

MINUTES OF THE MAYOR AND CABINET

Wednesday, 10 January 2018 at 6.00 pm

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

Apologies for absence were received from Councillor Paul Maslin.

127. Declaration of interests

None were made.

128. Minutes

RESOLVED that the minutes of the meeting held on December 6 2017 be confirmed and signed as a correct record.

129. Matters Raised by Scrutiny and other Constitutional Bodies

Introduction of New Public Space Protection Order

The Mayor considered the written views of the Overview and Scrutiny Business Panel and:

RESOLVED that officers be asked to report back in one year with a progress report.

130. Outstanding Scrutiny Matters

RESOLVED that the report be noted.

131. Council Tax Base 2018-19

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

RESOLVED that:

(1) the Council Tax Base calculation for 2018/19, as set out in the annual Council Tax Base government return be noted;

(2) Council be recommended to agree a Council Tax Base of 86,456.6 Band D equivalent properties for 2018/19;

(3) Council be recommended to agree a budgeted Council Tax collection rate of 96.0%;

(4) Council be recommended to agree the introduction of a discretionary Council Tax discount of 100% for care leavers up to the age of 25;

(5) Council be recommended to agree that the existing policy of a 0% discount for second homes for 2017/18 be continued for 2018/19;

(6) Council be recommended to agree that the existing policy of a 0% discount for empty homes Class A (an empty property undergoing structural alteration or major repair to make it habitable) be continued;

(7) Council be recommended to agree that the existing policy of a 100% discount awarded for a period of four weeks and then a 0% discount thereafter, for empty homes – Class C (a substantially empty and unfurnished property) be continued;

(8) Council be recommended to agree that the existing policy of an empty homes premium of 50% in respect of long term empty properties be continued;

(9) Council be recommended to agree consistent with the approach taken in 2017/18, to implement the Council Tax Reduction Scheme (CTRS) to reflect reductions in the Council's funding, but simplify the process by replacing the reduction in the Settlement Funding Assessment with:

- Setting a fixed percentage for the scheme (to avoid large increases and decreases as have happened to date)
- Agreeing the percentage as part of the budget setting process
- And considering on an annual basis any savings the Council might want to make to the budget by changing the percentage alongside other savings being considered.

(10) Council be recommended to agree that a 25% liability is passed onto working age CTRS recipients in 2018/19 as detailed in section 11 of this report.

(11) Council be recommended to agree to note the proposed 2018/19 National Non Domestic Rate (NNDR) estimated net yield of £66.3m, based on current information available.

(12) Council be recommended to agree to delegate the approval of the final 2018/19 NNDR1 form to the Executive Director for Resources and Regeneration for submission by the deadline of 31st January 2018.

132. Annual Complaints Report - 2016-17

Officers confirmed the report had been examined in detail by the Public Accounts Select Committee in December.

The Mayor welcomed the substantial drop in housing complaints which included reduced figures involving Lewisham Homes and a big improvement at the Brockley PFI.

Having considered an officer report and a presentation by the Cabinet Member for Policy and Performance, Councillor Joe Dromey, the Mayor:

RESOLVED that the report be noted.

133. Local Development Scheme (LDS)

Officers pointed out the report needed to be amended by the deletion of paragraph 4.6 which was inconsistent with the legal implications.

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

RESOLVED that:

(1) the revised content and timetable of the Local Development Scheme in Annex 1 be approved and subject to confirmation that it is not intended to direct any changes, publication and placement on the Council's website be approved;

(2) the Executive Director for Resources and Regeneration be authorised to make any minor changes to the text and format of the documents prior to publication.

(3) the report be referred to Council for information

134. Statement of Community Involvement

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

RESOLVED that:

(1) the revised content (Appendix 1) and timetable of the SCI (Section 9) be approved and subject to confirmation that it is not intended to direct any changes, the draft SCI go out to public consultation.

