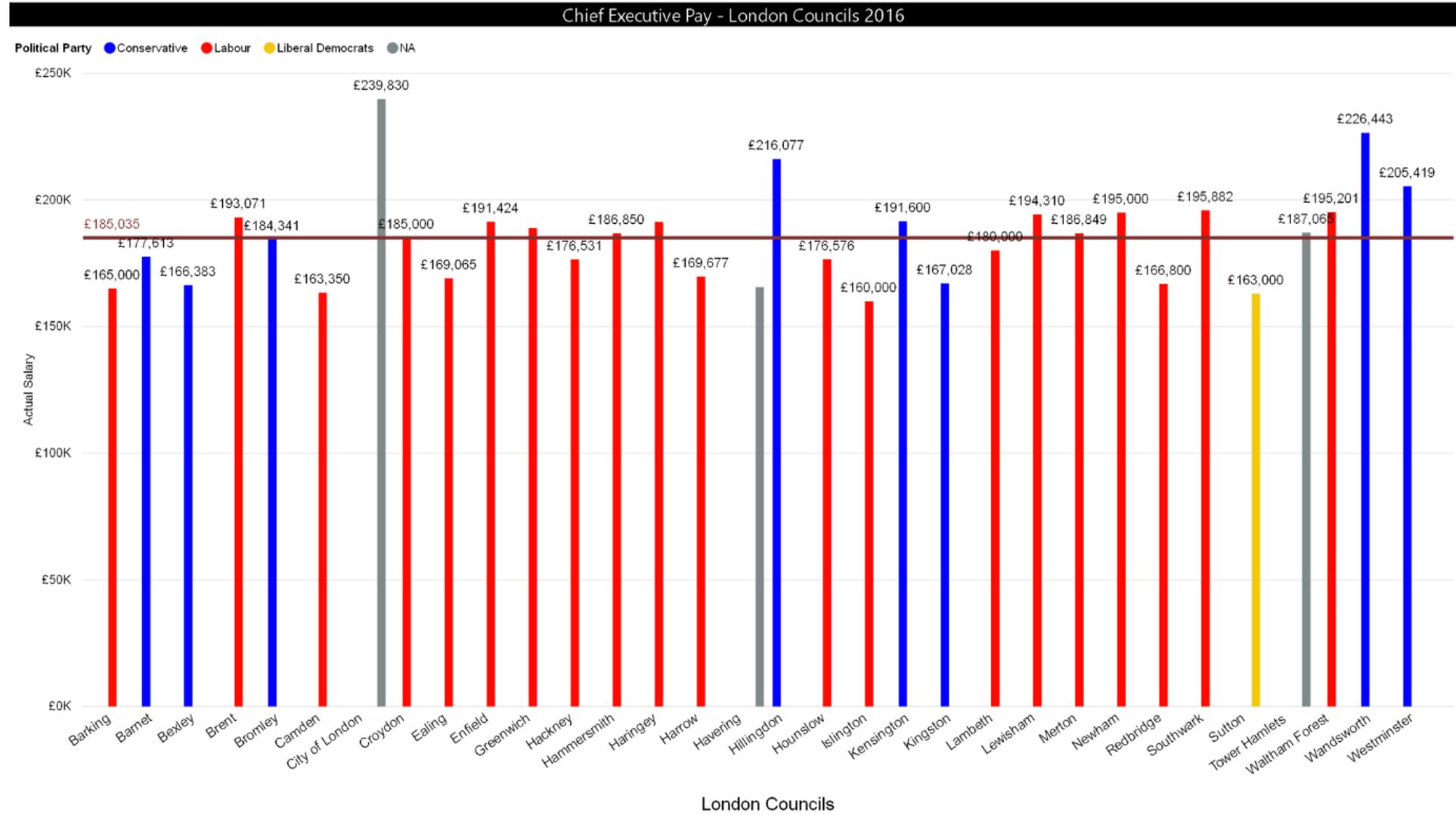
7. Financial Implications

The full time equivalent salary for Lewisham's Chief Executive is currently £196,254, for which Barry Quirk was paid on a pro rata basis at 60% full time equivalent, receiving £117,752 per annum plus on costs. This is met from existing budgets. If the recommendations in this paper are accepted, the additional costs of a newly appointed Chief Executive paid in the range of £175,000 to £185,000 per annum plus on costs (with up to an additional £10,000 for an exceptional candidate) can be met from corporate provisions.

8. Conclusion

The need to recruit to the position of Chief Executive is pressing. With the Mayoral and local elections in May 2018, whoever is elected, the new administration will no doubt want to set the Council's future direction as soon as possible. The proposals in this report are designed to enable the recruitment of a high calibre new Chief Executive to proceed as smoothly as possible, so that the vision of a new Mayor and Council can be embarked upon at the earliest opportunity with a view to improving the life chances of local people and improving the Council's contribution to their wellbeing.

Appendix 1 - Chief Executives Pay Comparison – London Councils 2016



Chief Executive Salary Comparison by Political Control – Inner London



Chief Executive Salary Comparison by Political Control – Outer London



Council			
REPORT TITLE	London Business Rates Pilot Pool 2018-19		
KEY DECISION	Yes	ITEM No.	
WARD	All		
CONTRIBUTORS	Executive Director for Resources & Regeneration		
CLASS	Part 1	Date	22 November 2017

1. EXECUTIVE SUMMARY

1.1. This report:

- sets out the Government’s latest position on the 100% retention of local business rates as currently known;
- provides an update on the proposals to see a business rate pilot pool established in London in April 2018; and
- recommends that Council endorses the London Councils proposals for developing a London pilot pool.

1.2. The Secretary of State for Communities and Local Government issued a general invitation to other authorities to apply to become pilot pools next year, with a deadline for applications of 27 October, and also wrote to the Chair and Vice-Chair of London Councils confirming the desire to conclude an agreement on a voluntary pilot pool for London. Since this date the London leaders have agreed, in principle and subject to final proposals being approved, to create a pilot and the government has confirmed a ‘no detriment’ guarantee.

1.3. This report sets out how London Councils has envisaged that the London Business Rates pilot pool would work in practice, subject to further legal advice.

1.4. The report also sets out the potential opportunities and implications for Lewisham once the London Council’s proposals are implemented.

2. PURPOSE OF THE REPORT

2.1. The purpose of this report is to set out how the proposal for London Business Rates pilot pool could work, as the 33 Leaders/Mayors and the Mayor of London have agreed in principle to form a pool in 2018-19, and to seek Council’s endorsement of the proposals to create such a pool along with the principles set out in therein.

3. RECOMMENDATIONS

- 3.1. Council is asked to endorse the proposal to create a London Business Rates pilot pool based on the principles set out in the London Councils proposals, with a preference for Option D as set out later within paragraph 6.7 of this report (i.e. greater weighting to “needs” and “population” (each 30%) with equal remaining weightings of 20% for “incentives” and “investment” pots).

4. POLICY CONTEXT

- 4.1. The National Non Domestic Rates (NNDR), or business rates regime is a nationally set tax collected by local authorities and pooled based on certain distribution arrangements. They are that the Local Authority retains a proportion of the rates they collect and then receive a top-up or tariff from the nationally pooled element based on the fair funding formula. In London there is also a third element which is the proportion passed to the Greater London Authority (GLA).
- 4.2. Currently, of the amount Lewisham collects based on the Valuation Office Agency ratings and after applying the national rebates, the Council retains 30%, 37% goes to the GLA, and 33% into the national pool.
- 4.3. Lewisham currently has a low business rate base in London and is a top-up authority. Based on current regeneration and economic development plans this position is unlikely to change in the short to medium term.
- 4.4. Lewisham’s 2017/18 budget for business rates income is £88.9m (against a safety net base of £82.2m); of which £19.7m (22%) is the retained element and £69.2m (78%) received via the top-up. The Council has a low cost of collection and good collection rate (>98% in year). Nonetheless, the Council does have to allow for some bad debts and the risk of valuation appeals, set at £3.0m for 2017/18.
- 4.5. The London wide 2017/18 forecast business rates income is £7.9bn of which the retained element is forecast at £5.3bn, with a £1bn tariff.
- 4.6. On 1st April 2017 the Government launched five pilots of 100% business rates retention. These pilots have retained 100% of business rates income and foregone some existing grants. Over the pilot period they will retain all of their growth in business rates income. The five current 100% pilots which launched on 1 April 2017 will be continuing through 2018/19, running alongside the new wave of 2018/19 pilots.
- 4.7. In London the Government established a pilot when the Greater London Authority (GLA) level of retained business rates increased from 20% to 37%, replacing TfL transport grant and Revenue Support Grant. An expanded London

pilot in 2018-19, which requires all 33 London Boroughs and the Mayor of London to agree to pool, has now been proposed and agreed in principle.

5. INTRODUCTION

- 5.1. The Government's stated policy objective is to move to 100% devolved business rates. This may require local authorities to assume additional responsibilities to match costs to the available business rates and enable the Treasury to reduce other sources of funding, in particular by phasing out Revenue Support Grant (RSG).
- 5.2. As part of this move the Government is looking to increase the number of pilots and encouraging pooling as a means for local areas to maximise their opportunities for growth.
- 5.3. However, it should be noted that the Local Finance Bill was "dropped" following the June 2017 General Election which would have converted the policy objective into legislation, requiring it to be delivered. Originally intended to be by 2020. The Bill (un-amended) would also have moved the business rates appeals risk to central government and given the Secretary of State the final decision on the creation of pools.
- 5.4. Related to the 100% devolution of business rates, the Government is also due to complete the consultation and propose new / updated fair funding arrangements. This is important to the business rate discussion as the fair funding arrangements will drive the redistribution of rates used to calculate baselines for each authority.

6. London Council Proposal

- 6.1. The draft London Councils prospectus (see Appendix 1) sets out how it is envisaged that the London Business Rates pilot pool will work, as the 33 Leaders/Mayors and the Mayor of London have now agreed in principle to form a pool in 2018-19. This is subject to the final terms of the pilot being agreed and put to Councils to confirm their participation.
- 6.2. The pilot has two key principles at its heart:
 - Nobody worse off with a 'no detriment' guarantee in place
 - All members to share some benefit
- 6.3. The level of RSG for each borough has been set by the four year settlement (to 2019-20). For each borough this would be replaced by retaining additional rates (just as the GLA has done this year). In addition Public Health Grant (PHG) and the Improved Better Care Fund (iBCF) could also be replaced by rates, leading to an adjustment of expected baselines and top-ups or tariffs (as appropriate). While the composition of each borough's "core funding" (retained rates plus RSG,

Public Health Grant and iBCF) will therefore change, the overall quantum will not. Thus building up to the 100% devolution.

- 6.4. The net financial benefit of pooling consists of retaining 100% of growth (rather than 67% across London under the current scheme), and in not paying a levy on that growth (which tariff authorities and tariff pools currently pay). Assuming the pool generates some level of additional financial benefit, the question of how to share this will be central to any final pooling agreement.
- 6.5. The latest estimated net benefit to participating in the pool is expected to be in the region of £240 million in 2018-19, based on London Councils' modelling using boroughs' own forecasts.
- 6.6. In addition, it could be possible to transfer of some Central List properties located in London (for example, the London Underground network) to the London pool, thereby increasing the capacity of the pool to benefit from growth on those properties. This would be explored with government as part of the pool negotiation.
- 6.7. In respect of how all members are to share some benefit, London Councils are proposing the allocation of growth to four themes and four options for how the growth is allocated to these themes. They are:
 1. **incentivising growth** (by allowing those boroughs where growth occurs to keep some proportion of the additional resources retained as a result of the pool)
 2. **recognising the contribution of all boroughs** (through a per capita allocation)
 3. **recognising need** (through the needs assessment formula); and
 4. **facilitating collective investment** (through an investment pot designed to promote economic growth and lever additional investment funding from other sources).

And the sharing options are:

- A. An **even split** percentage between the four pots (25:25:25:25).
- B. **Reducing the strategic investment** pot to 10% of the total, while the "reward", "needs" and "population" pots are equally weighted (30:30:30:10).
- C. **Greater "incentive weighting"** with equal weighting for the other three pots (40:20:20:20).
- D. **Greater "needs" and "population" weightings** (each 30%) with equal remaining weightings of 20% for "incentives" and "investment" pots (20:30:30:20). *

* a later variation to option D is also currently being proposed, with a greater weighting to needs and population, a split of 15:35:35:15. The final version to be negotiated with Government and agreed in setting up the pool.

- 6.8. Establishing a business rates pool in London requires each authority participating in the pool to agree to do so; and to also agree the terms upon which they will participate jointly with other members, including to appoint a lead authority as accountable body for the pool and to decide how the pool should operate, including a jointly agreed supporting legal framework.
- 6.9. The 33 Leaders/Mayors and the Mayor of London have now agreed in principle to the formation of a pilot pool in 2018-19.
- 6.10. Participation in a pool in 2018-19 will not bind boroughs or the Mayor (of London) indefinitely. As with existing pool arrangements, the founding agreement will need to include notice provisions for authorities to withdraw in subsequent years.
- 6.11. Once established, another key issue will be the treatment of Collection Fund surpluses and appeals provisions within the pool. The key principle pooling authorities will have to agree is that the benefits (or costs) of actions undertaken by the boroughs prior to entering the pool should remain with the borough so that no borough can be worse off than they would have been under the 50% scheme.

7. Lewisham considerations

- 7.1. There are some pooling opportunities and risks for Lewisham. They are:
- 7.2. Opportunities of pooling
 - Keeps Lewisham aligned with Government's policy direction for 100% business rates devolution and would strengthen joint working across London.
 - No risk of loss (relative to current position) during the pilot with the opportunity for gain through shared benefits.
 - Of the four options for sharing gain officers would recommend option D - there are investment opportunities (e.g. Bakerloo Line Extension) but weighting to 'need' and 'population' to fund services should come first (this is also the option relative to budget by which Lewisham gains most).
 - Pooling will reduce the risk of volatility in rateable values (e.g. Virgin Media) and the opportunity to lobby for some Central List valuations to be included could provide additional resources to support further devolution of powers.
- 7.3. Risks to pooling
 - Creating a single Collection Fund for London should be limited to Business Rates only, the risk being that if extended to include Council Tax there could be constraints on local discretion.
 - Lewisham's low business rates base, low cost of collection, good collection performance and low level of appeals all mean that joining the pool and moving to the average for London risks increasing costs and sharing burdens that wipe out gains from growth if 'no detriment' guarantee not in place.

- Absence of final detail and timing on government plans for how 100% business rate devolution is to operate means assumptions in projections may not be correct and flexibility to extricate may be lost.

8. FINANCIAL IMPLICATIONS

- 8.1. This report proposes that the Council endorses London Councils to form a London Business Rates Pilot Pool in 2018/19. The understanding is that the Government has provided a no detriment guarantee for the pilot. This means that Lewisham will receive at least the equivalent amount to the 2018/19 Settlement Funding Assessment already determined under the four year settlement provided by the Government in 2016/17. The total 2018/19 Settlement is £128.7m along with specific grants for public health and the improved better care fund.
- 8.2. As part of the 100% Business Rates Retention proposals, the Government will need to transfer additional responsibilities to the local authorities which represents the additional funds retained. This is to ensure a net neutral impact on local authority funding.
- 8.3. There is, the advantage of Authorities keeping 100% of growth in Business Rates which in 2018/19 has been forecast at £240m across London. Agreement has to be reached as to how this extra money will be divided between all the members of the pool, and officers are recommending that the Mayor agrees to option D in paragraph 6.7 above, i.e. Greater “needs” and “population” weightings (each 30%) with equal remaining weightings of 20% for “incentives” and “investment” pots (20:30:30:20).
- 8.4. It is not yet possible to determine how much the Council could receive from the gain under option D, but it is the option the Council would gain the most from.
- 8.5. Under the Council’s current and ongoing financial situation, any additional funding would reduce the pressure to produce annual savings in an environment that has already faced unprecedented budget cuts over the last 10 years.
- 8.6. Still unknown are the detailed financial implications regarding the governance and operation of the pool, and whether there will be financial levies for joining/leaving the pool. These issues will have to be clarified by London councils before the formation of the pool is finalised.

9. LEGAL IMPLICATIONS

- 9.1. The Department for Communities and Local Government published in September 2017 its ‘Invitation to Local Authorities in England to pilot 100% Business Rates Retention in 2018/19 and to pioneer new pooling and tier-split models.’

- 9.2. “To be accepted as a pilot for 2018/19, agreement must be secured locally from all relevant authorities to be designated as a pool for 2018/19 (in accordance with Part 9 of Schedule 7B to the Local Government Finance Act 1988) and to put in place local arrangements to pool their additional business rates income” (para. 2.3 of the published Invitation).
- 9.3. “Authorities selected as pilots for 2018/19 will be expected to forego Revenue Support Grant and Rural Services Grant. The value of the grant foregone will be taken into account in setting revised tariffs and top-ups, which will be used to ensure that the changes are cost neutral, except for the value of any growth retained.” (Para. 2.8 of the published Invitation).
- 9.4. “It is wholly at the discretion of authorities whether or not they choose to apply to the pilot scheme...Any proposals for new pilots must be received by the Department for Communities and Local Government on or before Friday 27 October 2017.” (Paras.2.12 and 2.13 of the published Invitation).
- 9.5. 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.
- 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. 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 above.
- 9.8. 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.

- 9.9. 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>
- 9.10. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [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](#)
- 9.11. 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>

10. CRIME AND DISORDER IMPLICATIONS

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

11. EQUALITIES IMPLICATIONS

- 11.1. There are no specific equalities implications directly arising from this report.

12. ENVIRONMENTAL IMPLICATIONS

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

13. CONCLUSION

- 13.1. The direction of travel in the proposals from London Councils is positive but necessarily constrained in the vacuum of clear government direction on how 100% devolved business rates arrangements will work.
- 13.2. The recommended Lewisham position is to be supportive of the proposal to create a London pool and the principles set out in these proposals, with a preference for Option D.

For further information on this report, please contact:

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Appendix 1

London Business Rates Pilot Pool 2018-19
UPDATED Draft Prospectus – September 2017

London Business Rates Pilot Pool 2018-19

UPDATED Draft Prospectus – September 2017

A. Introduction and context

1. An earlier version of this draft prospectus was circulated to Leaders in July, asking all boroughs, the City of London and the Mayor to consider the issues involved in establishing a pilot pool over the summer and, in particular, in the run up to the Leaders Committee and Congress of Leaders and the Mayor on October 10th.
2. At that time, following the General Election, the Government's position on the future of business rate retention, and on the agreement of additional pilots, was unclear. In the first week of September, the Government clarified its position, and the momentum behind business rate retention pilots is growing rapidly.
3. The Government has now formally confirmed its renewed desire to see a business rate pilot pool established in London in April 2018, as indicated in the previous Memorandum of Understanding between the Government and London signed in March 2017. It further issued a general invitation to other authorities to apply to become pilot pools next year, with a deadline for applications of 27th October. The Secretary of State for Communities and Local Government has subsequently written to the Chair and Vice-Chair of London Councils confirming his desire to conclude an agreement on a voluntary pilot pool for London.
4. The London Councils Executive met on 12th September and discussed the current position and feedback from Leaders' discussions over the summer.
5. This updated draft prospectus sets out how it is envisaged that the London Business Rates pilot pool would work in practice, were the 32 boroughs, the City of London Corporation and the Mayor of London to agree to form a pool in 2018-19, subject to further legal advice. It seeks to address issues raised to date by Leaders and provides minor updates to the estimated benefits of pooling, arising from increased growth projections in 2018-19 received from a number of boroughs over the summer.

APPENDIX 1

B. The anticipated “terms of trade”

6. Establishing a pilot pool will require two separate agreements based on aligned and integrated strands of work:
 - 1) between London and the Government by which the Government designates the pool; and
 - 2) between the boroughs, City of London and the Mayor of London by which London Government collectively decides how to operate the pool and distribute the financial benefits

In respect of both strands, each authority will need to take the relevant decisions through its own constitutional decision-making arrangements. The Government will require “in principle” agreement by the time of the Provisional Local Government Finance Settlement in December; in practice this will likely still be subject to final approval pending all participating authorities taking the required decisions: see Section G below.

7. Before the Election, the previous Government established pilots in 6 areas of the country in April 2017, including London where the GLA’s level of retained business rates increased from 20% to 37%, replacing TfL transport grant and Revenue Support Grant. An expanded London pilot in 2018-19 would seek at least to replicate the common features of the deals in the other 5 pilot areas: Greater Manchester; Liverpool City Region; West Midlands, West of England and Cornwall.
8. The key features offered and expected by the Government would be:
 - 1) The pilot pool would be voluntary, but, in order to come into being, would need to include all London authorities
 - 2) London would collectively retain a greater proportion of the business rates collected in the capital, swapping these resources for Revenue Support Grant, Public Health Grant and the Improved Better Care Fund. (London would not in practice keep the full 100% of rates collected, as it would still pay an aggregate tariff to Government to support local services in other parts of the country.)
 - 3) London would, however, retain 100% of any growth in business rate income above baselines, and would pay no levy on that growth. (We currently estimate the net benefit to London would be in the region of £240 million in 2018/19; Government are aware of this estimates, and have factored it into their considerations.)
 - 4) In the event that London’s business rates income fell, the collective pool would have a higher “safety net” threshold – 97% rather than

APPENDIX 1

92.5% - than individual authorities in the existing system. This broadly reflects the greater reliance local authorities will have on business rates within the pilot. (For context, London's authorities are currently collectively estimating overall growth in rates income of 6%.)

- 5) Furthermore, a “no detriment” guarantee will ensure that the pool, as a whole, cannot be worse off than the participating authorities would have been collectively if they had not entered the pilot pool. In the unlikely event of this arising, Government would intervene to provide additional resources. As a result, London would be able to guarantee that no authority could lose out as a result of participating: where authorities anticipate growth, they will continue to retain at least as much of that income as they would under the current system, plus a potential share of the aggregate benefits of pooling (see Section C, paragraph 14 below).
9. In addition, the Secretary of State's letter concludes by stating that he “would be keen to see detail of robust governance arrangements and a commitment to invest a significant share of pooled funds in London-wide strategic growth and priority projects.”
 10. Feedback from Leaders and discussion at Executive has indicated a desire for assurance from the Government on three key aspects of a potential agreement:
 - 1) There should be **no new burdens** imposed on London authorities as part of this business rates pilot agreement. The Memorandum of Understanding on Devolution agreed in March included business rates within a broader package of service devolution ambitions. Leaders and the Mayor would not want to see the potential benefits of the pilot being regarded as funding streams for newly devolved responsibilities. London Councils officers have sought and received such assurance from civil servants, but we will want to see this more formally recognised.
 - 2) Interaction with the “**Fair Funding**” review. As set out in the July Leaders' Committee report, the Government remains committed to undertaking a review of the formulae used to assess councils' relative spending needs. The officer-level working group continues to meet; London Councils and GLA officers are taking an active role in its work. Within a future 100% rate retention system, the impact of that review would be to redefine the funding baselines against which authorities' top-ups or tariffs are calculated. Participation on a pilot pool will not affect the outcome, or London's ability to contribute to the review in any

APPENDIX 1

way, and Leaders are keen that Government formally acknowledges this.

11. Leaders have also raised questions about the issues referred to in the Secretary of State's letter:
 - 1) The basis, purpose and potential scale of a "**Strategic investment pot**" are set out in Section D below.
 - 2) **Governance arrangements** – including decision-making on the use of the investment pot – are addressed in Section E.
12. Both issues will be matters for the agreement between London authorities on the operation of the pool. However, it is clear that the Government will want to see evidence of progress before it will agree to designate a London pool.

C. Founding principles for a London business rates pilot pool

13. It is proposed that there are two founding principles that would require agreement at the outset by all pooling members.

1) Nobody loses

14. The first founding principle of the agreement would be that **no authority participating in the pool can be worse off than they would otherwise be under the 50% scheme**. This would include a guarantee that, where authorities are anticipating growth, they will continue to receive at least the same increase in income as they would have received under the present system, plus a further share of the net benefits of the pool as a whole.
15. DCLG civil servants have confirmed that a London pilot pool would be underpinned by the same safety net arrangements and "no detriment" guarantee currently offered to existing pilots in 2017-18. This ensures that the pool, as a whole, cannot be worse off than the participating authorities would have been collectively if they had not entered the pool. (It is worth noting that other authorities applying to become pools in response to the current invitation will not receive this guarantee.)
16. Existing Enterprise Zones and "designated areas", along with other special arrangements, such as the statutory provision to reflect the unique circumstances of the City of London Corporation, would be taken into account in calculating the level of resources below which the guarantee would operate.

APPENDIX 1

For boroughs in an existing pool¹, DCLG have also indicated that the basis of comparison would include the income due from that pool.

17. The impact of the guarantee would be to ensure that the minimum level of resources available for London, as a whole, could not be lower than it would otherwise be. In order to then ensure that no *individual authority* loses out as a result of participating, the first call on any additional resources generated by levy savings and additional retained rates income, would be used to ensure each borough and the GLA receives at least the same amount as it would have without entering the pool.
18. The level of Revenue Support Grant (RSG) for each borough has been set by the 4-year settlement (to 2019-20). For each borough this would be replaced by retaining additional rates (just as the GLA has done this year). In addition Public Health Grant (PHG) and the Improved Better Care Fund (iBCF) would also be replaced by rates, leading to an adjustment of expected baselines and top-ups or tariffs (as appropriate). While the composition of each borough's "core funding" (retained rates plus RSG, Public Health Grant and iBCF) will therefore change, the overall quantum will not. This revised position is then the baseline against which the "no detriment" guarantee is calculated. Each borough – whether its business rate income grows or declines during the operation of the pilot pool – will receive, as a minimum, the same amount of cash it would have received under the existing 50% system.

2) All members share some of the benefit

19. Growing London's economy is a collective endeavour in which all boroughs make some contribution to the success of the whole. In recognition of the complex interconnectedness of London's economy, it is proposed that the second proposed founding principle would be that ***all members would receive some share of any net benefits arising from the pilot pool.***
20. The net financial benefit of pooling consists of retaining 100% of growth (rather than 67% across London under the current scheme), and in not paying a levy on that growth (which tariff authorities and tariff pools currently pay). The principle would mean that *any aggregate growth* in the pool overall – because of the increased retention level – would generate additional resources to share, with each pooling member to benefit to some extent.
21. In addition, it may be possible to gain agreement to transfer some Central List properties located in London (for example, the London Underground network) to the London pool, thereby increasing the capacity of the pool to benefit from

¹ Of the 33 London authorities in 2017-18 this includes Barking & Dagenham, Havering and Croydon

APPENDIX 1

growth on those properties. This would be explored with government as part of negotiating the pool designation.

D. Sharing the benefits of pooling

Objectives

22. Assuming the pool generates some level of additional financial benefit, the question of how to share this will be central to any final pooling agreement. The latest estimated net benefit to participating in the pool is expected to be in the region of £240 million in 2018-19, based on London Councils' modelling using boroughs' own forecasts. This is a slight increase since the draft prospectus circulated in July, following the inclusion of updated estimates from a small number of boroughs over the summer.
23. Discussions with the Executive and informally with Group Leaders, identified four objectives that could inform the distribution of such gains:
- **incentivising growth** (by allowing those boroughs where growth occurs to keep some proportion of the additional resources retained as a result of the pool)
 - **recognising the contribution of all boroughs** (through a per capita allocation)
 - **recognising need** (through the needs assessment formula); and
 - **facilitating collective investment** (through an investment pot designed to promote economic growth and lever additional investment funding from other sources).
24. A "pure" way to **incentivise growth** would be for the London local authorities where growth occurs to retain the full benefit, including any levy savings, after ensuring all authorities had been brought up to the level of funding they would otherwise have received under the current 50% scheme. This option would see the greatest reward go to those whose business rates grow, but would produce no net benefit for the minority of boroughs where no (or negative) growth is expected.
25. A simple **per capita distribution** using the latest population estimates from the ONS², would recognise the requirement to work collectively to grow London's economy and ensure a share of the benefit for all authorities.

