

AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 25 FEBRUARY 2020 at 7.05 pm

Committee Room 2
Civic Suite
Lewisham Town Hall
London SE6 4RU

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MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	L
Councillor Sakina Sheikh	Vice Chair of Overview & Scrutiny Committee	Labour Co-op
Councillor Peter Bernardis	Chair of Housing Select Committee	L
Councillor Juliet Campbell	Chair of Safer Stronger Communities Select Committee	L
Councillor Patrick Codd	Labour Group Representative	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	Labour Co-op
Councillor Jim Mallory	Chair of Public Accounts Select Committee	L
Councillor Joan Millbank	Labour Group Representative	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour Co-op
Councillor Luke Sorba	Chair Children and Young People Select Committee	L

Members are summoned to attend this meeting

Kim Wright
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 17 February 2020



INVESTOR IN PEOPLE

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

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Lewisham



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Overview and Scrutiny Business Panel

Minutes

Date: 25 February 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to consider minutes of that part of the meeting of the Overview and Scrutiny Business Panel of 11 February 2020 which were opened to the press and public

1. Recommendation

It is recommended that the minutes of those parts of the meeting of the Overview and Scrutiny Business Panel which were open to the press and public held on 11 February 2020 be confirmed and signed.

Kim Wright
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU

4 February 2020

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 11 February 2020 at 7.05 pm

PRESENT: Councillors Bill Brown, Patrick Codd, Liam Curran, Joan Millbank, John Muldoon and Luke Sorba

ALSO PRESENT: Catherine Bunten, Charlotte Dale, Councillor Chris Barnham and Risthardh Hare

Apologies for absence were received from Councillor Peter Bernards, Councillor Juliet Campbell and Councillor Jim Mallory

277. Minutes

RESOLVED that the minutes of meeting held on 11 February 2020 be confirmed as a correct record.

278. Declaration of Interests

None received.

279. Outstanding Scrutiny Matters

RESOLVED that the report be noted.

280. Notification of Late and Urgent Items

RESOLVED that the report be noted.

281. Open Item(s) - Decision by Mayor and Cabinet on 5 February 2020

RESOLVED that the report be noted.

282. Overview and Scrutiny Select Committee Work Programmes - 2019-2020

The Scrutiny Manager gave an oral report to the Panel on matters relating to the Overview and Select Committees work for 2019-2020.

The Panel noted that those Select Committees currently undertaking in-depth reviews were either finishing the analysis of the evidence they had collated, or had concluded and made recommendations to Mayor and Cabinet. It was recognised that the final cycle of Select Committee meetings in this municipal year would take place in March 2020.

In light of the updates, the Scrutiny Manager asked the Panel to note the following:

- **Housing Select Committee.** Residents' engagement review had concluded and the final report and recommendations were submitted to Mayor and Cabinet. A copy of the report was also sent to all scrutiny members.
- **Sustainable Development Select Committee.** Review into parks' management would conclude in March 2020 when the final report with recommendations would be considered. Recommendations would likely focus on the upcoming insourcing of the service.
- **Children and Young People Select Committee.** Review into children living in temporary out-of-borough accommodation would conclude in March 2020, and recommendations would be considered for implementation.
- **Safer Stronger Communities Select Committee:** Equalities review had involved the collation of a significant amount of evidence, most recently via a trip to Glasgow City Council. Further work would be required to allow the evidence to be analysed thoroughly. Therefore, the final report with recommendations would be submitted for consideration at the first meeting in the next municipal year.
- **Public Accounts Select Committee.** A number of recommendations relating to the ongoing review into corporate culture change and commercialisation had been made, but work would continue into the municipal year.
- **Healthier Communities Select Committee:** A review into charging migrants for treatment at Lewisham Hospital was ongoing, and a response from the Mayor and Cabinet was pending. Councillor John Muldoon, the Chair of the Committee added that a request had also been made for Members to receive briefing on contraception shortages in the borough.

On behalf of the Panel, the Chair, Councillor Bill Brown, thanked Members and officers for progress in relation to work undertaken by the various select committees.

283. Exclusion of the Press and Public

RESOLVED that the report be noted.

284. Decisions made by Mayor and Cabinet on 5 February 2020

The Chair of the Panel, Councillor Bill Brown, announced that he had received a request for Members to consider a decision taken by the Mayor and Cabinet on 12 February 2020 in relation to:

- "Permission to extend contract for youth services and to negotiate with Youth Frist for the delivery of youth services in Lewisham:

The Panel moved to determine the report in a 'closed session' by virtue of Section 100(A)(4) of the Local Government Act 1972, as the issue involved 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.

Members noted answers to questions raised, and welcomed information that all options were being considered as part of the contract review arrangements, including in-house delivery of youth services.