(2) the Executive Director for Resources and Regeneration be authorised to make any minor changes to the text and format of the documents prior to publication; and

(3) the report be referred to Council for information.

135. Extensions and Alterations SPD

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

RESOLVED that:

(1) the content of the draft Alterations and Extensions SPD be approved and subject to confirmation that it is not intended to direct any changes, recommend that the draft Extensions and Alterations SPD go out to formal public consultation in accordance with the Statement of Community Involvement.

(2) the Executive Director for Resources and Regeneration be authorised to make any minor changes to the text and format of the documents prior to publication; and

(3) the report be referred to Council for information.

136. Addey and Stanhope Revocation

The Mayor noted that an extraordinary fall in the numbers of Secondary age pupils had led to the revocation request.

Having considered an officer report the Mayor, for the reasons set out in the report;

RESOLVED that:

(1) the reasons for the request for revocation be noted;

(2) officers be instructed to conduct the necessary Publication and Representation stages required regarding the proposal to revoke the decision to expand Addey and Stanhope School from 4 to 6 forms of entry.

(3) officers be instructed to report back to Mayor and Cabinet before the end of spring 2018 regarding the representations made to enable the Mayor (as the statutory decision maker on behalf of the Local Authority regarding school organisational changes) to make a decision.

(4) officers be instructed to further develop the Educational Asset Strategy to ensure that Lewisham's educational assets are best utilised to meet the forecasted need, and help deliver against the Council's Place Planning Strategy 2017-2022.

137. Working in the Private Rented Sector

Officers explained the need for tougher sanctions against rogue landlords and highlighted a case in December under existing legislation which had seen a landlord who had been fined £2,500 with a further £2,500 costs for cramming eight people into a windowless room, immediately go back onto the market and advertise the property for rent again.

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

RESOLVED that:

(1) the proposal, supported by Housing Select Committee, to develop a business case that considers the extension of the existing licensing schemes to include a targeted selected licensing scheme be approved;

(2) the introduction of the Civil Penalty Notices as an additional tool to tackle

poor practice in the Private Rented Sector as supported by Housing Select Committee and as per the details set out in paragraph 5.3 and charges in Appendix 2, be approved;

(3) the Housing Select Committees recommendation for the PSHA to further promote the work of the team and engage with landlords and tenants to help eradicate bad practice in the sector be approved.

138. Review of the National Non Domestic Rates discretionary discount scheme

Councillor Bonavia paid tribute to Councillor Dromey for his work in bringing this scheme into Lewisham.

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

RESOLVED that:

(1) a one off discount in NNDR be offered based on the cost of accreditation in 2018/19 to businesses that become accredited by the Living Wage Foundation during 2018/19 and who meet the criteria set out in appendix 1

(2) the discount be offered on a 'first come first served' basis until the Council's overall contribution equals £20,000 within the financial period 2016 to 2019. Once the Council's £20,000 contribution has been reached no further discounts will be offered.

(3) the scheme be reviewed in 2018/19 to determine whether it should be offered in future years.

139. Wide Horizons

The Mayor said he was very well aware of the history of the Wide Horizons scheme and the positive impact that it had made and that he was very happy to agree the proposals

Having considered an officer report and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor agreed that:

(1) the business case for offering a refinancing facility to Wide Horizons, the conditions and offer proposed, and the State Aid considerations that apply be noted;

(2) the Council offer an interest bearing re-financing facility of up to £700,000 to Wide Horizons to be paid back over a period of no more than 25 years, subject to Wide Horizons obtaining an equal amount of re-financing from the Royal Borough of Greenwich; and

(3) authority be delegated to the Executive Director for Resources and Regeneration to finalise the terms of the re-financing agreement with Wide Horizons, working with the Royal Borough of Greenwich.

