



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 18 DECEMBER 2018 at 6.05 pm

**Council Chamber
Civic Suite
Lewisham Town Hall
London SE6 4RU**

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MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	L
Councillor Juliet Campbell	Vice Chair of Overview & Scrutiny Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	Labour Co-op
Councillor Alex Feis-Bryce	Labour Group Representative	L
Councillor Jim Mallory	Chair of Public Accounts Select Committee	L
Councillor Joan Millbank	Labour Group Representative	L
Councillor Pauline Morrison	Chair of Safer Stronger Communities Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour Co-op
Councillor Luke Sorba	Chair of Children and Young People Select Committee	L
Councillor Susan Wise	Chair of Housing Select Committee	Labour Co-op

This meeting is an open meeting and all items on the open agenda may be recorded and/or filmed

Members are summoned to attend this meeting

**Janet Senior
Acting Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 10 December 2018**



INVESTOR IN PEOPLE

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

ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
1.	Minutes	1 - 5
2.	Declarations of Interests	6 - 9
3.	Outstanding Scrutiny Matters	10
4.	Notification of Late and Urgent Items	11
5.	Decisions made by Mayor and Cabinet on 12 December 2018	12 - 16
6.	Overview and Scrutiny Select Committees Work Programmes 2018/19 - verbal update	
7.	Exclusion of the Press and Public	17
8.	Decisions made by Mayor and Cabinet on 12 December 2018	18 - 21



Lewisham



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Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item No. 1
Ward	All	
Contributors	Acting Chief Executive	
Class	Part 1	Date: 18 December 2018

Recommendation

It is recommended that the minutes of that part of the meeting of the Overview and Scrutiny Business Panel which was open to the press and public, held on 13 November 2018 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 13 November 2018 at 7.00 pm

PRESENT: Councillors Bill Brown, Juliet Campbell, Alex Feis-Bryce, Jim Mallory, Pauline Morrison and Luke Sorba

Apologies for absence were received from Councillor Joan Millbank, Councillor John Muldoon and Councillor Susan Wise

154. Minutes

RESOLVED that the minutes of the open meeting held on 16 October 2018 be confirmed and signed as a correct record.

155. Declarations of Interests

None received.

156. Outstanding Scrutiny Matters

RESOLVED that the report be noted.

157. Notifications of Late and Urgent Items

RESOLVED that the report be noted.

158. Decisions made by Mayor and Cabinet on 31 October 2018

Joining South London's Regional Adoption Agency

The Executive Director for Children and Young People introduced the report.

The Chair asked officers if the Council would make any savings from the amalgamation and was told costs would remain the same. Councillor Mallory said if there would not be any savings benefit, Members would like assurance that this Partnership would be effective and beneficial, otherwise why would the Council want to do it. Councillor Mallory also asked how many children needed to be adopted, and how many prospective adopters the Council have.

The Executive Director for Children and Young People responded that joining the Regional Agency would make the service more effective and Lewisham would benefit from the economies of scale and wider pool of prospective adopters. She also said that as Lewisham would be part of the Board arrangements we would be in a better position to monitor and influence the service. The Team Manager, Adoption Service said that currently Lewisham has 16 children awaiting adoption, which included a large sibling group. She said the number of prospective adopters

did not match up with the number of children. She said it would be useful to work with neighbouring boroughs instead of competing with them. Panel Members heard that one of the Children Social Care officers, Natalie Bendall had been named Adoption Social Carer of the year. Members sent their congratulations to her.

Councillor Mallory asked whether officers were comfortable with the arrangements, and was told officers were comfortable especially since the Lewisham Team Manager, Adoption Service was involved at the preparation stage. Officers thought this would be good for Lewisham. The Chair asked what the disadvantages were, and was told that officers would be losing their working culture, which worked well, and now they might have to get used to a longer process. Lewisham officers were used to quick turnarounds. They would lose their model of matching which had been successful to date, because both teams work closely to get to know the child and the potential adopter very well, and this facilitated the matching process.

