

Public Document Pack

Lewisham Council Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 22 January 2020.



Kim Wright
Chief Executive
January 14 2020

Mayor Damien Egan	
Councillor Obajimi Adefiranye	
Councillor Abdeslam Amrani	
Councillor Tauseef Anwar	
Councillor Chris Barnham	
Councillor Paul Bell	
Councillor Peter Bernards	
Councillor Chris Best	
Councillor Kevin Bonavia	
Councillor Andre Bourne	
Councillor Bill Brown	
Councillor Juliet Campbell	
Councillor Suzannah Clarke	
Councillor Patrick Codd	
Councillor Tom Copley	
Councillor Liam Curran	
Councillor Brenda Dacres	

Councillor Sophie Davis

Councillor Amanda De Ryk

Councillor Joe Dromey

Councillor Colin Elliott

Councillor Aisling Gallagher

Councillor Leo Gibbons

Councillor Alan Hall

Councillor Carl Handley

Councillor Octavia Holland

Councillor Sue Hordijkeno

Councillor Coral Howard

Councillor Mark Ingleby

Councillor Liz Johnston-Franklin

Councillor Caroline Kalu

Councillor Silvana Kelleher

Councillor Louise Krupski

Councillor Jim Mallory

Councillor Paul Maslin

Councillor Sophie McGeevor

Councillor Joan Millbank

Councillor Hilary Moore

Councillor Pauline Morrison

Councillor John Muldoon

Councillor Olurotimi Ogunbadewa

Councillor Lionel Openshaw

Councillor Jacq Paschoud

Councillor John Paschoud

Councillor Stephen Penfold

Councillor Kim Powell

Councillor James Rathbone

Councillor Joani Reid

Councillor Sakina Sheikh

Councillor Jonathan Slater

Councillor Alan Smith

Councillor Luke Sorba

Councillor Eva Stamirowski

Councillor James-J Walsh

Councillor Susan Wise

Council Agenda

Wednesday, 22 January 2020
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

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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: January 22 2020

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: January 22 2020

Recommendation

It is recommended that the minutes of the meeting of the Council which was open to the press and public, held on November 27 2019 be confirmed and signed (copy previously circulated).

Agenda Item 3

COUNCIL		
Report Title	Petitions	
Key Decision	no	Item No.
Ward	n/a	
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: January 22 2020

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

<https://lewisham.gov.uk/mayorandcouncil/influence/submit-or-view-a-petition>
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.
6. One public petitions for the Council have been notified for this meeting.

Kirsten Brooks 'School Crossing Patrol on Cranston Road'.

Agenda Item 4

COUNCIL		
Report Title	Announcements or Communications	
Key Decision		Item No.
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: January 22 2020

Recommendation

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

Report of the Returning Officer

At the General Election in December 2019 the incumbent members Vicky Foxcroft, Janet Daby and Ellie Reeves were all re-elected for the three Lewisham constituencies. Council is asked to congratulate all three candidates on their success at the polls.

George Francis RIP

The long standing Chairperson of the New Cross Fire Parents' Committee, George Francis, died just before Christmas. His funeral, is taking place on Monday 20 January at 11.30a.m. at Hither Green Crematorium, in Verdant Lane.

New Cross Fire Anniversary

39th anniversary of the New Cross Fire, when 14 young people tragically lost their lives at a house fire in New Cross Road in 1981.

A short service of Remembrance will take place on Friday 17 January at 11a.m. in the Civic Suite. Refreshments are available both before and after the service.

The Council continues to support Bursary Awards each year of £25,000 shared between 4 or 5 students in memory of the victims.

Holocaust Memorial Day

Reverend David Rome the Minister from the Catford Synagogue will speak at the Council meeting and light a candle in memory of all victims of genocides and holocausts.

The Council will again mark Holocaust Memorial Day with a production at the Broadway Theatre on Sunday January 26 at 3pm. Tickets are £1 with proceeds going to the Aegis Trust and are available from Derek Johnson 0208 3148636. The theme this year is 'Stand Together'. At the Theatre the Keynote speaker will be Edwin Shuker from the Board of Deputies.

New Year's Honours List 2020

This year New Year's Honours list recognised former colleagues of Lewisham:

Former Executive Director Aileen Buckton has been awarded the MBE in recognition of her services to the community

Former Councillor David Michael has been awarded the MBE to recognise his services to Greater London.

Former Lewisham Executive Director and more recently as the retired Chief Executive of Islington Council Lesley Seary has been awarded the CBE for her services to Local Government

Former Executive Director and Deputy Chief Executive Rob Whiteman has been awarded the CBE in recognition of his services to public sector financial management

Former Lewisham resident Wlodka Robertson has been awarded the BEM in recognition of her services to Holocaust education. She is the wife of the former Councillor Bruce Robertson

Local resident from Forest Hill Emma Worley has been awarded the MBE for services to innovation in Philosophy Foundation.

New Year's Day Parade

Lewisham placed an entry into this year's New Year's Day parade and was in the top ten of all the London Borough entries. Lewisham was awarded a prize of £5,000 which will go towards the 999 club .

Mayor's Charity

Many members of the Council got up very early on a cold December morning last month to rattle buckets at various railway stations in the borough. A total of just over £1,900 was raised and this money given has already been deposited with the Mayor's charity, the 999 club.

Mayor's Winter Appeal

The Mayor is delighted to announce over £17,000 was raised over a five week period, with the proceeds being shared by the 999 club and Lewisham Food Bank.

Launch of Lewisham Disabled People's Commission

The Council launched the Lewisham Disabled People's Commission on International Day of Persons with Disabilities in December 2019. Local resident Jamie Hale has been appointed to Chair the Commission, which will explore ways to make the borough more accessible for disabled people. The Chair of the Commission will be recruiting Commissioners to support their work. The establishing of the Commission is part of the Council's corporate strategy commitment to make public services more accessible and make it easier to get around Lewisham.

The first meeting of the Commission is taking place at Deptford Lounge on Wednesday 29 January. It will be held in public and anyone can attend and observe.

LGBT History Month

The Council will be celebrating LGBT History Month in February. Among the many events planned, Lewisham will host the first London-wide reception of LGBT+ Councillors, the Young Mayor is inviting secondary school pupils to an interactive event in the Civic Suite to facilitate the expression of ideas and views, and he is hosting an intergenerational meeting between the Positive Aging Council and the Young Mayor's Advisors.

Councillor Joani Reid

1 Summary

Following a communication received from Labour Group Officers, this report seeks the Council's approval of the reason for non-attendance of Councillor Joani Reid at Council meetings.

2 Purpose of this report

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

3 Recommendation

The Council is recommended to approve the reason for Councillor Joani Reid's non-attendance at Council meetings since 30/10/19, as set out in this report.

4 Background

4.1 Councillor Reid's last attendance at a Council meeting was at the Mayor & Cabinet on 30 October 2019. She gave birth to her first child yesterday.

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 Reid 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.

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 Reid's absence as set out in this report.

Agenda Item 5

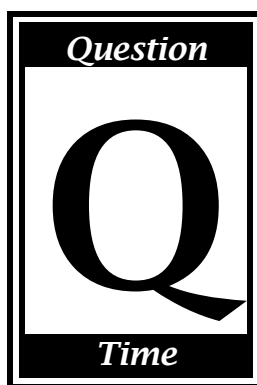
COUNCIL		
Report Title	Public Questions	
Key Decision		Item No.5
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: January 22 2020

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.	Rick Hebditch
2.	John Wood
3.	Patricia Richardson
4.	Gina Raggett
5.	Carol Spurling
6.	Chris Maines
7.	Carole Hope
8.	Mark Morris
9.	Andrew Tonge
10.	Peter Richardson
11.	Rosalind Huish
12.	Rick Hebditch
13.	John Wood
14.	Patricia Richardson
15.	Peter Richardson
16.	Gina Raggett
17.	Carole Hope
18.	Mark Morris
19.	Andrew Tonge
20.	Rosalind Huish
21.	Rick Hebditch
22.	John Wood
23.	Patricia Richardson
24.	Gina Raggett
25.	Carole Hope
26.	Mark Morris
27.	Rosalind Huish
28.	Rick Hebditch
29.	John Wood

30.	Gina Raggett
31.	Carole Hope
32.	Rosalind Huish
33.	Gina Raggett
34.	Gina Raggett
35.	Gina Raggett
36.	Gina Raggett



PUBLIC QUESTION NO 1.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Rick Hebditch

Member to reply: Chair of the Public Accounts Select Committee – Cllr Mallory

Question

How worried are you that, in the words of Cllr Maslin (<http://themaslinmemo.blogspot.com/2019/10/the-lewisham-mayors-proposed-council-12.html>), “the Council has spent £100,000s of tax payers' money on the process of setting budgets that disintegrated on first contact with reality” and do you agree with him “that Lewisham is going bust and the issuing of a Section 114 Notice, akin to the raising of the financial white flag to the government, is inevitable”?

Reply

As part of the Council process of setting its budget, the role of Public Accounts Committee is vital. The Council’s total annual budget includes spending plans for over £1.2 billion. As such the budget setting process is involved and detailed and one to which officers and members commit significant time and care. This has always been and will necessarily remain the case.

The budget process sets the priorities for spending public money on those most vulnerable and with the highest needs in our community. This is a very real and important challenge, the meeting of which we all – executive, scrutiny members and officers – take seriously.

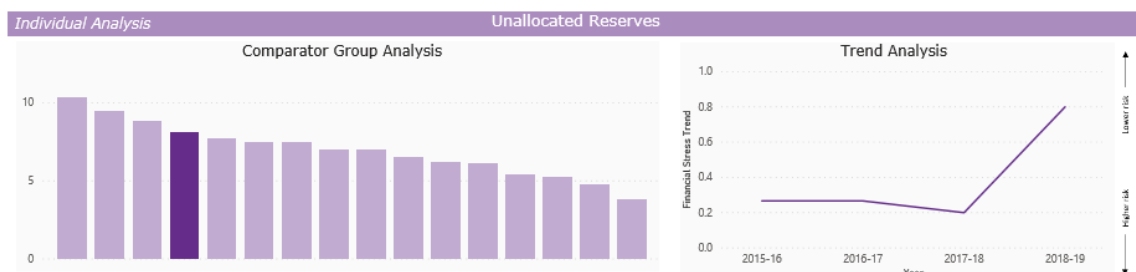
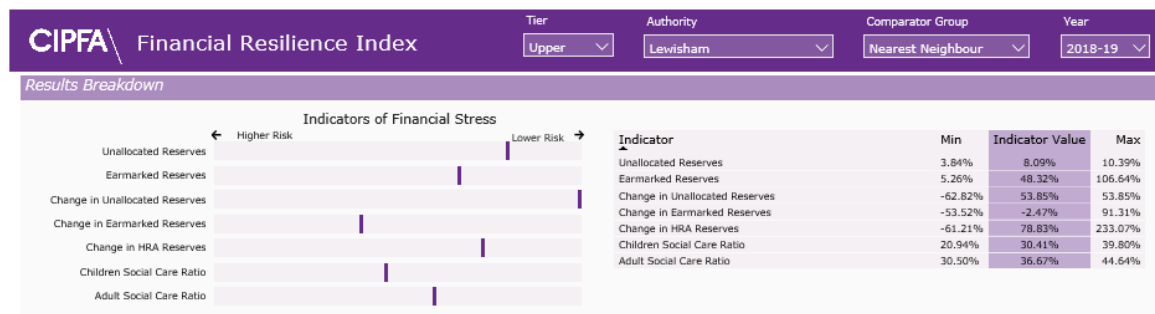
Council tax payers funding is accounted for as part of the General Fund which for 2019/20 has a budget of £243m. This budget was set as the last in a decade of the most extreme austerity imposed by the government. In this ten year period Lewisham’s spending power was cut by 26% while our population has grown by 10%. Having made £180m of cuts to date, the Council has had to reduce its spending by £1 in every £3.

To make cuts of this scale, while protecting services as best we can, to meet the legal obligation to set balanced budgets each year has been very challenging. For example:

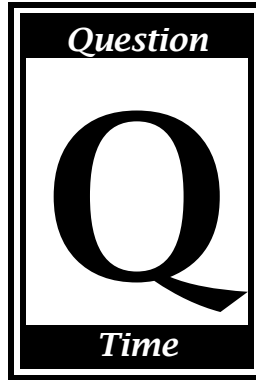
- It has not been possible to identify all the necessary cuts on time. This has meant using reserves to support the budget in recent years, at an average of £3.5m per year.
- Not all aspects of the budgets in this period delivered exactly to plan and this has led to some services overspending, putting pressure on corporate provisions and reserves.