140. London Business Rates Pilot Pool

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

RESOLVED that:

- (1) Council be recommended to approve and accept the designation by the Secretary of State as an authority within the London Business Rates Pilot Pool pursuant to 34(7)(1) of Schedule 7B Local Government Finance Act 1988;
- (2) Council be recommended to participate in the London Business Rates Pilot Pool with effect from 1 April 2018
- (3) Council be recommended to delegate the authority's administrative functions as a billing authority pursuant to the Non-Domestic Rating (Rates Retention) Regulations 2013, to the City of London Corporation ("COLC") acting as the Lead Authority;
- (4) Council be recommended to authorise the Lead Authority to sub-contract certain ancillary administrative functions [regarding the financial transactions [payment of tariffs and top-ups] within the Pool to the GLA as it considers expedient];
- (5) Council be recommended to delegate authority to the Executive Director for Resources and Regeneration to agree the operational details of the pooling arrangements with the participating authorities;
- (6) Council be recommended to delegate authority to the Executive Director for Resources and Regeneration, in consultation with the Head of Legal Services, to enter into such Memorandum of Understanding with the 'participating authorities' as may be necessary, (including if and where appropriate) amending, finalising and executing the same on behalf of the authority;
- (7) Council be recommended to authorise the Mayor to represent the authority in relation to consultations regarding the London Business Rates Pilot Pool consultative as may be undertaken by the Lead Authority pursuant to the Memorandum of Understanding;
- (8) Council be recommended to delegate to Mayor and Cabinet the authority to consider such consultative reports as the Lead Authority may circulate and to respond on behalf of the authority with regard to any recommendations and in particular, proposals for projects to be approved for funding from the Strategic Investment Pot.
- (9) Council be recommended to delegate to the Lead Authority the functions of assessment, due consultation and approval of projects eligible for funding from the Pool's Strategic Investment Pot following consultation with the

participating authorities (provided that at least two thirds of such participating London Boroughs are (including the City of London Corporation) in favour of the relevant recommendation as well as the Mayor of London, and that no entire sub-region is in disagreement with the decision) on such terms and conditions as shall ensure value for money and compliance with the law.

141. Response to PASC Income Generation

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

RESOLVED that the responses to the recommendations of the Public Accounts Select Committee as set out be approved and reported to the Select Committee.

142. Response to PA SC budget communication

Having considered an officer report and a presentation by the Cabinet Member for Policy and Performance, Councillor Joe Dromey, the Mayor

RESOLVED that the responses to the recommendations of the Public Accounts Select Committee as set out be approved and reported to the Select Committee.

143. Response to PAC Adult Social Care

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

RESOLVED that the responses to the recommendations of the Public Accounts Select Committee as set out be approved and reported to the Select Committee.

144. New Homes Programme Update part 1

Councillor Dromey praised the Edward Street development and the overall progress being made to build new homes. He mentioned that in Lambeth residents were able to use a social media tool that allowed them to plot the delivery of new homes and wondered if something similar could be introduced in Lewisham. Officers responded positively to the suggestion.

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

RESOLVED that:

(1) the progress update on the New Homes, Better Places Programme be noted;

(2) the design development and consultation which has been carried out on

the proposed development at Edward Street, be noted;

(3) having considered the responses to the consultation on the proposed development at Edward Street, the Council should proceed to submit a planning application to deliver 34 new homes for temporary accommodation;

(4) the business case for providing new homes for temporary accommodation, as set out in the confidential report, be noted;

(5) an application be made to the Secretary of State for Education under Schedule 1 of the Academies Act 2010 for the disposal of the site on a lease to provide temporary accommodation, as set out in the confidential report

(6) the capital budget required to deliver the new homes at Edward Street be approved as set out in the confidential report.

145. Exclusion of Press and Public

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

20. New Homes Programme Update part 2

146. New Homes Programme Update part 2

The Mayor received commercially confidential the current cost estimates of the Edward Street development and the budget requirements to deliver the scheme which he considered in conjunction with the open report on the same matter.

The meeting closed at 7.05pm.