Members were informed that only two Boroughs currently use the Lewisham model and the other eight might not want to change their current model. Councillor Campbell asked whether there were any chance that some of the matching might breakdown if the Lewisham model was not used, and was told that both models would not lead to disruption. Councillor Campbell asked how the Lewisham model's timing in compared to others, and was told about 20-30 days quicker.

Councillor Sorba argued that he would be reluctant to support a move that had no evidence of efficiency and speed especially if there was no benefit of savings. He asked which children Lewisham staff would be supporting, and was told all staff would be supporting all the children from the various Boroughs. He said he was concerned that the host Borough might have an unfair advantage, and was told that this would not be the case as Southwark also had a very good service provision and was the other authority using the same model as Lewisham.

The Executive Director for Children and Young People said that all Local Authorities have to adopt the Regional arrangement sooner or later as this was the plan from central government. She said it would be better for Lewisham to be involved from the start so that we would be able to influence it to ensure it delivers what Lewisham wants. Councillor Sorba asked about the TUPE arrangements for staff. This was responded to by the Executive Director for Children and Young People. Councillor Sorba also asked whether staff had been consulted and was told formal consultation had not yet been done, but there had been discussion with staff and the Trade Union.

Panel Members were told that the governance arrangements had not been done as yet. The Principal Lawyer informed Panel members that officers were keen to ensure the best possible process was adopted, and adopting Lewisham's model could still be achieved as the process was still at inception. Councillor Mallory said he concurred with Councillor Sorba as Lewisham's high achievement should not be compromised. The Executive Director for Children and Young People said it was a positive working with Southwark as Lewisham works well with them, and

Southwark had a high Ofsted rating, and their geographical location was advantageous.

Councillor Feis-Bryce asked if officers had the option whether they would opt out, and was told that because everyone had to be part of it officers had to adapt. The Executive Director for Children and Young People said her thoughts would have been, to continue the status quo as it was working well for Lewisham. Councillor Sorba maintained that Lewisham's Adoption Service would not improve with this Partnership.

Panel Members agreed that although officers had put forward a convincing case, they still have concerns and would like Mayor and Cabinet to ask officers to ensure that careful consideration is given to the draft governance structure, to ensure Lewisham's quality service was maintained, and that the process be monitored.

RESOLVED that:

- i. the decision of Mayor and Cabinet be noted.
- ii. Mayor and Cabinet be requested to ask officers to ensure that careful consideration is given to the draft governance structure, to ensure Lewisham's quality service was maintained.
- iii. Mayor and Cabinet be requested to monitor the process.

159. Decisions made by the Joint Committee of the London Boroughs of Brent, Lewisham and Southwark

This item was not requested for discussion.

160. Overview & Scrutiny Select Committees Programmes 2018-19 Update

The Scrutiny Manager reported that the second round of Select Committee meetings had concluded and a referral outlining the views of scrutiny on the budget cuts proposals would be presented to Mayor and Cabinet on 21 November.

It was noted that the third round of Select Committee meetings would start on 3 December and end on 20 December and those Committees conducting in-depth reviews were holding evidence sessions and going on visits to progress their reviews.

It was also reported that some Scrutiny Members visited Parliament on 31 October and spoke to Clive Betts MP about successful scrutiny methods and techniques following observation of a select committee hearing. Other Members would visit the London Assembly on 28 November. The aim of the visits was to observe and discuss national and regional scrutiny practice.

Two Scrutiny roundtables have been arranged to feed in scrutiny's views to the local democracy review. These would take place on Friday 16 November between 1pm and 3pm and on Wednesday 21 November between 7pm and 9pm.

The Chair of the Public Accounts Select Committee, Councillor Mallory stated that the Select Committee was busy with Regeneration and would only be doing a review on income generation. Councillor Sorba, Chair of Children and Young People Select Committee notified Panel Members that the Select Committee would be doing an in-depth review on School ExclusionS, and would be shown a presentation of the Glasgow model.

The Head of Corporate Resources explained to Panel Members the recent issues surrounding the Lender Option Borrower Option (LOBO) dispute between some London Councils and Barclays Bank. He assured Panel Members that Lewisham was not in the same position as these London Boroughs, and the Council's External Auditors were looking into the situation and would give their advice by the end of the year.