The Council plans effectively and shepherds its resources prudently. The most recent published information (MHCLG Individual Authority Returns for 2018/19) show that Lewisham has the ninth highest general and earmarked reserves by value for all 32 London Boroughs. The CIPFA financial resilience index, using nearest neighbour analysis for 16 London Boroughs, also confirms that Lewisham finances are robust. Across seven measures of resilience the Council is rated as middle or lower risk on all seven – see chart below.

Home \ Services \ Financial Resilience Index \ Financial Resilience Index



Indeed, the Public Accounts Committee has on several occasions scrutinised the extent of our reserves and the use to which we have put them and, from our work and questioning of officers and cabinet members, I am confident that the Council will not “go bust”. The Council’s thorough and proper approach to budget setting means a Section 114 notice will not be required or even be likely at this time.



PUBLIC QUESTION NO 2.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: John Wood

Member to reply: The Mayor

Question

Why did the Council approve the re-siting of classrooms at Ashmead School when it will expose children in the playground to even higher, illegal levels of airborne emissions, when some airborne pollutants cannot be filtered, and when the current Ashmead Road access renders them less vulnerable to long-term health risks from fast vehicles on a very dangerous high road?

Reply

The Council is committed to tackling poor air quality, including around our school playgrounds. This includes by installing green screens around the most polluted playgrounds to reduce exposure to emissions, building on our anti-idling programme to reduce emissions in the vicinity of schools and delivering more school streets.

The classrooms at Ashmead School are not being re-sited. The school has been expanded by one form of entry, which will deliver an additional seven new classrooms. The school produced the design in consultation with the Council's planning department, with an emphasis on retaining as much outdoor play-space as possible. After careful consultation, it was found that an extension to the existing school building

was unfeasible. Planning permission for the development was awarded at Planning Committee in October 2018.

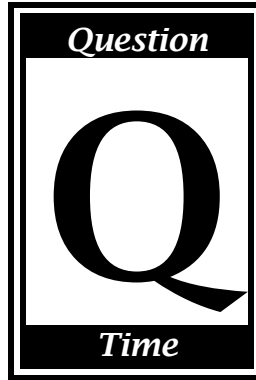
The location of the new three storey building along the boundary of Lewisham Way prevents the loss of any green space, planting or trees from within the school site. It also improves visibility of the surrounding area, making it easier for school staff to monitor and manage. In addition, it creates a large three story barrier along that elevation, which should significantly reduce much of the noise and pollutants that have been entering into the play areas of the school via the previously existing single storey boundary on Lewisham Way.

The school's main entrance will remain along the quieter Ashmead Road. However, a secondary entrance will be created on Lewisham Way, which will only be open and accessible at the start and end of the school day. This new additional entrance will reduce the amount of time some parents and children will have to walk along Lewisham Way to get to the school.

A state-of-the art building management system will be installed to ensure a constant flow of fresh air and moderate the temperature inside the building.

To further reduce pollution from entering the school, a new pocket park will be created and there will be a significant amount of new planting along Lewisham Way, creating a green screen. These will be plants that are especially effective at capturing air pollution and particles and reducing them from entering the school site. This landscaping and planting is due to commence from around May this year.

Air pollution is part of a global climate and public health crisis, and ultimately needs national and international action if we are to fully tackle it and protect residents' health. As well as continuing our work to make Lewisham greener, we will continue to make representations to the Government to support local authorities to further tackle air pollution.



PUBLIC QUESTION NO 3.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Patricia Richardson

Member to reply: Councillor Slater

Question

Sir Nicholas Serota, Chair of Arts Council England, recently made a statement on the future of England's public library service and its value to communities, arts and culture. Funding is going to be made available to help the public library service achieve aims in these fields.

Will Lewisham Council be working closely with Arts Council England to help investment in its own service if its aims, to be laid out in its Library Strategy policy, co-ordinate with those of ACE?

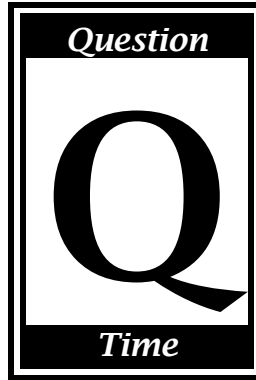
Reply

In a recent article Sir Serota said: "There is big scope when you talk about what is happening in high streets and communities for libraries to play a much larger role. Many are already. Libraries are trusted places. They are places people feel safe in. Sustaining libraries and helping them move into the 21st century is an important part of what the Arts Council should be doing."

This position is very much in line with the suggestions that the Safer Stronger Communities Select Committee made on 9 October 2019, launching the work to develop a strategy for Lewisham's libraries.

Lewisham will continue to work with the Arts Council England, Libraries Connected, The Library Consortium, DCMS, Carnegie, British Library, The Reading Agency, BookTrust, and so many more to make sure that our residents receive the best possible opportunities through their library service.

Article is available online on <https://www.theguardian.com/culture/2020/jan/01/arts-council-boss-vows-more-funding-early-stages-career-nicholas-serota>



PUBLIC QUESTION NO 4.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Gina Raggett

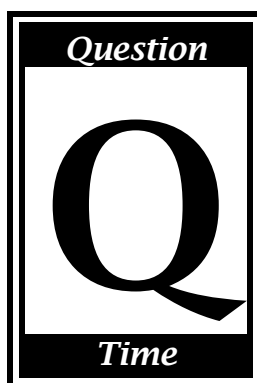
Member to reply: Councillor Bonavia

Question

According to the Blackheath Joint Events Policy 2017-2020, Appendix 1, para 2.3: “[...] The Blackheath Joint Working Party’s (BJWP) remit includes advising on events and activities and ensuring that the fabric of the Heath is protected **and that the views of residents and regular Heath users are considered when the Heath is hired out for events**”. In view of this, can the Council explain why Agendas, Minutes and notices of meetings relating to the Blackheath Joint Working Party (BJWP), including the AGM, have been unavailable to the general public online or in any other format since June 2018? Will the Council now act to ensure greater transparency in future?

Reply

The minutes of Blackheath Joint Working Party meetings should be published on the Council’s website. The fact that this has not been kept up to date is an oversight, which has now been corrected. Minutes of meetings can be seen at: <https://lewisham.gov.uk/inmyarea/neighbourhoods/blackheath>



PUBLIC QUESTION NO 5.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Carol Spurling

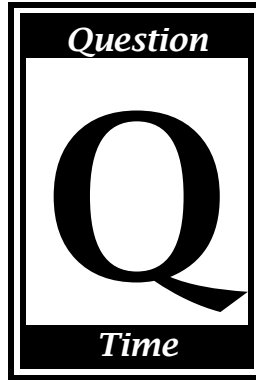
Member to reply: Councillor Bell

Question

Does Lewisham Council use any accommodation in Pentland House? This was raised at a meeting in Manor House Library on 10 June 2019 with Theo Bahannack (Lewisham Council's Crime Enforcement & Regulation Officer) but was never answered.

Reply

We are not aware of any current use by Lewisham Council. If you have any specific concerns or information then I would be happy to review the position further.



PUBLIC QUESTION NO 6.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Chris Maines

Member to reply: Councillor Barnham

Question

How many Lewisham pupils in the last academic year were

- 1) Given a fixed period exclusion (in excess of 5 days)
- 2) Permanently excluded.
- 3) Does Lewisham Council ensure pupils excluded for a fixed period of more than 5 days are set work?
- 4) How many pupils have been permanently excluded by Lewisham Schools in the current academic year?
Of these pupils -
How many had been placed in other schools?
How many placed in Pupil Referral Units?
How many being educated at home?
How many are yet to be placed in an alternative setting?

Reply

Permanent exclusion from school is a serious sanction, which should be used only as a last resort. Only the headteacher of a school can exclude a child and this must be on disciplinary grounds. The decision to permanently exclude a child should only be taken:

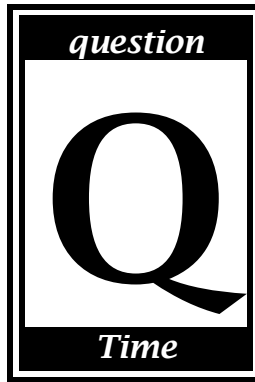
- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the child to remain in school would seriously harm the education or welfare of the child or others

The number of permanent exclusions in recent years has been a concern, in Lewisham as elsewhere. That is why we pledged in our 2018 manifesto to work with parents and schools to reduce exclusions. I am very pleased to note that there has been significant progress in reducing permanent exclusions in recent years. This will continue to be a priority, although we need to recognise the challenges our schools and young people continue to face.

In 2018/19 we saw a marked decrease in the number of permanent exclusions from Lewisham schools. This can be attributed to the collaborative approach now embedded in Lewisham, the efforts of Lewisham Secondary schools to avoid last resort approaches, the work of the Fair Access Panel, the Inclusion Board and the Reducing Exclusions group.

Turning to your detailed questions:

- 1) For the academic year 2018/19 our records show that there were 205 fixed period exclusions (in excess of 5 days).
- 2) For the academic year 2018/19 there were 16 children permanently excluded from Lewisham schools.
- 3) The local authority takes responsibility to ensure the education of children on the sixth day of exclusion and we work with schools to ensure that work is sent home.
- 4) For the academic year 2019/20 our records show that there are eight children who have been permanently excluded by Lewisham schools.
Of these pupils:
 - None are placed in other schools.
 - All were placed in the Lewisham Pupil Referral Unit, Abbey Manor College
 - None are being educated at home.
 - None are placed in an alternative setting.



PUBLIC QUESTION NO 7.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Carole Hope

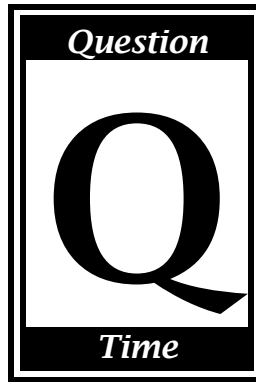
Member to reply: Councillor McGeevor

Question

How many insurance claims have been lodged with the Council in respect of the lake at Beckenham Place Park?

Reply

No insurance claims have been lodged in respect of the lake at Beckenham Place Park.



PUBLIC QUESTION NO 8.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Mark Morris

Member to reply: Councillor Best

Question

At the London Councils' Transport and Environment Committee, held on Thursday 5 December 2019, it was reported that the number of disabled person freedom Pass Holders with records flagged as 'pending assessment' (at 25 November 2019) was 471 people in Lewisham, compared to zero in 21 London Boroughs. The total figure for the whole of London was 3,483 cases 'pending assessment'. The papers from this meeting also report: "If your borough is listed, please check with your officers that they have plans in place to complete reassessments before passes expire." The papers also stated that "If assessments are not finalised before passes expire, there is a risk that some pass-holders that are eligible for the scheme may not have the means to travel."

Please provide an update on how many cases in Lewisham still require an assessment and an explanation of why so many outstanding cases existed in Lewisham as of late November 2019 compared to so many other London Boroughs?

Reply

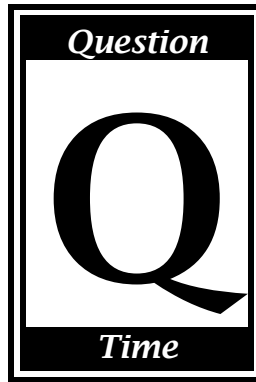
Freedom Passes are awarded for rolling 5 year cycles and the Council is currently reviewing those due to expire on 31 March 2020. It is important that the Council checks the entitlement to a Freedom Pass because in some cases the person may have moved, or their condition could have changed or sadly they could have passed away. This ensures that only those entitled to a Freedom Pass are issued a new one.

The way the renewal process works is that new Freedom Passes are automatically produced and issued at the expiry date for current holders so the Council checks their ongoing entitlement in advance of the expiry date as failing to do will result in their being extended anyway.

The Council checks all those subject to renewal and, where the current holders have enduring health conditions or we have been able to substantiate their entitlement using information available internally, we automatically extend their concession further without contacting them directly.

Where the Council has been unable to automate the award and needs more evidence, we contact the current holder directly and request the evidence we need them to provide in support of their application. For those who fail to provide the information or who no longer need the concession, we inform London Councils so that they stop the concession before their new Freedom Pass is produced. To do this we apply an indicator (flag) to our system to ensure we are aware of these cases and so that we can advise London Councils not to issue a new Freedom Pass. This is the "pending assessment" flag being referred to in the question. Applying this flag doesn't mean there is any loss of means of travel nor will it result in any delay to our extending their concession if they continue to qualify. It merely allows us to monitor those who fail to respond and ensures we stop these cases being automatically extended for a further 5 years by London Councils. There are 545 cases currently at the pending assessment stage (note this number will go up and down all the time as it is a rolling review).

Many other London authorities do not apply the "pending assessment" setting which is optional. However, we believe this provides us with enhanced assurance of our correctly administering the Freedom Pass scheme.



PUBLIC QUESTION NO 9.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Andrew Tonge

Member to reply: Councillor McGeevor

Question

At Council on of the 2 October 2019, Councillor McGeevor provided the response below to Question 39.