Members also acknowledged that budget constraints would likely present a challenge when determining the various options. Notwithstanding that, Members sought and received an assurance from Officers that the contract review exercise would progress without adverse detriment in service delivery to young people in Lewisham. It was also the view of Members that steps should ensure that the preferred option(s) take into account workers' rights, including the payment of 'living wage' to existing and potential staff.



Overview and Scrutiny Business Panel

Declaration of Interest

Date: 25 February 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to declare any personal interest they have in any item of 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)



Overview and Scrutiny Business Panel

Outstanding Scrutiny Matters

Date: 25 February 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to note report on items previously reported to the Mayor & Cabinet for response by directorates, and to indicate the likely future reporting date.

1. 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
Comments of Sustainable Development Select Committee – on response to referrals on Fire Safety	ED Community	10 July 2019	11 March 2020	Yes
Safer Stronger Communities Select Committee – Referral on budget cuts	ED Community	10 October 2020	11 March 2020	Yes

Sustainable Development Select Committee - Pubs	ED Housing Regeneration Environment	20 November 2019	11 March 2020	No
Safer Stronger Communities Select Committee – Food Poverty	ED Community	20 November 2019	11 March 2020	No
Healthier Communities Select Committee – Adult safeguarding	ED Community	11 December 2019	11 March 2020	No
Sustainable Development Select Committee – Cycling	ED Housing Regeneration Environment	15 January 2020	25 March 2020	No
Children and Young People Select Committee – ICT	ED CYP	5 February 2020	6 May 2020	No
Healthier Communities Select Committee – Trust’s Migrant Charging	ED Community	5 February 2020	6 May 2020	No
Sustainable Development Select Committee – Climate Change	ED Housing Regeneration Environment	5 February 2020	6 May 2020	No
Housing Select Committee – Overcrowding in Lewisham	ED Housing Regeneration Environment	12 February 2020	6 May 2020	No
Housing Select Committee – Residents’ Engagement	ED Housing Regeneration Environment	12 February 2020	6 May 2020	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 10 July and 10 October 2019, 20 November 2019, 11 December 2019, 15 January 2020 and 12 February 2020 available from Kevin Flaherty 0208 3149327.

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



Overview and Scrutiny Business Panel

Decision made by Mayor and Cabinet on 12 February 2020

Date: 25 February 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to consider decisions taken by the Mayor and Cabinet on 12 February 2020 in open session

1. Recommendation

To consider key decisions taken by the Mayor and Cabinet on 12 February 2020, which will come in to force on 26 February 2020.

2. Background

- 2.1 The Mayor and Cabinet considered the following key decisions on 12 February 2020.
- 2.2 The notice of the decisions to be made in respect of this report is attached below.
- 2.3 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 decisions to be made will come into force on 26 February 2020:
 - i. 2020/21 Budget Update
 - ii. Update on Community Wealth Building and the Inclusive Growth & Innovation Strategy.
 - iii. Integration with the NHS: approval of participation in NHS South East London Clinical Commissioning Group's Lewisham Borough Based Board
 - iv. State of the Highways Infrastructure - an update on the Highways Asset Management Strategy
 - v. Community Energy Fund Grant Award Report



NOTICE OF DECISIONS MADE BY THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on February 12 2020. All recommendations shown were agreed by a 8-0 vote of voting members in attendance.

Decisions 1 to 5 will become effective on February 26 2020 unless called in by the Overview & Scrutiny Business Panel on February 25 2020.

1. **2020/21 Budget Update**

Having considered a confidential report, and a presentation by the Cabinet Member for Finance and Resources, Councillor De Ryk, the Mayor and Cabinet resolved that:

(1) the changes to the 2020/21 to 2022/23 Capital programme be noted and Council be recommended to approve the 2020/21 to 2022/23 Capital Programme of £559.5m, as set out in section 5 and attached at Appendix A;

(2) Council be recommended to approve a Band D Council Tax for 2020/21 of £1,314.37 for the Council's element being an increase of 3.99% (including a social care precept of 2%), based on a General Fund Budget Requirement of £248.714m for 2020/21;

(3) Council be asked to note the Greater London Authority (GLA) precept being increased by £11.56 to £332.07 (Band D equivalent), a 3.6% increase from its 2019/20 level;

(4) Council be asked to approve an overall total Band D Council Tax for 2020/21 of £1,646.44, a 3.91% increase, to include the GLA precept;

(5) Council be recommended to approve on 26 February 2020, the statutory calculation of the Budget Requirement for Lewisham for 2020/21, attached at Appendix B;

(6) Council be recommended to approve on 26 February 2020, the motion on the budget, attached at Appendix C, including any modifications made to the proposals published in the 2020/21 Budget Report;

(7) the provisional and estimated precept and levies from the GLA and other bodies as detailed in Appendix D be noted and authority be delegated to the Acting Chief Finance Officer to include any changes to these in the report for Council;

(8) the final settlement figure for 2020/21 announced on 06 February and confirmed as £123,149,204 be noted;

(9) there was one response from Business Rate payers to the consultation on the draft Budget which took place from 15 January 2020 to 4 February 2020 with further information provided in section 5;

(10) the revised 2020/21 to 2022/23 prudential borrowing numbers as laid out in tables six to nine be noted ; and

(11) the Section 25 Statement from the Chief Finance Officer attached at Appendix E be received.