² The 2014-based Sub-National Population Projections for 2018

APPENDIX 1

26. While the role of incentivising growth is important, some recognition of **increasing need** and demand for services has also been identified as a priority. Economic and business growth also drives, and is reinforced by, increasing demand for services across the capital. One measure that could be used to distribute any net benefit could therefore be to reflect the Government's current assessment of need: Settlement Funding Assessment (although this will clearly be subject to change in future following any "Fair Funding" review).
27. Recognising the requirement for **collective investment** to promote further economic growth could be facilitated by retaining resources in a strategic investment pot. Such an approach would help address the Government's original policy objectives behind business rate retention. It is assumed that, in order to achieve any significant impact, such resources would need to be invested in a small number of targeted projects. Agreeing these projects would require joint decision-making arrangements of the sort outlined in Section E on Governance below. As indicated in paragraph 9, the Secretary of State has recently confirmed that he would expect to see a "significant proportion" of the benefits of pooling dedicated to this purpose.
28. Individually, these principles would drive very different distributions of the direct benefits received by boroughs. The pure "incentives" approach would obviously favour those with the highest growth rates. Distribution according to SFA and population creates a more even spread of resources, but arguably provides less incentive to promote growth, and may therefore not optimise the opportunity for London in the longer term. It is proposed that a distribution mechanism should be a blend of all four of these objectives.

Options for weighting

29. In deciding the balance between the four objectives, and therefore the relevant weighting between the measures listed above, there are countless possible variants. However, following initial discussions with Group Leaders, four potential options are illustrated below:
- A. An even split percentage between the four pots (25:25:25:25).
 - B. Reducing the strategic investment pot to 10% of the total, while the "reward", "needs" and "population" pots are equally weighted (30:30:30:10).
 - C. Greater "incentive weighting" with equal weighting for the other three pots (40:20:20:20)

APPENDIX 1

D. Greater “needs” and “population” weightings (each 30%) with equal remaining weightings of 20% for “incentives” and “investment” pots (20:30:30:20)

30. In each case, the **GLA share** is calculated by first deducting the proposed investment pot resources from the total available, and then dividing the remainder between the GLA and boroughs in proportion to the level of spending supported by business rates. This is in accordance with the principle previously agreed by London Councils and Mayor in our joint business rate devolution proposals to Government in September 2016, and results in the GLA receiving approximately 36% of the resources distributed to authorities (see Table 1 below).

31. The potential net benefit for each borough from this model – based on the latest information available on estimated income for 2018-19 – is set out in the charts at Appendix A and summarised in the table below. Under the 100% pilot pool it is estimated that there might be £480m of retained growth: £240m more than under the 50% scheme (after ensuring no borough loses out as a result of participating).

Table 1 – Distribution options for estimated £229m net benefit of pooling in 2018-19

Option	A	B	C	D
GLA share (£m)	£65	£78	£70	£70
Aggregate borough share (£m)	£115	£138	£123	£123
Investment pot (£m)	£60	£24	£48	£48
TOTAL (£m)	£240	£240	£240	£240
Minimum borough gain (£m)	£1.3	£1.5	£1.1	£1.5
Maximum borough gain (£m)	£13.1	£15.7	£20.7	£10.6

Source: London Councils’ modelling using London Boroughs’ data supplied by borough finance directors or where not available by applying the latest 2017-18 forecasts to 2018-19.

APPENDIX 1

32. Leaders are invited to consider the options in the context of balancing the objectives of incentives and need, and be in a position to indicate a preference for the weighting by the time of the meetings of the Leaders' Committee and Congress of Leaders and the Mayor on 10th October. Any final decision on such matters will remain with the authorities themselves in agreeing to participate in the pool on these terms or by agreeing the mechanism by which such matters will collectively be agreed after the pool is established.

E. Governance

33. Leaders and the Mayor have previously endorsed the view that commitment to the collective management of devolved business rates would require unanimous support, and have identified Congress of Leaders and the Mayor as the appropriate body formally to express those commitments.

34. However, the Congress of Leaders and Mayor has no legal authority to take decisions or make binding commitments on behalf of authorities. Establishing a business rates pool in London will require each authority participating in the pool to agree to do so individually; and to also agree the terms upon which they will participate jointly with other members, including appointing a lead authority as accountable body for the pool and deciding how the pool should operate. This would include the basis of future decision-making arrangements.

35. Participation in a pool in 2018-19 would not bind boroughs or the Mayor indefinitely. As with existing pool arrangements, the founding agreement would need to include notice provisions for authorities to withdraw in subsequent years.

Investment pot principles and governance

36. Whatever the proportion of resources allocated to an "investment pot", the founding agreement will need to specify the criteria for developing proposals and the basis on which future decisions on its application to projects will be taken.

37. It is therefore proposed that the founding pool agreement includes *guiding principles* for the use of such an investment pot, for approval by all members of the pool. As such, it is proposed that investment proposals approved would:

APPENDIX 1

- promote increased economic growth, and increase London's overall business rate income; and
 - leverage additional investment funding from other sources.
38. These principles would be agreed as part of the founding agreement for the pool – and would therefore require unanimous support.
39. Subsequent decisions on the application of a strategic investment pot to proposed projects meeting those principles could be taken in the same way as the initial decision to participate: i.e. by each and every authority individually agreeing as such decisions arose. However, this could lead to a cumbersome and time-consuming process for approving relatively small individual projects.
40. One option could be for the authorities to establish a new joint committee to take these types of decisions within the operational framework unanimously agreed in establishing the pool. That joint committee could be established along the lines of London Councils' existing arrangements, but could also include the Mayor. All authorities would have to agree that the relevant powers and functions should be delegated to a joint committee to discharge jointly on their behalf (such as the ability to decide on the application of the investment pot).
41. Those decisions could be made subject to the voting principles designed to protect sectoral, sub-regional or Mayoral interests, such as those previously endorsed by Leaders and the Mayor in the London Finance Commission (both 2013 and 2017), and set out in London Government's detailed proposition on 100% business rates in September 2016. For example:
- 1) Both the Mayor and a clear majority of the boroughs would have to agree
 - 2) That majority could be defined as two-thirds of boroughs and the City of London, subject to the caveat that:
 - 3) Where all boroughs in a given sub-region³ disagreed, the decision would not be approved.
 - 4) If no decisions on allocation can be reached, the available resources would be rolled forward within the pot for future consideration.

³ For these purposes only, the sub-regions could be defined as Central, West, South and Local London, as illustrated in the map at Appendix B. If in the future, boroughs wished to change the initial groupings that could be achieved by agreement of the pool member authorities.

APPENDIX 1

42. Were such a joint committee to be created, administrative support – including the consideration and evaluation of projects for presentation to the committee – could be undertaken by London Councils and GLA staff as service providers to the new joint committee. Meetings could be arranged to coincide with the existing cycle of the Congress of Leaders and the Mayor, providing bi-annual opportunities for decision-making. (NB: the discharge of functions by the joint committee on behalf of all participating authorities is distinct to the role of the lead authority set out in section F below.)
43. Legal advice will be sought to develop these proposals, to draft relevant documentation, and to help frame the decisions which would need to be taken by each authority to give effect to the intention of each of them in joining the pool and the pool's ongoing operation.

Designated areas

44. Enterprise Zones and “designated areas” effectively hypothecate future business rate revenues to support investment. Under current arrangements, these are subject to agreement between the Government and the boroughs directly involved, in consultation with the GLA, whose revenues are also affected.
45. The Government is not actively encouraging further such arrangements. However, if, during the lifetime of a pilot pool, new “designated areas” or Enterprise Zones were to be created, this could – depending on the nature of the individual scheme – impact on the potential future revenues of all members of the pool and will need to be considered in establishing the pool and framework. Subject to further legal advice, an option may be to require any such decisions to be taken by the relevant local authority after appropriate consultation with those affected and for this to be embedded in the pool framework by unanimous agreement in establishing the arrangements..

F. Accounting and reporting arrangements

Lead authority

APPENDIX 1

46. As in other existing pools, it is a statutory requirement that a “lead authority” act as the accountable body to government and would be responsible for administration of the pooled fund. The same authority – or another – could also hold any properties transferred to London from the Central List, as there is currently no legislative provision for a “regional list”. The role of the lead authority for the purposes of the designation order is separate to any administrative arrangements agreed by all members of the pool to support the operation of a joint committee of Leaders and the Mayor, should such an arrangement be established.
47. The lead authority responsibilities from existing pool agreements typically include:
- Receiving payments from pool members and making payments to central government on behalf of pool members on time.
 - Maintaining a cash account on behalf of the pool and paying interest on any credit balances.
 - Liaising with and completing all formal pool returns to central government.
 - Administering the schedule of payments between pool members in respect of the financial transactions that form part of the pool’s resources.
 - Providing the information required by pool members in preparing their annual statement of accounts in relation to the activities and resources of the pool.
 - Leading on reporting to understand the pool’s position during and at the end of the financial year.
48. The lead authority would, therefore, be responsible for the net tariff payment to central government as well as the internal tariff and top up payments to the pool authorities. The partner billing authorities would make payments to the lead authority based on an agreed schedule, which could be made on the same schedule of payment dates agreed for tariff and top up payments.
49. It is likely that the resources required to perform this function would be 1 FTE post, which would likely be a senior accountant with considerable experience and understanding of collection fund accounting and the business rates retention scheme.

Reporting

APPENDIX 1

50. In order that a the lead authority can fulfil its functions and meet its obligations as accountable body, each member authority would need to provide timely information to the lead authority as well as making timely payments to an agreed schedule.
51. Forecast (NNDR1) and outturn (NNDR3) figures will still need to be produced, as per the existing NDR Regulations 2013, in order to enable budget processes to be complete, payments determined that need to be made to the lead authority and to government (by the lead authority) and to the GLA during the course of the year as well as transfers to General Funds.
52. The pool would use NNDR1 returns to establish the schedule of payments to be made to the lead authority and for the calculation of any notional levy savings to be made. However, it would not be until the outturn position is known (the NNDR3 form) that actual reconciliation would be made and the final growth/decline for the pool as a whole, and individual pool members, would be established. This will be in September 2019 after accounts have been audited for the financial year 2018-19.
53. The NDR income figures in the forms determine the growth/decline for that year and it is this figure that would determine the amount to be shared between pool members or between local authorities and central government in the current system.

The treatment of appeals

54. Variances against forecast in the non-domestic rating income are reflected in the forecast surplus or deficit of the collection fund at the start of the following year (information which is collected as part of NNDR1). Appeals provisions impact each year on the calculation of the NNDR income figure: a higher provision in a year, everything else being equal, reduces the NNDR income figure determining growth/decline for that year.
55. A separate pooled collection fund would be required to be established that would sit with the lead authority. A key issue will be the treatment of Collection Fund surpluses and appeals provisions within the pool. The key principle pooling authorities would have to agree is that the benefits (or costs) of actions undertaken by the boroughs prior to entering the pool should remain with the borough so that no borough can be worse off than they would have been under the 50% scheme. So – for example – if a provision established in 2013-14 proves not to be necessary and is released during 2018-19, the borough should receive at least as much as it would have under the existing 50% scheme, plus its share of any additional retained revenues.

APPENDIX 1

56. The pool's collection fund account would have to continue beyond the life of the pool until all appeals relating to the pool period were resolved. Provisions released after the operation of the pilot would be distributed on the basis of the pool's founding agreement – i.e. the borough where the provisions originated would receive at least as much as it would under the 50% retention system, with any additional resources being shared according to the pool's agreed distribution mechanism. There would therefore be no "gaming" benefits to individual boroughs of setting higher (or lower) provisions. The lead authority would be responsible for administering this.
57. Further work will be undertaken to set out how the accounting and reporting requirements would work in practice, which is likely to mean either additional lines on the existing NNDR form or an additional "London pool" form administered by the lead authority. This will be confirmed as part of the final pooling agreement which will underpin the operation of the pool.

G. Timetable

58. Should Leaders and the Mayor indicate a willingness in principle to proceed in October, a 2018-19 pilot would require in principle agreement to be made between the authorities and the Government before the Autumn Budget – now confirmed to be on 22 November 2017 – for inclusion in the Provisional Local Government Finance Settlement in December. For the reasons set out above, each of the 34 authorities must take all relevant decisions at a local level, regarding both:
- 1) the designation of the pool by the Government and the appointment of a named lead authority; and
 - 2) agreeing the framework for the pool's operation.

These two work streams will in practical terms, due to the proposed commencement of the pilot in April 2018, need to progress concurrently.

59. In order to facilitate this process it is proposed that London Councils will procure legal advice on behalf of all the London local authorities (working in collaboration with the GLA) which will inform detailed guidance and frame the required decisions for member authorities to adopt and/or adapt to reflect their individual constitutional arrangements to give effect to the proposals.
60. All 34 authorities' decisions would need to be taken in time for the resulting business rate and funding baselines to be incorporated within the Final Local Government Finance Report in February.

APPENDIX 1

61. Whilst this is a challenging timetable, and introduces a degree of uncertainty for both authorities and the Government during the budget-setting process, London would not be unique in this regard. Any pilot pools agreed in response to the Government's recent invitation for applications will not be identified before the end of October, and formal decision-making and agreement to those pilots will be subject to similar legal and constitutional constraints.

62. This timetable highlights the need for a clear expression of support for the proposals at the meetings of Leaders and the Mayor in Congress on 10th October 2017. Whilst the views of Leaders in those meetings cannot formally commit or fetter the discretion of their authorities in taking their subsequent decisions, we would expect that the views expressed would reflect the views of the authorities concerned. Neither London nor the Government would be in the position to proceed without the confidence that such an expression of intent would offer.

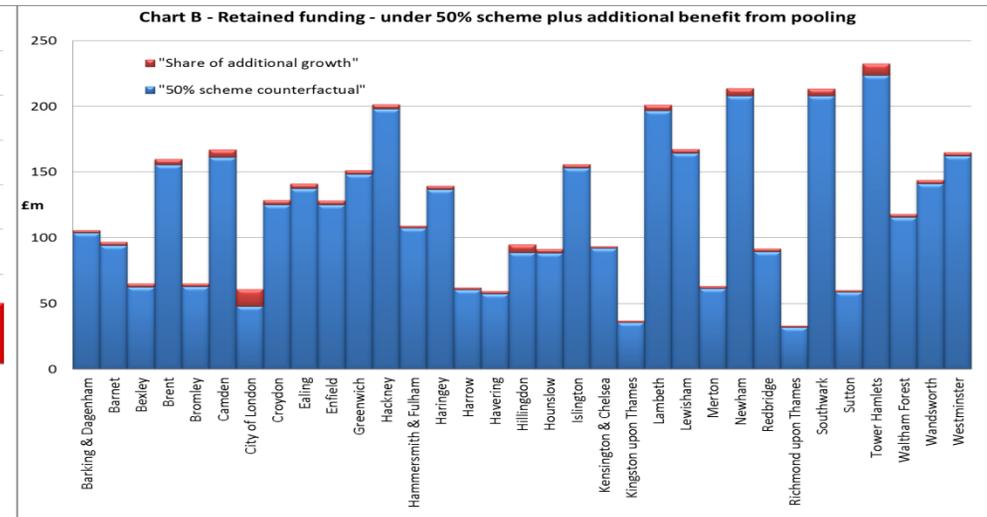
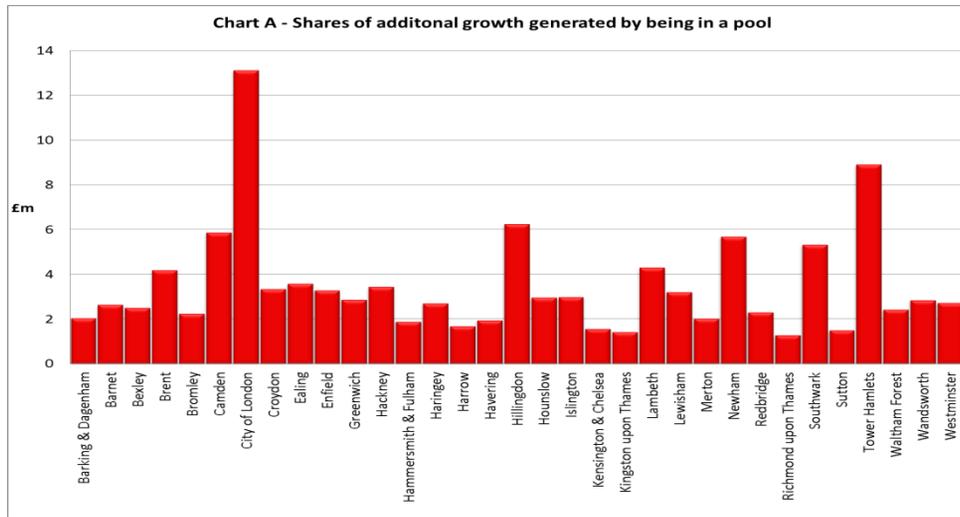
63. This draft prospectus therefore forms the basis for internal consideration and discussion within each of the 34 prospective pooling authorities, in order for each Leader and the Mayor to be in a position to consider their authority's in principle position about the pool and to indicate this at the Congress of Leaders and the Mayor on 10th October.

Appendix A – Modelled Options

1. This appendix shows the impact of varying weightings on the overall distribution of any net additional benefit from being in the pool. It assumes the latest growth estimates for 2018-19 across London (combining where available figures from a recent survey of Treasurers and, where not available, the latest published estimates of growth in 2017-18 applied as if in 2018-19). The overall net benefit being distributed is £240m.
2. The charts below show the distribution of growth under four different scenarios for the relative weightings between the four potential distribution “pots” described above - i.e. incentives; needs (SFA); population (ONS 2018 projection) and investment pots.
 - Option A: weights each pot at 25%
 - Option B: Incentives (30%), Needs/Population (30% each) and Investment (10%)
 - Option C: Incentives (40%), Needs/Population (20% each) and Investment (20%)
 - Option D: Incentives (20%), Needs/Population (30% each) and Investment (20%)
3. For each option we have illustrated both the cash gain for each borough (red, left-hand bar charts) and the marginal gain over the retained funding under the existing 50% position (red and blue, right-hand bar charts).

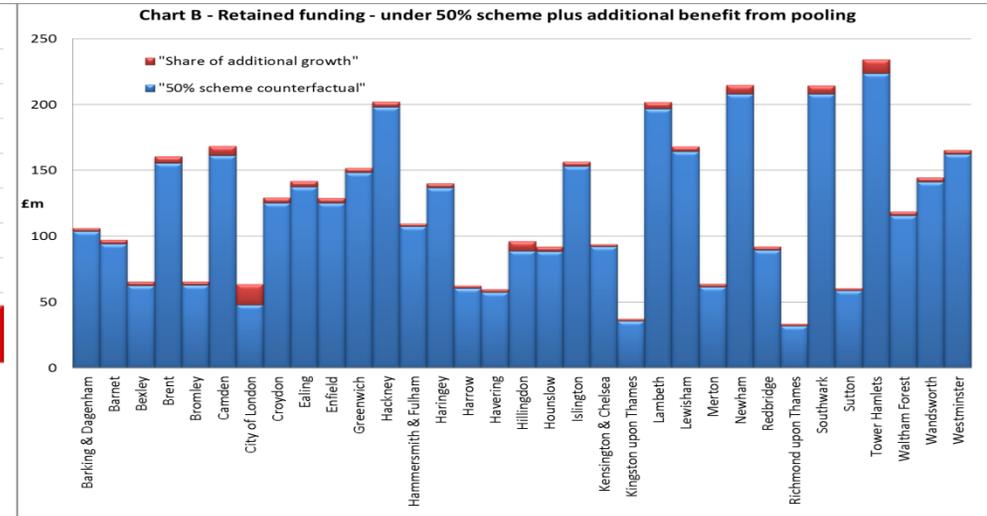
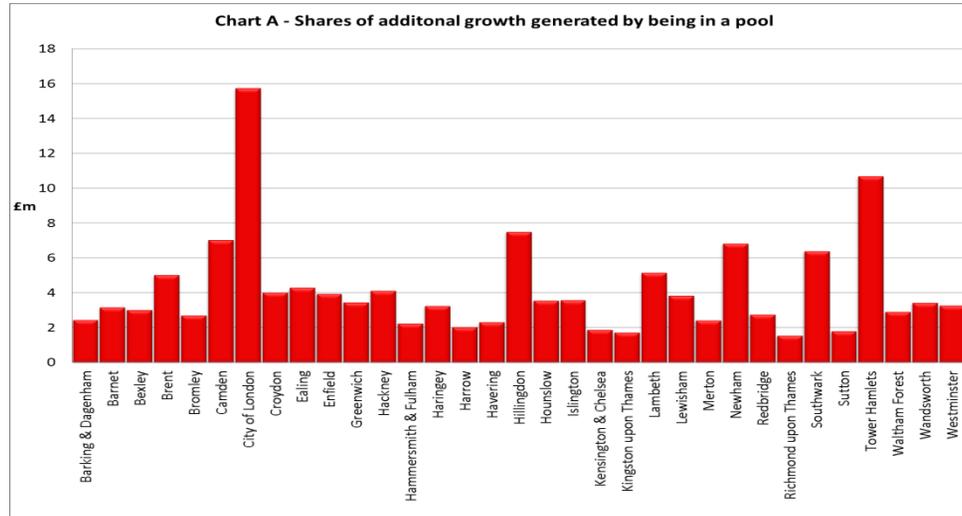
APPENDIX 1

Option A: Equal split between pots – 25%/25%/25%/25%



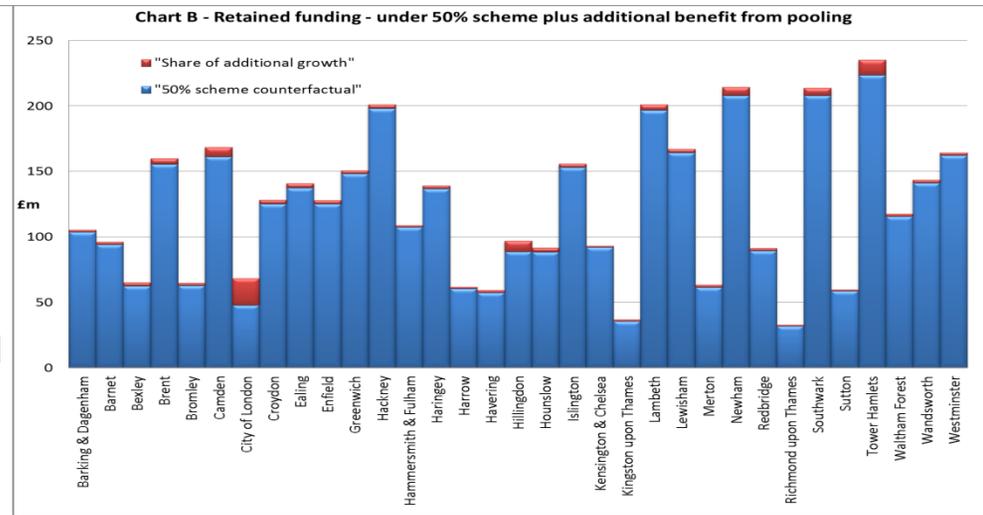
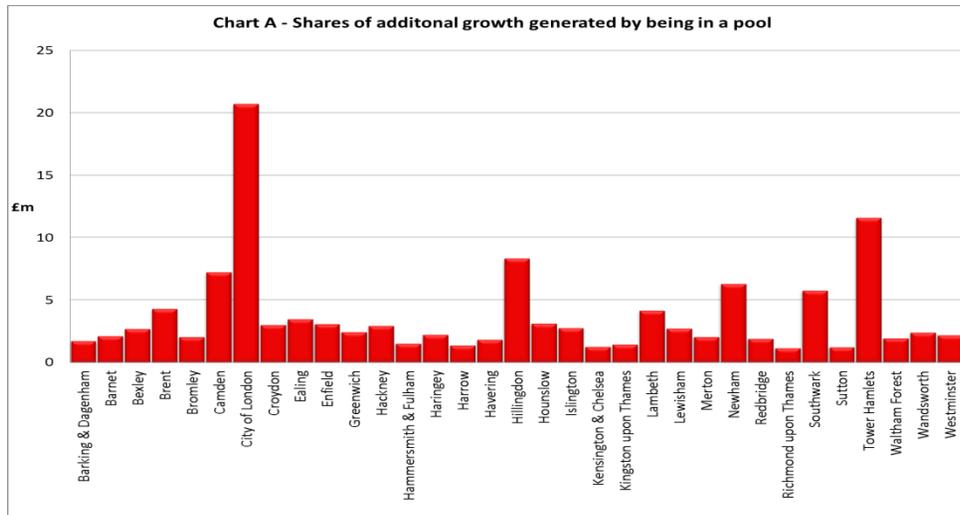
APPENDIX 1

Option B: Reduced “investment pot”: 30%/30%/30%/10%



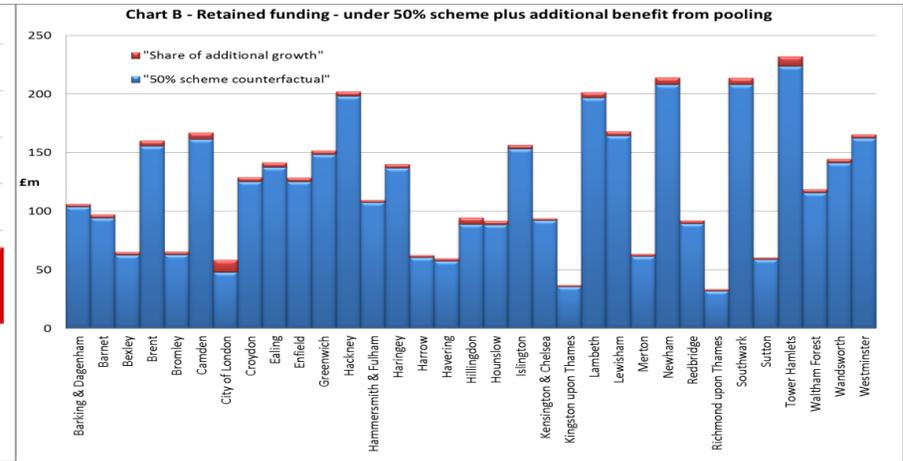
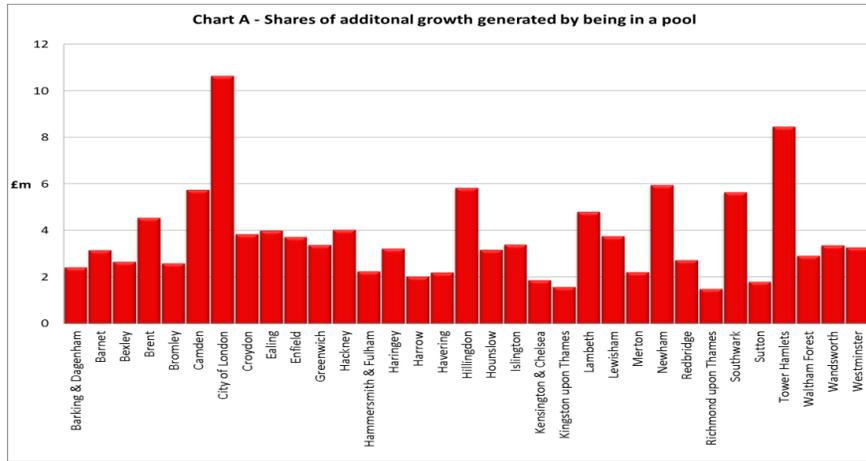
APPENDIX 1

Option C: Greater “incentive” weighting: 40%/20%/20%/20%



APPENDIX 1

Option D: Greater “Needs/population” weighting: 20%/30%/30%/20%



Agenda Item 12

Council			
Report Title	Financial Regulations and Directorate Schemes of Delegation		
Key Decision	No	Item No.	
Ward	All Wards		
Contributors	Executive Director for Resources and Regeneration		
Class	Part 1	Date:	22 November 2017

1. EXECUTIVE SUMMARY

- 1.1 The financial controls of the Authority set out the framework and guiding principles for managing the Authority's financial affairs. They are applicable to all members of staff, elected Members, and anyone acting on behalf of the Council.
- 1.2 The Council's Financial Regulations and the Directorate Schemes of Delegation form part of the financial controls and are included in the Constitution.
- 1.3 These key financial control documents require updating as and when necessary in order for them to remain relevant and take in to account organisational and constitutional changes that may have occurred.