“PUBLIC QUESTION NO 39 - 2nd October 2019.

Given that the contracting model for IDVerde has previously been explained in an answer to a public question with regard to Beckenham Place Park, will the Council please confirm that all payments to IDVerde have been made and that the significant remedial work still required within some areas of the park will be conducted by IDVerde at no further cost to the London Borough of Lewisham and its tax-payers.

Will the Council please confirm that it will require IDVerde to make good the deficiencies of their work to date with no contract extension and no further payment?

Councillor McGeevor’s Reply

Not all payments have been made to idverde because some small areas of work are still to be completed. All snagging and defects will be completed by idverde at no further cost to the council this will not involve any contract extension.”

Whilst outwardly clear and concise, can I contend her response appears to be untrue on two counts?

Review of the Council's own declared sub-contract payments indicates that, IDVerde, the contractor in question had in fact been paid further sums **PRIOR** to the date of the response **WITHOUT** conducting any meaningful remedial work. Furthermore payments recorded to date take total payments to beyond the contract value.

Have you accepted the pathetic standard and incomplete nature of IDVerde's work in Beckenham Place Park? Will the Council advise if this work will ever be completed and how it will now be paid for?

Are you able to explain and accept that you came to mislead the meeting of the 2ⁿ October and the tax payers of the borough with a response that was factually wrong on two counts? Namely payments before completion of work and payments exceeding the contract value.

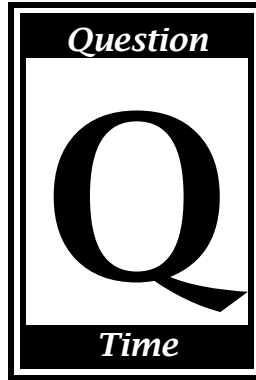
Reply

The response given to the meeting on 2nd of October is not misleading, nor is it factually incorrect.

Under the contract with idverde for landscape work at Beckenham Place Park payments are made based on the certified level of completion of tasks. Inspections are carried out by the Council's landscape architect who act as contract administrator and the value of work is agreed with the Council's appointed quantity surveyor. This means that the contractor are only paid for work that has been undertaken. Sometimes when there is disagreement about matters between the parties this delays payment until an agreement is reached, so payment may trail behind work in some cases.

Idverde will complete any outstanding elements in line with the contract. It should be noted that some of the work is dependent on the weather and season as it requires certain ground conditions or involves planting and seeding.

The contract value represents the cost of delivering the works agreed at the outset of the project. Throughout the period of the contract, circumstances such as contamination for example sometimes mean that further work must be carried out. These variations to the original contract can incur an extra cost in addition to the original contract sum. This does not mean that the contractor are being paid extra for doing the same task, they are being paid for carrying out extra work. These matters are dealt with through a project's contingency budget.



PUBLIC QUESTION NO 10.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Peter Richardson

Member to reply: Councillor Slater

Question

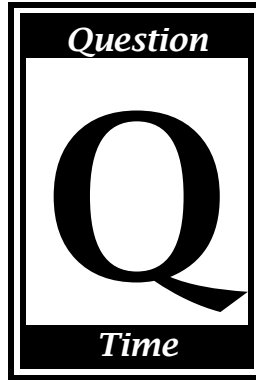
There is good news coming from the Arts Council England relating to investing in the intended improvements in the Library Services of England. Is it likely that Lewisham Council may, in some way, halt the managed decline of the Library Service which has been in existence for the past 20 years?

Reply

The state of the Library and Information Service in Lewisham has been carefully described on 9 October 2019 in the annual Report to the Safer Stronger Communities Select Committee.

Far from a “managed decline”, the emerging picture is that of a thriving, imaginative, energetic service that has consistently defied the odds and overcome funding limitations to continue to successfully serve over 2 million visitors every year.

It is hoped that all of Lewisham’s communities will rally around our libraries as they embark on a constructive process that will produce a new strategy for the future of the Service.



PUBLIC QUESTION NO 11.

Priority 1

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Rosalind Huish

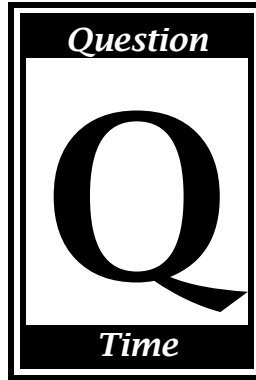
Member to reply: Councillor Bell

Question

As at 27th November 2019 321/500 Council/social homes due for completion in May 2018 had been built. Please advise how many more homes have been completed ready for families to move into since that date. Please also advise how many of the 1000 homes the Council pledged to build between May 2018 and May 2022 have been completed.

Reply

Since 27th November 2019, 4 additional family homes have been completed under the 2014-18 programme bringing the number for that period up to 325 units in total. In addition to this, since May 2018 the council has delivered 237 homes and is due to start over 200 council homes on site in the first half of this year.



PUBLIC QUESTION NO 12.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Rick Hebditch

Member to reply: Councillor De Ryk

Question

Cllr Maslin has reported that ex-Lewisham CEO Barry Quirk has said that Lewisham is in the second worst position in the country on its net revenue spend compared to its income (http://themaslinmemo.blogspot.com/2019/10/the-lewisham-mayors-proposed-council_12.html). The council's auditors in their most recent audit reported that the council is only realising two-thirds of planned savings (£3.6m of £5.6m - <http://councilmeetings.lewisham.gov.uk/documents/s67953/Audit%20findings%20main%20accounts.pdf>). What plans does the council have to manage the risks of going bust or issuing a section 114 notice under the Local Government Finance Act?

Reply

The figures reported reflect that Lewisham has a low business rates base compared to net service spend. This is correct but the conclusion the blog goes on to draw is incorrect. The Council is not spending £1.32 for every pound it earns nor is this a measure of the validity of Lewisham's budget setting decisions.

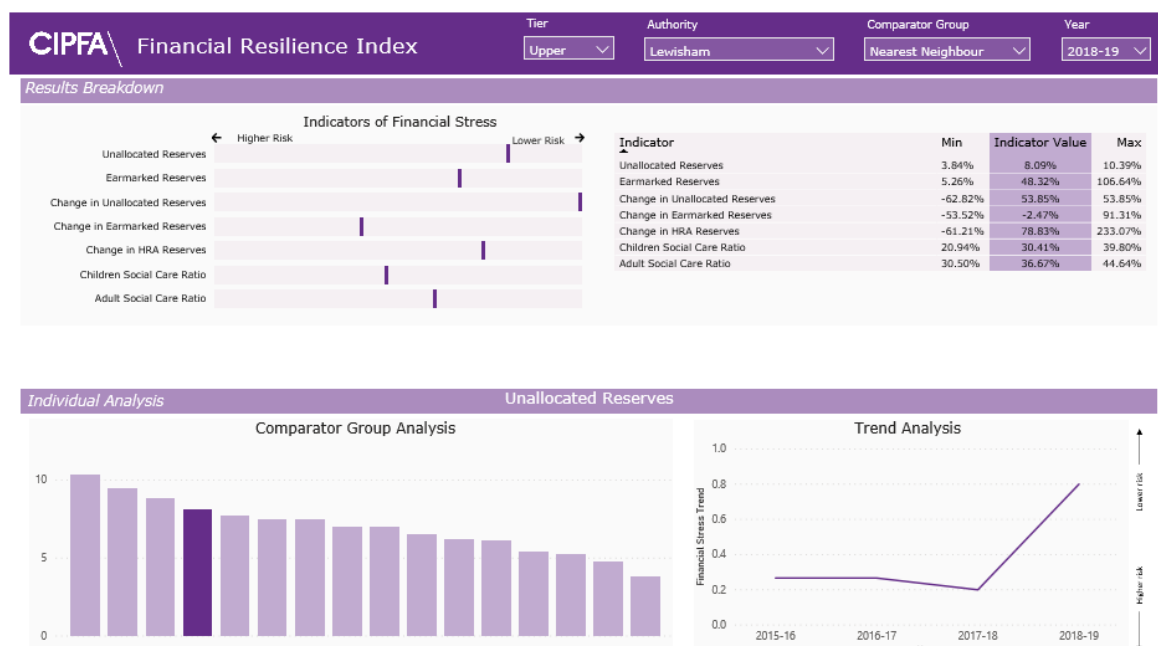
The Council set its budget for 2019/20 at £243m using £2.5m of reserves. This is the equivalent of spending £1.01 for every £1 of income (or 1% over) and not the 32% implied by Cllr Maslin.

It is true that Lewisham has a lower business rate base and therefore collects less than many authorities as a proportion of its budget. However, business rates is a national tax and subject to redistribution based on area cost adjustments that take into account matters such as; demographics, deprivation, density/rurality etc.. This makes Lewisham a 'top-up' authority, along with the majority of London Boroughs and indeed all authorities in the country. Compared to the approximately £65m of business rates Lewisham collects it actually receives annually over £100m after redistribution.

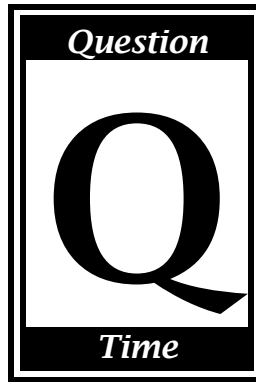
The Council's external auditors did note that in 2018/19 £3.6m of the cuts were delivered in year. This is in the context of the Council having made £180m of cuts over the decade to 2019/20. The auditor's report goes on to note that a further £1.0m of the planned cuts was completed at the year end. This is a gap of £1m or less than 20%. This is not the position we would want to be in. However, with a shortfall of less than one half of one percent on an annual budget of £243m for 2019/20, it does not follow that the Council is therefore at risk of going bust or that a section 114 notice is needed.

This is not just my view. The most recent published information (MHCLG Individual Authority Returns for 2018/19) show that Lewisham has the ninth highest general and earmarked reserves by value for all 32 London Boroughs. The CIPFA financial resilience index, using nearest neighbour analysis for 16 London Boroughs, also confirms that Lewisham finances are robust. Across seven measures of resilience the Council is rated as middle or lower risk on all seven – see chart below.

Home \ Services \ Financial Resilience Index \ Financial Resilience Index



In respect of future budget risks the Council will continue with the in depth planning and budgeting process at both officer and member level. This continues to ensure the Council plans effectively and shepherds its resources prudently.



PUBLIC QUESTION NO 13.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: John Wood

Member to reply: Councillor McGeevor

Question

What is your policy and rationale behind the number and distribution of air pollution monitors throughout the borough and what is your strategy for acting upon the data they show you?

Reply

The Council as part of its statutory role, reports to the Greater London Authority annually on its local air quality monitoring, along with progress on its Air Quality Action Plan. The local air quality monitoring is focused on the pollutants of concern, which is nitrogen dioxide and particulate matter and which are assessed against air quality objectives and health limit levels.

Local Authorities have a statutory requirement under Part IV of the Environment Act 1995 to carry out an assessment of the air quality in their borough and where Air Quality objectives are unlikely to be met, the Local Authority is required to declare Air Quality Management Areas (AQMAs). The monitoring data, along with modelled data is used to inform where AQMAs are required. Where AQMAs have been declared the Local Authority is required to produce an Air Quality Action Plan.

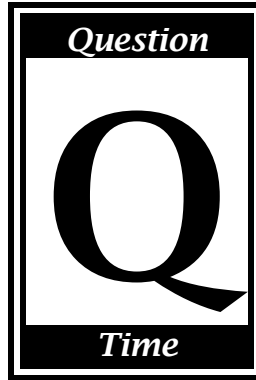
The air quality monitoring locations within Lewisham have been identified to provide a representative spread of the air quality at roadside and background locations. There are 4 continuous monitoring units which are reference monitoring sites and part of the London Local Air Quality Network, with a very high degree of accuracy (which includes the new supersite at Honor Oak Park). There are 50 nitrogen dioxide diffusion tube locations which are used to measure annual mean trends, which are also bias adjusted, through collocation of tubes at our New Cross continuous monitoring unit, to ensure accuracy.

To view the full monitoring data please go to our webpage: called 'Check air quality levels' <https://lewisham.gov.uk/myservices/environment/air-pollution/check-air-quality-levels>

In terms of temporal trends there was an overall decrease in concentrations between 2012 and 2018 at most NO₂ diffusion tube sites within the borough. The triplicate tubes co-located at the continuous monitoring unit in New Cross has shown evidence of generally decreasing NO₂ from 2012 to 2018, with the greatest reduction occurring between 2017 and 2018. On average, annual mean NO₂ concentrations at roadside and urban background monitoring locations have decreased between 2012 and 2018, albeit with fluctuations from year to year, which is principally due to meteorological factors.