RESOLVED that the report be noted.

161. Exclusion of the Press and Public

This item was not needed as no confidential item was discussed at the meeting.

162. Decisions made by Mayor and Cabinet on 31 October 2018

This item was not requested for discussion.

Meeting ended: 8:00pm

Chair.....

Agenda Item 2

OVERVIEW AND SCRUTINY BUSINESS PANEL		
Report Title	DECLARATIONS OF INTEREST	
Key Decision		Item No. 2
Ward		
Contributors	Acting Chief Executive	
Class	Part 1	Date: 18 December 2018

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 3

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Outstanding Scrutiny Matters	
Key Decision	No	Item No. 3
Ward	n/a	
Contributors	Head of Business and Committee	
Class	Part 1	Date:18 December 2018

1. Purpose of Report

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

2. Recommendation

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

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Response to Safer Stronger Communities – Employee Profile	ED Resources & Regeneration	3 October 2018	12 December 2018	No
Response to Sustainable Development Select Committee-Local Plan	ED Resources & Regeneration	3 October 2018	12 December 2018	No
Response to Public Accounts Select Committee – Children’s Social Care Budget	ED Resources & Regen.	3 October 2018	12 December 2018	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 3 October 2018 available from Kevin Flaherty 0208 3149327.

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

Overview & Scrutiny Business Panel		
Report Title	Notification of Late and Urgent Items	
Key Decision	No	Item No. 4
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 18 December 2018

1. Purpose of Report

Report Title	Author	Reasons Stated for Urgency	Responsible Committee and Date
Parking Policy Update	Simon Moss, Ralph Wilkinson	This report was not available for the original dispatch because of the need for a thorough and detailed review of the proposed updates to the parking policy at the Mayor and Cabinet briefing on 4 December 2018.	Sustainable Development Select Committee 12 December 2018

Agenda Item 5

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet at the on 12 December 2018	
Key Decision		Item No. 5
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 18 December 2018

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 12 December 2018 which will come in to force on 19 December 2018.

2. Background

2.1 The Mayor and Cabinet considered the following key decisions on 12 December 2018.

2.2 The notice of the decisions made in respect of the report is attached as an Appendix. Under the provisions of Standing Orders Part IV E 14, members may call in an executive decision within 7 days. If this report is not called in they will come into force on 19 December 2018

- i. Achilles Street Redevelopment Proposals
- ii. ACM Cladding Remediation Fund Approval
- iii. Inward Investment Initiatives
- iv. Lewisham Brownfield Land Register (2018)
- v. Council Tax Reduction Scheme 2019/20
- vi. Annual Complaints Report 2017-18
- vii. Public Health Grants Cuts Consultation Outcome Proposals



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 12 December 2018. These decisions will become effective on 19 December 2018 unless called in by the Overview & Scrutiny Business Panel on 18 December 2018.

1. Achilles Street Redevelopment Proposals

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, and a member of the public, the Mayor and Cabinet agreed that:

- (1) the work that officers have undertaken to explore the potential to build new Council homes in the area around Achilles Street, New Cross, with the redline plan be noted;
- (2) the initial consultation that has been carried out with all residents, affected businesses and other key stakeholders throughout this process in relation to these options since infill proposals first shared in June 2014 through to the most recent public meeting held in June 2018 as set out and the comments made by residents, business and other key stakeholders, be noted;
- (3) there is currently a consultation underway to establish the principles of a Residents' Charter that will set out the guaranteed minimum offer that will apply to all Lewisham residents whose homes will be demolished and rebuilt as part of Council led redevelopment, including the residents on the Achilles Street Estate;
- (4) how these principles will interact with the five commitments made to the Achilles Street Community as set be noted;
- (5) officers should work with residents and other key stakeholders on Achilles Street to begin to establish a Landlord Offer that will enable a Resident Ballot on the Achilles Street redevelopment proposals to take place;
- (6) the Landlord Offer be presented back to Mayor and Cabinet to be finalised, and to set the date for a Resident Ballot;
- (7) officers can begin negotiated buybacks, on an entirely voluntary basis, on the 36 leaseholder properties in Azalea House, Austin House,