2. PURPOSE OF THE REPORT

- 2.1 To present the updated Financial Regulations and Directorate Schemes of Delegation to Members for approval and inclusion in the Constitution.

3. RECOMMENDATIONS

- 3.1 Members are asked to approve the latest version of the Financial Regulations (Appendix 1);
- 3.2 Members are asked to approve the Directorate Schemes of Delegation (Appendices 2 to 5) as they relate to non-executive functions; and
- 3.3 Members are asked to note that the Mayor has approved the Directorate Schemes of Delegation as they relate to executive functions.

4. BACKGROUND

- 4.1 The Financial Regulations and Schemes of Delegation are part of the financial controls of the Authority, setting out the framework and guiding principles for managing the Council's financial affairs.

- 4.2 Financial Regulations are approved as a schedule to the Constitution and are therefore subject to similar approval requirements. The Regulations lay down the overriding financial procedures to be followed by officers in discharging their financial duties.
- 4.3 The Directorate Schemes of Delegation set out the post titles of those officers to whom the relevant Executive Director has delegated authority to take decisions on the areas from the Mayoral Scheme of Delegation where responsibility has been delegated to that Executive Director. The Mayoral scheme forms part of the constitution, and these directorate schemes are approved as a schedule to the Constitution.
- 4.4 These key financial control documents require updating as and when necessary in order for them to remain relevant and take in to account organisational and constitutional changes that may have occurred.
- 4.5 The Financial Regulations have mainly been updated with organisational changes.
- 4.6 The Directorate Schemes of Delegation have been updated by each Executive Director to reflect changes in delegated authority to post holders and to reflect the transfer of services from one directorate to another.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no additional financial implications other than those contained in the body of this report.

6. LEGAL IMPLICATIONS

- 6.1 The approval of the Financial Regulations is a matter for Full Council. The Directorate Schemes of Delegation, to the extent that they relate to non-executive functions, are also matters for Full Council. Delegations within these Schemes relating to executive functions are for the Mayor to make.
- 6.2 Council is asked to note that the Mayor approves those Delegations appearing within the Directorate Scheme of Delegations appendices to this report which fall within his remit.

7. CONCLUSION

- 7.1 This report provides members with the most up to date version of the Financial Regulations and Schemes of Delegation for inclusion in the Constitution.

8. BACKGROUND DOCUMENTS AND FURTHER INFORMATION

For further information on this report, please contact:

David Austin, Head of Corporate Resources on 020 8314 9114

K Financial Regulations

November 2017

Introduction

The Regulations in the following paragraphs lay down the procedures to be followed by officers in discharging their financial duties. They are effective from November 2017. Executive Directors are responsible for ensuring the officers in their directorates comply with these Regulations and any guidance issued by the Executive Director for Resources & Regeneration.

Attached to these Regulations are the Financial Procedures issued by the Executive Director for Resources & Regeneration. These are integral to the Regulations and provide further explanation of the procedures to be followed by officers in discharging their financial duties. Financial Procedures are updated from time to time by the Executive Director for Resources & Regeneration to reflect new and/or changing issues.

The Regulations and Financial Procedures form part of the Council's regulatory framework alongside the Constitution and the annual scheme of delegation and must be adhered to by council officers. Failure to comply with the Regulations and Financial Procedures may constitute misconduct, including gross misconduct, and lead to formal disciplinary action.

In the following Financial Regulations, the term 'Executive' refers to the Mayor, the Mayor and Executive members collectively, or individual Executive members insofar as the Mayor has retained executive powers for him/herself or has delegated authority to the Executive collectively or individually for the activity referred to (Council Rules of Procedure and Standing Orders, Part IV, Section D3 of the Constitution). Reference should be made to the current scheme of delegation to ascertain the person or body currently exercising executive power for the activity in question.

Under the Constitution adopted by Lewisham Council with effect from 15 August 2008, the scheme of delegation is adopted annually. The annual scheme of delegation consists of delegations of executive functions and powers from the Mayor (Article 15.2 and Council Rules of Procedure and Standing Orders, Part IV, Section D3–6) and the delegation of non-executive functions by the full Council (Article 15.1). Financial Regulations and Procedures must be read in conjunction with the scheme of delegation currently in force.

Information on the current scheme of delegation can be obtained from the Monitoring Officer. Where an executive function is delegated to the Executive collectively or an individual Executive member, an officer, area committee, joint committee or another local authority (D3), the rules, procedures, financial limits and reporting of financial matters as set out in Financial Regulations and Procedures shall remain in force, except where another arrangement is specifically set out in the formal delegation of executive authority. In any instance, any breach of Financial Regulations and Procedures shall be reported to the Executive Director for Resources & Regeneration.

A Roles and responsibilities statement

Chief Finance Officer

A.1. S151 Local Government Act 1972 requires a named officer, who must be a CCAB qualified accountant, to take responsibility for the proper administration of the Council's financial affairs. S114 Local Government Finance Act 1988 requires the Chief Finance Officer to make a public report in specified cases of actual or anticipated financial misconduct or if there is a potential budget deficit. In Lewisham, these duties are vested in the Executive Director for Resources & Regeneration.

A.2. The Council's Constitution sets out the following as the functions of the Chief Finance Officer:

(a) Ensuring lawfulness and financial prudence of decision making. After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Financial Officer to report to the full Council, or to the Executive in respect of executive functions, and the Council's external auditor, if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully.

(b) Administration of the Council's financial affairs. The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.

(c) Providing advice. The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial propriety, probity and budget and policy framework issues to all Members and will support and advise Councillors and officers in their respective roles.

(d) Giving financial information. The Chief Finance Officer will provide appropriate financial information to the media, members of the public and the community.

A.3. The Executive Director for Resources & Regeneration is also specifically responsible for advising and reporting to the Executive on the resources required to implement council policies, including financing partnership arrangements

- the level of Council Tax to be levied
- the Council's prudential guidelines, in particular forward projections of revenue commitments and the budget strategy
- the annual borrowing limit
- the Capital Programme
- the Treasury Strategy
- arrangements for financial administration, including accountancy, audit and risk management
- the Annual Statement of Accounts and its publication.

A.4. The Executive Director for Resources & Regeneration also has a statutory duty to ensure that the accounts and supporting records of the Council are maintained in accordance with proper practices and kept up to date. Also, that the accounts present fairly the financial position and that reasonable steps have been taken for the prevention of fraud and other irregularities.

A.5. The Executive Director for Resources & Regeneration shall have access to all financial records held in the Council and require explanations from Council officers as necessary.

A.6. The Executive Director for Resources & Regeneration shall oversee Council procedures regarding debt recovery determined by the Executive Director for Customer Services.

A.7. The Executive Director for Resources & Regeneration shall receive a report, from the appropriate Executive Director, of any material breach of financial regulations or procedures. If deemed to be of a serious nature, then the Executive Director for Resources & Regeneration shall submit an appropriate report to the Executive.

Executive Directors

A.8. Executive Directors have overall accountability for the finances of their directorate and must ensure there are proper systems for financial administration and control in place. Executive Directors shall consult the Executive Director for Resources & Regeneration on any matter which is liable materially to affect the finances of the Council before any provisional or other commitment is incurred and before reporting to the Executive.

A.9. Executive Directors shall ensure that accounting systems and procedures within their directorates incorporate adequate controls to safeguard against loss and fraud. Executive Directors shall ensure that officers in their directorates have adequate training in order for them to comply with financial regulations.

Heads of Service

A.10. Under the arrangement for financial devolution, there shall be two Heads of Service designated to support Executive Directors and budget holders in discharging their financial and budgetary responsibilities. The Heads of Service shall be as follows:

- Head of Corporate Resources and Deputy S151 officer
- Head of Financial Services

A.11. They shall be accountable to the Executive Director for Resources & Regeneration for all matters pertaining to Section 151 responsibilities as they affect the Council's finances. Where a potential conflict arises between the service considerations and the S151 duties, the S151 duties must prevail.

Decision making

A.12. Where officers make decisions under delegated authority, they shall record their decisions and the reasoning behind them and shall store those records in such a way as to be accessible for scrutiny, audit and inspection.

A.13. Where officers make a Key Decision under delegated authority, they shall only do so on the basis of a written report that contains service, corporate, financial and legal and all relevant considerations. Officers shall further comply with all other requirements of Key Decisions as set out in the Rules of Procedure and Standing Orders (G23).

Key Decisions

A.14. The Constitution identifies certain executive decisions as being Key Decisions (Article 16.2) and sets out in Part IV the procedures that must be followed when Key Decisions are made (Rules of Procedure and Standing Orders G12–25). These procedures apply whether a Key Decision is exercised by the Mayor or is delegated to the Executive collectively or an individual Executive member, by an area committee, joint committee or another local authority, an individual ward member (to the extent the function is exercisable within the ward), or by an officer. The full list of Key Decisions is set out in Article 16.2 of the Constitution. The following list highlights those Key Decisions most directly related to financial matters:

- decisions which will involve expenditure or savings of £500,000 or more (save treasury management transactions taken in accordance with the Council's Treasury Management Strategy as approved by the Council)
- Any decision having a **significant** impact in two or more wards, whether the impact is direct (e.g. where the decision relates to a road which crosses a ward boundary) or indirect (e.g. where the decision relates to the provision or withdrawal of a service which is or would be used by people from two or more wards). Decisions will still be deemed to affect more than one ward even if one or more of the wards affected is outside the borough
- consideration of any report relating to the possibility of the withdrawal of delegation of budget from a school
- the Council's scheme for the financing of maintained schools
- closure of, or a significant reduction in the provision of, any Council service

Roles and responsibilities statement

- the fixing of fees and charges for Council services
- granting or withdrawing financial support to any external organisation in excess of £10,000
- writing off any individual bad debt in excess of £50,000, unless the Council has within the last three years already written off debts for the person/organisation concerned totalling that amount, in which case any further write off would be a Key Decision
- the disposal of any council property for less than best consideration
- the disposal of any interest in council property with a value of £500,000 or more
- the taking by the Council of an interest in land worth £500,000 in total
- the granting of any interest in land where the interest is valued at £500,000 or more
- applications for funding from any external body which if successful would also require council match funding of £500,000 or more, or entail a revenue commitment of at least £500,000 in total by the Council
- the award of a contract with a total value of £200,000 or more
- consideration of any matter in which, to the decision-maker's knowledge, the decision-maker (or any member of a committee or subcommittee making the decision) has an interest which ought to be declared ; an interest includes a family member, friend, employer or organisation with which the member is associated

Where there is any doubt as to whether a decision is a Key Decision, it should be treated as if it were a Key Decision in any event.

B Financial planning and financial accountabilities

Annual revenue budget and budgetary control

Budget format

B.1. The general format of the budget will be approved by the Council and proposed by the Executive on the advice of the Executive Director for Resources & Regeneration. The draft budget should include indicative cash limits for different services and projects, proposed taxation levels and contingency funds.

Budget preparation

B.2 The Executive Director for Resources & Regeneration is responsible for issuing guidance on the general content of the budget. Following approval of the budget for the forth coming year by full Council, the Executive Director for Resources & Regeneration will allocate resources for discharge by the directorates, which will operate within allocated cash limits.

B.3. Financial control and administration is the responsibility of officers in finance, with responsibility for budgetary control and financial monitoring vested in the budget holders. Executive Directors shall prepare budgets in accordance with guidance given by the Executive Director for Resources & Regeneration.

B.4. Officers shall ensure that the Executive and delegated decision-makers have the fullest information to enable them to exercise responsibility for the financial and other resources made available. Officers shall further ensure that such information is given in writing and includes service, legal and financial implications and a consideration of options. They shall further ensure that such information is made available to executive decision-makers within a sufficient timescale to allow them to give the matter proper consideration. Officers shall further ensure that all reports that have financial implications are forwarded to the Executive Director for Resources & Regeneration, who shall advise of the financial implications before the report is considered by the executive decision-maker.

Budget monitoring and control

B.5. Executive Directors are accountable for ensuring effective budgetary control within their directorates. They shall establish budgets for directorate services and shall ensure that such budgets are properly and effectively managed by named budget holders. These budget holders shall ensure that their expenditure does not exceed their budget and that any required budget income target is achieved so as to meet their cash limit. Executive Directors are accountable for ensuring that their aggregate

directorate cash limit is not overspent and they comply with the rules governing virements as set out within the Financial Procedures and Directorate Schemes of Delegation.

B.6. Budget holders have operational responsibility for budgetary control. They shall record financial commitments against their budgets, monitor their budgets and reconcile their own records to the Council's financial information system on a regular basis and take corrective action promptly to deal with any problems that may arise. In carrying out their budgetary responsibilities, they shall comply with any guidelines issued from time to time by the Executive Director for Resources & Regeneration.

B.7. At the end of the financial year and following closure of the revenue accounts, Executive Directors will report to the Executive Director for Resources & Regeneration on the outturn of expenditure and income and the comparison with the approved budget. The Executive Director for Resources & Regeneration will report on the aggregate of the revenue outturn for all services to the Executive and full Council.

Budget Virements (Please see definition on page 18)

B.8. All budget virements shall be in accordance with the Financial Procedure for budget preparation and the limits set by Council. Currently Executive Directors can vire up to £500,000 with the approval of the Executive Director for Resources & Regeneration. The delegated limits are set out in each Directorate's Scheme of Delegation. Executive approval is required for budget virements between £500,000 and £1m and full Council approval for budget virements of £1m and over.

Treatment of year-end balances

B.9. The Executive Director for Resources & Regeneration is responsible for agreeing procedures for carrying forward under and over-spending on budget headings as part of the final outturn.

Resource allocation

B.10. The Executive Director for Resources & Regeneration is responsible for developing and maintaining a resource allocation process that ensures due consideration of the full Council's policy framework.

Capital expenditure

B.11. The budget virement regulations pertaining to capital expenditure relate to new schemes, as budget virements from one scheme to another are not permitted.

However, budget virement levels are set to ensure that new schemes have the appropriate level of approval as follows:

- up to £500k on the Council's capital programme delegated to Executive Director for Resources & Regeneration
- over £500k and up to £1m on the Council's capital programme delegated to the Mayor
- over £1m on the Council's capital programme full Council.

B.12. At the end of the financial year and following closure of the capital accounts, the Executive Director for Resources & Regeneration shall report to the Executive on the aggregate of capital expenditure compared to budget and the financing of the expenditure.

Repairs and Maintenance

B.13. For Repairs and Maintenance items, the Head of Regeneration and Place may determine to move resources between schemes and divert their Repairs and Maintenance allocation towards any stream of revenue payments due under PFI or PPP contracts.

B.14. Capital and revenue projects will be managed in accordance with Lewisham's Standard for Project Management as contained in the Financial Procedures.

Accounting

Accounting policies and standards

B.15. The Executive Director for Resources & Regeneration is responsible for ensuring that the general principles adopted in compiling and presenting the annual audited accounts are in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC). Any deviations must be stated in the accounts.

B.16. The accounts and accounting records shall be prepared in accordance with Financial Regulations and Procedures as issued by the Executive Director for Resources & Regeneration. Executive Directors shall close down accounts under their responsibility in accordance with the closing timetable and guidance notes issued by the Executive Director for Resources & Regeneration.

B.17. Budget holders shall ensure that all expenditure and income transactions are recorded accurately on the Council's main financial information system by the use of

the correct accounting code.

B.18. Executive Directors shall ensure that all systems of accounting and financial organisations in their directorates are regularly reconciled with the Council's main financial information system administered by the Executive Director for Resources & Regeneration, and that the financial systems are kept up to date.

B.19. All financial systems shall be referred to the Executive Director for Resources & Regeneration for agreement before introduction or revision.

B.20. Executive Directors shall observe the following principles in the allocation of accounting duties:

- the duties of providing information regarding sums due to or from the Council, and of calculating, checking and recording these sums, shall be separated as completely as possible from the duty of collecting or disbursing them.
- officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be engaged in any of these transactions.

Maintenance of reserves

B.21. It is the responsibility of the Executive Director for Resources & Regeneration to advise the Executive and/or the full Council on prudent levels of reserves for the authority.

C Risk management and control of resources

Banking arrangements

C.1. The Executive Director for Resources & Regeneration (or an officer authorised in writing by the Executive Director for Resources & Regeneration) is the only officer who can enter into banking arrangements on behalf of the Council.

C.2. Income receipts over £100,000 shall be notified to the Executive Director for Resources & Regeneration's Treasury Team in advance, for treasury management purposes.

C.3. All instructions to draw on a bank account shall be made by the Executive Director for Resources & Regeneration or an officer authorised in writing by the Executive Director for Resources & Regeneration.

Audit requirements

C.4. All principal local authorities and other relevant bodies subject to the Accounts and Audit Regulations (Amendment) (England) Regulations 2006 should make provision for internal audit in accordance with this code of practice, and they must 'maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with the proper practices in relation to internal control'.

C.5. Public Sector Audit Appointments Ltd is responsible for appointing external auditors to each local authority. The basic duties of the external auditor are governed by Section 15 of the Local Government Finance Act 1982, as amended by Section 5 of the Audit Commission Act 1998, and section 20 of the Local Audit and Accountability Act 2014.

C.6. The Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue & Customs, who have statutory rights of access.

Internal audit function

C.7. The Council's internal auditors have access, by law, to all financial and other records. Officers shall allow the Council's internal audit service access to such financial and other records as they may require.

Preventing fraud and corruption

C.8. The Executive Director for Resources & Regeneration is accountable for the

development and maintenance of an anti-fraud and anti-corruption policy.

C.9. Executive Directors shall report promptly any suspected financial irregularity or fraud in their directorates or otherwise to the Executive Director for Resources & Regeneration.

C.10. It is the responsibility of any employee discovering or having reasonable suspicion of any irregularity, misconduct or fraud immediately to notify the relevant Executive Director or Head of Corporate Resources. When so informed, the Executive Director shall appraise the circumstances and shall notify and discuss the action to be taken concurrently with the Head of Corporate Resources. All information shall be treated in complete confidence.

Contracts, orders for works, goods and services

C.11. Officers shall comply with Article 17.2 of the Constitution (Contracts) and the Council's Contract Procedure Rules (Part IV of the Constitution, Section I).

C.12. Article 17.2 requires that any contract entered into on behalf of the Council in the course of the discharge of an executive function must be in writing. Such contracts must be:

- signed by an Executive Director if the value is £100,000 or less
- signed by an Executive Director and at least one other officer if the value is between £100,000 and £200,000
- for contracts with a value of £200,000 or more, executed under the common seal of the Council and attested by the Head of Law or such person as he/she nominates.

C.13. When the Council proposes to enter into any contract, whether it relates to works (construction or engineering contracts) and/or the supply (including the hire and leasing) of all goods and services, the Contract Procedure Rules must be applied.

C.14. All contracts shall comply with the EEC Treaty and with any relevant European Directives currently in force in the United Kingdom, as well as all relevant national legislation.

C.15. A number of corporate contracts exist which provide value for money. Officers are not permitted to purchase any commodities covered by these contracts outside of these contracts without the approval of the Executive Director for Resources & Regeneration.

Accounting treatments

C.16. Executive Directors shall ensure adequate arrangements for the certification of payments which provide proper verification and authorisation of sums due, including adequate internal division of duties and internal control. Expenditure incurred on contracts must not exceed the value of the contract regardless of authorised order and/or invoice approval limits.

C.17. Executive Directors are responsible for orders issued from their directorates, which should be specific regarding terms and conditions and as a minimum must include the Council's standard terms and conditions. Executive Directors shall maintain up to date lists of authorised signatories and ensure compliance. Orders shall be issued for all work, goods or services to be supplied by the Council.

C.18. In all matters of payments, orders and payroll, officers shall follow the designated internal division of duties and internal control set by the directorate.

Interests in contracts

C.19. By law, officers are required to give written notice to the Chief Executive of any pecuniary, personal or prejudicial interest they may have in a contract which has been or is to be entered into by the Council, other than a contract to which they are a party. Members too are under a legal duty to declare any personal interest they may have in any contract.

C.20. Members and officers shall be required to abide by the Member and Employee Code of Conduct (copies of which are included as Part V of the Constitution), particularly in relation to their personal interests in contracts which have been or are to be awarded by the Council.

Related Party Transactions

C.21. Members, Executive Directors, Heads of Service and all staff graded SMG1 and above shall state any declarations of interest or related party transactions at least once a year in accordance with the guidance issued.

Consultants

C.22. Officers shall follow the Contract Procedure Rules (Section I of the Constitution) and the Appointment of Consultants Procedure Rules (Resources and Regeneration intranet page).

Assets and records

Corporate Assets

C.23. The management of corporate assets shall be the responsibility of the relevant officer as detailed below:

Property and Accommodation – Head of Regeneration and Place

IT – The Head of Technology and Change

Fleet – The Head of Environment

C.24. Management of these assets includes maintaining a full inventory in a form determined by the Executive Director for Resources & Regeneration, ensuring their security and arranging insurance through the Executive Director for Resources & Regeneration.

C.25. These officers should ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

Directorate's Assets

C.26. Each Executive Director shall be responsible for managing their directorate's assets, to include maintaining a full inventory in a form determined by the Executive Director for Resources & Regeneration, ensuring their security and arranging insurance through the Executive Director for Resources & Regeneration. All assets valued at purchase above £20,000 must be logged on the real asset management database maintained by the Core Accounting Team.

C.27. Executive Directors should ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

Acquisition and Disposal of Assets

C.28. Officers, in acquiring and disposing of assets, shall comply with the Council's Financial Procedures.

C.29. With regard to the acquisition and disposal of land and property, including the granting and taking of leases, licences, wayleaves and easements, all negotiations must be conducted either by or under the supervision of an appropriately qualified officer or adviser. For the purpose of these regulations the appropriately qualified officers or advisers are the Executive Director for Resources and Regeneration and the Head of Law. He/she shall expressly be required to approve any proposed terms in advance and thereafter the terms tentatively agreed. When disposing of land and

property, the Management Executive Director for Resources and Regeneration shall comply with Section 123 of the Local Government Act 1972 and if the disposal is at less than best consideration ensure that the necessary ministerial consents have been obtained.

C.30. Officers should note the definition of the disposal or write off of assets as a Key Decision in certain instances in Article 16.2c of the Constitution and shall comply with the Council's Rules of Procedure and Standing Orders (G12–25) where the disposal is a Key Decision.

C.31. Each Executive Director shall be responsible for keeping and maintaining full financial, staffing and other records necessary for the proper administration of their directorate's affairs. They shall supply such information and records to the Executive Director of Resources and Regeneration on request. All records shall be maintained for the periods agreed with the Council's External Auditor.

C.32. Executive Directors shall not write off any land and building assets (except for the Executive Director for Resources and Regeneration who has delegated authority up to £500,000), or **any non land and non building assets above the financial value set by the Executive Scheme of Delegation (currently £20,000).**

Income

C.33. All income receivable by the Council, in respect of work done, goods supplied or services rendered, under contracts, leases or other arrangements or agreements, or for any other reason, shall be properly collected, recorded and accounted for through the Council's main financial information system. Demands for income due shall be raised and posted/sent promptly. Written or printed receipts shall be issued immediately for cash income received by an officer of the Council. Sufficient information must be obtained to enable allocation of income to the correct outstanding charge or account. All income received, in whatever form, shall be banked without delay.

C.34. The Executive Director for Resources & Regeneration is responsible for assessing the level of bad debt provision. Only the Executive Director for Resources and Regeneration and the Executive Director for Customer Services (in relation to housing rent debt) are permitted to write off individual debts against the directorate bad and doubtful debts provision within the limits of their delegation authority (see table of delegated write-off limits in the Directorate's Scheme of Delegation), after all reasonable steps have been taken to collect the debt. Debts in excess of these limits shall be reported to the Executive.

C.35. Executive Directors shall note that Article 16.2c of the Constitution defines the write off of debt as a Key Decision where the debt is in excess of £50,000 or the Council has within the last three years already written off debts for the person/organisation concerned totalling that amount. In such cases officers shall follow the procedures for Key Decisions as set out in the Rules of Procedure and Standing Orders (G12–25).

C.36. The Executive Director for Customer Services, with delegated authority to write off up to £10,000 housing rent debt, will prepare a summary of debts written-off under delegated authority and submit this to the Executive Director for Resources & Regeneration on an annual basis.

Treasury management and leasing

C.37. All treasury management and transactions, including investments and borrowings by the Council, shall only be undertaken as authorised by the Executive Director for Resources & Regeneration. Also, the Executive Director for Resources & Regeneration shall report these transactions to the Executive in accordance with the CIPFA Treasury Management Code of Practice. The Treasury Management Strategy approved by the Council specifies the parameters within which all treasury management dealings shall operate.

C.38. All securities which are the property of, or which are in the name of the Council or its nominees, shall be held in the custody of the Executive Director for Resources & Regeneration. The registration of the Council's stocks, bonds and mortgages and the recording of all borrowing of money by the Council shall be carried out by the Executive Director for Resources & Regeneration or under such arrangements as the Executive Director for Resources & Regeneration may determine. All proposed finance leasing schemes should first be notified to the Executive Director for Resources & Regeneration' - Core Accounting Team, who shall appraise them and direct on necessary arrangements and arrange for the Executive Director for Resources & Regeneration to authorise them if necessary. All proposed operating leasing schemes should first be notified to the Executive Director for Resources & Regeneration' – Group Finance Managers, who shall appraise them and direct on necessary arrangements and arrange for the Executive Director for Resources & Regeneration to authorise them if necessary.

C.39. The Executive Director for Resources & Regeneration is responsible for reporting to the Executive quarterly, and to the Audit Panel bi-annually, each financial year on the activities of the treasury management operation and on the exercise of his or her delegated treasury management powers. One such report will comprise an annual report on treasury management for presentation by 30 September of the

succeeding financial year.

Salaries, wages and pensions

C.40. The full Council is responsible for determining how officer support for executive and non-executive roles within the authority will be organised. The Chief Executive is responsible for providing overall management to staff. He or she is also responsible for ensuring that there is proper use of the evaluation or other agreed systems for determining the remuneration of a job.

C.41. Executive Directors are responsible for controlling total staff numbers by:

- advising the Executive on the budget necessary in any given year to cover estimated staffing levels
- adjusting the staffing to a level that can be funded within the approved budget provision
- varying the provision as necessary within that constraint in order to meet changing operational needs and the proper use of appointment procedures.

C.42. The Council shall only pay such salaries, wages and pensions, compensations and other emoluments to employees or former employees as are permissible in law, and payment shall only be in a manner approved by the Executive Director for Resources & Regeneration.

Risk management and insurance

C.43. The Executive is responsible for approving the authority's risk management policy statement and strategy and for reviewing the effectiveness of risk management. The Executive is responsible for ensuring that proper insurance exists where appropriate.

C.44. The Executive Director for Resources & Regeneration is responsible for preparing the authority's risk management policy statement and strategy, for promoting it throughout the authority and for maintaining the Corporate Risk Register.

C.45. The Executive Director for Resources & Regeneration is responsible for advising the Executive on proper insurance cover where appropriate and for effecting all insurance cover on behalf of the Council.

C.46. Executive Directors shall be responsible for identifying and effectively managing all significant risks within their directorates and for maintaining a register of all areas of

significant risk within their directorates.

C.47. Executive Directors or their nominated representative shall notify the Executive Director for Resources & Regeneration or his/her nominated representative in writing immediately upon the occurrence of any event that to their knowledge might give rise to a claim by or against the Council.

C.48. The Executive Director for Resources & Regeneration shall be responsible for negotiating all insured and self-insured claims in conjunction with claims handlers, legal advisers, loss assessors and loss adjustors as appropriate.

Gifts and hospitality

C.49. Employees must follow the code of practice for receipt of gifts and hospitality as contained in the Employee Code of Conduct. Any breach of the code may result in disciplinary action.

Local management of schools

C.50. These Financial Regulations also apply to schools and other institutions with delegated budgets under local management arrangements apart from the exceptions detailed in the Scheme of Delegation to Schools.