The Council has had an Air Quality Action Plan (AQAP) formally adopted since February 2008, with its current AQAP 2016-2021 approved by Lewisham's Mayor and Cabinet in December 2016. The AQAP follows the guidance by GLA, which includes a matrix of actions they require all London boroughs to consider and report on.

The yearly reports on monitoring data and action we carry out, are submitted for review and comment to the GLA. The Air Quality progress reports or Annual Status Reports (as they are now termed) are available on the following link: <https://lewisham.gov.uk/myservices/environment/air-pollution/read-our-air-quality-action-plan-and-other-reports>.



PUBLIC QUESTION NO 14.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Patricia Richardson

Member to reply: Councillor Slater

Question

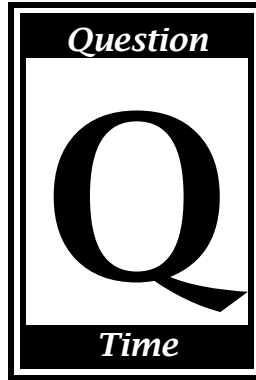
The Users and Friends of Manor House Library community group is often contacted by local residents concerning the Manor House and the provision of Lewisham Library Service within. Reports have come back over the last year, particularly the last few months, to notify us that one or other, or both, gates have been left open after hours, even when it is obvious nobody is in the House. We ourselves have driven past at 9.30/10.00 pm to notice the same state of affairs.

Do you agree that such a situation could obviously leave the building at risk, especially as residents of Old Road have grave concerns of the impact on the area of some occupants of Pentland House, still on-going? Does the Council have any way of monitoring these events, who is responsible for ensuring the gates are locked, and are they monitored by the Council?

Reply

The Manor House building has been leased to a third party for some time. They are responsible for the building which includes the decision to close and open the gates.

Unless something is reported that factually contravenes the provisions of the lease, the council will not intervene in the day to day decisions of the tenant although we will highlight the issues that you have raised to them.



PUBLIC QUESTION NO 15.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Peter Richardson

Member to reply: Councillor McGeevor

Question

Does Lewisham Council undertake its own pollution monitoring statistics in Lewisham and if so, does this include CO₂, Diesel particulates and other pollutants currently considered harmful to the inhabitants of the Borough?

At what levels were these pollutants logged at their most recent checks?
How do they compare with the previous round of monitoring taken and those of the previous set of figures to those?

Has any comparison with these periodic pollutant checks been made against rises in population at the same, or very nearly the same dates the pollution checks were made, in order to ascertain a link might be presented due to population growth?

Reply

The Council's air quality monitoring is part of the London Local Air Quality Network, managed by Kings College London. Along with the four continuous monitoring sites within the London Local Air Quality Network, Lewisham expanded its network of nitrogen dioxide diffusion tube locations in 2018 to 50 locations around the borough,

The Council contributed towards the installation of an Air Quality Supersite, at Honor Oak Park Sports Ground. This is a new million pound air pollution research lab, with primary funding from Natural Environment Research Council (NERC), which started receiving data in January 2019. The Council is continually reviewing its monitoring capabilities and has plans to commission a new continuous monitoring site in Deptford.

The Council as part of its statutory role, reports annually on the local air quality monitoring. The local air quality monitoring is focused on the pollutants of concern, which is nitrogen dioxide and particulate matter and which are assessed against air quality objectives and health limit levels. Carbon dioxide is not a pollutant that has a local air quality objectives and so isn't monitored at individual local sites. The contribution of carbon emissions is however monitored by modelling against source. The Council has declared a Climate Emergency:

<https://lewisham.gov.uk/myservices/environment/environment/energyefficiency/making-the-borough-carbon-neutral-by-2030-climate-emergency-declaration>

There is a Lewisham Climate Emergency Public Forum being held on the 29th January <https://www.eventbrite.co.uk/e/lewisham-climate-emergency-public-forum-tickets-86360561765>

The air quality monitoring locations within Lewisham have been identified to provide a representative spread of the air quality at roadside and background locations. The 4 continuous monitoring units are reference monitoring sites with a very high degree of accuracy (which includes the new supersite at Honor Oak Park). The diffusion tubes are used to measure annual mean trends over several years, but the measurements are bias adjusted, through collocation of tubes at our New Cross continuous monitoring unit to ensure accuracy.

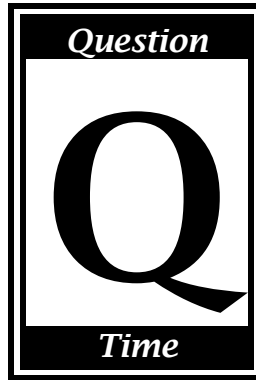
To view the full monitoring data please go to our webpage: called 'Check air quality levels' <https://lewisham.gov.uk/myservices/environment/air-pollution/check-air-quality-levels>

The monitoring, along with trends in pollution, is reported on a yearly basis to the Greater London Authority, who are the responsible authority for administering the London Local Air Quality Management. These reports, known as Annual Status Report are also available for viewing on-line:

<https://lewisham.gov.uk/myservices/environment/air-pollution/read-our-air-quality-action-plan-and-other-reports>

In terms of temporal trends and links to population changes, there was an overall decrease in concentrations between 2012 and 2018 at most NO₂ diffusion tube sites within the borough. The triplicate tubes co-located at the continuous monitoring unit in New Cross has shown evidence of generally decreasing NO₂ from 2012 to 2018, with the greatest reduction occurring between 2017 and 2018. On average, annual mean NO₂ concentrations at roadside and urban background monitoring locations have decreased between 2012 and 2018, albeit with fluctuations from year to year, which is principally due to meteorological factors. Population growth rose steadily from 2010 at an average of 5,000 per year. There isn't therefore a direct correlation,

over the period, for air quality increases against population growth. There are many factors that have affected this, such as improvements in car technology and subsequent reduced emissions levels. The Council however is prioritising further reductions in local air pollution and have a range of actions that they are using to bring about this further change.



PUBLIC QUESTION NO 16.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Gina Raggett

Member to reply: Councillor Bonavia

Question

Can the Council explain why the BJWP, chaired by Cllr Kevin Bonavia and including the Council's Ecological Officer Nick Pond and former Blackheath Society Chair Dame Helen Reeves among its attendees, has, without consultation at any level, and therefore in breach of the above policy, given permission for an unregistered private nursery school to start operating at Eliot Pits on Blackheath as from Easter 2020?

Reply

The Blackheath Joint Working Party (BJWP) is a committee comprising councillors from Lewisham and Greenwich Councils representing Blackheath together with representatives of local amenities. The BJWP has no powers in itself but advises the respective Councils on the management and maintenance of the heath.

Forries Education have been running a Forest school for a day a week in Eliot Pits Blackheath since April 2017. The BJWP were formally consulted in November 2016. The BJWP made the recommendation that the activity should be permitted subject to appropriate fees and ecological monitoring.

<https://www.forrieseducation.co.uk/> :- A forest school is: *“is an innovative, child led approach to outdoor play and learning. This ethos of outdoor learning started in Scandinavia and is growing in popularity in the UK. It is fun and unhurried. It is focused on process not product. Research shows that children benefit from being outdoors.....to have adventures and take responsibilities. They develop confidence and resilience by learning how best to take risks, cooperate, negotiate and compromise with each other whilst stretching their legs as well as their imagination. In reality, that means outdoor fun, tools, mud and dens and lots of climbing fallen trees in the rain and snow.”*

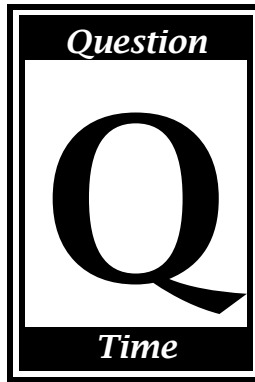
On 27th November 2018 and again on 5th November 2019 the BJWP were consulted on extending the forest school offer at Eliot Pits for Forries Education to 3 days per week. The recommendation was agreed in principle in 2018 but Forries Education never initiated their proposals.

At the BJWP meeting of 5th November 2019 the founder of Forries Education, James Hazlerigg-Kinlay presented to the meeting an updated request to extend the forest school to 3 days per week. Mr Hazlerigg-Kinlay undertook to register the activity with Companies House and with Ofsted and, although already personally trained as a Forest School practitioner, he is seeking formal Forest School accreditation for the organisation.

Mr Hazlerigg-Kinlay answered various operational and safeguarding questions posed by members of the BJWP and confirmed that he would abide by the Bye Laws.

The Ecological Regeneration Manager and Glendale Conservation Officer both confirmed that there have been no significant negative ecological impacts to the area from his current operation. It would therefore be reasonable to trial, monitor and review a 3 days per week extension for 6 months to assess if any long term significant ecological impacts are likely.

On this basis the BJWP agreed to recommend that these activities could be permitted, subject to consideration being given to parents of children who are less well-off and the appropriate fees being levied by Glendale.



PUBLIC QUESTION NO 17.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Carole Hope

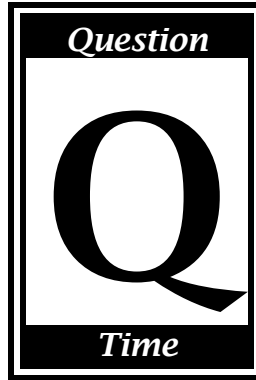
Member to reply: Councillor McGeevor

Question

When will the temporary fencing be removed from around the lake at Beckenham Place Park?

Reply

The temporary fencing around the lake will be removed as soon as we are content that the new boundary is sufficiently established. A new permanent boundary will be in place by the summer but as this is a combination of fence and native hedgerow it may take some time to establish and be fully effective.



PUBLIC QUESTION NO 18.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Mark Morris

Member to reply: Councillor Bell

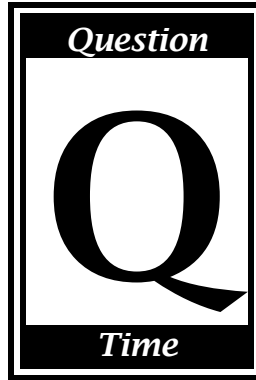
Question

As of 7th January 2020 the Greater London Authority's Rogue Landlord and Agent Checker reveals no cases of prosecutions relating to any Lewisham landlords and agents. Why is Lewisham Council continuing to not take legal action against rogue landlords and agents in the borough?

Reply

Lewisham and its partners are at the forefront of work to tackle landlords. We have adopted the approach to ensure that we work with landlords to try and resolve issues and it is only then if they fail to cooperate that we would take legal action. Most landlords work with us and we can resolve issues to the satisfaction of the tenants. However, we currently have 59 Civil Penalty Notices in progress and will take this to their full conclusion if the matters are not resolved as required.

We will prosecute where needed and make that very clear. We are going to submit an application to the Government for permission to introduce a borough-wide landlord licensing scheme. This scheme - if approved – will be of benefit to both tenants and landlords. We hope to submit the application in the next couple of months, following on from an extensive data collection exercise.



PUBLIC QUESTION NO 19.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Andrew Tonge

Member to reply: Councillor McGeevor

Question

Noting that in the regeneration of Beckenham Place Park the Council's project team saw fit to fell in excess of 400 healthy trees, will the Council, please explain why obviously dead and dangerous trees immediately adjacent to major pathways in Beckenham Place Park Woods have not been inspected and made safe. The problem is particularly prevalent near the Westgate Road Entrance. Photographs can be provided to illustrate the issue. Does the Council have a duty of care to conduct regular inspections?

Will the Council please advise when the last inspection of trees adjacent to thoroughfares took place and explain the rationale for not taking action?

Reply

Any trees that were removed from the landscape as part of the regeneration project at Beckenham Place Park were for reasons of poor health, overcrowding or to restore the parkland landscape.

However, there has been a net gain of approximately 8000 trees within the park following the planting of more than 12,000 new trees as part of the project.

I can advise that the tree surveys were completed in Beckenham Place Park in 2010 and 2014.

A further tree survey commenced in December 2019 starting in the vicinity of the Westgate Road entrance to the park.

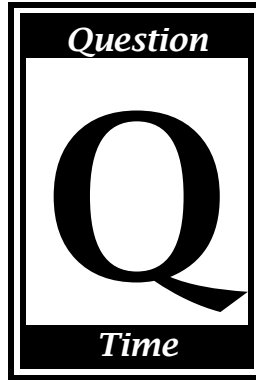
The council applies a risk based approach to managing its tree stock. The tree surveyors' assessment would include the overall condition of the tree and consideration of any potential 'targets' i.e. people or vehicles at risk of being hit by falling limbs or trees e.g. those trees located close to public footpaths would be given a higher priority for works than groups of trees located away public footpaths.

I can assure you that none of the trees surveyed in December were assessed as presenting an imminent danger to the public.

A number of trees were identified as requiring some work mainly consisting of Oak trees requiring the removal of dead wood and dead Sweet Chestnut trees to be removed.