Fenton House and 363 New Cross Road, and authority be delegated to the Executive Director for Resources and Regeneration to approve the final terms;

(8) home loss and disturbance payments are made to leaseholders and freeholders where appropriate in (if eligible) accordance with the Land Compensation Act 1973 (as amended);

(9) officers begin negotiated buybacks, on an entirely voluntary basis, on the affected commercial properties at Clifton Rise and along New Cross Road within the redline plan and authority be delegated to the Executive Director for Resources and Regeneration to approve the final terms;

(10) the budget requirements for these voluntary buybacks as set out in Part Two be approved.

(11) the resourcing requirements for delivering the next stage of the Achilles Street project set out in Part Two be noted; and

(12) the budget required for the next phase of this redevelopment work as set out in Part Two be approved.

2. ACM Cladding Remediation Fund Approval

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that:

(1) the application that has been made to the Social Sector ACM Cladding Remediation Fund be approved and the award of £8,999,975 be noted;

(2) the process for adjustments to the final amount be noted;

(3) authority be delegated to the Executive Director for Resources & Regeneration, in consultation with the Head of Law, to agree the terms of and enter into the related funding agreement with the GLA.

3. Inward Investment Initiatives

Having considered an officer report, and a presentation by the Mayor, the Mayor and Cabinet agreed that:

(1) the following three funding applications be approved:

- a) The Strategic Investment Pot – City of London
- b) The Good Growth Fund, round 2 – Greater London Authority (GLA)/London LEP (LEAP)

c)The Creative Enterprise Zone Development Grant, stage 2– GLA

(2) Subject in each case to the relevant funding bid being successful, delegate authority be delegated to the Executive Director for Resources & Regeneration, in consultation with the Head of Law, to agree the terms of and enter into the related funding agreement and any associated documentation

4. Lewisham Brownfield Land Register (2018)

Having considered an officer report, and a presentation by the Mayor, the Mayor and Cabinet agreed that:

(1) Part 1 of Lewisham’s Brownfield Land Register 2018 including the updated information be noted;

(2) the Register’s updated contents and publication by making a copy available at Laurence House, by placing it on the Council’s website and by notifying landowners of sites newly added to the register, be approved.

5. Council Tax Reduction Scheme 2019/20

Having considered an officer report and a presentation by the Mayor, the Mayor and Cabinet agreed that:

(1) the outcomes of the consultation as set out be noted;

(2) a local CTRS be retained from 1 April 2019 that passes on any reduction in government funding, reflecting the Council’s financial position following the announcement of the Autumn Statement and the provisional Local Government Financial Settlement (LGFS) in December;

(3) Modify the retained local CTRS be modified from 1 April 2019 to allow CTR to be awarded to households who are receiving universal credit or housing benefit and who the Council identifies would qualify for support but who have, for whatever reason, failed to complete an application form;

(4) Continue to deliver additional support continue to be delivered to the most vulnerable residents through use of the existing provision within Section 13A(1)(c) of the 1992 Local Government Finance Act.

6. Annual Complaints Report 2017-18

Having considered an officer report, and a presentation by the Cabinet Member for Democracy, Refugees & Accountability, Councillor Kevin Bonavia, the Mayor and Cabinet agreed that the report be noted.

7. Public Health grant cuts consultation outcome and proposals

Having considered an officer report and a presentation by the Deputy Mayor, Councillor Chris Best, and five Overview & Scrutiny Councillors, the Mayor and Cabinet agreed that:

(1) the consultation activity undertaken by officers, the findings of this activity and the Equality Assurance Assessment (EAA) undertaken be noted; and

(2) the proposed cut to the Health Visiting Service be paused and a further report on Public Health cuts be considered in 2019.

(3) the revised proposals to balance the cut to the Public Health grant for 2019/20 be approved with a full schedule being shown in the minutes;

**Janet Senior Thomas
Acting Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
13 December 2018**

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 7
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 18 December 2018

Recommendation

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

8. Decisions made by Mayor and Cabinet on 12 December 2018.

Agenda Item 8

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

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