2. Update on Community Wealth Building and the Inclusive Growth & Innovation Strategy.

Having considered an officer report, and a presentations by the Cabinet Member for Finance and Resources, Councillor Amanda De Ryk and by the jobshare Cabinet Member for Culture, Jobs & Skills, Councillor Joe Dromey, the Mayor and Cabinet agreed that:

(1) the work undertaken to date to consider alternative forms of community wealth building and the positive conclusion and findings presented by CLES for further development be noted; and

(2) further consideration and refinement of this form part of the development and delivery of the Council's Inclusive Growth & Innovation Strategy be approved.

3. Integration with the NHS: approval of participation in NHS South East London Clinical Commissioning Group's Lewisham Borough Based Board

Having considered an officer report, and a presentation by the Deputy Mayor, Councillor Best, the Mayor and Cabinet agreed that t

(1) the proposed arrangements for the Council's involvement in the Lewisham Borough Based Board of the proposed NHS South East London Clinical Commissioning Group be noted;

(2) participation in the NHS South East London Clinical Commissioning Group's Borough Based Board on the basis substantially as set out in the Board's draft Terms of Reference (Annex 1), be approved, providing that if changes are made to the Terms of Reference the Chief

Executive is satisfied that the changes have no negative impact on the Council; and

(3) further updates be received on joint work with the proposed NHS South East London Clinical Commissioning Group as required.

4. State of the Highways Infrastructure - an update on the Highways Asset Management Strategy

Having considered an officer report, and a presentation by the Cabinet Member for Environment & Transport, Councillor Sophie McGeevor, the Mayor and Cabinet approved the Highways Asset Management Strategy.

5. Community Energy Fund Grant Award Report

Having considered an officer report, and a presentation by the Cabinet Member for Community Sector, Councillor Jonathan Slater, the Mayor and Cabinet agreed that

(1) the grants listed below be awarded for the financial year 2019/20.

Organisation	Recommended grant
Beecroft School	£15,000
Rathfern School	£15,000
Retrofit Action for Tomorrow	£14,500
Sydenham Gardens	£15,000
Dalmain School	£14,971.35

(2) the six grants below £10,000 awarded to the organisations listed below be noted.

Organisation	Recommended grant
Deptford Park Play Club	£1,500 (final amount TBC)
2000 Community Action Centre	£1,500
Climate Action Lewisham	£1,895
Evelyn TRA - LH	£1,500
Kilmorie - SELCE	£3,000
John Bull - SELCE	£6,160

Kim Wright
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
February 13 2020



Overview and Scrutiny Business Panel

Scrutiny Update

Date: 25 February 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive (Director of Law)

Outline and recommendations

Members are asked to note and ask questions on the information provided.

1. Summary

1.1. This provides an update on current scrutiny activity.

2. Recommendation

2.1. Members are asked to note and ask questions on the information provided.

3. Scrutiny Review

3.1. A proposed new scrutiny structure has been agreed in principle.

3.2. Features of the new structure include:

- Each select committee having 6 members, apart from the Children and Young People Select Committee which will have 8 members plus five independent education representatives.
- Each select committee having 5 meetings scheduled across the course of the year.
- Time limited Task and Finish Groups being introduced, with the setting up of these groups being a matter for the full Overview and Scrutiny Committee.

3.3. A report will be prepared for the Constitution Working Party in relation to those proposals that require constitutional change, before the changes are submitted to Full Council for approval and introduction to the Council in the next municipal year (2020/21).

4. Select Committees

- 4.1. The work programmes are progressing and those Select Committees that are carrying out in-depth reviews have either concluded their work and made recommendations to Mayor and Cabinet or are finalising the collation and analysis of evidence with a view to submitting a final report and recommendations shortly. All in-depth reviews are on track to conclude this municipal year.
- 4.2. The Committee Chairs may wish to provide their own oral updates on Select Committee work.

5. Report author and contact

- 5.1. Charlotte Dale, Overview and Scrutiny Manager, charlotte.dale@lewisham.gov.uk, 0208 31 48286



Overview and Scrutiny Business Panel

Exclusion of the Press and Public

Date: 25 February 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to note items that will be considered in closed session

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:-

- i. Core Revenue & Benefits IT System and associated support and maintenance re-procurement.
- ii. Re-procurement of 5 year contract for the Children's and Young People social care IT System supplied by LiquidLogic Ltd.
- iii. Highways Contract Strategy (2021 onwards).

Agenda Item 7

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

Document is Restricted