You will find additional information regarding the management of our trees on the Council's website along with the facility to log an inspection of any tree that you are concerned about.

<https://lewisham.gov.uk/myservices/environment/trees>



PUBLIC QUESTION NO 20.

Priority 2

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Rosalind Huish

Member to reply: Councillor Bell

Question

With regards to the Tidemill site please advise:

- Which date in February Peabody are due to begin work and how you are keeping Reginald Road and the surrounding area residents informed of the schedule of works?

- what has been done to reduce pollution in the area since the removal of trees and how is this being monitored?

Reply

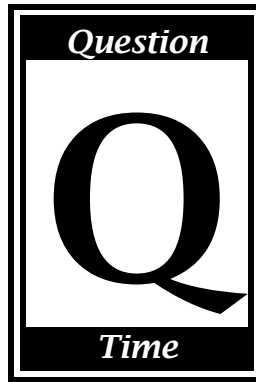
Peabody are due to start building works around the end of February. However, they have been undertaking essential site surveys and discharging planning conditions whilst also continuing with their technical design work ahead of a formal start on site.

Residents in the local area will be advised of the building start dates by way of a newsletter which will include all relevant information and contact information.

Through the sessions held with the residents working group, 16 trees have been retained, which is 7 more than in the consented scheme. In addition, 55 new trees

will be planted. This means that there will be a total number of 71 trees within the masterplan which is more than what was previously on site. This increase is as a direct result of the working group.

Although there are no planning conditions relating to the monitoring of pollution, a construction management plan will be monitored by the Council to mitigate the impact to those in the area in terms of traffic/noise/dust.



PUBLIC QUESTION NO 21.

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Rick Hebditch

Member to reply: Councillor McGeevor

Question

How many electric vehicles does the council have in its vehicle fleet, how many does Lewisham Homes have, and how many does Glendale have in its fleet used for the contract with Lewisham for the upkeep of parks and green spaces?

Reply

We have 1 fully electric vehicle on Lewisham's fleet currently which is on trial with a view to increase the number of vehicles in time.

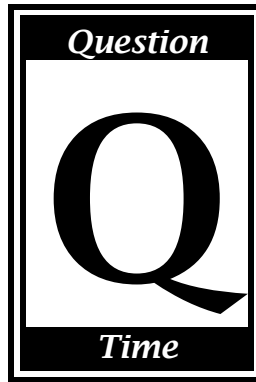
Lewisham Homes do not have any electric vehicles at present but consideration will be given to sustainable transport through the vehicle fleet acquisition.

Glendale do not currently have any electric powered vehicles on the Lewisham contract. However they are currently expecting delivery of a new electric Renault Kangoo van.

Glendale also use the following battery powered machinery: 4 Husqvarna 525iB battery handheld blower; 2 Husqvarna 520iHE3 Battery Long reach Hedge trimmers;

2 Husqvarna 520iHD70 Battery Hedge Trimmers. They are also due to take delivery of the following new battery powered equipment in the spring of 2020; 1 Mean Green CXR60 Zero Turn mower; 1 Mean Green SK-48 Stander Mower; 7 Husqvarna 520iRX battery brushcutter/trimmers.

Officers will exploring further opportunities to increase the number of electric vehicles and equipment used in the delivery of our parks and open space service as we move towards the insourcing of the service in November 2021.



PUBLIC QUESTION NO 22.

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: John Wood

Member to reply: Councillor Best

Question

How many emergency asthma submissions have there been in Lewisham since 2010 and what are the projected numbers if, and when, the Silvertown Tunnel brings more HGVs through Lewisham?

Reply

The number of hospital admissions for asthma in children under the age of 19 in Lewisham since 2010 are as follows:

Period	Count	Crude rate/100,000 persons	Lower 95%CI	Upper 95%CI
2011-12	180	268.7	230.8	310.9
2012-13	263	389.1	343.5	439.1
2013-14	163	237.0	202.0	276.3
2014-15	184	263.8	227.1	304.8
2015-16	216	306.2	266.7	349.9
2016-17	230	323.9	283.3	368.5
2017-18	197	276.4	239.1	317.8

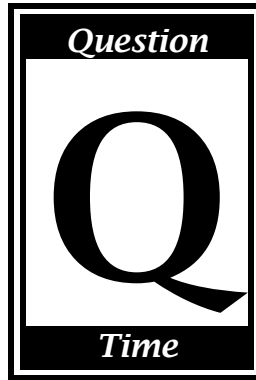
We are unable to obtain projections to cover the period when the Silvertown Tunnel will be operational (in approximately 2025).

Whilst we do not have detailed traffic projections from TfL, we do have summary information that they have provided. This information suggests that the Silvertown Tunnel will not lead to increases in traffic. The primary reason for this is that users of the tunnel will have to pay a toll for using the tunnel, which will have the effect of dampening demand.

As with other toll-roads in the UK, users will be charged depending upon the type of vehicle that they use – with HGVs having to pay the largest charge. It is TfL's intention to vary the charge levels in response to user demand. So if it is judged that the tunnel is attracting too much HGV traffic, they will be able to increase the HGV toll in order to reduce demand.

TfL's preliminary air quality modelling suggests that of a total of 117 monitoring sites, 100 will see reductions in emissions, with 17 experiencing small increases. So whilst we do not know exactly where air quality is going to improve (or deteriorate), overall the tunnel is expected to lead to improved air quality.

Finally, the extension of TfL's Ultra-Low Emissions zone into Lewisham, combined with our own emissions-based parking charging scheme, should lead to a reduction in high-polluting vehicles in the Borough, with consequent improvements to air quality.



PUBLIC QUESTION NO 23.

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Patricia Richardson

Member to reply: Councillor McGeevor

Question

My next door neighbour, to be 92 this year, suffers certain infirmities of age, movement, disabilities. Consequently she is dependent on services such as Dial-A-Ride, hospital transport, private transport for some medical services, outings, visits and services she requires in her own home.

In view of the coming imposition of the Healthier Neighbourhoods policy, in conjunction with TFL, has the Council or TFL conducted any surveys to discover how many residents of Lee Green Ward in a similar position will be affected by the cutting off of local roads, impeding access to residents? How will their circumstances be allowed for? Can the council re-assure dependant, vulnerable people that they will not be adversely affected? Is there any recognition by TFL and the council that not all residents will be able to take to bikes or even walk necessary distances across the ward and exit the ward etc?

This also applies to emergency services. Has the Council or TFL conducted surveys to assess call-outs for ambulances, fire or police services?

We have been told that the matter of Healthier Neighbourhoods will be raised again at the Local Assembly in February. It is likely about 70 will attend and what of those who cannot attend, as described? How will the Council and TFL address the concerns of the many residents who already feel left out and will be subject to consultation by implementation of the policy?

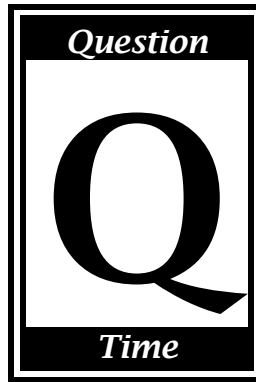
Reply

Every address in the proposed Healthy Neighbourhood area will remain accessible by all forms of transport, and in some cases may even improve access as larger mini bus type vehicles sometime struggle to move along streets with parked cars and large volumes of oncoming through traffic. All filter locations are being designed with turning heads protected with double yellow lines.

It is also worth noting that studies have shown the elderly are one of the demographic groups most adversely effected by traffic dominated environments. A reduction in traffic has been shown to have positive effects on both mental and physical health along with the more obvious improved safety and air quality that low traffic environments provide.

All emergency services have been engaged and will be further consulted on the final draft trial design. This draft design has not been finalised, once it has we will continue to work with the emergency services to ensure they are all aware of the proposals. All proposed filters are being designed to be Emergency Service permeable, meaning if they wanted to pass through them they will be able to with either the use of a key or being able to pass through any camera enforced filters.

At the start of the project the Council wrote to 9,000 households, to provide background information on the programme objectives and to invite residents to a number of events so that you could tell us about the transport issues that concern you. These events were run by our community engagement specialists Sustrans. We had a positive response to this letter drop, with over 1,500 unique visitors to our website and over 100 people came down to the four workshop events at Manor House Library, held between 5 June and 6 July 2019. Regular updates have also been provided at Local Assembly meetings and on the website. In the week commencing 20th January 2020 a further letter drop was distributed to all households in the area providing a progress update and outlining next steps. Officers will be attending the upcoming Local Assembly meetings and will also be running a drop in session, further details of which are provided in the aforementioned letter.



PUBLIC QUESTION NO 24.

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Gina Raggett

Member to reply: Councillor Barnham

Question

Assuming that Cllr Bonavia has reported decisions made at the BJWP to the Council, you will be aware that the proprietor intends his nursery school to run 3 days a week for 5 ½ hours at a time. As such, he is required by law to be registered with Ofsted's Early Years and Childcare registers. As is made clear on Ofsted's website, and as the Council's Education Department will surely be aware, **"It is a criminal offence to open or continue to operate a school after a registration application is rejected or before it has been considered."** Can the Council provide evidence that an application to Ofsted has been submitted by Forries Education? If so, can the Council please provide Forries' Unique Registration Number (URN) as proof?

As well as a Unique Reference Number, can the Council provide the names and DBS status of all those employed by Forries?

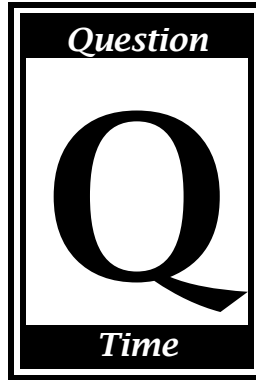
Reply

Ofsted are responsible for the registration, regulation and inspection of early years and childcare settings. Ofsted publishes the criteria under which registration is not required, relating to age, the hours in which provision is offered and whether parents/carers remain on site.

It is the responsibility of an individual provider to decide if they need to register with Ofsted, and to satisfy themselves as to whether they meet the criteria. If the provider changes their operating arrangements, they are responsible for ascertaining whether or not they need to register and for pursuing registration.

We are aware of no current Ofsted registration record for a provider with Forries Education's details. The decision to register a provider is made by Ofsted and is not within the remit of the Council. If there is evidence that this provider is operating illegally this is best reported directly to Ofsted.

As for DBS checks, the Local Authority do not have access to, collect or hold this information. It is the responsibility of the provider to ensure that all members of staff working with children have a valid enhanced DBS certificate if this is required.



PUBLIC QUESTION NO 25.

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Carole Hope

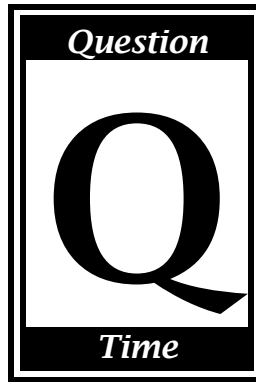
Member to reply: Councillor McGeevor

Question

New paths in Beckenham Place Park have already degraded and there are substantial areas of deep ruts and pits. Does this represent value for money from the Council's contractors and design consultants and what is going to be done to rectify this?

Reply

The movement of water in some areas has caused rutting of paths and these will be repaired by the landscape contractor. In some areas where the movement of water is more problematic some localised drainage solutions and changes in materials may be necessary. These areas are under review and will be contracted separately.



PUBLIC QUESTION NO 26.

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Mark Morris

Member to reply: The Mayor

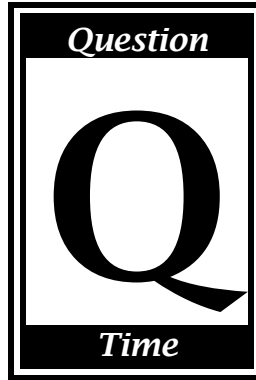
Question

In response to Public Question No. 13 on the 27 November 2019 the Mayor of Lewisham stated that on the 16 October 2019, Lewisham's then-interim Chief Executive wrote to the Managing Director of Barratt London Limited (BLL) regarding the outstanding S106 contribution relating to the Catford Green development. The letter was supposedly clear that the sum proposed by BLL to address the non-delivery of the footbridge between Catford Green and Doggett Green was insufficient and did not fully address the legal agreement attachment to the planning permission.

Have BLL now responded to Lewisham Council on this issue and if so what was their response? Will Lewisham Council now consider taking legal action against BLL following its continued failure over many years to fulfil the agreements attached to the planning permission for Catford Green which were issued by Lewisham Council on 30 January 2009?

Reply

On 3 December 2019 Barrett's Managing Director, Stephen Thompson, responded to the former Interim Chief Executive's letter outlining the legal position regarding the footbridge s.106 contributions. This correspondence confirmed that BLL's position with respect to the outstanding s.106 contributions remains unchanged. This position is not accepted by the Council and senior officers are meeting Barratt shortly to seek to resolve this matter. As discussions are ongoing with BLL, any legal action would be premature.