Definitions

budget holder means an officer approved by the Executive Directors to take responsibility for budgets which have been allocated to them.

order means an instruction from the Council to a contractor or supplier to supply work, goods or services.

authorised signatory means an employee with delegated authority to sign orders and payments on behalf of a directorate.

assets means land, buildings, plant, equipment, vehicles, furniture, IT hardware and software, fixtures and fittings, materials.

inventory means a list of all assets held above a specified value or by type, containing a description of each asset, its location, its value, any service contract and date of acquisition.

contract means a legal agreement with another party to do work or have work done, or provide supplies and services.

consultant means any individual or organisation appointed to deliver a specified project with specified deliverables and a timetable. The project should either be developmental and/or problem solving and/or diagnostic and/or re-engineering in nature.

budget virement means the transfer of a budget from the purposes for which Council originally voted in setting the budget and Council Tax to another purpose.

APPENDIX 2

The Directorate for Children and Young People Scheme of Delegation

1. Purpose

- 1.1 The Children and Young People's Directorate Scheme of Delegation sets out the post titles of those officers whom the Executive Director for Children and Young People (CYP) has nominated to take decisions on areas from the Council and Mayoral Schemes of Delegation where responsibility has been delegated to the Executive Director for CYP. The Executive Director for Resources and Regeneration delegates the financial matters listed in this scheme to the Executive Director for Children and Young People unless otherwise stated.
- 1.2 This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director for CYP or via changes to the Council and Mayoral Schemes of Delegation.
- 1.3 The purpose of the CYP Directorate scheme of delegation is to be clear about which officer has been nominated to make delegated decisions within this directorate.
- 1.4 The scheme is subject to the Council's Constitution, the Council and Mayoral Schemes of Delegation, Financial Regulations and Standing Orders.
- 1.5 Heads of Service will continue to be responsible for running their own services and taking decisions in line with their service requirements, unless specifically required in this scheme of delegation or determined by the Executive Director for CYP to seek other agreement.
- 1.6 Some decisions in this scheme of delegation will still be required to be taken directly by the Executive Director for CYP or, in their absence, they will nominate an appropriate officer/s to assume these responsibilities but, unless otherwise notified, the following delegations will apply:
 - Directorate financial decisions – Head of Financial Services
 - Legal decisions – Head of Law or Deputy Monitoring Officer/Principal Lawyers as appropriately nominated by the Head of Law
 - Schools Personnel/Human Resources decisions – Head of Standards and Inclusion
 - Acts under authority delegated to the Executive Director for CYP in his/her absence - Head of Standards and Inclusion, (unless specifically delegated to a Head of Service)
 - Contract matters – Schools : Head of Corporate Resources

Note: schools covers all expenditure on the following services – standards and inclusion. It also includes all Special Education Needs expenditure and any other expenditure contained within the Dedicated Schools Grant.

- 1.7 Where the word 'nominee' is used the nomination is to be made by the post holder referred to, in writing, and a record of all such nominations within the directorate must be kept in the directorate and available for inspection at any time.
- 1.8 Where power is delegated to the Executive Director, and officers are nominated by him/her under this Scheme of Delegation, the power will be exercised in a manner that decisions are not made in isolation and that the decision-maker takes into account the broader corporate implications for the Council. If officers take key decisions, as defined in Article 16 of the Constitution of the London Borough of Lewisham, the law requires them to comply with prevailing access to information regulations. In addition, for key executive decisions which are to be taken by officers individually, the Chief Executive may, from time to time, put in place a procedure to ensure that officer decision making is exercised in a manner which reflects corporate considerations. Officers may only exercise delegated authority in relation to key executive decisions by complying with the procedures as stated in the Constitution.

APPENDIX 2

1.9 Please note that when the DEP/CEP process is in place, the necessary authorisation as specified by the process is required before any spend can be initiated.

2. Delegations

Unless required otherwise by law, the Constitution, the Council and Mayoral Schemes of Delegation or this Scheme of Delegation, the Executive Director for CYP nominates the following post holders to make the decisions set out in the table below as listed. Please note, throughout this document “Executive Director” refers specifically to the Executive Director for Children and Young People (CYP) unless specified otherwise. Where a Head of Service is referred to, it is the relevant and appropriate Head of Service that the authority is delegated to.

Mayoral Areas of Delegation

Area of delegation	Officer with delegated authority
<p>Day to day control and regulation of the directorate’s finances.</p> <p>Strategic oversight and monitoring of the overall directorate budget.</p> <p>Day to day control and monitoring of individual service budgets. The exception is care packages for individual service users which are subject to separate delegated arrangements set out below.</p>	<p>Executive Director</p> <p>Head of Financial Services in consultation with the Group Finance Manager</p> <p>Budget holders</p>
<p>Budget Virements</p> <p>A Budget Virement is a transfer of a budget from the purposes for which Council originally voted in setting the budget and Council Tax to another purpose.</p> <p>Revenue Budget Virements</p> <p>Within the Directorate</p> <p>Within the same Service area</p> <p>a) Up to £20k</p> <p>b) Up to £100k</p> <p>c) Up to £500k</p>	<p>Group Finance Manager in consultation with Head of Service</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with Head of Service</p> <p>Executive Director in consultation with Head of Financial Services or Head of Corporate Resources</p>

APPENDIX 2

<p>Across Service areas</p> <p>a) Up to £100k</p> <p>b) Up to £500k</p> <p>Cross Directorate</p> <p>a) Up to £100k</p> <p>b) Up to £500k</p> <p>All Revenue Budget Virements above these limits are reserved to Members</p> <p>Capital Budget Virements (on the Council's Capital Programme)</p> <p>Up to £500k</p> <p>Over £500k</p> <p>Budget Adjustments</p> <p>A Budget Adjustment is a transfer of a budget from one cost centre to another whilst retaining the original purpose for which the budget was approved.</p> <p>Within the same Service area in the same Directorate</p> <p>Across Service areas in the same Directorate</p> <p>Across Directorates</p> <p>Budget transfer relating to technical accounting adjustments</p> <p>Any items that fall outside the above definitions must be referred to the Head of Financial Services or Head of Corporate Resources for further clarification.</p>	<p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director for Resources & Regeneration (via Executive Management Team)</p> <p>Executive Director for Resources & Regeneration</p> <p>Members</p> <p>Group Finance Manager</p> <p>Group Finance Manager in consultation with the affected Heads of Service</p> <p>Executive Directors of both Directorates</p> <p>Executive Director for Resources & Regeneration or Head of Financial Services or Head of Corporate Resources</p>
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APPENDIX 2

<p>Loans</p> <p>Approval of any loan for Treasury Management purposes and the Employee Loan Scheme (all other loan decisions are reserved to Members)</p>	<p>Executive Director for Resources and Regeneration</p>
<p>Contracts</p> <p>There are three categories of contracts:-</p> <p>Category A - Building construction and engineering works contracts ('works contracts') with an estimated value of over £1m, all other contracts with an estimated value of over £500,000, and contracts that fall within the full provisions of the EU procurement regime (Works, Supplies and Part A Services).</p> <p>Category B - Works contracts with an estimated value of between £50,000 and £1m and all other contracts with an estimated value of between £50,000 and £500,000, and those that fall outside the full requirements of the EU procurement regime (Part B Residual Services).</p> <p>Category C- All other contracts or arrangements with an estimated value of less than £50,000.</p> <p>Inviting Contracts</p> <p>Category A – By public advert</p> <p>Authorise the Approved list</p> <p>Waiver</p> <p>Category B – By public advert</p> <p>Authorise the Approved List</p> <p>Waiver</p> <p>Category C - No approved list or waiver required</p> <p>Receipt of Contracts</p> <p>Category A</p> <p>Category B</p> <p>Category C</p>	<p>Executive Director and the Head of Law</p> <p>Mayor and Cabinet</p> <p>Executive Director</p> <p>Executive Director for Resources & Regeneration</p> <p>Head of Service</p> <p>Chief Executive</p> <p>Executive Director</p> <p>Head of Service</p>

APPENDIX 2

<p>Opening Envelopes (At least two officers)</p> <p>Category A</p> <p>Category B</p> <p>Category C</p> <p>Award of Contract</p> <p>Category A</p> <p>Category B</p> <p>Category C</p> <p>Contract Signing</p> <p>£200k or more</p> <p>Over £100k and less than £200k</p> <p>Less than £100k</p>	<p>Chief Executive or nominated officer and Officer approved by Executive Director for Resources & Regeneration /Head of Law</p> <p>Executive Director or nominated officer and Officer approved by Executive Director for Resources & Regeneration/Head of Law</p> <p>Head of Service and an officer approved by the relevant Executive Director</p> <p>Mayor and Cabinet (Contracts)</p> <p>Executive Director in accordance with his or her delegated financial limits under the Mayoral Schemes of Delegation</p> <p>Head of Service in consultation with the Principal Lawyer (Contracts) or the Head of Corporate Resources</p> <p>Executive Director and attested by Head of Law or nominated legal officer and Sealed by Legal Services</p> <p>Executive Director and at least one other officer</p> <p>Executive Director</p>
<p>Grants and Assistance to Voluntary Organisations</p> <p>Unless the law, the Constitution, or the Mayoral Schemes of Delegation requires otherwise, the following executive powers are delegated to the Chief Executive and to each Executive Director in relation to grants and assistance to voluntary organisations:-</p> <p>(a) the power to make a grant or to give other assistance (excluding loans) to a voluntary organisation within their area of responsibility, where the total value of the assistance in money or moneys worth does not exceed £10,000</p>	<p>Executive Director</p>

APPENDIX 2

<p>(b) the power to reduce or withdraw a grant or other assistance, and the power to award a grant or give other assistance to a voluntary organisation (irrespective of the value of the grant or assistance) within their area of responsibility if the value of the change in grant is no more than 10% or £5,000, (whichever is the greater), than the grant awarded in the previous year.</p> <p>All grants considered to be sensitive or controversial to be included in the forward plan</p>	<p>Executive Director</p>
<p>Application for External Funding</p> <p><u>Revenue and Capital</u></p> <p>Approval of any application for external funding which is below £1 million with no match funding and/or revenue implications, or</p> <p>a) Is below £1 million, and</p> <p>b) would require match funding from the Council of below £250,000, and</p> <p>c) would have revenue implications of below £250,000 per annum</p> <p>Note: All other applications must be approved by Members.</p> <p><u>Capital Only</u></p> <p>Before submitting a report to Mayor and Cabinet to seek approval to bid for funding, an initial agreement to proceed must be sought from the Capital Programme Delivery Board..</p>	<p>Executive Director or in their absence Head of Corporate Resources or Head of Financial Services (in consultation with the Capital Programme Delivery Board for capital funding).</p>
<p>Subscriptions - affiliations to and payment of subscriptions to outside bodies up to a maximum of £25,000 per annum.</p> <p>Within own area of responsibility up to £5k</p> <p>Above £5k up to £25k</p>	<p>Head of Service</p> <p>Executive Director (or in their absence the Head of Financial Services or Head of Corporate Resources</p>
<p>Bad Debt Write Off</p>	

APPENDIX 2

Recommendation of write-off of bad debts (excluding housing rents) to the Executive Director for Resources & Regeneration (up to £50,000) or the Mayor (£50,000 and over)	Executive Director in consultation with Head of Financial Services or Head of Corporate Resources
Write off and disposal of non-land and non-building assets Write off up to £20,000 (must be recorded in the directorate inventory log as stated in the Financial regulations)	Heads of Service in consultation with the Group Finance Manager
Directorate Employment Matters Employment matters relating to the Directorate, namely recruitment, appointments, disciplinary, and grievance	Head of Service

APPENDIX 2

Directorate Specific

Area	Matters to be delegated to Service Unit Manager (SUM) or other named postholder	Matters to be delegated but reserved to Head of Service (or equivalent)	Matters to be reserved to the Executive Director	Matters to be reserved to Members
Educational Psychologists & Learning Support	Principal Educational Psychologist to exercise all statutory powers to identify and meet children's special educational needs under the Education Act 1996 and all Code of Practice stages within the prescribed timescales.			
Governors' Support	SGM School Services to exercise powers including governor elections, information packs for governors, governor training programme, resolutions from Annual Parents' meetings, recruitment of governors, clerking provision, servicing of governor fora etc.			
Special Educational Needs	SGM Children with Complex Needs to determine additional support provided through a formal assessment. SGM Children with Complex Needs to determine provision of free transport for eligible pupils, subject to notifying Head of Standards and Inclusion of any decisions made at SEN Tribunals which are contrary to LA policy.	Head of Targeted Services and Joint Commissioning to agree contracts between the LA and Independent/non-maintained schools.		
Educational Access	Team Manager, Schools Admissions and Appeals to implement policies on admissions matters including:	SGM Access, Inclusion and Participation to be responsible for: <ul style="list-style-type: none"> attendance of children of 		

APPENDIX 2

	<ul style="list-style-type: none"> • preparation of statements setting out arrangements on limits to infant class sizes • carrying out of statutory consultation on admission policies • publication of information on admissions arrangements • arrangements for admissions and exclusions appeals. 	<ul style="list-style-type: none"> • compulsory school age • arrangements for out of school provision • exceptional admissions decisions e.g. children of teachers and those with social/medical needs • pre-exclusion intervention • monitoring and improving educational outcomes for children looked after • enforcement of child employment legislation <p>Head of Standards and Inclusion to direct schools to admit specific pupils when they have a vacancy.</p>		
<p>School Interventions as set out in Education and Inspection Act 2006</p>		<p>Head of Standards and Inclusion to exercise the intervention powers set out in the Education and Inspections Act 2006 :</p> <ul style="list-style-type: none"> • issue warning notices; • direct governing body to enter into specified arrangements • appointment of additional governors • with Secretary of State consent to provide for the governing body to consist of interim executive members • suspend a school's right to a delegated budget 		<p>The issue of a closure notice in respect of any school under any power of intervention relating to schools causing concern</p>

APPENDIX 2

School Discipline		Exercise of power to intervene to prevent a breakdown or continuing breakdown of discipline in a maintained school.		
Early Years Centres	Placements of children in need Community Placements			
Employment Matters (Schools)				
Probationary appeals		Heads of Service to hear probationary appeals for employees in their division.	Executive Director to hear probationary appeals for Heads of Service.	
Disciplinary and capability appeals		Heads of Service hear disciplinary and capability appeals for employees in their division.	Executive Director to hear disciplinary and capability appeals for Heads of Service	
Suspensions		Heads of Service to approve suspension from duty of any employees within their divisions, advised by HR Business Manager Schools Team.	Suspension of Heads of Service (or equivalent salary level) or any staff reporting directly to them, as advised by head of Corporate personnel.	
Reorganisations	SGMS to prepare proposals for consultation	Heads of Service to approve proposals and take to DMT.		
Settling Employment	HR Business Manager Schools	Head of Corporate Resources to	All cases where costs to	

APPENDIX 2

Leaving payments:	Care	up to £1,000 per payment - Service Group Manager	over £5,000 per payment - Head of Service		
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APPENDIX 2

3. General

All non-executive functions not reserved to Members, shall be delegated to the Chief Executive or such officer as he shall nominate in writing, unless there is a statutory requirement that the function be carried out by another officer, for example the personal statutory responsibilities of the Director of Children's Social Care and the Director of Adult Services.

4. General Guidance

Unless the law, the Constitution or this Scheme of Delegation requires otherwise, the following powers are delegated to the Executive Director for CYP:-

- (a) Authority to exercise the Council's executive functions in relation to education, including but not limited to, those contained in the Education Act 1996 and School Standards and Framework Act 1998, Learning & Skills Act 2000 and all other relevant legislation in force from time to time, with the exception of the matters listed in Table 2 above.
- (b) The exercise of all executive functions relating to the provision of opportunities for education, training and learning outside the formal school environment, including pre-school.
- (c) All executive decisions relating to the internal management of the Directorate of Children and Young People which are not otherwise reserved to members on any ground.

5. Exemptions

The Mayoral Schemes of Delegation states that authority to exercise executive functions and make executive decisions is delegated to officers, except where there is an exemption to the contrary. Where such an exemption exists, the general rule is that those decisions will be made by the Mayor individually, in consultation with his colleagues in the Executive. Officers should refer to the Mayoral Schemes of Delegation; to Section I and Table 1 for general exemptions, and to Section J and Table 2 for exemptions specific to the CYP Directorate. Exemptions which may override delegated authority to officers to make decisions, as detailed in Section 2 of the CYP Directorate of Delegation, are repeated below.

- | |
|--|
| <ol style="list-style-type: none">1. Any matter in which the officer who would otherwise have delegated authority to act is aware that a councillor (or a person, company or organization with which the councillor is involved) has a personal interest under the Council's Member Code of Conduct.2. Any matter in which the officer who would otherwise have delegated authority to act has an actual or potential interest.3. Any matter which in the opinion of the Executive Director for CYP, the Chief Executive or the Head of Law because of the scale of the decision, its potential impact, the sensitivity of the decision or for any other reason would more appropriately be dealt with by members. |
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Signed

Sara Williams
Executive Director for CYP

Date

APPENDIX 3

The Directorate for Community Services Scheme of Delegation

1. Purpose

- 1.1 The Community Services Directorate Scheme of Delegation sets out the post titles of those officers whom the Executive Director for Community Services has nominated to take decisions on areas from the Council and Mayoral Schemes of Delegation where responsibility has been delegated to the Executive Director for Community Services. The Executive Director for Resources and Regeneration delegates the financial matters listed in this scheme to the Executive Director for Community Services unless otherwise stated.
- 1.2 This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director for Community Services or via changes to the Council and Mayoral Schemes of Delegation.
- 1.3 The purpose of the Community Services Directorate scheme of delegation is to be clear about which officer has been nominated to make delegated decisions within this directorate.
- 1.4 The scheme is subject to the Council's Constitution, the Council and Mayoral Schemes of Delegation, Financial Regulations and Standing Orders.
- 1.5 Heads of Service will continue to be responsible for running their own services and taking decisions in line with their service requirements, unless specifically required in this scheme of delegation or determined by the Executive Director for Community Services to seek other agreement.
- 1.6 Some decisions in this scheme of delegation will still be required to be taken directly by the Executive Director for Community Services or, in their absence, they will nominate an appropriate officer/s to assume these responsibilities but, unless otherwise notified, the following nominations will apply:
 - Directorate financial decisions – Head of Financial Services
 - Legal Decisions – Head of Law or Deputy Monitoring Officer/Principal Lawyers as appropriately nominated by the Head of Law
 - Acts under authority delegated to the Executive Director for Customer Services in his/her absence - Head of Service with specifically delegated authority otherwise Head of Financial Services
 - Contract matters – Head of Corporate Resources
- 1.7 Where the word 'nominee' is used the nomination is to be made by the post holder referred to, in writing, and a record of all such nominations within the directorate must be kept in the directorate and be available for inspection at any time.
- 1.8 Where power is delegated to the Executive Director, and officers are nominated by him/her under this Scheme of Delegation, the power will be exercised in a manner that decisions are not made in isolation and that the decision maker takes into account the broader corporate implications for the Council. If officers take key decisions, as defined in Article 16 of the Constitution of the London Borough of Lewisham, the law requires them to comply with prevailing access to information regulations. In addition, for key executive decisions which are to be taken by officers individually, the Chief Executive may, from time to time, put in place a procedure to ensure that officer decision making is exercised in a manner which

APPENDIX 3

reflects corporate considerations. Officers may only exercise delegated authority in relation to key executive decisions by complying with the procedures as stated in the Constitution.

- 1.9 Please note that when the DEP/CEP process is in place, the necessary authorisation as specified by the process is required before any spend can be initiated.

2. Scheme of Delegation

Unless required otherwise by the law, the Constitution, the Council and Mayoral Schemes of Delegation or this Scheme of Delegation, the Executive Director for Community Services nominates the following post holders to make the decisions set out in the table below as listed. Please note, throughout this document “Executive Director” refers specifically to the Executive Director for Community Services unless specified otherwise. Where a Head of Service are referred to, it is the relevant and appropriate Head of Service that the authority is delegated to.

Mayoral Areas of Delegation

Area of delegation	Officer with delegated authority
<p>Day to day control and regulation of the directorate’s finances.</p> <p>Strategic oversight and monitoring of the overall directorate budget.</p> <p>Day to day control and monitoring of individual service budgets. The exception is care packages for individual service users which are subject to separate delegated arrangements set out below.</p>	<p>Executive Director</p> <p>Head of Financial Services in consultation with the Group Finance Manager</p> <p>Budget holders</p>
<p>Budget Virements</p> <p>A Budget Virement is a transfer of a budget from the purposes for which Council originally voted in setting the budget and Council Tax to another purpose.</p> <p>Revenue Budget Virements</p> <p>Within the Directorate</p> <p>Within the same Service Area</p> <p>a) Up to £20k</p> <p>b) Up to £100k</p>	<p>Group Finance Manager in consultation with Head of Service</p> <p>Head of Financial Services or Head of Corporate Resources in consultation</p>

APPENDIX 3

<p>c) Up to £500k</p> <p>Across Service areas</p> <p>a) Up to £100k</p> <p>b) Up to £500k</p> <p>Cross Directorate</p> <p>a) Up to £100k</p> <p>c) Up to £500k</p> <p>All Revenue Budget Virements above these limits are reserved to Members</p> <p>Capital Budget Virements (on the Council's Capital Programme)</p> <p>Up to £500k</p> <p>Over £500k</p> <p>Budget Adjustments</p> <p>A Budget Adjustment is a transfer of a budget from one cost centre to another whilst retaining the original purpose for which the budget was approved.</p> <p>Within the same service area in the same Directorate</p>	<p>with Head of Service</p> <p>Executive Director in consultation with Head of Financial Services or Head of Corporate Resources</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director for Resources & Regeneration (via Executive Management Team)</p> <p>Executive Director for Resources & Regeneration</p> <p>Members</p> <p>Group Finance Manager</p>
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APPENDIX 3

<p>Across service areas in the same Directorate</p> <p>Across Directorates</p> <p>Budget transfers relating to technical accounting adjustments</p> <p>Any items that fall outside the above definitions must be referred to the Head of Financial Services or the Head of Corporate Resources for further clarification.</p> <p>Loans</p> <p>Approval of any loan for Treasury Management purposes and the Employee Loan Scheme (all other loan decisions are reserved to Members)</p>	<p>Group Finance Manager in consultation with the affected Heads of Service</p> <p>Executive Directors of both Directorates</p> <p>Executive Director for Resources & Regeneration or Head of Financial Services or Head of Corporate Resources</p> <p>Executive Director for Resources and Regeneration</p>
<p>Contracts</p> <p>There are three categories of contracts:-</p> <p>Category A - Building construction and engineering works contracts ('works contracts') with an estimated value of over £1m, all other contracts with an estimated value of over £500,000, and contracts that fall within the full provisions of the EU procurement regime (Works, Supplies and Part A Services).</p> <p>Category B - Works contracts with an estimated value of between £50,000 and £1m and all other contracts with an estimated value of between £50,000 and £500,000, and those that fall outside the full requirements of the EU procurement regime (Part B Residual Services).</p> <p>Category C- All other contracts or arrangements with an estimated value of less than £50,000.</p> <p>Inviting Contracts</p> <p>Category A – By public advert</p> <p>Authorise the Approved list</p> <p>Waiver</p>	<p>Executive Director and the Head of Law</p> <p>Mayor and Cabinet</p>

APPENDIX 3

<p>Category B – By public advert</p> <p>Authorise the Approved List</p> <p>Waiver</p>	<p>Executive Director</p> <p>Executive Director for Resources & Regeneration</p>
<p>Category C - No approved list or waiver required</p>	<p>Head of Service</p>
<p>Receipt of Contracts</p>	
<p>Category A</p>	<p>Chief Executive</p>
<p>Category B</p>	<p>Executive Director</p>
<p>Category C</p>	<p>Head of Service</p>
<p>Opening Envelopes (At least two officers)</p>	
<p>Category A</p>	<p>Chief Executive or nominated officer and Officer approved by Executive Director for Resources & Regeneration /Head of Law</p>
<p>Category B</p>	<p>Executive Director or nominated officer and Officer approved by Executive Director for Resources & Regeneration/Head of Law</p>
<p>Category C</p>	<p>Head of Service and an officer approved by the relevant Executive Director</p>
<p>Award of Contract</p>	
<p>Category A</p>	<p>Mayor and Cabinet (Contracts)</p>
<p>Category B</p>	<p>Executive Director in accordance with his or her delegated financial limits under the Mayoral Schemes of Delegation</p>
<p>Category C</p>	<p>Head of Service in consultation with the</p>

APPENDIX 3

<p>Contract Signing</p> <p>£200k or more</p> <p>Over £100k and less than £200k</p> <p>Less than £100k</p>	<p>Principal Lawyer (Contracts) or the Head of Corporate Resources</p> <p>Executive Director and attested by Head of Law or nominated legal officer and Sealed by Legal Services</p> <p>Executive Director in consultation with at least one other officer</p> <p>Executive Director</p>
<p>Grants and Assistance to Voluntary Organisations</p> <p>Unless the law, the Constitution, or the Mayoral Schemes of Delegation requires otherwise, the following executive powers are delegated to the Chief Executive and to each Executive Director in relation to grants and assistance to voluntary organisations:-</p> <p>(a) the power to make a grant or to give other assistance (excluding loans) to a voluntary organisation within their area of responsibility, where the total value of the assistance in money or moneys worth does not exceed £10,000 with the exception of the rent subsidies as noted in the directorate specific area of this scheme of delegation.</p> <p>(b) the power to reduce or withdraw a grant or other assistance, and the power to award a grant or give other assistance to a voluntary organisation (irrespective of the value of the grant or assistance) within their area of responsibility if the value of the change in grant is no more than 10% or £5,000, (whichever is the greater), than the grant awarded in the previous year.</p> <p>All grants considered to be sensitive or controversial to be included in the forward plan</p>	<p>Executive Director</p> <p>Executive Director</p>
<p>Application for External Funding</p> <p><u>Revenue and Capital</u></p> <p>Approval of any application for external funding which is below £1 million with no match funding and/or revenue implications, or</p> <p>a) Is below £1 million, and</p>	<p>Executive Director or in his/her absence Head of Corporate Resources or Head of Financial Services (in consultation with the</p>

APPENDIX 3

<p>b) would require match funding from the Council of below £250,000, and</p> <p>c) would have revenue implications of below £250,000 per annum</p> <p>Note: All other applications must be approved by Members.</p> <p><u>Capital Only</u> Before submitting a report to Mayor and Cabinet to seek approval to bid for funding, an initial agreement to proceed must be sought from the Regeneration and Capital Programme Board.</p>	<p>Regeneration and Capital Programme Board for capital funding).</p>
<p>Subscriptions - affiliations to and payment of subscriptions to outside bodies up to a maximum of £25,000 per annum.</p> <p>Within own area of responsibility up to £5k</p> <p>Above £5k up to £25k</p>	<p>Heads of Service</p> <p>Executive Director (or in their absence the Head of Financial Services)</p>
<p>Bad Debt Write Off</p> <p>Recommendation of write-off of bad debts (excluding housing rents) to the Executive Director for Resources & Regeneration (up to £50,000) or the Mayor (£50,000 and over)</p>	<p>Executive Director in consultation with the Head of Financial Services</p>
<p>Write off of non-land and non-building assets</p> <p>Write off up to £20,000 (must be recorded in the directorate inventory log as stated in Financial Regulations)</p>	<p>Heads of Service in consultation with the Group Finance Manager</p>
<p>Directorate Employment Matters</p> <p>Employment matters relating to the Directorate, namely recruitment, appointments, disciplinary, and grievance</p>	<p>Heads of Service</p>

Directorate Specific

<p>Spot contracts for care for individual clients</p>	
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APPENDIX 3