PUBLIC QUESTION NO 27.

Priority 3

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Rosalind Huish

Member to reply: Councillor Bell

Question

If the Achilles Street demolition and construction goes ahead what will the effects of air pollution be on the area - specifically around Deptford Green School and Fordham Park?

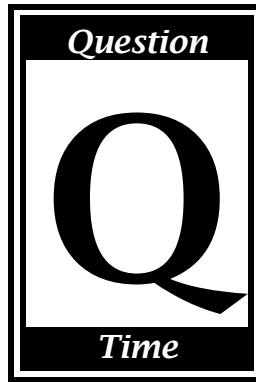
Reply

The Council is delighted that so many residents in the Achilles Street Estate took part in the recent ballot. 92% of those eligible voted and nearly 73% voted in favour of regeneration of their estate.

We will continue to work closely with the community to consider how the development could come forward. The impact on air pollution will be assessed as the plans for the area are worked up and will form an essential part of any planning application for the demolition and redevelopment of the estate.

The Council has announced a climate emergency and as part of this, acknowledge the value and importance of high quality, publicly accessible green spaces. Deptford Green School will be a key consultee to the development plans and considered carefully in terms of environmental impact. Fordham Park is a much loved asset that must be protected and where possible enhanced. As such the redevelopment of Achilles Street will seek to respond to this.

We are currently developing a Climate Change policy relating to our housing development. The Council is committed to tackling climate change. Cllr McGeever is doing some excellent work to improve air quality. We recognise the need to act collectively to improve the environment. That is why we are also creating a new approach to engagement when the Council builds council homes. This is being led by Lewisham Homes.



PUBLIC QUESTION NO 28.

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Rick Hebditch

Member to reply: Councillor Barnham

Question

Please can you list the display energy certificates for each of the schools in Lewisham?

Reply

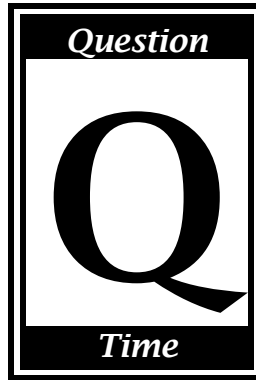
Please find below the details of the school buildings and their Display Energy Certificate (DEC) Ratings and scores that we have on central record.

Site name	Postcode	DEC band	Rating
Abbey Manor College	SE12 8PJ	E	118
Adamsrill - A	SE26 4AQ	C	74
Adamsrill - B	SE26 4AQ	B	29
Addey and Stanhope - Main Building	SE14 6TJ	C	59
Addey and Stanhope Sch- Block E	SE14 6TJ	F	148
All Saints	SE3 0TX	E	107
Ashmead	SE8 4DX	D	97
Athelney Primary - Block A	SE6 3LD	D	99

Athelney Primary - Block B	SE6 3LD	D	94
Baring	SE12 0NB	C	74
Beecroft Garden JMI	SE4 2BS	E	115
Bonus Pastor - Churchdown Annexe	BR1 5PL	E	103
Bonus Pastor Sec - Churchdown Site	BR1 5PL	F	128
Bonus Pastor Sec - Lower Sch Site	BR1 5PZ	E	116
Bonus Pastor Sec - Upper Sch Site	BR1 5PZ	D	83
Bonus Pastor Sec - Winlaton Site	BR1 5PZ	B	26
Brindishe Green	SE13 6EH	C	63
Brindishe Lee	SE12 8NA	D	89
Brindishe Manor	SE13 5LS	C	71
Chelwood	SE4 2QQ	B	37
Childeric	SE14 6DG	E	109
Clyde Early Childhood Centre	SE8 5NH	E	102
Coopers Lane - Block A	SE12 0LF	C	75
Coopers Lane - Block C	SE12 0LF	B	49
Coopers Lane - Block E	SE12 0LF	C	75
Coopers Lane - Primary building	SE12 0LF	D	84
Coopers Lane - Volumetric Modular Nursery	SE12 0LF	B	27
Dalmain	SE23 1AS	D	99
Deptford Park	SE8 5RJ	B	44
Downderry Primary	BR1 5QL	E	105
Drumbeat (Meadowgate)	SE4 2PR	E	123
Drumbeat Classroom Extension ASD 6th Form (Secondary)	SE4 2PR	B	29
Drumbeat Outreach 6th Form- Revelon Rd (Secondary)	SE4 2PR	C	72
Edmund Waller - Blume Building	SE14 5LY	D	95
Edmund Waller - Lloyds Building	SE14 5LY	D	93
Edmund Waller - Rosen Building	SE14 5LY	C	68
Elfrida - Infants Building	SE6 3EN	E	111
Elfrida - Juniors Building	SE6 3EN	D	100
Eliot Bank	SE26 4BU	D	80
Fairlawn	SE23 3SB	F	132
Forest Hill Boys Secondary - Arts Block	SE23 2XN	D	97
Forest Hill Boys Secondary - Main Block	SE23 2XN	E	107
Forest Hill Boys Secondary - Sports Centre	SE23 2XN	C	67
Forster Park - Early Years	SE6 1PQ	B	44
Forster Park - Primary	SE6 1PQ	D	77
Forster Park - The Garden Escape	SE6 1PQ	B	32
Good Shepherd Catholic Primary Sch	BR1 5EP	D	95
Gordonbrock	SE4 1HQ	F	140
Greenvale (PFI)	SE6 1UF	E	101
Grinling Gibbons	SE8 5LW	D	80
Haseltine	SE26 5AD	D	87
Holbeach - New Classroom Block	SE6 4QB	C	67
Holbeach - Primary	SE6 4QB	D	98
Holy Cross RC	SE6 2LD	C	73
Holy Trinity CE	SE23 3HZ	D	95
Horniman	SE23 3BP	E	121

John Ball	SE3 0TP	D	96
John Stainer - Main	SE4 2DY	E	92
John Stainer - Modular Volumetric Extension	SE4 2DY	A	17
Kelvin Grove - Paxton Building	SE26 6BB	D	86
Kelvin Grove Primary & Nursery	SE26 6BB	D	77
Kelvin Grove Primary & Nursery - Kirkdale Centre	SE26 6BB	D	95
Kender	SE14 5JA	C	73
Kilmorie - Modular Classroom	SE23 2SP	B	31
Kilmorie - Modular Music Classroom	SE23 2SP	C	52
Kilmorie - Nursery Building	SE23 2SP	D	76
Kilmorie - Primary School	SE23 2SP	D	76
Launcelot - Infant	BR1 5EA	D	92
Launcelot - Primary (Junior Block)	BR1 5EA	D	92
Lucas Vale	SE8 4QF	D	79
Lucas Vale Canteen	SE8 4QB	D	79
Marvels Lane - Children's Centre	SE12 9RA	D	95
Marvels Lane - Main Building	SE12 9RA	E	125
Marvels Lane - Volumetric Block	SE12 9RA	A	24
Myatt Garden	SE4 1DF	E	101
New Woodlands	BR1 5PD	F	128
Our Lady & St Philip Neri RC	SE26 5SE	A	19
Perrymount	SE23 2PX	E	107
Prendergast School - Adelaide Ave - Hilly Fields	SE4 1LE	E	107
Prendergast School - Building 1	SE4 1LE	D	99
Prendergast School - Gym & Science Block	SE4 1LE	E	118
Prendergast School - Gym Building	SE4 1LE	C	70
Rangefield	BR1 4RP	D	98
Rathfern	SE6 4NL	C	64
Rushey Green - Extension	SE6 2LA	A	25
Rushey Green - Main	SE6 2LA	D	91
Sandhurst - Modular Double Classroom	SE6 1NW	B	30
Sandhurst Infants & Junior School	SE6 1NW	D	93
Sedgehill Secondary - Block A	SE6 3QW	D	87
Sedgehill Secondary - Block B	SE6 3QW	D	86
Sedgehill Secondary - Block C	SE6 3QW	D	86
Sedgehill Secondary - Block D	SE6 3QW	D	86
Sedgehill Secondary - Block E	SE6 3QW	86	D
Sedgehill Secondary - Main Block	SE6 3QW	B	49
Sir Francis Drake	SE8 5AE	A	30
St Augustines RC	SE6 3RD	F	134
St Bartholomews	SE26 4LJ	E	111
St Georges - Main	SE23 2NE	D	89
St Georges - Teaching Block	SE23 2NE	A	17
St James Hatcham	SE14 6AD	E	111
St John the Baptist CE	BR1 5RL	D	90
St Josephs RC	SE8 3PH	E	98
St Margaret's Lee	SE13 5SG	E	106
St Mary Magdalen RC	SE4 2BB	D	79

St Mary's CE	SE13 6NX	F	128
St Michael's CE - Main	SE26 4HH	G	153
St Michael's CE -Two-Storey Ext	SE26 4HH	A	22
St Saviours RC	SE13 6AL	D	92
St Stephens	SE8 4ED	D	78
St William of York	SE23 1PS	C	57
St Winifred's RC - Block A - Juniors	SE12 0SJ	G	181
St Winifred's RC - Block B	SE12 0SJ	E	106
St Winifred's RC - Block C	SE12 0SJ	E	106
Stillness Infants	SE23 1NH	D	82
Stillness Junior School Annexe	SE23 1NH	B	48
Stillness Juniors	SE23 1NH	E	113
Stillness Juniors - Year 6 block	SE23 1NH	D	76
Sydenham Girls	SE26 4RD	F	131
Tidemill Academy	SE8 4RJ	B	45
Torridon Infants	SE6 1TG	D	96
Torridon Junior - Front Block	SE6 1TG	E	110
Torridon Junior - Rear Block	SE6 1TG	D	86
Torridon Junior - Volumetric Dining & Teaching Block	SE6 1TG	F	141
Trinity CE Primary	SE13 5HZ	D	100
Watergate	SE6 3WG	E	97



PUBLIC QUESTION NO 29.

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: John Wood

Member to reply: Councillor McGeevor

Question

As car drivers parked outside Lewisham Schools appear to think they have the right to sit indefinitely with their engines running, when will the Council instruct and deploy its traffic wardens to start issuing £20 fixed penalties for emission offences and stationary idling under the 2002 Road Traffic Act? (CONTEXT: the tragic death of Ella Kissi-Debrah, has already put Lewisham in the global spotlight. Idling engines cause even more harm than stationary ones and there are 40,000 UK deaths a year linked to air pollution).

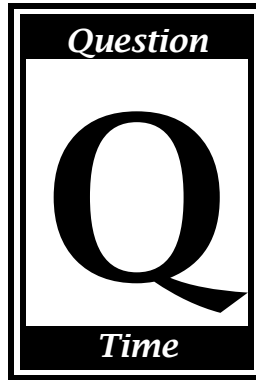
Reply

The powers to enforce against idling vehicles through the use of Penalty Charge Notices (PCNs) was taken to Mayor and Cabinet for approval on the 18th September 2019. The Mayor approved the making of a Traffic Management Order applicable to roads in the borough to allow for Penalty Charge Notices to be issued in contravention of the order under the provisions of the Road Traffic Regulation Act 1984 (as amended by section 87 of the Environment Act 1995), throughout the borough. The Mayor also authorised the Head of Parking Operations, acting in his name and on his behalf, to authorise civil enforcement officers to exercise the powers.

Once approval was given the Traffic Management Order was compiled and issued for public consultation. The consultation finished at the end of December and comments are being reviewed. The enforcement will start during February 2020, where there will be some promotion information on the introduction of these powers within Lewisham.

There are also powers for Fixed Penalty Notices that Councils can adopt, as your question has highlighted, but it is a more effective enforcement option to serve PCN's. The fines for PCNs are up to £80 issued in contravention of the Traffic Management order.

See <https://lewisham.gov.uk/articles/news/our-drive-to-improve-air-quality-forges-ahead-with-new-measures-to-tackle-idling-vehicles> for on-line communication around the decision made.



PUBLIC QUESTION NO 30.

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Gina Raggett

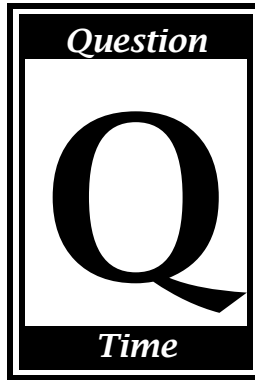
Member to reply: Councillor Bonavia

Question

The BJWP appears to be giving consent to Forries to have sole use of Eliot Pits for over 140 days a year. Can the Council give details of what, if any, payment is made by Forries Education or its proprietor to Glendale for use of this site?

Reply

Any agreement entered into is not for sole use and will be for specified hours not days. Forries education operate in four parks. Their fee is not calculated for each individual concession and/or event but for the whole operation. Details of the fee are a private matter between Glendale and Forries Education because of commercial sensitivity.