Approval of RAS	Executive Director Community Services
All new placements and packages within RAS Indicative Allocation Value	Operational Manager
Variations where new value is within RAS Indicative Allocation	Operational Manager
New and varies placements where value is greater than RAS Indicative Allocation	Panel chaired by Head of Service or Service Manager
Placements or packages outside working hours – up to 7 days only.	Operational Manager
Community Occupational Therapy Services	
Adaptations or equipment from the standard list costing up to £500	OT
Specialist equipment costing up to £500 not on the standard list	Senior OT
Specialist or standard equipment costing between £500 - £1,000	Team leader
Adaptations costing between £500 - £1,000	Team leader
Major housing adaptations costing more than £1,000	OT team leader in consultation with private sector housing/ strategic housing Manager
Equipment costing more than £1,000	Service Manager
Services for adults with mental health problems	
Residential placements or care packages costing more than £200 per week	Joint Community Mental Health Services Manager
Placements or care packages costing less than £200 per week	Community Mental Health Team Manager
Changes to care packages or placement following a review – same thresholds as above.	Community Mental Health Team Manager
Integrated service provision	
Decisions relating to the integration of services under the provisions of the Health Act 1999 or other management arrangements where the value of the	Executive Director Community Services

APPENDIX 3

Council's contribution does not exceed £500k per annum.	
<p>Changes to service delivery</p> <p>Decisions relating to the introduction of a new service or the cessation of a service where the value of the service concerned is or would be if introduced less than £500k per annum.</p>	Head of Service
<p>Fees and Charges</p> <p>Library Service Reservations Photocopying Faxes Local History postcards and books Withdrawn stock Open learning Centre: hire of pc's.</p> <p>Hire of Halls/Rooms in Libraries:</p> <p>Applying charging policy</p> <p>Deviation from, or change to existing policy for charges</p> <p>Library fines (overdue items, lost items, replacement tickets)</p> <p>Adult Social Care Buildings</p> <p>Applying charging policy for use of day centres</p> <p>Deviation from, or change to existing policy for charges</p>	<p>Library Service Manager</p> <p>Head of service</p> <p>Mayor and Cabinet</p> <p>Mayor and Cabinet</p> <p>Service manager in consultation with Head of AA&CM</p> <p>Mayor and Cabinet</p>
<p>Community Centre Charges</p> <p>Apply charging policy in respect of:</p> <p>Facilities used by the voluntary sector</p> <p>Deviation from, or change to existing policy for charges.</p> <p>Office Premises</p> <p>Rent subsidies up to £10,000 to voluntary organisations in the following office premises:</p>	<p>Head of Culture and Community Services in consultation with the Director of Regeneration and Asset Management</p> <p>Mayor and Cabinet</p> <p>Head of Culture and Community Services in</p>

APPENDIX 3

	consultation with the Director of Regeneration and Asset Management.
Community Use Agreements (e.g. Sports Lottery)	Cultural Development & Community Resources Manager
Broadway Theatre : Setting ticket prices	Theatre Manager
: Policy for hire charges	Mayor and Cabinet
Leisure Centres	Charges to continue to be dealt with by reference to the terms of agreement (previously approved by M&C). Any changes not in line with terms of agreement would therefore be submitted to members as a variation to the agreement.
Fees & Charges for Adult Learning Lewisham	ALL Service Manager to apply charges within the charging policy
Any deviation from or change to existing policy for charges	Mayor and Cabinet
Rates of Pay	
Setting casual/seasonal rates of pay. EG Libraries, Sport and Active recreation.	Service manager in consultation with Head of Service
Environmental Matters	
Trading Standards, Environmental Health, Environmental Enforcement Public Health and Nuisance, Food Safety and Health and Safety.	Head of Crime Reduction and Supporting People
Public Health	
Contractual Arrangements	Director of Public Health

Council (Non-Executive) Areas of Delegation

Area of delegation	Officer with delegated authority
Non-executive Licensing matters from Licensing (Supplementary) Committee:	

APPENDIX 3

<p>Authority to exercise all of the Council's licensing and registration functions under all existing and future relevant legislation, and as amended from time to time, including (without limitation) the Acts set out in the Schedule of Delegation from the Licensing (Supplementary) Committee, save for those local choice functions reserved to the Executive and those matters reserved to the Licensing Committee and save for any licensing functions under the Licensing Act 2003. Nothing in this schedule prevents the Licensing (Supplementary) Committee exercising functions within their terms of reference.</p>	<p>Service Group Manager – Private Sector Housing and Regulatory Services</p>
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Non-Executive Licensing Matters Delegated by the Licensing Committee

To the Executive Director for Community Services or such officer as he/she may nominate authority to exercise all of the Council's licensing functions under the Licensing Act 2003, as amended from time to time, save for those matters reserved to the Licensing Committee or sub-committees.

The functions to be reserved to the Licensing Committee, sub-committees and those to be delegated to officers are as follows:

Matter to be dealt with	Licensing Committee	Licensing Sub-Committee	Officers
Application for Personal Licence	Any matter which the Head of Regulatory Services considers to be more appropriate for consideration by the main Committee	If a police objection is made	If no objection Made – Licensing Manager
Application for Premises Licence / Club Premises Certificate	Ditto	If a relevant representation made	If no relevant representation made – Licensing Manager
Application for Provisional Statement	Ditto	If a relevant representation made	If no relevant representation made – Licensing Manager
Application to vary Premises Licence / Club Premises	Ditto	If a relevant representation made	If no relevant representation made – Licensing Manager
Application to vary Designated Premises Supervisor	Ditto	If a Police objection is made	All other cases – Licensing Manager
Request to be removed as Designated Premises Supervisor	Ditto		All other cases – Licensing Manager
Application for transfer of Premises Licence	Ditto	If a Police objection is made	All other cases – Licensing Manager

APPENDIX 3

Application for Interim Authorities	Ditto	If a Police objection is made	All other cases – Licensing Manager
Decision on whether a complaint is irrelevant frivolous, vexatious etc	Ditto		All other cases – Licensing Manager

Please refer to the Council Scheme of Delegation for all other matters reserved to the Licensing Committee and Licensing Sub-Committee.

3. General

All non-executive functions not reserved to Members, shall be delegated to the Chief Executive or such officer as he shall nominate in writing, unless there is a statutory requirement that the function be carried out by another officer, for example the personal statutory responsibilities of the Director of Children's Services and the Director of Adult Services.

4. Exemptions

The Mayoral Schemes of Delegation states that authority to exercise executive functions and make executive decisions is delegated to officers, except where there is an exemption to the contrary. Where such an exemption exists, the general rule is that those decisions will be made by the Mayor individually, in consultation with his colleagues in the Executive. Officers should refer to the Mayoral Schemes of Delegation; to Section I and Table 1 for general exemptions and to Section K and Table 3 for exemptions specific to Community Services. Exemptions which may override delegated authority to officers to make decisions, as detailed in Section 2 of the Community Services Scheme of Delegation, are repeated below.

1. Any matter in which the officer who would otherwise have delegated authority to act is aware that a councillor (or a person, company or organization with which the councillor is involved) has a personal interest under the Council's Member Code of Conduct.
2. Any matter in which the officer who would otherwise have delegated authority to act has an actual or potential interest.
3. Any matter which in the opinion of the Executive Director for Community Services, the Chief Executive or the Head of Law because of the scale of the decision, its potential impact, the sensitivity of the decision or for any other reason would more appropriately be dealt with by members.

Signed

Aileen Buckton
Executive Director for Community Services

Date:

APPENDIX 3

APPENDIX 4

The Directorate of Customer Services Scheme of Delegation

1. Purpose

- 1.1 The Customer Services Directorate Scheme of Delegation sets out the post titles of those officers whom the Executive Director for Customer Services has nominated to take decisions on areas from the Council and Mayoral Schemes of Delegation where responsibility has been delegated to the Executive Director for Customer Services. The Executive Director for Resources and Regeneration delegates the financial matters listed in this scheme to the Executive Director for Customer Services unless otherwise stated.
- 1.2 This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director for Customer Services or via changes to the Council and Mayoral Schemes of Delegation.
- 1.3 The purpose of the Customer Services Directorate scheme of delegation is to be clear about which officer has been nominated to make delegated decisions within this directorate.
- 1.4 The scheme is subject to the Council's Constitution, the Council and Mayoral Schemes of Delegation, Financial Regulations and Standing Orders.
- 1.5 Heads of Service will continue to be responsible for running their own services and taking decisions in line with their service requirements, unless specifically required in this scheme of delegation or determined by the Executive Director for Customer Services to seek other agreement.
- 1.6 Some decisions in this scheme of delegation will still be required to be taken directly by the Executive Director for Customer Services, or, in their absence, they will nominate an appropriate officer/s to assume these responsibilities but, unless otherwise notified, the following nominations will apply:
 - Directorate financial decisions – Head of Financial Services
 - Legal Decisions – Head of Law or Deputy Monitoring Officer/Principal Lawyers as appropriately nominated by the Head of Law
 - Acts under authority delegated to the Executive Director for Customer Services in his/her absence - Head of Service with specifically delegated authority otherwise Head of Financial Services
 - Contract matters – Head of Corporate Resources
- 1.7 Where the word 'nominee' is used the nomination is to be made by the post holder referred to, in writing, and a record of all such nominations within the directorate must be kept in the directorate and be available for inspection at any time.
- 1.8 Where power is delegated to the Executive Director, and officers are nominated by him/her under this Scheme of Delegation, the power will be exercised in a manner that decisions are not made in isolation and that the decision-maker takes into account the broader corporate implications for the Council. If officers take key decisions, as defined in Article 16 of the Constitution of the London Borough of Lewisham, the law requires them to comply with prevailing access to information regulations. In addition, for key executive decisions which are to be taken by officers individually, the Chief Executive may, from time to time, put in place a procedure to ensure that officer decision making is exercised in a manner which reflects corporate considerations. Officers may only

APPENDIX 4

exercise delegated authority in relation to key executive decisions by complying with the procedures as stated in the Constitution.

- 1.9 Please note that when the DEP/CEP process is in place, the necessary authorisation as specified by the process is required before any spend can be initiated.

2. Scheme of Delegation

Unless required otherwise by law, the Constitution, the Council and Mayoral Schemes of Delegation or this Scheme of Delegation, the Executive Director for Customer Services nominates the following post holders to make the decisions set out in the table below as listed. Please note, throughout this document “Executive Director” refers specifically to the Executive Director for Customer Services unless specified otherwise. Where a Head of Service is referred to, it is the relevant and appropriate Head of Service that the authority is delegated to.

Mayoral Areas of Delegation

Area of delegation	Officer with delegated authority
<p>Day to day control and regulation of the directorate’s finances.</p> <p>Strategic oversight and monitoring of the overall directorate budget.</p> <p>Day to day control and monitoring of individual service budgets.</p>	<p>Executive Director</p> <p>Head of Financial Services in consultation with the Group Finance Manager</p> <p>Budget holders</p>
<p>Budget Virements</p> <p>A Budget Virement is a transfer of a budget from the purposes for which Council originally voted in setting the budget and Council Tax to another purpose.</p> <p>Revenue Budget Virements</p> <p>Within the Directorate</p> <p>Within the same Service area</p> <p>a) Up to £20k</p> <p>b) Up to £100k</p> <p>c) Up to £500k</p>	<p>Group Finance Manager in consultation with Head of Service</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with Head of Service.</p> <p>Executive Director in consultation with Head of</p>

APPENDIX 4

<p>Across Service areas</p> <p>a) Up to £100k</p> <p>b) Up to £500k</p> <p>Cross Directorate</p> <p>a) Up to £100k</p> <p>b) Up to £500k</p> <p>All Revenue Budget Virements above these limits are reserved to Members.</p> <p>Capital Budget Virements (on the Council's Capital Programme)</p> <p>Up to £500k</p> <p>Over £500k</p> <p>Budget Adjustments</p> <p>A Budget Adjustment is a transfer of a budget from one cost centre to another whilst retaining the original purpose for which the budget was approved.</p> <p>Within the same Service area in the same Directorate</p> <p>Across Service areas in the same Directorate</p> <p>Across Directorates</p>	<p>Financial Services or Head of Corporate Resources</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director in consultation with Head of Financial Services or Head of Corporate Resources</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director for Resources & Regeneration (via Executive Management Team)</p> <p>Executive Director for Resources & Regeneration</p> <p>Members</p> <p>Group Finance Manager</p> <p>Group Finance Manager in consultation with the affected Heads of Service</p> <p>Executive Directors of both Directorates</p>
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APPENDIX 4

<p>Budget transfers relating to technical accounting adjustments</p> <p>Any items that fall outside the above definitions must be referred to the Head of Financial Services or the Head of Corporate Resources for further clarification.</p> <p>Loans</p> <p>Approval of any loan for Treasury Management purposes and the Employee Loan Scheme (all other loan decisions are reserved to Members)</p>	<p>Executive Director for Resources & Regeneration or Head of Financial Services or Head of Corporate Resources</p> <p>Executive Director for Resources and Regeneration</p>
<p>Contracts</p> <p>There are three categories of contracts:-</p> <p>Category A - Building construction and engineering works contracts ('works contracts') with an estimated value of over £1m, all other contracts with an estimated value of over £500,000, and contracts that fall within the full provisions of the EU procurement regime (Works, Supplies and Part A Services).</p> <p>Category B - Works contracts with an estimated value of between £50,000 and £1m and all other contracts with an estimated value of between £50,000 and £500,000, and those that fall outside the full requirements of the EU procurement regime (Part B Residual Services).</p> <p>Category C- All other contracts or arrangements with an estimated value of less than £50,000.</p> <p>Inviting Contracts</p> <p>Category A – By public advert</p> <p>Authorise the Approved list</p> <p>Waiver</p> <p>Category B – By public advert</p> <p>Authorise the Approved List</p> <p>Waiver</p>	<p>Executive Director and the Head of Law</p> <p>Mayor and Cabinet</p> <p>Executive Director</p> <p>Executive Director for Resources & Regeneration</p>

APPENDIX 4

<p>Category C - No approved list or waiver required</p> <p>Receipt of Contracts</p> <p>Category A</p> <p>Category B</p> <p>Category C</p> <p>Opening Envelopes (At least two officers)</p> <p>Category A</p> <p>Category B</p> <p>Category C</p> <p>Award of Contract</p> <p>Category A</p> <p>Category B</p> <p>Category C</p> <p>Contract Signing</p> <p>£200k or more</p>	<p>Head of Service</p> <p>Chief Executive</p> <p>Executive Director</p> <p>Head of Service</p> <p>Chief Executive or nominated officer and Officer approved by Executive Director for Resources & Regeneration /Head of Law</p> <p>Executive Director or nominated officer and Officer approved by Executive Director for Resources & Regeneration/Head of Law</p> <p>Head of Service and an officer approved by the relevant Executive Director</p> <p>Mayor and Cabinet (Contracts)</p> <p>Executive Director in accordance with his or her delegated financial limits under the Mayoral Schemes of Delegation</p> <p>Head of Service in consultation with the Principal Lawyer (Contracts) or the Head of Corporate Resources</p> <p>Executive Director and attested by Head of Law or nominated legal officer and Sealed by Legal Services</p>
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APPENDIX 4

<p>Before submitting a report to Mayor and Cabinet to seek approval to bid for funding, an initial agreement to proceed must be sought from the Regeneration and Capital Programme Board.</p>	
<p>Subscriptions - affiliations to and payment of subscriptions to outside bodies up to a maximum of £25,000 per annum.</p> <p>a) Within own area of responsibility up to £5k</p> <p>b) Above £5k up to £25k</p>	<p>Head of Service</p> <p>Executive Director (or in their absence the Head of Financial Services)</p>
<p>Bad Debt Write Off</p> <p>Recommendation for write-off of bad debts (excluding housing rents) to the Executive Director for Resources & Regeneration (up to £50,000) or the Mayor (£50,000 and over)</p> <p>Write off of bad debts in relation to housing rent arrears up to £10,000</p>	<p>Executive Director in consultation with the Head of Financial Services</p> <p>Executive Director for Customer Services or Executive Director for Resources & Regeneration</p>
<p>Write off of non-land and non-building assets</p> <p>Write off up to £20,000 (must be recorded in the directorate inventory log as stated in the Financial regulations)</p>	<p>Heads of Service in consultation with the Group Finance Manager.</p>
<p>Directorate Employment Matters</p> <p>Employment matters relating to the Directorate, namely recruitment, appointments, disciplinary, and grievance</p>	<p>Head of Service</p>
<p>Housing - the housing management function shall include but not be limited to;</p> <ul style="list-style-type: none"> • the maintenance and management of all land and property held by the Council for housing purposes; • the provision of garden, open spaces and land for housing purposes, • decisions in relation to the right to buy under the Housing Act 1985 (or other relevant legislation in force from time to time, (but not decisions relating to market value and sale prices which are delegated to the Executive Director Regeneration), • responsibility for the management of the Housing Revenue Account and other revenue resources ensuring effective financial control of resources and the achievement of value for money, subject always 	<p>Head of Housing Services</p> <p>Head of Housing Services</p> <p>Head of Housing Services</p> <p>Head of Financial Services</p>

APPENDIX 4

<p>to the approval of the Executive Director Resources & Regeneration in relation to decisions about the allocation of funds and expenditure to the Housing Revenue Account and General Fund.</p> <ul style="list-style-type: none"> dealings with housing associations, save to the extent that such decisions relate to housing development or capital schemes, which are delegated to the Executive Director Resources.& Regeneration. responsibility for setting charges for heat, light and power to Council properties served by a communal supply in accordance with policies approved by the Mayor. 	<p>Head of Housing Services</p> <p>Head of Financial Services</p>
<p>Housing – the housing function shall include but not be limited to;</p> <ul style="list-style-type: none"> housing strategy and development, housing need and homelessness including private sector housing, housing partnerships and environmental health (housing). 	<p>Head of Housing Services</p>
<p>Revenues & Benefits - all executive functions relating to the administration of revenues and benefits (Council Tax, NNDR and Housing Benefits), its one stop shop service, call centre services and cashiers.</p>	<p>Head of Public Services</p>
<p>Registration of births, deaths and marriages</p>	<p>Head of Public Services</p>
<p>Business Continuity - Responsibility for the corporate emergency planning and business continuity functions</p>	<p>Head of Public Services</p>
<p>Environment - The Environment function shall include, but not be limited to:</p> <p>Environmental Matters, Consumer Protection, Burial and Cremation, Refuse, Waste Management, Parks and Community Services, Community Hygiene, Animal Welfare and Pest Control, Street Trading, Fleet Services.</p>	<p>Head of Environment</p>
<p>Housing Benefit Overpayments</p> <p>Applications for judgement</p>	<p>Overpayments Manager</p>
<p>Information Management Technology</p>	<p>Head of Technology & Change</p>

Please refer to the Council Scheme of Delegation for all other matters reserved to the Licensing Committee and Licensing Sub-Committee.

3. General

APPENDIX 4

All non-executive functions not reserved to Members, shall be delegated to the Chief Executive or such officer as he shall nominate in writing, unless there is a statutory requirement that the function be carried out by another officer, for example the personal statutory responsibilities of the Director of Children's Services and the Director of Adult Services.

4. Exemptions

The Mayoral Schemes of Delegation state that authority to exercise executive functions and make executive decisions is delegated to officers, except where there is an exemption to the contrary. Where such an exemption exists, the general rule is that those decisions will be made by the Mayor individually, in consultation with his colleagues in the Executive. Officers should refer to the Mayoral Schemes of Delegation; to Section I and Table 1 for general exemptions and to Section L and Table 4 for exemptions specific to Customer Services. Exemptions which may override delegated authority to officers to make decisions, as detailed in Section 2 of the Customer Services Scheme of Delegation, are repeated below.

1. Any matter in which the officer who would otherwise have delegated authority to act is aware that a councillor (or a person, company or organization with which the councillor is involved) has a personal interest under the Council's Member Code of Conduct.
2. Any matter in which the officer who would otherwise have delegated authority to act has an actual or potential interest.
3. Any matter which in the opinion of the Executive Director for Customer Services, the Chief Executive or the Head of Law because of the scale of the decision, its potential impact, the sensitivity of the decision or for any other reason would more appropriately be dealt with by members.

Signed

Kevin Sheehan
Executive Director for Customer Services

Date

APPENDIX 5

The Directorate of Resources & Regeneration Scheme of Delegation

1. Purpose

- 1.1 The Resources & Regeneration Directorate scheme of delegation sets out the post titles of those officers whom the Executive Director for Resources & Regeneration has nominated to take decisions on areas from the Council and Mayoral Schemes of Delegation where responsibility has been delegated to the Executive Director for Resources & Regeneration.
- 1.2 This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director for Resources & Regeneration or via changes to the Council and Mayoral Schemes of Delegation.
- 1.3 The purpose of the Resources & Regeneration Directorate scheme of delegation is to be clear about which officer has been nominated to make delegated decisions within this directorate.
- 1.4 The scheme is subject to the Council's Constitution, the Council and Mayoral Schemes of Delegation, Financial Regulations and Standing Orders.
- 1.5 Heads of Service will continue to be responsible for running their own services and taking decisions in line with their service requirements unless specifically required in this scheme of delegation or determined by the Executive Director for Resources & Regeneration to seek other agreement.
- 1.6 Some decisions in this scheme of delegation will still be required to be taken directly by the Executive Director for Resources & Regeneration or the Head of Law, in their absence, they will nominate an appropriate officer/s to assume these responsibilities but, unless otherwise notified, the following nominations will apply:
 - Council-wide Section 151 financial decisions – Head of Corporate Resources as deputy S151 officer
 - Directorate financial decisions – Head of Financial Services
 - Legal decisions – Head of Law or Deputy Monitoring Officer/Principal Lawyers as appropriately nominated by the Head of Law
 - Corporate Personnel/Human Resources decisions - Head of Human Resources
 - Contract matters - Head of Corporate Resources
 - Planning – Head of Planning in relation to all Town & Country planning matters
 - Property & Programme matters - Head of Regeneration and Place
- 1.7 Where the word 'nominee' is used, the nomination is to be made by the post holder referred to, in writing, and a record of all such nominations within the directorate must be kept in the directorate and be available for inspection at any time.
- 1.8 Where power is delegated to the Executive Director, and officers are nominated by him/her under this Scheme of Delegation, the power will be exercised in a manner that decisions are not made in isolation and that the decision maker takes into account the broader corporate implications for the Council. If officers take key decisions, as defined in Article 16 of the Constitution of the London Borough of Lewisham, the law requires them to

APPENDIX 5

comply with the prevailing access to information regulations. In addition, for key executive decisions which are to be taken by officers individually, the Chief Executive may, from time to time, put in place a procedure to ensure that officer decision making is exercised in a manner which reflects corporate considerations. Officers may only exercise delegated authority in relation to key executive decisions by complying with the procedures as stated in the Constitution.

- 1.9 Please note that when the DEP/CEP process is in place, the necessary authorisation as specified by the process is required before any spend can be initiated.

2. Scheme of Delegation

Unless required otherwise by law, the Constitution, the Council and Mayoral Schemes of Delegation or this Scheme of Delegation, the Executive Director for Resources & Regeneration nominates the following post holders to make the decisions set out in the table below as listed. Please note, throughout this document "Executive Director" refers specifically to the Executive Director for Resources and Regeneration unless specified otherwise. Where a Head of Service are referred to, it is the relevant and appropriate Head of Service that the authority is delegated to.

Area of delegation	Officer with delegated authority or their nominee
<p>Day to day control and regulation of the Council's finances.</p> <p>Overall co-ordination of council wide revenue and capital budget monitoring.</p> <p>Council wide accounting policies.</p> <p>Strategic oversight and monitoring of the overall directorate budget.</p> <p>Day to day control and monitoring of individual service budgets.</p>	<p>Executive Director for Resources & Regeneration</p> <p>Head of Financial Services</p> <p>Head of Financial Services</p> <p>Head of Financial Services in consultation with the Group Finance Manager</p> <p>Budget holders</p>
<p>Budget Virements</p> <p>A Budget Virement is a transfer of a budget from the purposes for which Council originally voted in setting the budget and Council Tax to another purpose.</p> <p>Revenue Budget Virements</p> <p>Within the Directorate</p> <p>Within the same Service area</p> <p>a) Up to £20k</p>	<p>Group Finance Manager in</p>

APPENDIX 5

<p>b) Up to £100k</p> <p>c) Up to £500k</p> <p>Across Service areas</p>	<p>consultation with the Head of Service</p> <p>Head of Financial Services or Head of Corporate Resources in consultation with Head of Service</p> <p>Executive Director</p>
<p>a) Up to £100k</p> <p>b) Up to £500k</p>	<p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p> <p>Executive Director</p>
<p>Cross Directorate</p>	
<p>a) Up to £100k</p>	<p>Head of Financial Services or Head of Corporate Resources in consultation with the affected Heads of Service</p>
<p>b) Up to £500k</p>	<p>Executive Director for Resources & Regeneration (via Executive Management Team)</p>
<p>All Revenue Budget Virements above these limits are reserved to Members</p>	
<p>Capital Budget Virements (on the Council's Capital Programme)</p>	
<p>Up to £500k</p>	<p>Executive Director for Resources & Regeneration</p>
<p>Over £500k</p>	<p>Members</p>
<p>Budget Adjustments</p>	
<p>A Budget Adjustment is a transfer of a budget from one cost centre to another whilst retaining the original purpose for which the budget was approved.</p>	
<p>Within the same Service area in the same Directorate</p>	<p>Group Finance Manager</p>
<p>Across Service areas in the same Directorate</p>	<p>Group Finance Manager in</p>

APPENDIX 5

<p>Across Directorates</p> <p>Budget transfers relating to technical accounting adjustments</p> <p>Any items that fall outside the above definitions must be referred to the Head of Financial Services or the Head of Corporate Resources for further clarification</p> <p>Loans</p> <p>Approval of any loan for Treasury Management purposes and the Employee Loan Scheme (all other loan decisions are reserved to Members)</p>	<p>consultation with the affected Heads of Service</p> <p>Executive Directors of both Directorates</p> <p>Executive Director for Resources & Regeneration or Head of Financial Services or Head of Corporate Resources</p> <p>Executive Director for Resources and Regeneration</p>
<p>Contracts</p> <p>There are three categories of contracts:-</p> <p>Category A - Building construction and engineering works contracts ('works contracts') with an estimated value of over £1m, all other contracts with an estimated value of over £500,000, and contracts that fall within the full provisions of the EU procurement regime (Works, Supplies and Part A Services).</p> <p>Category B - Works contracts with an estimated value of between £50,000 and £1m and all other contracts with an estimated value of between £50,000 and £500,000, and those that fall outside the full requirements of the EU procurement regime (Part B Residual Services).</p> <p>Category C- All other contracts or arrangements with an estimated value of less than £50,000.</p> <p>Inviting Contracts</p> <p>Category A – By public advert</p> <p>Authorise the Approved list</p> <p>Waiver</p>	<p>Executive Director and the Head of Law</p> <p>Mayor and Cabinet</p>

APPENDIX 5

<p>Category B – By public advert</p> <p>Authorise the Approved List</p> <p>Waiver</p> <p>Category C - No approved list or waiver required</p> <p>Receipt of Contracts</p> <p>Category A</p> <p>Category B</p> <p>Category C</p> <p>Opening Envelopes (At least two officers)</p> <p>Category A</p> <p>Category B</p> <p>Category C</p> <p>Award of Contract</p> <p>Category A</p> <p>Category B</p> <p>Category C</p>	<p>Executive Director</p> <p>Executive Director for Resources & Regeneration</p> <p>Head of Service</p> <p>Chief Executive</p> <p>Executive Director</p> <p>Head of Service</p> <p>Chief Executive or nominated officer and Officer approved by Executive Director for Resources & Regeneration /Head of Law</p> <p>Executive Director or nominated officer and Officer approved by Executive Director for Resources & Regeneration/Head of Law</p> <p>Head of Service and an officer approved by the relevant Executive Director</p> <p>Mayor and Cabinet (Contracts)</p> <p>Executive Director in accordance with his or her delegated financial limits under the Mayoral Schemes of Delegation</p> <p>Head of Service in consultation with the Principal Lawyer (Contracts) or the Head of Corporate Resources</p>
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APPENDIX 5