PUBLIC QUESTION NO 31.

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Carole Hope

Member to reply: Councillor McGeevor

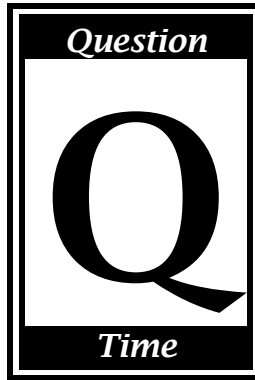
Question

Please provide a detailed breakdown of the two payments to PTP Coaching in respect of Beckenham Place Park i.e. £15,043.32 in September 2019 and £8,604.00 in November 2019.

Reply

The payment of £15,043.32 relates to lost income suffered by PTP Coaching during the period of enforced closure of the lake in the summer.

The payment of £8,604 relates to a subsidy of £2 per adult swimmer over the summer so that the operator could offer an adult swim rate of £3 during the launch season.



PUBLIC QUESTION NO 32.

Priority 4

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Rosalind Huish

Member to reply: Councillor Dromey

Question

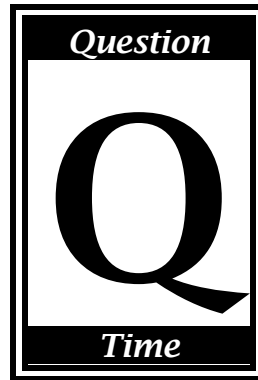
How many apprenticeships is the Council aiming to have for Financial Year 2020/21?

Reply

We are committed to building an economy that works for the many, where all our residents can benefit from high quality employment and training opportunities.

The Council's Corporate Strategy sets a target to support 250 apprenticeships over the 2018 - 2022 period. The Council's work to create high quality apprenticeships for local residents includes; opportunities within the authority, social value requirements in contracts, planning agreements, and working with partner organisations and businesses in the borough such as Lewisham Homes and local schools.

To reach 250 apprentices over the four year period we need, on average, 62.5 apprenticeships per annum.



PUBLIC QUESTION NO 33.

Priority 5

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Gina Raggett

Member to reply: Councillor Bonavia

Question

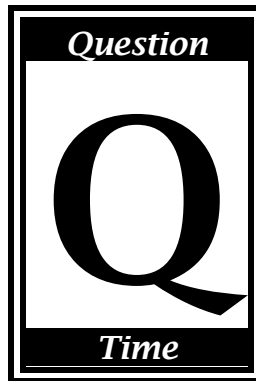
Given that some of the children attending the proposed nursery school will be as young as 2 years old, does the Council not consider there has been a gross lack of due diligence with regard to Forries? What status do Cllr Bonavia, Nick Pond, Dame Helen Reeves and other BJWP attendees have when it comes to safeguarding children? In this respect, would the Council not agree that the BJWP as presently constituted is unfit for purpose?

Reply

The role of the Blackheath Joint Working Party to advise Lewisham and Greenwich Council as to the management of the heath. Ofsted are responsible for the registration, regulation and inspection of early years and childcare settings. The Forries organisation states that any child that attends a pre-school session must be accompanied by an adult, in which case registration is not required. If they choose to register as an early years provider with Ofsted and offer sessions for children under

eight that run longer than 2 hours, they will have to comply with and fulfil the statutory safety and welfare requirements.

As for safeguarding, Forries, as a private provider have the statutory responsibility for safeguarding any children in their care.



PUBLIC QUESTION NO 34.

Priority 6

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Gina Raggett

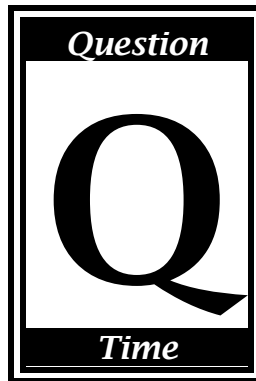
Member to reply: Councillor Barnham

Question

As stated in my priority 2 question, Forries Education is a private organisation run by a sole trader. Fees for the new nursery school are £60 per session or upwards of £2K per child, per term, thereby ruling out involvement by all but a very small number of well-heeled customers. Does the Council consider that this represents serious discrimination against the poorer elements of our society?

Reply

The Council has no control over the fees that settings charge. In the childcare market there is a wide variety of options and costs. If the provider becomes a registered childcare provider operating for longer hours, they would be eligible to apply for the free entitlement funding (free 15 hours for eligible 2 year olds and all 3 and 4 year olds; and 30 hours for eligible working parents/carers), which they could consider if they wished to make provision available more widely.



ED HRE
PUBLIC QUESTION NO 35.

Priority 7

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Gina Raggett

Member to reply: Councillor Bonavia

Question

Is the Council aware that the Forries Education website boasts numerous activities which contravene Blackheath Byelaws including restricting access to a Metropolitan Open Space, lighting fires, climbing trees, cutting down branches, saplings and other plants, erecting shelters and causing disturbance to wildlife? What safeguards does the Council propose putting in place so that these practices are discontinued?

Reply

With respect to the stated website the Council cannot find all the activities referenced.

The website says: *"We will open the Forries Nursery School in our Blackheath setting, Eliot Pit wood, a little, hidden 'green gem' just off Blackheath. Each day is filled with new experiences that cannot be found indoors which range from building dens, climbing trees, treasure hunts, woodland craft, wildlife exploration to name but*

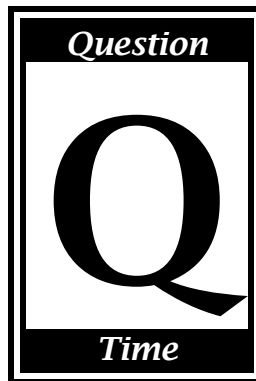
a few. Our children learn how to appreciate the wonder and beauty of nature, care for and respect their environment, learn new skills and have lots of fun in the process.”

Blackheath’s principal ecological importance is due to the open nature of the heath and the acid grassland that it contains. Eilot Pits is a small non-native woodland. Tree species include numerous sycamore, and London Plane with holly, ash, Turkey and holm oak, and two species of native oak. The understorey is regenerating with ash saplings, bramble and tall herbs. This habitat is valuable in a local context but is widespread in gardens, parks, and railway embankments and therefore not considered in itself of borough significance.

The “Climbing” Bye Law states: “No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.”

The “Erection of structures” Bye Law states: “No person shall in the ground, without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.”

The Bye Laws are an enabling power whose intention is the suppression of nuisances. These particular Bye Laws permit the specified activities provided they are reasonable and/or have the consent of the Council respectively. I am confident that, provided these activities are properly managed and monitored, no such nuisance would be reasonably provoked.



ED HRE
PUBLIC QUESTION NO 36.

Priority 8

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question asked by: Gina Raggett

Member to reply: Councillor Bonavia

Question

Eliot Pits is a unique, fragile and precious ecological resource which deserves the Council's utmost care in protecting it from overuse. Will the Council act immediately to prevent further threats to the environment and to the borough's children and young people?

Reply

Blackheath's principal ecological importance is due to the open nature of the heath and the acid grassland that it contains. Eliot Pits is a small non-native woodland. Tree species include numerous sycamore, and London Plane with holly, ash, Turkey and holm oak, and two species of native oak. The understorey is regenerating with ash saplings, bramble and tall herbs. This habitat is valuable in a local context but is widespread in gardens, parks, and railway line-sides and therefore not considered in itself of borough significance.

The Council is currently unaware of any threat to the environment and/or to the borough's children and young people.

COUNCIL		
Report Title	Member Questions	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: January 22 2020

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 JANUARY 2020

Question by Councillor Bernards
of Councillor McGeevor

Question

In the recent past, I have observed a regular refuse collection service being offered by unmarked trucks not owned by Lewisham Council. I understand the Council can use external contractors where our own trucks are not working but this has not been the case. Has the Council contracted these services for a fixed term and if so to which company and when? Please outline a full cost to the service alongside the previous year's cost on the same service up until 31st December 2019. For clarity, the cost of hiring replacement refuse trucks from 1st January 2018 to 31st December 2018 in comparison to the cost of the same services from 1st January 2019 to 31st December 2019.

Reply

The Council has not contracted out any of the refuse collection service.

We are currently using a number of hired vehicles because before procuring new vehicles this summer as the service were waiting for the government's consultation on new environmental standards and the ULEZ standards to be published. We are now in the process of procuring a range of new vehicles to ensure that we have a fleet which is fit for purpose and meets the latest environment standards and regulations.

The hired vehicles are operated by Lewisham staff. The cost of hiring replacement refuse trucks from 1st January 2018 to 31st December 2018 and 1st January 2019 to 31st December 2019 was £464,360 per year.

We will have our own new vehicles by summer at which point we will ensure that they are fully visible with the usual Lewisham logo

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question by Councillor Curran
of Councillor McGeevor

Question

Are there before and after figures available for vehicle movements on the roads in Bellingham, Perry Vale and Sydenham Wards surrounding and entering the Bell Green Retail Park since the Aldi Supermarket opened there?

Reply

Data from the Town Planning process

Part of the Town Planning process for changing the former Toys R us store (non-food) unit into a food store (A1 food) involved the production of a Transport Assessment to forecast the effects of the change on the local transportation this report is available On the Lewisham Planning Portal.

https://planning.lewisham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= LEWIS_DCAPR_88583

https://planning.lewisham.gov.uk/online-applications/files/25049166E35FD4F39FB7CD382EDA2340/pdf/DC_17_100680-TRANSPORT_ASSESSMENT-556086.pdf

A PDF of the Transport Assessment is available on request.

In order to forecast the effects of the change, the local traffic system was modelled using computer software. The results of this modelling are shown in the Transport Assessment (TA). The forecast local traffic impact of the proposal can be found in Table 7.1 within the TA.

Data from the 20mph programme

Although not related to this development, the Council does carry out a large number of traffic surveys (speed and volume data) at set locations as part of its current borough-wide 20mph speed limit programme. These surveys are consistently carried

out each year in late June / early July to allow comparison and minimise the risk of seasonal traffic variations.

The Aldi Supermarket opened in October 2019 and therefore the first set of “after” data will not be known until the 2020 surveys are undertaken later this year. However it should be noted that the traffic increases forecast in the above mentioned Transport Assessment were relatively small and therefore unlikely to be reliably reflected in these general traffic surveys. The survey locations considered most relevant are shown in the table below:

Site location
SITE 93-PERRY RISE - SOUTH OF GARLIES RD
SITE 94-PERRY HILL - SOUTH OF WINSFORD RD
SITE 134- SYDENHAM ROAD - EAST OF HIGHCLERE STREET
SITE 146- BELL GREEN LANE - SOUTH OF HASELTINE ROAD
SITE 148- WORSLEY BRIDGE RD - SOUTH OF A2218
SITE 173-SOUTHEND LN - EAST OF MOREMEAD RD EASTBOUND (DUAL CARRIAGEWAY)
SITE 174- SOUTHEND LN - EAST OF MOREMEAD RD WESTBOUND (DUAL CARRIAGEWAY)

LONDON BOROUGH OF LEWISHAM

COUNCIL MEETING

22 JANUARY 2020

Question by Councillor Bernards
of the Mayor

Question

Given the Council's commitment to be an equal opportunity employer that reflects the diversity of Lewisham, and the fact that there is an opportunity to recruit the Director of Children and Young People in a Borough where 70% of young people are from BAME. Does the Mayor agree with me, that it is time we recruit a BAME Director of Children and Young People even if it means exercising unconscious bias.

Reply

Lewisham is one of the most diverse places in the world and that is one of our greatest strengths. One of this Council's top priorities is that we are an open borough where our diversity and cultural heritage are recognised and celebrated.

It is illegal to show bias in our recruitment process and we always seek to appoint the best candidate, regardless of background.

We are committed to making the Council's workforce more representative of our borough's diverse population at all levels, particularly at senior level where BAME staff are still unrepresented. Last year I appointed a special Mayor and Council adviser on BAME career progression, and another one BAME health inequalities, to develop our understanding the barriers that residents and staff face and how they can be overcome. I meet regularly with both advisers to discuss the progress of their work with the Council.



Council

Report title: Setting the Council Tax Base, the NNDR Tax Base & Discounts for Second Homes and Empty Homes

Date: 22 January 2020

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Acting Chief Finance Officer

Outline and recommendations

Outline

The purpose of this report is to ask that Council sets the Council Tax Base, notes the 2020/21 NNDR estimated income, delegates final approval of the NNDR1 form to the Acting Chief Finance Officer and approves the policy relating to discounts for second / empty homes and the continuation of the discretionary Council Tax discount for care leavers for 2020/21.

Recommendations

Council is asked to approve the recommendations set out in section 2 of this report.