<p>Contract Signing</p> <p>£200k or more</p> <p>Over £100k and less than £200k</p> <p>Less than £100k</p>	<p>Executive Director and attested by Head of Law or nominated legal officer and Sealed by Legal Services</p> <p>Executive Director and at least one other officer</p> <p>Executive Director</p>
<p>Capital Finance Regulations</p> <p>To make decisions to earmark the proceeds of sale from asset disposals for expenditure on in/out schemes under the Local Authorities (Capital Finance) Regulations 1997 as amended, including (without limitation) regeneration projects and replacement of asset schemes subject to the approval of the schemes themselves having previously been approved by the Executive or the Executive Director for Resources & Regeneration under delegated powers.</p>	<p>Executive Director for Resources & Regeneration</p>
<p>Insurance arrangements</p> <p>Power to agree insurance arrangements where either</p> <p>(a) the value of the premium payable does not exceed £2.5 million</p> <p>or</p> <p>(b) the renewal premium payable does not exceed the last year's premium by more than 10%</p>	<p>Executive Director for Resources & Regeneration</p> <p>Executive Director for Resources & Regeneration</p>
<p>Energy contracts</p> <p>Power to award energy and water contracts for up to three years, provided that</p> <ul style="list-style-type: none"> a) the additional cost of green electricity over brown does not exceed 5% per unit, or b) the overall cost of the contract does not exceed the annual value of the previous contract by 50% c) the contract length does not exceed 3 years 	<p>Executive Director for Resources & Regeneration</p>
<p>Treasury Management.</p> <p>In so far as they are executive decisions, matters delegated to the Executive Director for Resources & Regeneration in accordance with the Council's Treasury Management Strategy from time to time.</p>	<p>Head of Corporate Resources</p>

APPENDIX 5

<p>Grants and Assistance to Voluntary Organisations</p> <p>Unless the law, the Constitution, or the Mayoral Schemes of Delegation requires otherwise, the following executive powers are delegated to the Chief Executive and to each Executive Director in relation to grants and assistance to voluntary organisations:-</p> <p>(a) the power to make a grant or to give other assistance (excluding loans) to a voluntary organisation within their area of responsibility, where the total value of the assistance in money or moneys worth does not exceed £10,000</p> <p>(b) the power to reduce or withdraw a grant or other assistance, and the power to award a grant or give other assistance to a voluntary organisation (irrespective of the value of the grant or assistance) within their area of responsibility if the value of the change in grant is no more than 10% or £5,000, (whichever is the greater), than the grant awarded in the previous year.</p> <p>All grants considered to be sensitive or controversial to be included in the forward plan</p>	<p>Executive Director</p> <p>Executive Director</p>
<p>Application for External Funding</p> <p><u>Revenue and Capital</u> Approval of any application for external funding which is below £1 million with no match funding and/or revenue implications, or</p> <p>a) Is below £1 million, and</p> <p>b) would require match funding from the Council of below £250,000, and</p> <p>c) would have revenue implications of below £250,000 per annum</p> <p>Note: All other applications must be approved by Members.</p> <p><u>Capital Only</u> Before submitting a report to Mayor and Cabinet to seek approval to bid for funding, an initial agreement to proceed must be sought from the Capital Programme Delivery Board.</p>	<p>Executive Director or in his/her absence Head of Corporate Resources or Head of Financial Services in consultation with the Capital Programme Delivery Board.</p>
<p>Subscriptions - affiliations to and payment of subscriptions to outside bodies up to a maximum of £25,000 per annum.</p> <p>Within own area of responsibility up to £5k</p>	<p>Head of Service</p>

APPENDIX 5

<p>Above £5k up to £25k</p>	<p>Executive Director for Resources & Regeneration</p>
<p>Bad Debt Write Off</p> <p>Unless the law, the Constitution, or the Mayoral Schemes of Delegation require otherwise, the following executive powers are delegated to the officers in relation to bad debt:-</p> <p>Write off of bad debts (excluding housing rent arrears) up to £50,000.</p> <p>If debts of the person or organisation to that total have been written off by the Council in the previous three years, the decision shall not be delegated to the Executive Director for Resources & Regeneration. In such cases the power is reserved to members.</p> <p>Write off of bad debts in relation to housing rent arrears up to £10,000</p> <p>Recommendation of write-off of bad debts to the Executive Director for Resources & Regeneration (up to £50,000).</p>	<p>Executive Director for Resources & Regeneration</p> <p>Executive Directors for Customer Services or Resources & Regeneration</p> <p>Head of Corporate Resources or Head of Financial Services</p>
<p>Write off and/or disposal of non-land and non-building assets</p> <p>Write off up to £20,000</p> <p>(must be recorded in the directorate inventory log as stated in the Financial regulations)</p>	<p>Heads of Service in consultation with Head of Financial Services or Head of Corporate Resources</p>
<p>Corporate Employment Matters</p> <p>Save as required by law, the Council's Constitution or the Mayoral Schemes of Delegation decisions relating to all employment procedures and processes are delegated to the Executive Director for Resources & Regeneration or such person as he/she may nominate, in so far as they are executive functions, unless they are specifically reserved to members.</p> <p>1)All matters relating to employment procedures and processes other than the following items:</p> <p>a)JNC matters</p> <p>b)matters relating to posts above PO9</p> <p>c)the award/maintenance of market supplements</p>	<p>Head of Human Resources</p> <p>Chief Executive</p> <p>Executive Director for Resources & Regeneration</p>

APPENDIX 5

<p>Directorate Employment Matters</p> <p>Employment matters relating to the Directorate, namely recruitment, appointments, disciplinary, and grievance</p>	Head of Service
<p>Information Security and Governance</p>	Executive Director for Resources and Regeneration
<p>Bidding for External Work</p> <p>Decisions about whether the Council should bid for, and if successful, perform work or provide services to external bodies is delegated to the Chief Executive, to the extent that the proposed contract would relate to executive functions. Before exercising this function, the Chief Executive must first consult with the Head of Law and Executive Director for Resources & Regeneration. However, where the estimated value of the work exceeds £1 million per year, or £3 million in total whichever is the smaller, the Chief Executive shall not exercise this delegated power.</p>	Chief Executive in consultation with the Executive Director for Resources & Regeneration and Head of Law
<p>Delegation to the Head of Law</p> <p>a) The Head of Law has delegated authority to initiate, conduct and defend all proceedings brought by or against the Council in any court, Tribunal or Arbitration</p> <p>b) The Head of Law has delegated authority to settle proceedings for up to £500,000 subject to budgetary provision being available if she is of the opinion that it would be in the interests of the Council to do so.</p> <p>c) The Head of Law has delegated authority to settle proceedings up to £1 million if he/she is satisfied that it is in the interests of the Council to do so, has consulted with the Executive Director for Resources & Regeneration and she agrees with the terms of the proposed settlement. Decisions to settle proceedings for a sum above £1 million shall be taken by the Mayor.</p> <p>d) The Head of Law has delegated authority to act as the proper officer for those purposes listed in Table 6 of the Mayoral Schemes of Delegation</p>	<p>Head of Law</p> <p>Head of Law</p> <p>Head of Law</p> <p>Head of Law</p>
<p>Urban Regeneration - The urban regeneration function shall include but not be limited to:</p> <p>a) Urban regeneration (in so far as initiatives do not fall within the remit of another Executive Director).</p>	Head of Regeneration and Place

APPENDIX 5

<p>b) The management and implementation of urban regeneration initiatives including single regeneration schemes and housing regeneration schemes which have been approved by the executive including management of the housing investment programme and other capital programmes and resources ensuring effective financial control of resources and achievement of value for money, subject always to the approval of the Executive Director for Resources & Regeneration in relation to decisions about the allocation of funds and expenditure.</p> <p>c) The provision & estate management of travellers' sites.</p> <p>d) Responsibility for matters relating to housing associations to the extent that such decisions relate to housing development and capital schemes.</p>	<p>Head of Regeneration and Place</p> <p>Head of Regeneration and Place in conjunction with the Head of Crime Reduction and Supporting People</p> <p>Head of Regeneration and Place in conjunction with the Head of Housing Strategy</p>
<p>Planning and Economic Development – The Planning and Economic Development functions shall include but not be limited to:</p> <p>a) Town Planning and Economic Development.</p> <p>b) The encouragement and development of employment and training opportunities and facilities.</p>	<p>Head of Planning</p> <p>Head of Planning</p>
<p>Traffic Management - The Traffic function shall include, but not be limited to:</p> <p>Traffic Management and Regulation, Highways, Transport Planning, promotion of new projects and initiatives relating to the service area.</p>	<p>Head of Regeneration and Place</p>
<p>Property</p> <p>A) Acquisitions The acquisition of freehold and/or leasehold interest in land and property or other interest in land, subject to the necessary financial provision having been made and agreement by Asset Management Board and where the estimated capital value of the property does not exceed £500,000.</p> <p>Authority for the Council to take leases, licences, tenancies, wayleaves or easements (including renewal) of land and property subject to agreement by Asset</p>	<p>Head of Regeneration and Place in consultation with Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with Head of Law or their</p>

APPENDIX 5

Management Board where the estimated value does not exceed £50,000 p.a.	nominee
<p>B) Management</p> <p>In relation to all properties save dwelling houses let on secure tenancies, to take the following actions, provided where applicable, that the necessary financial provision has been made.</p> <p>1) The grant (including renewal) of leases, licences or tenancies of all Council owned land and property for a rental or licence fee reflecting market value.</p> <p>2) The grant (including renewal) of wayleaves or easements over or affecting Council owned land and property, including licences of advertisement hoardings.</p> <p>3) The approval of rent or fee reviews of leases, licences, tenancies, wayleaves or easements granted or held by the Council.</p> <p>4) The alteration or waiver of terms and conditions of leases, licences, tenancies, wayleaves or easements granted or held by the Council.</p> <p>5) The approval of terms for the waiver, variation or amendment of covenants in transfer documents including those in respect of properties sold under the Right to Buy.</p> <p>6) The approval of the terms for the assignment, subletting, surrender or operation of a break clause of any lease, licence, tenancies, wayleaves or easements granted or held by the Council in any land or property.</p> <p>7) The approval of the terms for the settlement of any claim for dilapidations or other breaches of covenants in respect of land and property granted or held etc subject to necessary financial provision.</p> <p>8) The authorisation of service of notices under all legislation relating to Council land ownership.</p> <p>9) The instigation of court proceedings for the recovery of all monies owing to the Council and possession of land and property, including authorisation of the enforcement of a Court Order for Possession.</p>	<p>Head of Regeneration and Place in consultation with Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with Head of Law or their nominee</p> <p>Head of Law in consultation with Head of Regeneration and Place</p> <p>Head of Law in consultation with the Head of Regeneration and Place</p> <p>Head of Law in consultation with the Head of Regeneration and Place</p>
C) Declaring Property Surplus	

APPENDIX 5

<p>1) Upon being advised by the Executive Director for the Directorate using a property that it is surplus to the requirements of that Directorate, the Executive Director for Resources & Regeneration may, following consultation with other Directorates as to any alternative use for the property, and having first informed the ward members in which the property is situated, declare the property surplus to corporate requirements and authorise its disposal, if no alternative use is identified by Directorates, provided that the estimated disposal value of the property does not exceed £500,000.</p> <p>2) If a property no longer required for use by a Directorate is required for an alternative use, the Executive Director for Resources & Regeneration, having first informed ward members for the ward in which the property is situated, may authorise its appropriation to the new use and the book value at the time of change of use, for capital charge purposes</p> <p>3) If in the view of the Executive Director for Resources & Regeneration, a property ought to be disposed of notwithstanding a proposed alternative use, the matter shall be referred to the Executive for decision, ward members having first been informed as above.</p>	<p>Head of Regeneration and Place in consultation with the Asset Management Board</p> <p>Head of Regeneration and Place in consultation with the Asset Management Board</p> <p>Head of Regeneration and Place in consultation with the Asset Management Board</p>
<p>D) Disposal</p> <p>A Disposal is defined as the sale of the Council's freehold interest or the grant of a lease exceeding 7 years in length in consideration of a premium and/or ground rent. Disposals will be effected in such a way to ensure that the Council receives the best consideration reasonably obtainable and in accordance with the Property Disposal Procedures approved by the Executive from time to time. Any proposed disposal at less than the best consideration reasonably obtainable will be referred to the Executive for approval. All disposals will be subject to any necessary Ministerial Consents being obtained.</p> <p>1) Following the decision to dispose, the approval of the terms for the disposal, of land or property which has previously been declared surplus to requirements and approved for disposal either by the Executive or by the Executive Director for Resources & Regeneration acting under delegated authority, where the sale is by way of formal or informal tender or public auction and the estimated value or agreed sale price does not exceed £500,000.</p> <p>2) The decision to dispose, and the approval of the terms for the disposal, of land or property which has previously been declared surplus to requirements and approved for disposal either by the Executive or by the</p>	<p>Head of Regeneration and Place in consultation with the Head of Law or their nominee.</p> <p>Head of Regeneration and Place in consultation with the Head of Law or their nominee</p>

APPENDIX 5

<p>Executive Director for Resources & Regeneration acting under delegated authority, where the sale is by way of private treaty or to a special purchaser where the estimated value or agreed sale price does not exceed £500,000</p> <p>3) The disposal of residential dwellings and agreement of sale terms where there is a legal obligation on the Council to sell where the sale price does not exceed £500,000.</p> <p>4) The approval of terms for the disposal of mortgage repossession properties, subject to the other relevant provisions of this paragraph (d).</p> <p>5) The approval of terms for the disposal of vacant land and property in charge to the Council, subject to the other relevant provisions of this paragraph (d).</p> <p>6) The approval of the terms for the disposal of any residual freehold interest in a block/building to all leaseholders jointly, subject to all other relevant provisions of this paragraph (d). This is also subject all units having previously been sold and subject to the purchasers Solicitor's confirming that suitable arrangements will be entered into by all parties regulating the future management of the whole block/building.</p> <p>7) Authority to take such action as is necessary in accordance with agreed procedures concerning the disposal of land or property.</p> <p>8) The approval of the terms for the assignment, subletting, surrender or operation of any break clause of any lease, licence, tenancies, wayleaves or easements granted or held by the Council in any land or property which has been declared surplus to requirements.</p>	<p>Head of Regeneration and Place in consultation with the Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with the Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with the Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with the Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with the Head of Law or their nominee</p> <p>Head of Regeneration and Place in consultation with the Head of Law or their nominee</p>
<p>E) Capital Finance Regulations</p> <p>The Executive Director of Resources & Regeneration will take decisions to earmark the proceeds of sale from asset disposals for expenditure on in/out schemes under the Local Authorities (Capital Finance and accounting) England Regulations 2003 as amended, including (without limitation) regeneration projects and replacement of asset schemes subject to the approval of the schemes themselves having previously been approved by the Executive or the Director of Regeneration & Asset Management under delegated</p>	<p>Executive Director for Resources & Regeneration</p>

APPENDIX 5

powers.	
<p>F) Property - General</p> <p>a) In accordance with the provisions of Part IV I of the constitution, authority to sign property related documentation for or on behalf of the Council in relation to all powers delegated by this Scheme of Delegation save for documents to be entered into by way of deed.</p> <p>b) Authority to agree terms and enter into agreements for any matter of a minor or urgent nature affecting land or property either owned or leased by the Council.</p> <p>c) Authority to undertake and sign valuations for statutory or other Council purposes.</p> <p>d) The submission of planning applications.</p> <p>e) To approve the terms of such other agreements or transactions as may be in the best interests of the Council of a minor or urgent nature</p> <p>f) To take such actions and incur such expenditure as is necessary to ensure the proper management of council owned property.</p>	<p>Head of Regeneration and Place</p>

Council (Non-Executive) Areas of Delegation

<p>Non-executive Planning and Highways Matters</p> <p>Authority to deal with all town and country planning, development control, high hedges and highway and road traffic functions under all existing and future relevant legislation, and as amended from time to time, including (without limitation) the Acts set out in the Schedule below, save for those local choice functions reserved to the Executive and those matters reserved to the planning committees A, B or C or the strategic planning committee. This includes by way of example but not limitation: -</p> <ul style="list-style-type: none"> • Determining applications, (or declining to determine applications where applicable), for planning permission, advertisement consent, listed buildings and conservation area consent, certificates of lawfulness or lawful development, works to trees, hazardous substances, environmental impact assessment screening and scoping opinions, decisions in respect of the prior approval procedure for telecommunication development. • Issuing planning contravention notices, breach of condition notices, enforcement notices, stop notices, 	<p>Head of Planning</p> <p>Head of Planning</p> <p>Head of Planning</p>
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APPENDIX 5

temporary stop notices, untidy land notices and other similar notices and questionnaires.	
<ul style="list-style-type: none"> • Making and confirming tree preservation orders and enforcing their provisions. 	Head of Planning
<ul style="list-style-type: none"> • Taking action in relation to unauthorised advertisements, placards or posters. 	Head of Planning
<ul style="list-style-type: none"> • Entering into agreements to regulate the development or use of land (including the approval of the detailed terms for inclusion in such agreements whether the agreement is to be entered into under delegated authority or following a resolution of members). 	Head of Planning
<ul style="list-style-type: none"> • Approving the details of conditions to be imposed on planning permissions (whether the permission is to be granted under delegated authority or following resolution to grant by members). 	Head of Planning
<ul style="list-style-type: none"> • Utilising the powers contained within planning, high hedges and highways legislation to gain entry to premises for the purpose of carrying out surveys and establishing whether there has been a breach of legislation including applying to the magistrates' court for a warrant of entry. 	Head of Planning
<ul style="list-style-type: none"> • Carrying out any other regulatory enforcement functions contained in town and country planning, high hedges, road traffic or highways legislation in force from time to time. 	Head of Planning
<ul style="list-style-type: none"> • Authorising the Head of Law to take any legal action which may be appropriate which relates to any function of the Executive Director including the taking or defending of legal proceedings and entering into legal agreements as may be required. 	Head of Regeneration and Place
<ul style="list-style-type: none"> • Creating, diverting and stopping up footpaths, highways and bridleways 	Head of Regeneration and Place
<ul style="list-style-type: none"> • The making and enforcement of road traffic regulation and highways orders. 	Head of Regeneration and Place
<ul style="list-style-type: none"> • Dealing with applications for street works licences 	Head of Regeneration and Place
<ul style="list-style-type: none"> • Exercise of non-executive powers under local legislation (including without limitation, names of streets under Sections 5 and 6 London Building Acts (Amendment) Act 1939). 	Head of Regeneration and Place
<ul style="list-style-type: none"> • Exercise of powers under Part 8 of the Anti-social Behaviour Act 2003 in relation to high hedges 	Head of Regeneration and Place

APPENDIX 5

<p>Please refer to the Council's Scheme of Delegation for Schedule (non-exhaustive) of relevant statutes (in so far as they relate to non-executive highways and planning matters).</p> <p>Nothing in this Schedule of Delegation prevents any Planning Committee or the Strategic Planning Committee exercising any function within their terms of reference.</p> <p>The Committee may from time to time delegate to officers such functions as it considers appropriate.</p>	
<p>Non-Executive Building Control matters:</p> <p>Authority to deal with all non-executive building control functions under existing and future relevant legislation, and as amended from time to time, including (without limitation) the Acts set out in the schedule of delegation in relation to non-Executive Building Control matters, save for those local choice functions reserved to the Executive and those matters reserved to the planning committees A, B or C or the strategic planning committee. This includes by way of example but not limitation: -</p> <ul style="list-style-type: none"> • Determining applications, (or declining to determine applications where applicable), for building control approval. • Issuing enforcement notices, and other similar notices and questionnaires • Issuing notices and orders in relation to building control • Using the powers contained within legislation to gain entry to premises for the purpose of carrying out surveys and establishing whether there has been a breach of legislation including applying to the magistrates' court for a warrant of entry • Carrying out any other regulatory enforcement functions and building control contained in legislation in force from time to time • Authorising the Head of Law to take any legal action which may be appropriate which relates to any function of the Executive Director including the taking or defending of legal proceedings and entering into legal agreements as may be required • Removal of nuisance deposits on the highway • Dealing with applications for street works licences 	<p>Head of Regeneration and Place</p>

3. General

All non-executive functions not reserved to Members, shall be delegated to the Chief Executive or such officer as he shall nominate in writing, unless there is a statutory requirement that the function be carried out by another officer, for example

APPENDIX 5

the personal statutory responsibilities of the Director of Children's Services and the Director of Adult Services.

4. Exemptions

The Mayoral Schemes of Delegation state that authority to exercise executive functions and make executive decisions is delegated to officers, except where there is an exemption to the contrary. Where such an exemption exists, the general rule is that those decisions will be made by the Mayor individually, in consultation with his colleagues in the Executive. Officers should refer to the Mayoral Schemes of Delegation; to Section I and Table 1 for general exemptions, and to Section M and Table 5 for exemptions specific to the Resources & Regeneration Directorate. Exemptions which may override delegated authority to officers to make decisions, as detailed in Section 2 of the Resources & Regeneration Scheme of Delegation, are repeated below.

1. Any matter in which the officer who would otherwise have delegated authority to act is aware that a councillor (or a person, company or organisation with which the councillor is involved) has a personal interest under the Council's Member Code of Conduct.
2. Any matter in which the officer who would otherwise have delegated authority to act has an actual or potential interest.
3. Any matter which in the opinion of the Executive Director for Resources & Regeneration, the Chief Executive or the Head of Law because of the scale of the decision, its potential impact, the sensitivity of the decision or for any other reason would more appropriately be dealt with by members.

Signed

Janet Senior
Executive Director for Resources & Regeneration

Date:

Council			
Report Title	Local Government Ombudsman – CWCN Service & Complaints Service		
Ward	All	Item No.	
Contributors	Executive Director for Children’s Services Director of Children’s Social Care Head of Targeted Services and Joint Commissioning		
Class	Open	Date	22 November 2017

1 Purpose

1.1 To bring to the Council’s attention the outcome of a Local Government Ombudsman (LGO) investigation following complaints which were upheld from a Lewisham resident regarding services provided by the Children with Complex Needs Service

2. Executive Summary

2.1 The resident complained that when the Children with Complex Needs Service undertook an assessment of her two sons’ needs which was not properly completed, and did not form a proper foundation for the decisions to reduce the care packages available to her children subsequently made at the Care Package Panel.

2.2 There was a delay in informing the resident of the Panel’s decision and she was not initially provided with a copy of the relevant assessment. The resident was unhappy with the changes made to the care packages for both her sons and made a complaint. This was processed via the Corporate Complaints structure rather than the Statutory Children’s Complaints Procedure. The complaint did not progress to resolution leading to the resident approaching the Local Government Ombudsman, at which point officers identified this procedural error. Despite being accepted by the Children’s Complaints Service the complaint suffered further delay and was not progressed through the various stages in a timely way, leading to the resident approaching the Local Government Ombudsman again.

2.3 There followed a protracted period where the LGO asked for updating information and gave expectations for when that information should be provided, only for there to be repeated delays in the Council’s response, or on occasions for there to be no response at all. In April 2017 a proper Stage 2 investigation was initiated and on its completion the resident requested that, rather than proceed to Stage 3 of the Complaints Procedure the Ombudsman should make a finding due to her loss of confidence in the Council, which was accepted.

2.4 The LGO Report attached at Appendix A gives the Ombudsman’s finding of fault leading to injustice in several areas covered by the complaint.

3. Recommendation

3.1 It is recommended that Council note the contents of the report.

4. Policy & Legislative context

4.1 Lewisham's Sustainable Communities Strategy 2008 – 2020 includes the priority: "Ambitious and Achieving", where people are inspired and supported to achieve their potential. The strategy sets out commitments to support all our young people by removing barriers to learning, and more broadly to tackle inequality and narrow the gaps in outcomes for our citizens, including children and young people with complex needs.

4.2 Lewisham's Children and Young People's Plan 2015 – 2018 sets out the vision of Lewisham's Children and Young People's Partnership for improving outcomes for all children. It articulates the need to improve outcomes for children with Special Educational Needs and Disabilities by ensuring that their needs are identified and met

4.3 Under the Children and Families Act 2014, the Special Educational Needs and Disabilities (SEND) reforms emphasise the importance of improving the life chances and well-being for young people with complex needs.

5. Background & detail of the findings

5.1 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 fault 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

5.2 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.

5.3 The resident complained that the Children with Complex Needs Service started an assessment of her sons' needs in January 2016 but failed to complete it fully. The resident further complained the social worker failed to keep her updated about progress with the assessment and failed to tell her its outcome for two months. When the social worker eventually told her of the decision, the complainant did not receive a copy of the assessment or the resulting care plans. Nor was she told when changes to the care package would start. The complainant was unhappy with the changes to her sons' care plans and the way the Council subsequently dealt with her complaint. The LGO found fault with the Council's failure to consider other respite options for one child such as out of borough placements or foster carers. The Council has confirmed it no longer operates a waiting list for short break provision.

- 5.4 Fault was found because the resident was not fully involved in the assessment undertaken and was not provided with a copy on its completion. The assessment took longer than what was reasonable to expect and the LGO found fault with this extended period of assessment. Additionally the assessment did not give reasons for the changes made to the existing care packages agreed for both children.
- 5.5 The social worker made a verbal presentation to the Care Package Panel but the basis for this verbal presentation was not retained. The LGO found that the presentation did not represent the views of the resident because these had not been gained. The Care Package Panel failed to give reasons for its decision to reduce the children's care packages and did not keep a proper record of the information on which their decisions were based. The continued failure to supply the resident with a copy of the assessment, despite this being a recommendation made by the Stage 2 Complaint process, and the failure to review the assessment after six months were also highlighted. The LGO found fault with all of these areas.
- 5.6 The Council has accepted that in progressing the complaint through the Corporate Complaints procedure rather than the statutory Children's Complaints procedure it was at fault. The LGO found fault with the Council's slow response to the challenge made by it in relation to this procedural error.
- 5.7 The resident was not kept updated about what was happening with her complaint and statutory timescales were missed when dealing with the complaint at Stage 2. The LGO's own enquiries about the complaint were not adequately responded to. All of these areas have been classed as fault.
- 5.8 The LGO found Injustice was caused by the delayed completion of the assessment and the failure to provide the resident with a copy, thus preventing her from being able to provide her views prior to the decision-making panel. The continued failure to provide a copy of the assessment, to give reasons for the changes made to the care packages for her children and the lack of timeliness in progressing her complaint led to a loss of confidence in the Council.
- 5.9 This report sets out the details of the case and the LGO's findings.

6. Details of the case

- 6.1 Mrs B has two children, C aged 11 years and D aged 10 years. Both are autistic. C has significant difficulties with speech, language, social interaction, and play skills. He also has ADHD. D has learning difficulties and problems with social interaction and social communication. Both have been supported via Child In Need plans since 2012.
- 6.2 In early 2015, the Council wrote to Mrs B to confirm the agreed care package for D, i.e. 7 hours a week short break direct payments; and 24 nights per year respite accommodation when he reached the eligible age. He was placed on a

waiting list until that time. This package of support mirrored that received by C.

- 6.3 In January 2016 there was a review of C and D's care packages. Mrs B claims that the social worker stayed for no more than five minutes during the assessment visit. Despite this, at the end of January the social worker verbally presented the assessment to the Care Package Panel. This decided D did not need respite accommodation and reduced D's direct payments from seven hours a week to four hours. The Council also reduced C's respite stays from 24 a year to 12.
- 6.4 The social worker relayed the Panel's decisions to Mrs B who was unhappy with the lack of reasons for the decision to reduce both children's care packages, and so in February 2016 Mrs B made a complaint to the Council.
- 6.5 In April, the Council sent Mrs B the Stage 1 response to her complaint. This was under the Corporate Complaints procedure rather than the Statutory Children's Complaints procedure. The Council told Mrs B it would not make any changes to the children's care packages while her complaint went through the complaints process. Mrs B confirmed no changes were made although D was taken off the waiting list for respite accommodation.
- 6.6 The social worker completed the assessment of C and D in April 2016 and recommended further review in six months. This was not subsequently done. Mrs B was unhappy with the Council's response to her complaint and reports the social worker failed to tell her the outcome of the review for several months; or tell her when the recommended care package would start; and continued to fail to provide her with a copy of the assessment. Mrs B held the view that as she had less family support there was a greater need for the full original care package. She asked that the complaint be taken to the next stage.
- 6.7 In June 2016, the Council responded to Mrs B's Stage 2 complaint via the Corporate Complaints procedure. At this stage Mrs B approached the LGO who queried with the Council the use of the Corporate Complaints Procedure. The Council reported this was at the request of the complainant. The Council was asked to complete the process for Mrs B's complaint.
- 6.8 The Children and Young People's Complaints Service contacted Mrs B in August 2016 and confirmed the Council should have dealt with her complaint under the statutory children's complaints procedure and stated they would begin the appropriate process to investigate the complaint.
- 6.9 In September 2016, the LGO asked for an update from the Council, who replied that it was putting an internal complaints investigation team together but was finding it difficult to find an available Independent Person. The LGO asked for a further update at the end of October 2016. The Council replied the Independent Investigator and the Independent Person were meeting Mrs B on 3 November 2016.

- 6.10 Mrs B stated she had heard nothing from the Council since August. When contacted about this, the Council eventually confirmed it had arranged a meeting with Mrs B for the following week. The Council also confirmed it would send out the Independent Investigator and the Independent Person's reports and its own decision letter within 25 days of the meeting or 16th December 2016.
- 6.11 Between December 2016 and April 2017 there was a continued lack of progress from the Council in addressing the outstanding issues with the complaint. The LGO took up the complaint and allocated it for investigation in January 2017 due to lack of progress in addressing the complaint.
- 6.12 Responses were required by the Council by 27th February 2017 but these were significantly delayed with various reasons offered as to why the Council could not supply requested material. In April when information was provided to both the LGO and Mrs B relating to the outcome of the Stage 2 investigation, the complainant stated that she had lost all confidence in the Council and requested the LGO to consider her complaint rather than to take it to a Stage 3 Panel. The LGO agreed. This Report details its findings.

7. Recommendations from the LGO (Abridged)

- 7.1 The LGO recommended the Council apologise to Mrs B for the time taken to deal with her complaint and for the fault found with the way it dealt with the assessment.
- 7.2 The LGO also recommended the Council pay Mrs B a total of £550 for the distress caused and for the poor handling of her complaint.
- 7.3 The Council should ensure greater transparency of the Care Package Panel's decision making process. Parties to the assessment presented to the Panel should have had sight of it and had opportunity to provide their views. Written reasons for the decisions made should be sent to the relevant parties. The Council should confirm in writing that it has made the required changes to its procedures within three months of the Report date.
- 7.4 The original respite provider should be approached to clarify if D would have been offered respite had his name remained on the waiting list in operation at that time. The Council should provide two overnight stays for each month missed since the complaint began over the next 12 months.
- 7.5 The Council should conduct a review of the operation of its procedures for identifying and dealing with complaints involving children and young people to meet its statutory duties. The Council should inform the LGO of the outcome of that review within three months of the date of the report.
- 7.6 The Council should carry out these recommendations as soon as possible but no later than three months of the date of the LGO report.

8. Management Response

- 8.1 Whilst the Service accepts the findings and is implementing the recommendations fully, it maintains that the full picture of the interface with the family is not reflected in the LGO's report. The original assessment was not limited to the short period referenced in the Report and the outcomes sought were based on a fuller understanding of the family's situation than is suggested. The poor handling of the successive stages of the complaint however contributed to an overall impression of a complainant let down by the Council.
- 8.2 The governance processes of the Care Package Panel are being reviewed and the LGO's recommendations incorporated into new Procedures. The Children with Complex Needs Team continues to be a focus of service improvement, having has in particular a high proportion of agency staff.
- 8.3 The executive Director for Children and Young People has written to Mrs B to formally apologise for the shortcomings within the original assessment process and for the subsequent poor handling of her complaints. The monetary element of the LGO's recommendations will be paid to Mrs B imminently.
- 8.4 The particular needs of the two boys have been reassessed and the recommendations of the LGO will be incorporated into the arrangements made. The respite offer might differ through a more creative respite support package. These options will be fully discussed with Mrs B.
- 8.5 A full review of the Children's Complaints Service is currently being initiated. A training programme has been commissioned by the Children's Complaints Service to provide a cross-section of managers likely to be involved in Stage 1 and Stage 2 complaint responses, with the knowledge necessary to understand the processes that underpin effective complaints handling.
- 8.6 Children's Social Care has already implemented a process whereby complaints at Stage 2 are outsourced to specialist investigators to provide a timely and professional response.
- 8.7 The relevant staff within the Children's Complaints Service in the timeframe of this complaint's most difficult period are no longer in the Council's employ.

9. Financial implications

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

10. Legal implications

- 10.1 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.

- 10.2 The 1974 Act sets out that “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.
- 10.3 Where the Ombudsman reports that there has been a finding of fault leading to injustice 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 the actions of the Council or its Officers. The Ombudsman makes recommendations but cannot compel the Council to implement its recommendations.
- 10.4 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.
- 10.5 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.
- 10.6 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.
- 10.7 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.
- 10.8 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/>

10.9 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
- Equality objectives and the equality duty
- Equality information and the equality duty

10.10 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/>

11. Crime and disorder implications

11.1 There are no direct crime and disorder implications arising from this report.

12. Equalities implications

12.1 There are no direct crime and disorder implications arising from this report.

13. Environmental implications

13.1 There are no environmental implications arising from this report.

Background papers and report author

If you require further information about this report, please contact Warwick Tomsett, Head of Targeted Support & Joint Commissioning on 020 8314 8362

The full report produced by the LGO is included at Appendix 1.

Report by the Local Government and Social Care Ombudsman

**Investigation into a complaint against
London Borough of Lewisham
(reference number: 16 003 985)**

8 August 2017

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 16 003 985 against London Borough of Lewisham

Contents

Report summary.....	1
Introduction	2
Legal and administrative background	2
How we considered this complaint.....	3
Investigation	3
Conclusions.....	5
Decision	7
Recommendations	7

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

Mrs B	The complainant
C	Her eldest son
D	Her youngest son
Officer 1	Social worker
Officer 2	Social worker

Report summary

Education and Children Services

Mrs B complains the Council failed to complete the assessment it started to carry out in January 2016 of her two sons. She also complains the Council failed to provide her with copies of the assessment, her sons' care plans, and wrongly decided to reduce their care package.

Mrs B also complains the Council failed to deal with her complaint promptly.

Finding

Fault found causing injustice and recommendations made.

Recommendations

To remedy the injustice caused, we recommend the Council:

- apologise to Mrs B for the time taken to deal with her complaint and for the fault found with the way it dealt with the assessment.
- pays Mrs B £400 for the avoidable distress caused by its failures and £150 for the effort she was put to pursuing this complaint, which the Council failed to deal with properly.

The Council should also ensure greater transparency in the Care Package Panel decision making process by sharing assessments with all parties before the panel meets. The Care Package Panel needs to give written reasons for its decisions.

The Council should approach the respite provider to clarify if D would have been offered a place had his name remained on the waiting list. It should then arrange for him to receive two overnight stays for each month missed over the next 12 months.

The Council should also start a review of the operation of its procedures for identifying and dealing with complaints involving children and young people to ensure it meets its statutory duties.

Introduction

1. Mrs B complains the Council started an assessment of her sons' needs in January 2016 but failed to complete it as the social worker cut short her visit while doing it. Mrs B complains the social worker failed to keep her updated about progress with the assessment and failed to tell her its outcome for two months. When the social worker eventually told her of the decision, Mrs B did not receive a copy of the assessment or care plans. Nor was she told when changes to the care package would start. Mrs B is unhappy with the changes to her sons' care plans and the way the Council dealt with her complaint.

Legal and administrative background

2. We investigate complaints about 'maladministration' and 'service failure'. In this statement, 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), as amended**)
3. The Children Act 1989 requires councils to safeguard and promote the welfare of children who are in need and so far as possible to promote their upbringing within the family unit by providing a range of services suitable for those children's needs. The Council is required under the Act to undertake an assessment of the child's needs followed by a decision on whether services are called for to meet them and, if so, how they will be provided.

Complaint procedure

4. The law sets out a 3 stage procedure for councils to follow when looking at complaints about children's social care services (**The Children Act 1989 Representations Procedure (England) Regulations 2006**).
5. Stage 1 complaints need concluding within 10 working days of receiving them.
6. At stage 2, the complaint needs concluding within 25 working days of a complainant's request to escalate the complaint, although this can be extended to a maximum of 65 days where investigations are complex. At this stage, a council appoints an Independent Investigator and an Independent Person. The Independent Person is responsible for the investigation. If a complainant is unhappy with the outcome of the stage 2 investigation, they can ask for a stage 3 review
7. A complainant can ask us at any time during the procedure to consider their complaint. We will consider a complainant's individual circumstances when deciding whether to accept a complaint before the review panel stage is completed. We may, for example, accept a complaint earlier where there was a breakdown of trust between the complainant and the council.

How we considered this complaint

8. We have produced this report following written enquiries of the Council and telephone contact with both Mrs B and Council officers.
9. We gave Mrs B and the Council a confidential draft of this report and invited them to comment. We took the comments received into account before the report was finalised.

Investigation

10. Mrs B has two sons, C aged 11 years and D aged 10 years. Both are autistic. C has significant difficulties with speech, language, social interaction, and play skills. He also has Attention Deficit Hyperactivity Disorder. D has learning difficulties and problems with social interaction and social communication. Both have had Child In Need plans since 2012.
11. In early 2015, the Council wrote to Mrs B to confirm the agreed care package for D. This was the same C received which was:
 - 7 hours a week short break direct payments; and
 - 24 nights a year respite accommodation when a place became available for D.
12. In August, Officer 1 from the Children with Complex Needs Service team wrote to Mrs B explaining that while the assessment recommended a respite place for D, the respite accommodation provider could not say when he would get it because of its waiting list.
13. In January 2016, Officer 2, also from the Children with Complex Needs Service team, began the review of C and D's care packages. Mrs B claims Officer 2 stayed no more than five minutes during her visit to do an assessment because of C's reaction to her.
14. At the end of the month, Officer 2 verbally presented the assessment to a Care Package Panel. The panel is made up of managers from the Children with Complex Needs Service and aims to ensure fairness and consistency for children accessing the service. This decided D did not need respite accommodation. His name was removed from the waiting list. It also decided to reduce D's care package. Direct payments were reduced from seven hours a week to four hours. The Council also decided to reduce C's stays at the respite accommodation from 24 a year to 12.
15. When Officer 2 told Mrs B about the panel's decision, she was unhappy that she was given no explanation or reasons for the decision to reduce D's care package, why he no longer needed respite accommodation, and why C's respite stays were reduced.
16. In February, Mrs B complained to the Council.
17. In April, the Council sent her its stage 1 response. This was under its corporate complaints procedure, not the statutory children's complaints procedure. The Council told Mrs B it would not make any changes to C and D's care packages while her complaint

went through its complaints process. Mrs B confirmed no changes were made although D was taken off the waiting list for respite accommodation.

18. Officer 2 completed the assessment of C and D the same month. The assessment said the case needed reviewing in six months. This was not done.
19. Mrs B was unhappy with the response to her complaint. She complained Officer 2 failed to tell her the outcome of the review for several months and failed to give her a copy of the assessment. When eventually told the outcome, Officer 2 failed to explain the reasons for the changes or when the new care package would start. Mrs B queried the decision to reduce the care package as she now had less support from her family than she did when C and D first got a care package.
20. Later that month, Mrs B refused an offer to meet Officer 2 to consider the assessment. She refused because Officer 2 had presented the assessment to the panel three months earlier before it was completed, and without giving her the chance to comment on it.
21. In May, Mrs B asked for her complaint to go to the next stage.
22. In early June, the Council sent her its stage 2 response, again under its corporate complaints procedure. Towards the end of the month, Mrs B complained to us about the Council. We asked the Council why it considered her complaint under the corporate complaints procedure and not the statutory children's procedure. The Council said Mrs B asked it to add this complaint to her corporate complaint. We asked the Council to complete the process for Mrs B's complaint.
23. A Council complaints officer contacted Mrs B in August. The officer told her the Council should have dealt with her complaint under the statutory children's procedure. The officer explained the Council would appoint an Independent Investigator and Independent Person to investigate her complaint under the correct procedure. The officer would write and tell her the names of both. The investigation team would contact her to arrange an interview.
24. In September, we asked the Council for an update. The Council replied it was working to put an internal complaints investigation team together which had no previous involvement of the complaint or the service, but was finding it difficult to find an available Independent Person.
25. We again asked the Council for an update towards the end of October. The Council replied the Independent Investigator and the Independent Person were meeting Mrs B on 3 November. Mrs B had no knowledge of any meeting. She had heard nothing from the Council since August. When contacted about this, the Council eventually confirmed it had arranged a meeting with Mrs B for the following week. The Council also confirmed it would send out the Independent Investigator and the Independent Person's reports and its own decision letter within 25 days of the meeting. This would be 16 December.
26. When we received nothing on 16 December, we again contacted the Council. We warned the Council if we heard nothing within four days, we would consider looking at Mrs B's

complaint. The day after the deadline, the Council asked for a day's extension. When that too passed, we confirmed we would look at her complaint.

27. In January 2017, we allocated her complaint for investigation and made formal enquiries of the Council. The Council was asked to provide its response by 27 February. Ten days before the deadline, the Council asked for a short extension. When the new deadline passed without a response, we again chased the Council. We also chased the Council for its response five days later. The Council confirmed an officer would call about the case. No officer called.
28. On 20 March, we contacted the Council about its lack of response. A Council officer explained the officer who was to call had left. A key complaints officer had also left. A second Council officer called and explained they could not yet reply to our enquiries. This was because the Council was now waiting for the reports from the Independent Investigator and the Independent Person. The Council expected to receive these at the end of March. It would provide its own response to them by the second week of April.
29. After receiving nothing by 10 April, we contacted the Council again. The Council said the reports were delayed to 20 April. When copies of the reports were eventually provided, Mrs B refused to ask the Council to take her complaint to the review panel stage. Instead, she asked us to consider her complaint as she had by now lost confidence in the Council. We agreed.
30. At stage 2, the Independent Investigator found:
 - the Council failed to involve Mrs B in the assessment process, communicate properly with her about it, and give her the chance to comment. There were delays with the assessment itself, a failure to give her a copy of it, and a failure to give reasons for the changes to the care packages;
 - poor communication about the Care Package Panel's decision making; and
 - significant delay in dealing with Mrs B's complaint.
31. In July 2017, Mrs B confirmed a new social worker completed her assessment of C and D which the Care Package Panel will consider.

Conclusions

32. The Council failed to show it considered other options for D when adding his name to the waiting list for respite accommodation. It failed to show it considered out of borough placements or foster carers for respite, for example. This is fault. The Council confirms it changed its practice so there are no waiting lists for short break provisions.
33. Officer 2 failed to provide Mrs B with a copy of the assessment for her to check. This, and the lack of her involvement in the assessment, is fault.

34. The assessment began in January but was not completed until April. A reasonable period to complete an assessment is about six weeks. It took about six weeks longer than it should have done. This is fault.
35. The Council failed to send Mrs B a copy of the assessment despite a recommendation made under stage 2 of its complaints procedure in June 2016. This is fault.
36. While making changes to C and D's care package, the assessment failed to give reasons for them. This is fault. This also means it is not possible to know what weight was given to disputed family support when making the changes.
37. Officer 2 verbally presented the assessment to the Care Package Panel towards the end of January. No evidence of what Officer 2 presented was provided. Officer 2's representations did not have the benefit of any views or comments Mrs B might have had on the assessment. This is fault.
38. The Care Package Panel failed to give reasons for its decision to reduce C and D's care package. Nor was there a proper record of what information the panel took into account when reaching its decision. This is fault.
39. The Council was at fault for failing to review the assessment after six months.
40. It was fault, as the Council accepted, for it to put Mrs B's complaint through the corporate complaints procedure, not the statutory children's complaints procedure.
41. When we challenged this, the Council was slow to arrange for the complaint to go through the correct complaints procedure. This is fault.
42. The Council failed to keep Mrs B updated about what was happening with her complaint. This is also fault.
43. It was fault for the Council to miss the statutory timescale for dealing with her complaint at stage 2. It took the Council eight months from accepting in August 2016 that it had used the wrong complaints procedure to complete stage 2. In our ['Focus Report: Are we getting the best from children's social care complaints?'](#) (March 2015), we said the, '*statutory timescales are designed to ensure complaints are handled effectively, fairly and swiftly throughout the process*'. It also said a complaint, '*should be progressed in as seamless a way as possible*'.
44. When we made enquiries about her complaint, the Council failed to say what was happening with its investigation of her complaint. This is fault.

Injustice

45. The failure to let Mrs B have a copy of the assessment, and the delay completing it, caused her avoidable injustice. This is because she lost the opportunity to comment on it before it went to the panel. The continuing failure to send her a copy of the assessment also caused her further understandable frustration and contributed to her loss of confidence in the Council.

46. The failure to give reasons meant she had no understanding of why the Council wanted to change her sons' care package. This again caused frustration and a loss of confidence in the Council.
47. Mrs B feels anxious, frustrated, ignored, and angry with the way the Council dealt with her complaint. The delays meant she waited longer than necessary to know whether her remaining complaints were upheld or not.
48. Although the Council agreed to make no changes to C and D's care from the panel decision in January 2016 until the outcome of the complaints procedure was known, the Council did not pursue a place for D at the respite accommodation.

Decision

49. Fault found causing injustice and recommendations made.

Recommendations

50. We recommend the Council apologise to Mrs B for the time taken to deal with her complaint and for the fault found with the way it dealt with the assessment.
51. We also recommend the Council pay Mrs B £400 for the avoidable distress which caused the anxiety, frustration, and anger she experienced by its failures. In addition, the Council should pay her £150 for the time and trouble she spent pursuing this complaint which it failed to deal with properly.
52. The Council should ensure greater transparency with the Care Package Panel decision making process. Assessments need sharing with all parties before the panel meets. The panel needs to give written reasons for its decisions. The Council should confirm, and provide written evidence within three months, that it made the required changes to its procedures to achieve these objectives.
53. The Council should approach the respite provider to clarify if D would have been offered a place had his name remained on the waiting list. It should then arrange for him to receive two overnight stays for each month missed over the next 12 months.
54. The Council should conduct a review of the operation of its procedures for identifying and dealing with complaints involving children and young people to ensure it will in future meet its statutory duties. The Council confirmed the appointment of a new Complaints Manager will help. The Council should inform us of the outcome of that review within three months of the date of this report.
55. The Council should carry out these recommendations as soon as possible and no later than three months of the date of this report.

COUNCIL			
Report title	Comments of the Overview and Scrutiny Committee on Local NHS GP Services		
Contributors	Overview and Scrutiny Committee	Item No.	
Class	Part 1	Date	22 November 2017

1. Summary

- 1.1 This report informs Council of the comments and views of the Overview and Scrutiny Committee, arising from discussions held on Local NHS GP Services at its meeting on 31 October 2017.

2. Recommendation

- 2.1 Council is recommended to note the views of the Overview and Scrutiny Committee as set out in section three of this referral.

3. Overview and Scrutiny Committee views

- 3.1 On 31 October 2017, the full Overview and Scrutiny Committee considered a report entitled Local NHS GP Services which included, as an appendix, a report due to be considered by the Healthier Communities Select Committee on 1 November 2017 on the future of the Walk In Centre in New Cross.
- 3.2 Following discussion on the item, the Overview and Scrutiny Committee made the following comments to the Healthier Communities Select Committee in relation to the proposed closure of the Walk In Centre at New Cross:
1. We have heard a number of concerns about the proposed closure.
 2. We appreciate that the NHS Lewisham Clinical Commissioning Group (CCG) is likely to need more time to consider the responses received during the conclusion and we welcome that.
 3. We would welcome the final response from the CCG on this matter being provided to all councillors as the walk-in centre is a borough-wide service.
 4. We would welcome further details on GP recruitment and nurse retention bearing in mind Lewisham's population increase and Our Healthier South East London (OHSEL) / the Sustainability and Transformation Plan (STP) primary care requirements.
 5. Current A&E performance figures for local trusts (Lewisham, King's and Guys and St Thomas') were tabled at our meeting and we question how this proposal will help improve performance.
- 3.3 NHS Lewisham Clinical Commissioning Group has since agreed to ask its governing body to defer its decision on the future of the New Cross Walk In Centre until 11 January 2018 and extend the current Walk In Centre contract until 31 March

2018, so it can fully review the consultation responses and consider the suitability and effectiveness of the alternative provision in place.

4. Financial Implications

4.1 There are no financial implications arising out of this report per se.

5. Legal Implications

5.1 The Constitution provides for Select Committees to make recommendations to the Executive or appropriate committee and/or Council arising from the outcome of the scrutiny process.

6. Further Implications

6.1 At this stage there are no specific environmental, equalities or crime and disorder implications to consider.

Background papers

[Local NHS GP Services](#) – report to the Overview and Scrutiny Committee, 31.10.17

If you have any queries on this report, please contact Charlotte Dale, Overview and Scrutiny Manager (ext. 48286)

COUNCIL		
Report Title	Thames Water Scrutiny Report	
Key Decision		Item No. X
Ward		
Contributors	Chief Executive (Interim Overview and Scrutiny Manger)	
Class	Part 1	Date: 22 November 2017

1. Summary

- 1.1 Council is asked to receive the report of the Overview and Scrutiny Committee resulting from its, and other's, scrutiny of Thames Water. The recommendations have been provided to Thames Water and an initial response has been received. The report is attached at Appendix A.

2. Recommendation

- 2.1 That Council supports the campaign of the Fire Brigade Union for the Fire Brigade to become the statutory Emergency Response Service for flooding, as recommended by the Pitt Review in 2008¹, in view of the recent major bursts across the capital resulting in severe flooding and given the fact that such occurrences are more likely in the future due to the ageing Victorian trunk mains network across London.

3. Overview and Scrutiny Committee views

- 3.1 The major water mains bursts that occurred across London, including in Lewisham, in 2016 were incredibly disruptive to residents and businesses. The Overview and Scrutiny Committee has held Thames Water to account in terms of the very significant impact the incidents had, both at the time and since. One of the recommendations made by the Committee, and by scrutiny bodies in other affected boroughs, is that the campaign of the Fire Brigade Union for the Fire Brigade to become the statutory Emergency Response Service for flooding, should be supported.

4. Financial Implications

- 4.1 There are no financial implications arising out of this report per se.

5. Legal Implications

- 5.1 The Constitution provides for Select Committees to make recommendations to the Executive or appropriate committee and/or Council arising from the outcome of the scrutiny process.

¹ Recommendation 39:

http://webarchive.nationalarchives.gov.uk/20100807034701/http://archive.cabinetoffice.gov.uk/pittreview/_media/assets/www.cabinetoffice.gov.uk/flooding_review/pitt_review_full%20pdf.pdf

6. Further Implications

- 6.1 At this stage there are no specific environmental, equalities or crime and disorder implications to consider.

Background papers

Appendix A – Overview and Scrutiny Committee Report – Thames Water – November 2017

If you have any queries on this report, please contact Charlotte Dale, Overview and Scrutiny Manager (ext. 48286)

Overview and Scrutiny

Thames Water



A report by the Overview and Scrutiny Committee
November 2017



Contents

Chair's introduction	02
1. Executive summary	03
2. Recommendations	04
3. Outline of scrutiny	05
4. The context	06
5. The findings	08
6. Conclusion	13
7. Monitoring and ongoing scrutiny	13
8. Initial Response	13

Chair's Introduction

On 27th November 2016 the London Fire Brigade reported that they were with a coach stuck in a collapsed roadway following a burst water main in Lee High Road near Lewisham Town Centre.

Fire crews were initially called at 17:25 on Saturday (November 26) and assisted 40 people from the coach. Another 40 people were also evacuated from local properties affected by flood water and sandbags were distributed to residents and businesses.

Crews from Lewisham, Greenwich, Lee Green, New Cross and Forest Hill fire stations remained at the scene until the early hours of Sunday morning.

A command unit from the Brigade remained at the scene on Sunday to assist Thames Water and the local authority with the removal of the coach. Approximately 3,000 homes in the area were without water.

This report follows other incidents across London and the joint scrutiny work of the London Boroughs affected and the GLA.

Thames Water commissioned an independent review by Paul Cuttill OBE.

I am particularly pleased that by working constructively together with other London Boroughs, the GLA, the London Fire Brigade and Thames Water a set of recommendations that improve London's infrastructure and response have been made.

Wei Zheng the Chinese Prime Minister of the Tang Dynasty (618-907 AD) famously said: "Water can carry a boat or sink it"¹ – I hope we have helped the boats to float.



Councillor Alan Hall
Chair of the Overview and Scrutiny Committee



¹ Quoted in: Gunter Brauch et al (eds.), Coping with Global Environmental change, disasters and security (Berlin, 2011)

1. Executive Summary

- 1.1 The major water mains bursts that occurred across London, including in Lewisham, in 2016 were incredibly disruptive to residents and businesses. The Overview and Scrutiny Committee recognised this and wanted to hold Thames Water to account in terms of the very significant impact the incidents had, both at the time and since. The Committee also wanted to make sure that Thames Water would provide immediate, short term and longer term support to those affected; and work closely with residents and local businesses to help them get their lives and businesses back to normal as quickly as possible.
- 1.2 The Committee recognised that there was value in working with other boroughs that had been similarly affected by burst water mains and the recommendations contained in this report are joint recommendations with the London boroughs of Islington, Hackney and Lambeth and endorsed by the London Assembly Environment Committee.
- 1.3 The recommendations focus on improving Thames Water's communications with customers; strengthening and formalising their compensation arrangements and customer care policies; prioritising investment in replacing ageing Victorian pipework; and ensuring that monitoring technology is fit for purpose with effective feedback mechanisms. The Overview and Scrutiny Committee, and Scrutiny colleagues in other affected boroughs, also believe that the London Mayor, the GLA and all London Boroughs should support the campaign of the Fire Brigade Union to become the statutory Emergency Response Service for flooding. This was recommended by the Pitt Review in 2008² and is necessary in light of the severe flooding that has occurred across the capital to date and given the fact that such occurrences are more likely in the future due to the ageing Victorian trunk mains network across London.

² Recommendation 39:

http://webarchive.nationalarchives.gov.uk/20100807034701/http://archive.cabinetoffice.gov.uk/pittreview/_media/assets/www.cabinetoffice.gov.uk/flooding_review/pitt_review_full%20pdf.pdf

2. Recommendations

- 2.1 The boroughs of Lewisham, Islington, Lambeth and Hackney have agreed the following recommendations:
1. That Thames Water improve their emergency response arrangements including instituting a dedicated emergency response line for the reporting of leaks and investigating the possibility, with the Metropolitan Police Service, of receiving a 'blue light' service from the Police should a major incident be declared.
 2. That Thames Water improve and join up their monitoring system for detecting the likelihood of bursts on major trunk mains.
 3. That Thames Water, when submitting their case to OFWAT for their future 5 year investment plans, prioritise the phased improvement of ageing Victorian pipe replacement on major trunk mains. This should be completed within a specified period to be determined and published by Thames Water, but 15 years is proposed, given the problems that major bursts on these roads cause to businesses and residents.
 4. That Thames Water develop and publish performance and attendance standards, both in relation to major and minor pipe bursts.
 5. That a clear and comprehensive compensation policy be developed by Thames Water, covering clean up/insurance/compensation and goodwill payments. This should be clearly communicated to customers and available on the company website. Compensation for inconvenience should be formally recognised and included in the policy.
 6. That the Mayor, GLA and London Boroughs support the campaign of the Fire Brigade Union to become the statutory Emergency Response Service for flooding, as recommended by the Pitt Review in 2008³, in view of the recent major bursts resulting in severe flooding and given the fact that such occurrences are more likely in the future due to the ageing Victorian trunk mains network across London.
 7. That the London Plan should include provision, when planning permission for basements is being requested, to ensure that a risk assessment is carried out prior to approval to ensure the risk to life of flooding is minimised.

³ Recommendation 39:

http://webarchive.nationalarchives.gov.uk/20100807034701/http://archive.cabinetoffice.gov.uk/pittreview/_media/assets/www.cabinetoffice.gov.uk/flooding_review/pitt_review_full%20pdf.pdf

3. Outline of scrutiny

3.1 Eight major bursts occurred in London between October and December 2016. The bursts were significant both in terms of the number of people affected by the flooding caused, and the number of road closures necessary to repair the pipes. There were two major bursts in Lewisham and as a result, the Overview and Scrutiny Committee decided to investigate this important issue.

3.2 The timetable for Lewisham's scrutiny was as follows:

22 January 2017 – meeting of Overview and Scrutiny Committee at which Thames Water attended to answer questions.

3 February 2017 – meeting held in Lewisham at which Islington, Hackney, Lambeth and Lewisham agreed to pursue a coordinated approach to providing their findings to Thames Water, in consultation with the London Assembly Environment Committee, which has also investigated these matters.

13 June 2017 – meeting held at the GLA to agree joint recommendations.

31 October 2017 - meeting of Overview and Scrutiny Committee at which Thames Water attended to answer questions, present their response to the joint recommendations and present their strategic review.

4. The Context

4.1 The water mains bursts that occurred across London, including in Lewisham, in 2016 were incredibly disruptive to residents and businesses.

4.2 The eight major bursts were as follows:

10 October – Crayford Road, Dartford

- Substantial flooding to homes and businesses in Crayford, and water supplies to some customers were interrupted.
- Burst was from 12” and 18” diameter pipes laid in the 1880s.

15 October and 16 December – Leigham Vale, Lambeth

- Around 25 properties affected by flooding – these were affected twice in two months.
- Burst was from a 21” diameter pipe laid in 1880.

25 October – Camberwell New Road, Southwark

- The burst resulted in severe flooding to the A202 but minimal flooding to properties.
- Burst was from a 30” diameter pipe – a 1941 wartime repair from a bomb strike on a pipe laid in 1870.

26th November – Lee High Road, Lewisham

- 52 properties were flooded and customers in the surrounding area were without water or experienced low pressure for a short period. A coach got stuck in the collapsed carriageway.
- Burst was from a 24” diameter pipe laid in 1900.

5th December – Upper Street, Angel, Islington

- Significant flooding in the area, with approximately 100 properties affected.
- Burst was from a 36” diameter pipe laid in 1850s.

11th December – Northwold Road, Stoke Newington, Hackney

- Estimated 150 properties had to be evacuated, 20 homes and businesses were flooded.
- Burst was from a 30” diameter pipe laid in 1868.

4.3 A further event on 10 December 2016 in Lee Road, Blackheath, flooded 10 businesses and 8 homes in Meadowcourt Road. This was a distribution main, not a trunk main, and the burst was caused by accidental contractor damage.

- 4.4 Four of the London boroughs affected by these bursts (Islington, Hackney, Lewisham and Lambeth) have conducted scrutiny investigations into the incidents. The boroughs also agreed, following a meeting held at Lewisham on 3 February 2017, to pursue a coordinated approach to providing their findings to Thames Water, in consultation with the London Assembly Environment Committee, which has also investigated these matters.

5. The Findings

Islington and Hackney

- 5.1 The London Boroughs of Islington and Hackney have been working together and separately to investigate the response to flooding caused by water main bursts in their areas. Joint questioning of Thames Water by Islington and Hackney took place on 18 January 2017. Issues covered included the level of investment that Thames Water had committed to improving its pipes and other infrastructure; their approach to maintenance and how they might better identify and deal with small leaks before they escalate; and whether emergency events such as the burst water main pipes that had led to this scrutiny, could be responded to more effectively.
- 5.2 Following this meeting, Islington and Hackney delivered separate scrutiny forums in which residents and businesses were given the opportunity to ask Thames Water directly about the causes of the events, their response to it, and their management of the aftermath, and to discuss any individual cases.
- 5.3 The Living in Hackney Commission⁴ wrote to Thames Water to outline its findings, and set out some proposals for change⁵. This helped lead to further engagement by Thames Water with the properties affected and those surrounding them, and assurances that this would continue as further remedial action is planned and delivered. An additional goodwill gesture (£500 in vouchers for residents who had helped to protect their and their neighbours' homes) was also secured in recognition of the efforts made by residents to barricade water away from their properties.
- 5.4 Islington's Policy and Performance Committee met a number of times since the joint meeting with Hackney in January to scrutinise the flooding response. This included a meeting to enable residents and businesses to raise issues relating to the flooding for the Council to take forward with relevant parties; and a meeting to discuss the flooding incident with Ofwat. The Committee has recommended improving emergency response arrangements; investigating and installing improved technologies to detect the likelihood of bursts on major trunk mains; prioritising the replacement of ageing Victorian pipes on major trunk mains; and improving communications with, and guidance for, residents.

Lambeth

- 5.7 The London Borough of Lambeth set up a Burst Water Mains Scrutiny Commission which held a single meeting on 25 April 2017⁶. The aim was to gather the views of residents, businesses, ward councillors and other stakeholders on the flooding incidents that had taken place in Lambeth and put questions to representatives of Thames Water on such issues as the causes

⁴ See: www.hackney.gov.uk/living-in-hackney-commission

⁵ See: [letter to Thames Water \[pdf, 177.16Kb\]](#)

⁶ See: <https://moderngov.lambeth.gov.uk/ieListDocuments.aspx?CId=775&MId=10100&Ver=4>

and effects of the incidents, the customer response (e.g. clean-up operations and processing of insurance claims), the water mains maintenance and investment regime and measures being taken to prevent future bursts.

Lewisham

5.5 The Overview and Scrutiny Committee met on 23 January 2017 to discuss the flooding experienced in Lewisham and question representatives from Thames Water. Although feedback from those who were flooded was generally positive in relation to the speed of response from Thames Water, the Committee found that:

- Communications with residents needs to improve: Thames Water twitter and website communications don't always get things right.
- The service provided in the event of damage caused by flooding needs to be more bespoke and respond better to individual needs: this will require working closely with loss adjusters and build a long term relationship with affected customers.
- Large scale trunk main failures seem to be happening more regularly and this requires investigation and action over and above what has taken place so far. In Lewisham, 33% of permits issued by TfL have been for immediate permits (i.e. to deal with leaks/incidents on trunk main roads after the event rather than scheduled work which can be planned to reduce congestion and disruption).

5.6 The Committee also noted that, because of the severity of the numerous incidents over the last few months, TfL commissioners had written formally to the Chief Executive of Thames Water, and followed this up with a meeting, outlining their concerns and requesting further investment to avoid future incidents.

Joint working

5.8 Throughout, the boroughs have made efforts to ensure a coordinated approach to the scrutiny of Thames Water. This has included:

- A meeting between Lambeth, Islington and Lewisham, held at Lewisham, on 3 February 2017, to ensure the scrutiny investigations were joined up.
- Lambeth councillors attending Islington's scrutiny meeting on 20 April to put questions to Ofwat.
- An Islington councillor speaking at Lambeth's commission meeting on 25 April.

As outlined below, there has also been liaison with the London Assembly Environment Committee.

London Assembly Environment Committee



GLA Meeting to agree joint recommendations, 13 June, 2017

5.9 The London Assembly Environment Committee has also investigated the issue of burst water main pipes and questioned Thames Water representatives at committee meetings held on 19 January 2017 and 15 June 2017 over the various incidents that occurred in London in 2016. At a pre-meeting held on 13 June 2017 involving London Assembly Members and scrutiny members from affected boroughs, attended by the Chair of the Overview and Scrutiny Committee, Councillor Alan Hall, it was agreed that a set of joint recommendations for Thames Water would be presented, as outlined in section 2 of this report.

Thames Water

5.10 Following the major bursts across London in 2016, Steve Robertson, the Thames Water Chief Executive, commissioned an independent forensic analysis review. This was completed at the end of March 2017 and was made public on 25 April 2017:

<https://www.thameswater.co.uk/sitecore/content/Corporate/Corporate/About-us/Investing-in-our-network/Trunk-mains-review>

5.11 The independent review was led by Paul Cuttill OBE, and covered:

- The causes of each burst – asset condition, its location and environment, and whether any patterns of failure could be identified
- The impact – on customers, the wider community, and the cost
- The immediate response – identifying what Thames Water and others did well and what needs to improve
- The network – whether Thames Water needs to make changes to network configuration, pumping and control regimes.

5.12 The review found that:

- There was no single common cause of the bursts. Whilst age and condition of the pipes was an underlying factor in the eight high-profile failures, there were no systematic failings that could be said to have consistently caused or enabled the bursts.
- Although there is a clear investment strategy and plan for trunk mains that is supported by risk and statistical modelling, Thames Water should improve its understanding of its network and improve how it manages existing data and knowledge.
- The ‘building blocks’ necessary to deliver Thames Water’s trunk mains plans and commitments are in place but Thames Water should improve its management of its planned works and make better use of local knowledge.
- Thames Water should accelerate the roll-out of monitoring units (equipment that can monitor where bursts may happen or have already occurred), refresh how it prioritises alarms, increase its capacity to analyse data, and work with partners to develop new, innovative ways of assessing the condition of its pipes.
- Communication should be improved with customers and within the company itself (immediately after bursts have happened). Thames Water’s capacity to deal with multiple major incidents also needs to improve, and how it can better learn from incidents after they’ve taken place.

5.13 Thames Water has welcomed the findings of the review, begun implementing its recommendations and committed an additional £97m investment into the trunk main network over and above the amount stated in its business plan for 2015 to 2020. The company has stated that its focus is to fix the mains at highest risk, as well as deploying monitoring equipment at additional locations.

5.14 On 2 October 2017, Thames Water published its Strategic Review, which builds on the findings of the Cutthill report, and includes 15 commitments to improving performance. Key aspects of this are recruiting extra night time resource and improving assurance processes for customers. The Strategic review makes 15 commitments, across five key areas: Thames Water’s operating model; monitoring; asset information; risk management and event response. Thames Water will deliver these commitments through an implementation phase over 18 months:

<https://corporate.thameswater.co.uk/About-us/Investing-in-our-network/Trunk-mains-review>

Further Lewisham scrutiny

5.15 At its meeting on 31 October 2017, The Committee heard from four Thames water officers: Mark Mathews, Local and Regional Government Liaison Manager; Sarah Hurcomb, General Manager for South London; Tim McMahon, Head of Water Networks; and Harriet Brown, Local and Regional Government Liaison Officer.

5.16 It was reported that:

- A number of capital investments had been made since the two major bursts in Lee High Road and Lee Road at the end of 2016; including £10m of capital investment for Lee High Road to improve the infrastructure.
- 90 metres of pipework on Eltham Road had been replaced with cross connections for strengthening purposes and chambers for monitoring.
- Thames Water had improved its approach to monitoring its trunk mains and by 2025 aimed for 25% of its network to be covered by monitoring. Customer response had also been improved with 24 newly trained customer representatives now responsible for managing cases for customers from the day of the burst to resolution.

5.17 In response to questions from Members of the Committee, Thames Water officers reported that a new shift pattern had been introduced to improve the response available in the case of an out of hours event, especially 2am to 8am, and a night time complex manager had been appointed. Thames Water was also working more closely with Transport for London. This included coordinating work so there would be a single excavation on key roads (e.g. Deptford High Street).

6. Conclusion

- 6.1 The Committee welcomes the initial response from Thames Water to the joint recommendations and finds the commitments outlined in the strategic review to be positive. It is essential that the impact of future bursts is minimised so that residents and local businesses can get their lives and livelihoods back to normal as quickly as possible.
- 6.2 The Committee will be very interested to consider Thames Water's Business Plan when it is published next year, as it believes that the replacement of the capital's ageing Victorian pipework is a key part of reducing the likelihood and impact of future bursts.
- 6.3 The Committee hopes that full Council will get behind the campaign of the Fire Brigade Union to make the Fire Brigade the statutory Emergency Response Service for flooding.

7. Monitoring and Ongoing Scrutiny

- 7.1 The Committee notes that Thames Water's Business Plan (2020 – 2025) will be released for consultation in early 2018 and will include options for a comprehensive long term programme of pipe replacement. The Committee may ask Thames Water to attend a future meeting, following the publication of this document.

8. Initial response

- 8.1 The initial response from Thames Water to the joint recommendations can be found below.



Charlotte Dale
LB of Lewisham Scrutiny Manager
LB of Lewisham

Wholesale Water

Our ref Strategic Trunk Mains Review
Name Timothy McMahon
Phone 0800 0093965
E-Mail Customer.Feedback@thameswater.co.uk

12 October 2017

Dear Charlotte,

Lewisham Council Overview and Scrutiny Committee

Thank you for your email of the 19 July setting out the trunk main burst recommendations from the London Borough of Lewisham's Overview and Scrutiny Committee.

The recommendations submitted by the Council have assisted us in finalising our Trunk Mains Strategic Review and we are pleased to provide a detailed response to the Committee's recommendations.

We recognise how disruptive and upsetting the 2016 trunk main bursts were for our customers. They had a significant impact both at the time, and since, particularly for people whose homes and businesses were flooded.

We continue to work hard to provide the support people need to bring their lives and businesses back to normal as quickly as possible.

Our Trunk Mains Strategic Review, which builds on the recommendations of the preceding independent 'Forensic Review' led by Paul Cuttill OBE, was published on the 2 October. Enclosed with this letter is a copy of the Strategic Review. The Strategic Review makes 15 commitments, across five key areas:

- our operating model;
- monitoring;
- asset information;
- risk management and
- event response.

We will deliver the 15 commitments from our Strategic Review through an implementation phase over the next 18 months.

Many of the recommendations are fulfilled by our commitments in the Strategic Review or through our business as usual processes.

Set out below we respond to each of the Committee's recommendations:

Registered address: Thames Water Utilities Limited, Clearwater Court, Vastern Road, Reading RG1 8DB
Company number 02366661 Thames Water Utilities Limited is part of the Thames Water Plc group. VAT registration no GB 537-4569-15

- 1) That Thames Water improve their emergency response arrangements including instituting a dedicated emergency response line for the reporting of leaks and investigating the possibility, with the Metropolitan Police Service, of receiving a 'blue light' service from the Police should a major incident be declared.**

Theme 5 of the Trunk Mains Strategic Review provides details of our proposed improvements to event responses. This includes mobilising a dedicated trunk mains event response capability; creating a trunk mains event response improvement programme; and ensuring we provide appropriate customer care.

I can confirm we have a dedicated emergency response line for the reporting of leaks for priority services, including the Police, Fire Brigade and Local Authorities. This number connects direct to our control room and works 24 hours a day.

We work closely with key resilience stakeholder groups, for example through the London Resilience Forum, to discuss and determine best practice measures we can deploy in emergency response events.

The possibility of receiving a 'blue light' service from the Police, should a major incident be declared, is one that is considered on a case by case basis at the time of the event or incident. The ability to provide a 'blue light' service will depend on the circumstances of the incident, including the location of our technical teams and the Police. We continue to work closely with the Police and other emergency services to look at opportunities to improve our speed of response.

- 2) That Thames Water improve and join up their monitoring system for detecting the likelihood of bursts on major trunk mains.**

We can confirm this forms part of our Trunk Main Strategic Review. Theme 2 of the Trunk Mains Strategic Review sets out our commitments under monitoring. Our commitments include, formalising our trunk mains ongoing policy; providing updated and repeatable control room training; developing our data utilisation capabilities; and revitalising our monitoring unit installation process.

For example, through our commitment to revitalise our monitoring installation process, we will increase the speed and reduce the complexity of our process for installing and commissioning Synchronix and Hydroguard monitoring units.

We would be happy to keep you updated on our work to improve our monitoring system.

- 3) That Thames Water, when submitting their case to OFWAT for their future 5 year investment plans, prioritise the phased improvement of ageing Victorian pipe replacement on major trunk mains. This should be completed within a specified period to be determined and published by Thames Water, but 15 years is proposed, given the problems that major bursts on these roads cause to businesses and residents.**

In the long term our strategy is to replace the trunk mains network, starting with those parts where the risk of a failure is greatest. Better information about our network and better risk models will help improve the detailed planning required. Our Business Plan for the period from 2020 to 2025 will be released for consultation in early 2018 and will include options for a comprehensive long term programme of replacement. We would be happy to share and seek feedback on our draft plans with the Council in early 2018.

4) That Thames Water develop and publish performance and attendance standards, both in relation to major and minor pipe bursts.

Commitment 5.2 of our Trunk Mains Strategic Review confirms that we will instigate a programme of works to improve our event response capabilities. We will set appropriate Service Level Agreements aligned to customers and stakeholder needs to improve our performance, and refine our event response processes to bring them closer into line with those of the Category 1 responders under the Civil Contingency Act. As part of this work we will consider the most appropriate methods to share our performance.

It may also be helpful to explain that the Discover Water website (<https://discoverwater.co.uk/loss-of-supply>) provides an overview of how all the water companies in England and Wales compare in relation to the number of burst pipes.

5) That a clear and comprehensive compensation policy be developed by Thames Water, covering clean up/insurance/compensation and goodwill payments. This should be clearly communicated to customers and available on the company website. Compensation for inconvenience should be formally recognised and included in the policy.

We have drafted an information booklet which lays out what a claimants' options are following flooding and explains the claims process. This booklet has been produced in cooperation with the Consumer Council for Water, an independent body that represents water and sewerage consumers in England and Wales. The organisation provides impartial advice and advocacy for consumers.

We have recently shared this draft booklet with customers' affected by flooding events and they have asked for further refinement to our policies, particularly in relation to clarity on insurance and goodwill payments. We have commitment to address these concerns and we will present a final version of the booklet in the near future.

6) That the Mayor, GLA and London Boroughs support the campaign of the Fire Brigade Union to become the statutory Emergency Response Service for flooding, as recommended by the Pitt Review in 2008, in view of the recent major bursts resulting in severe flooding and given the fact that such occurrences are more likely in the future due to the ageing Victorian trunk mains network across London.

This recommendation is noted:

7) That the London Plan should include provision, when planning permission for basements is being requested, to ensure that a risk assessment is carried out prior to approval to ensure the risk to life of flooding is minimised.

This is duly noted. It may be helpful to explain that we work closely with the Mayor of London's planning team on the drafting of strategic planning policies for London, including on water, wastewater infrastructure and flooding. We would be happy to work with officers on a flood risk assessment policy, should the Mayor's planning team consider one appropriate.

Next steps

Significant improvement steps have already been taken on our journey to improve our trunk main water network. We have already committed an additional £97m investment into our trunk main network over and above what was in our business plan for 2015 to 2020 and we have set aside additional money to support the trunk mains implementation phase, which we will deliver over the next 18 months.

In Lee High Road in Lewisham we recently trialed a new technology with the aim to help us detect defects on our water pipes and reduce the likelihood future bursts. This innovative trial, a first in the UK, involves lowering a rocket-shaped scanning device through a specially designed hatch built onto the pipe. Following this work we are planning to install new monitors and valves to the trunk main in 2018. This will help to reduce the risk of future bursts in this location.

We will continue to share our progress on the Trunk Mains review with our stakeholders and work with our partners, including the London Boroughs, to deliver on the investment with minimal disruption, engaging with our customers throughout.

I trust you find the above update helpful. Should you have any queries please don't hesitate to contact my colleague Mark Mathews on 07747 647 862 or via email at mark.mathews@thameswater.co.uk.

Yours sincerely

PP

Tim McMahon

Head of Water Networks, Wholesale Water

Agenda Item 16

COUNCIL		
Report Title	Motion 1 in the name of Councillor Coughlin to be seconded by the Mayor	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: November 22 2017

"This Council believes that a proportional voting system best reflects the democratic values of Lewisham Council and that proportional representation is the optimum expression of the legitimate democratic wishes of the people of Lewisham.

This council therefore resolves to identify the most appropriate proportional voting system for the election of councillors in the Borough of Lewisham and seek the agreement of the HMG to implement this in Lewisham."

COUNCIL		
Report Title	Motion 2 in the name of Councillor Jacq Paschoud to be seconded by Councillor Muldoon	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: November 22 2017

“Some people of working age who have been diagnosed with a terminal illness would chose to continue in employment for as long as they are able. Their income continues, they feel a sense of worth and purpose, they may be distracted from their illness and its treatment and their "Death in Service" rights are protected for their loved ones. The Dying to Work Charter sets out an agreed way in which an employer will support protect and guide employees throughout their employment following a terminal diagnosis.

Lewisham council will work with unions towards the signing of a customised charter, provided by the TUC based on the following:-

*The Council recognises that terminal illness requires support and understanding and not additional and avoidable stress and worry.

*Terminally ill workers will be secure in the knowledge that they will be supported following their diagnosis and we recognise that , safe reasonable work can help maintain dignity, offer a valuable distraction and can be therapeutic in itself.

*We will provide our employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss.

*We support the TUC's Dying to Work campaign so that all employees with a terminal illness have adequate protection and have their death in service benefits protected for the loved ones they leave behind.”

Agenda Item 18

COUNCIL		
Report Title	Motion 3 in the name of Councillor Hall to be seconded by Councillor Daby	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: November 22 2017

The National Aids Trust have said that for three decades, the UK has been a world leader when it comes to HIV, leading the way with public awareness and harm reduction campaigns since the 1980s. The care the NHS provides to people living with HIV is second-to-none, with 94% of those on treatment achieving viral suppression. Today someone diagnosed with HIV in the UK can expect a near-normal life expectancy.

But HIV is not over. Over 100,000 people in the UK will live with HIV for the rest of their lives. Recent reports of a decrease in new diagnoses among gay men in some London clinics are hugely welcome, but have not yet been replicated elsewhere and follow a decade of high and sustained rates of transmission. HIV continues to disproportionately affect certain communities, including gay and bisexual men and people in black and minority ethnic groups. In the past two years, there has also been rapid disinvestment in both HIV prevention and support services. And HIV-related stigma and discrimination are still present every day, in all areas of life. The London Borough of Lewisham has some of the highest rates in Europe.

Lewisham Council resolves to support an

- End the growth of the epidemic: we have the tools we need, now we must ensure the political will and investment to stop HIV in its tracks.
- End ignorance about HIV: we know how and what to teach people, now we need to ensure that every child in every school learns what they need to protect themselves.
- End stigma and discrimination: the laws are in place but now we must implement them and ensure we all have access to justice.
- End the link between HIV and poverty: we know having HIV means you are more likely to live in poverty, now we must tackle the causes of poverty.
- End seeing the virus not the person: we need to ensure that support is provided for all people with HIV to live full and happy lives.
- End the disproportionate impact of HIV on some communities: no one should be at increased risk of HIV because of where they are from or who they have sex with.

Furthermore, the Council requests that the Director of Public Health write to all Members of the Council explaining how this will be achieved.”

COUNCIL NOVEMBER 22 2017
AMENDMENT

Amendment to Agenda Item 18 Motion 3

Amendment Proposed by Councillor Hall and Seconded by Councillor Walsh.

“The National Aids Trust have said that for three decades, the UK has been a world leader when it comes to HIV, leading the way with public awareness and harm reduction campaigns since the 1980s. The care the NHS provides to people living with HIV is second-to-none, with 94% of those on treatment achieving viral suppression. Today someone diagnosed with HIV in the UK can expect a near-normal life expectancy.

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Lewisham Council Notes:

The number of STI diagnoses in MSM has risen sharply in England in recent years and this is also the case in Lewisham, with the number of cases of new infections more than doubling between 2011 and 2015

It is estimated that around 25% of the UK's HIV+ population live in Lewisham Lambeth & Southwark. There were around 100 new HIV diagnoses in Lewisham in 2015. The diagnosed HIV prevalence was 8.3 per 1,000 population aged 15-59 years (compared to 2.26 per 1,000 in England). This is up from 7.9 per 1,000 which is recorded in our Joint Strategic Needs Assessment (JSNA), where we were rated 8th in the country for prevalence. There are around 1,660 people in Lewisham living with HIV accessing HIV services, of these around 40% probably acquired their infection through sex between men, and 55% through heterosexual sex.

In 2015/16 there were just under 15,000 male and around 29,300 female first attendances in sexual health clinics by Lewisham residents. (The figure for women is significantly higher than for men, as women access clinics for contraception as well as for sexually transmitted infection screening and treatment). Of the men attending 32% identified as gay and 2% as bisexual and 66% heterosexual. Of the women attending 0.4% identified as lesbian, and 0.74% bisexual and circa 98% heterosexual.

In the 2015 Lewisham Residents Survey, 4% of respondents identified themselves as Lesbian Gay or Bisexual (LGB). Nationally the ONS estimates that in the same year, 1.7% of the UK population identified themselves as LGB. Both of these reports methodologies note the high likelihood of under-declaration of sexual orientation on these surveys.

Overall around 32% of Lewisham residents accessing sexual health services do so outside of the borough. Central London clinics are more likely to be accessed by men who have sex with men than heterosexual men and women. Costs of accessing services out of Borough are significantly higher than accessing in-borough services, these costs are recharged however locally.

Lewisham Council resolves to:

- End the growth of the epidemic: we have the tools we need, now we must ensure the political will and investment to stop HIV in its tracks.
- End ignorance about HIV: we know how and what to teach people, now we need to ensure that every child in every school learns what they need to protect themselves.
- End stigma and discrimination: the laws are in place but now we must implement them and ensure we all have access to justice.
- End the link between HIV and poverty: we know having HIV means you are more likely to live in poverty, now we must tackle the causes of poverty.
- End seeing the virus not the person: we need to ensure that support is provided for all people with HIV to live full and happy lives.
- End the disproportionate impact of HIV on some communities: no one should be at increased risk of HIV because of where they are from or who they have sex with.

Furthermore, the Council requests that the Director of Public Health write to all Members of the Council explaining how this will be achieved and to task the Public Health Team with carrying out a review, including where appropriate focus groups with key communities, to ascertain why so many choose to access services out of Borough, and for an action plan to be generated to help LBL, and where appropriate NHS partners, improve services to better meet needs.”

Agenda Item 19

COUNCIL		
Report Title	Motion 4 in the name of Councillor McGeevor to be seconded by Councillor Muldoon	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: November 22 2017

Lewisham Council supports the growth of sustainable transport, and desires a safe rail service that residents can rely on. As a Council, it understands that the railway infrastructure must be maintained on a regular basis and that the borough contains extremely busy sections of track and signalling on which residents from across London and the South East depend. Council also believes that these can be maintained in a way that minimises disruption to residents.

Lewisham Council notes that many residents who live near to railway lines and stations are unduly disturbed by night-time maintenance works taking place at short notice, or with no notice at all. In recent years, residents in the St Johns area of Brockley Ward have been subject to short-notice works over the Christmas period.

Lewisham Council appreciates that some repairs must be made at short-notice, but expects that this should only be necessary in exceptional circumstances.

Lewisham Council calls upon Network Rail to respect the amenity of Lewisham residents.

Lewisham Council calls upon Network Rail to:

Give due notice to residents in all roads affected by maintenance works. Residents should be given a minimum of four weeks notice before works begin, and a minimum of twelve weeks notice when works are due to take place over the Christmas period.

Safeguard Lewisham residents by limiting the use of HGVs on residential roads. HGVs should only be used to deliver equipment in exceptional circumstances and never in the hours of the 'school-run'.

Ensure that all contractors are trained to understand that they are working in residential areas and must limit light pollution and noise wherever possible. Air quality of residents must also be respected and car and diesel powered machinery must not be left to idle or run unnecessarily.

Respond to the enquiries and complaints of residents, representatives and council officers in a timely manner.

Protect woodland and wildlife on railway sidings

Maintain and refurbish bridges and footways, so that they are both safe and visually appealing thereby positively contributing to the street scape.

Lewisham Council asks that the Mayor of Lewisham, Sir Steve Bullock, writes to Rt Hon Chris Grayling, MP, Secretary of State for Transport, Sir Peter Hendy CBE, Chair of Network Rail & Mr Arthur Leathley, Chair of London Travelwatch to advise them of these concerns.

Lewisham Council recommends that the Public Transport Liaison Committee incorporates a standing item on rail infrastructure repairs and renewals in its work programme, so that Members and the public can be assured that the activities of Network Rail are adequately scrutinised in this regard.”