Timeline of engagement and decision-making

- The 2019/20 Council Tax Reduction Scheme was considered by Mayor and Cabinet on the 12th December 2018.
- The 2019/20 CTRS was agreed by Council on the 23 January 2019.
- This report was considered by Mayor and Cabinet on the 15th January 2020.

1. Summary

- 1.1 This report sets out the statutory calculations required in order to set the Council Tax Base and estimates the National Non-Domestic Rates (NNDR) tax base for 2020/21. The Council Tax Base and NNDR estimates are statutory obligations and are key elements in setting the General Fund revenue budget.
- 1.2 The report provides information on the Council Tax Base. There are also a series of discretionary powers which allows the Council to grant and vary discounts for various types of properties with the aim of bringing as many as possible back into use as soon as possible. These are set out in section five of this report.
- 1.3 The Council also has the ability to offer discretionary discounts to individuals, groups of individuals or, households but the cost is borne by all other Council Tax payers. The report recommends the continuation of the discretionary Council Tax discount of 100% for care leavers, this is set out in section six of this report.
- 1.4 The report recommends that the Council Tax Base for 2020/21 be agreed at 90,099.3 Band D equivalent properties, based on an assumed collection rate of 97.0%. Details of the Council Tax Base, its calculation and the estimated collection rate are set out in sections six, seven, and eight of this report.
- 1.5 The NNDR1 return, which estimates the annual business rates yield, is currently being completed and is due to be submitted to the Ministry of Housing, Communities and Local Government (MHCLG) by the end of January 2020. There may be updates that effect the values on this return over the coming weeks before the submission deadline. It has therefore been necessary to provide an estimated income value. On this basis, the provisional NNDR net yield figure for 2020/21 is £68m.
- 1.6 The requirements pertaining to the NNDR Base for 2020/21 are set out in section ten of this report.
- 1.7 The Mayor, at the Mayor & Cabinet meeting on the 12 December 2018, agreed no changes to the Council Tax Reduction Scheme (CTRS) for 2019/20, and Council is now asked to agree that no changes be made for 2020/21, i.e. eligible claimants will need to make a minimum contribution of 25% towards their council tax. The impact of implementing this is set out in section ten.

2. Recommendations

- 2.1 Council is asked to:
- 2.2 note the Council Tax Base calculation for 2020/21, as set out in the annual Council Tax Base government return, attached at Appendix A;
- 2.3 agree a Council Tax Base of 90,099.3 Band D equivalent properties for 2020/21;
- 2.4 agree a budgeted Council Tax collection rate of 97.0%;

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- 2.5 agree no changes be made to the Council Tax Reduction Scheme (CTRS) for 2020/21, that eligible claimants make a minimum contribution of 25% towards their council tax;
- 2.6 approve the continuation of the discretionary Council Tax discount of 100% for care leavers up to the age of 25, as set out in section five of this report;
- 2.7 agree that the existing policy of a 0% discount for second homes for 2019/20 be continued for 2020/21, as set out in section five of this report;
- 2.8 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, as set out in section five of this report;
- 2.9 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, as set out in section five of this report;
- 2.10 agree to increase the Long Term Empty Properties homes premium as set out in the 2019/20 Council tax Base Report, from 50% to 100% from 1 April 2020, for properties empty between 2 and 5 years, and 200% for those empty for over five years with further incremental increases in future years, as set out in section five of this report;
- 2.11 note the proposed 2020/21 National Non Domestic Rate (NNDR) estimated net yield of £68m, based on current information available.
- 2.12 agree to delegate the approval of the final 2020/21 NNDR1 form to the Interim S151 Officer for submission by the deadline of 31st January 2020.

3. Policy Context

- 3.1 The Council's strategy and priorities drive the Budget with changes in resource allocation determined in accordance with policies and strategy. The Council launched its new Corporate Strategy in 2019, with seven corporate priorities as stated below:

Corporate Priorities

- **Open Lewisham** - Lewisham will be a place where diversity and cultural heritage is recognised as a strength and is celebrated.
- **Tackling the housing crisis** - Everyone has a decent home that is secure and affordable.
- **Giving children and young people the best start in life** - Every child has access to an outstanding and inspiring education, and is given the support they need to keep them safe, well and able to achieve their full potential.
- **Building and inclusive local economy** - Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.

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- **Delivering and defending health, social care and support** - Ensuring everyone receives the health, mental health, social care and support services they need.
- **Making Lewisham greener** - Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.
- **Building safer communities** - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

4. Background

- 4.1 The calculation of the Council Tax Base has been prepared in accordance with the regulations 'Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI: 2012: 2914)' which came into force on 30 November 2012, to ensure the calculation of the Council Tax Base takes account of local council tax reduction schemes. These regulations specify the formulae for calculating the tax base, which is detailed in sections six and seven of this report.
- 4.2 The purpose of this calculation is to set the Council's Tax Base and not the Council Tax itself. The Council Tax will be set at the meeting of full Council on 26 February 2020 as part of setting the Council's annual budget.
- 4.3 The Council Tax Base is defined as the number of Band D equivalent properties in a local authority's area. An authority's Tax Base is taken into account when it calculates its Council Tax. It is calculated by adding together the 'relevant amounts' (the number of dwellings) for each valuation band, then multiplying the result by the Council's estimate of its collection rate for the year. This calculation is set out in section eight of this report.
- 4.4 Members should note that the Welfare Reform Act 2012 abolished Council Tax Benefit in March 2013 and replaced it with the Council Tax Reduction Scheme (CTRS).

5. Local Discretion

- 5.1. The Council has the power and local discretion to grant and vary discounts for different types of properties under Section 11a of the Local Government Finance Act 1992, as amended by the Local Government Finance Act 2003 and the Local Government Finance Act 2012.
- 5.2. The local discretion to grant and vary discounts enables local authorities to create greater financial incentives for owners of empty properties to bring them back into use, either for owner occupation or letting.
- 5.3. Second Homes – Currently, local authorities have discretion to offer a discount of between 0% and 50% to owners of second homes. The Council currently offers a 0% discount. It is proposed to retain the 0% discount for 2020/21.
- 5.4. Empty Property Class A exemptions – Currently, a discount can be awarded between 0% to 100% at the Council's discretion where the property is undergoing structural alteration or major repairs. The Council is being recommended to retain the 0%

discount on these properties.

- 5.5. Empty Properties Class C exemptions – Currently, 100% discount is awarded for four weeks to substantially empty and unfurnished properties. After four weeks, the discount ceases and the full charge is applicable. The Council wants to encourage properties to be occupied as soon as possible. However, in many cases properties can be empty for a short period during a changeover, especially where the property is let. Amounts due for these short periods would be more difficult to collect. For these reasons, it is recommended that the Council continues to offer a 100% discount for four weeks followed by a 0% discount.
- 5.6. Long Term Empty Properties empty homes premium – Section 11 of the Local Government Finance Act 2012 removed the discount for long term empty properties and introduced discretion to charge up to 50% premium on this category of properties, to encourage the owners of empty properties to bring them back into use.
- 5.7. Currently, the Council charges an ‘empty homes premium’ of 50% where a property has been empty for two years or more. In November 2018 the Act was amended increasing the premium from 50% to 100% effective from 1 April 2019, with further incremental increases in future years. Authorities can now charge 100% more council tax on a long term empty property when compared to an occupied property where no single person discount is applicable. This report recommends that the premium increases from 50% to 100% from 1 April 2020 for properties empty between two and five years and 200% for those properties empty for over five years.
- 5.8. Section 13A(1)(c) of the 1992 Local Government Finance Act 1992 gives local authorities the ability to offer discretionary discounts to individuals, groups of individuals or households encountering exceptional financial hardship. The legislation allows the Council to reduce or write off a percentage of the amount payable or the entire sum. The cost of the write off is borne by the remaining Council Tax payers or, the Council budgeting for less Council Tax income.
- 5.9. Since 1 April 2015 this section of the Act has mainly been used to help those impacted by the introduction of the Council’s local Council Tax Reduction Scheme. However, from 1 April 2018 the Council introduced a discount for care leavers. The Council, as corporate parent, is committed to improving the life chances of looked after children and care leavers and provides a range of support to children and young people leaving care. The exemption from paying Council Tax up to the age of 25 is seen as a further opportunity to provide financial support to care leavers transitioning from care into independent living. To date 217 awards have been made to the value of £287,887.07
- 5.10. It should be noted that approximately 22% of any additional Council Tax income generated as a result of the variation in discounts is attributable to the Greater London Authority (GLA) in line with their precept element of the Council Tax.
- 5.11. These discounts and exemptions form part of the Council Tax Base calculation and therefore need to be agreed at this time.

6. The Council Tax Base

- 6.1 The calculation of the Council Tax Base has been prepared in accordance with the regulations 'Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI: 2012: 2914)'.

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6.2 The regulations specify a formula for this calculation, which for 2020/21 is:

$$((H - Q + E + J) - Z) \times (F / G)$$

Where:

H is the number of chargeable dwellings in that band, calculated in accordance with the regulations.

Q is a factor to take account of the discounts to which the amount of Council Tax payable was subject in that band, estimated in accordance with the regulations.

E is a factor to take account of the premiums, if any, to which the amount of Council Tax payable was subject in that band, estimated in accordance with the regulations.

J is the estimated variations in the Tax Base from changes after 30 November 2019 from factors such as:

- New properties and properties being banded.
- Variations in numbers of exempt properties.
- Successful Appeals against bandings.
- Variations in the number of discounts.

Z is the total amount that the authority estimates will be applied in relation to the authority's Council Tax Reduction Scheme in relation to the band, expressed as an equivalent number of chargeable dwellings in that band.

F is the proportion of Council Tax to be paid for dwellings in that band.

G as compared with a Band D property, using the proportions in the 1992 Act.

6.3 The proportions applicable to the various Council Tax bands (the 'basic' band being D) are as follows:-

Band	A	B	C	D	E	F	G	H
Proportion (ninths)	6	7	8	9	11	13	15	18

6.4 The Council's basic tax is calculated in respect of Band D. Therefore, Band A properties pay 6/9 of the basic tax, Band B properties 7/9 of the basic tax and so on, up to Band H where the tax is 18/9 or twice the tax at Band D.

Band	Relevant Amount (i.e. number of dwellings)
A	3,458.4
B	19,434.3
C	32,668.9
D	22,853.3
E	8,370.9
F	3,705.8
G	2,071.8
H	322.5
Aggregate of Relevant Amounts	92,885.9

7. Calculation of the Council Tax Base

- 7.1 Regulation 3 of the 'Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI: 2012: 2914), requires that the Council's Tax Base for a financial year shall be calculated by applying the formula:

$$A \times B = T$$

Where:

A - is the total of the relevant amounts for that year for each of the valuation bands, which is shown or is likely to be shown for any day in that year in the authority's valuation list as applicable to one or more dwellings situated in its area.

B - is the Authority's estimate of its collection rate for that year.

T - is the calculated Council Tax Base for that year.

- 7.2 In accordance with the requirements of the regulations and following from the calculations in this report, the calculation of the Council Tax Base for the London Borough of Lewisham in 2020/21 is as follows:

	2019/20	2020/21
Total of relevant amounts (A)	91,139.3	92,885.9
X		
Collection rate (B) =	97.0%	97.0%
Council Tax Base (T)	88,405.1	90,099.3

- 7.3 The detailed calculations proposed for the London Borough of Lewisham for 2020/21 are set in the annual Council Tax Base return to government, attached at Appendix A.

8. Estimate of the Collection Rate

- 8.1 The Regulations require that the Council estimates its collection rate for the financial year. This is the Council's estimate of the total amount in respect of its Council Tax for the year payable into its Collection Fund and transferable between its General Fund and Collection Fund, and which it estimates will ultimately be transferred.
- 8.2 Council Tax collection in Lewisham has been held steady in recent years, reflecting the work of the service to enforce debts more effectively against those able to pay and to make reasonable arrangements for debtors in genuine financial hardship. Collection of Council Tax remains challenging in the current uncertain economic environment and the Council continues to rigorously, but sensitively, collect monies it is owed. The in-year collection rate is reported to members in the regular financial monitoring. It is proposed to keep the estimated collection rate unchanged from 2019/20 at 97%, after considering the lifetime collection rate and the actions proposed to increase collection.
- 8.3 The initial Discretionary Hardship Fund (set up to assist those households experiencing exceptional financial hardship) was retracted at the end of March 2015. Claimants who find themselves in this financial position can make an application under Section 13A (1)(c) of the Local Government Finance Act (1992) on the grounds of severe financial hardship. The provision is available irrespective of the Council Tax Reduction Scheme decided upon for future years.

9. 2020/21 NNDR Expected Income

- 9.1 Under the Local Government Finance Act 2012, the system of national pooling of business rates was repealed and replaced with the Business Rates Retention scheme. The new scheme commenced on 1 April 2013 and requires the meeting of full Council to formally approve the NNDR1 return to government by 31 January, immediately preceding the financial year to which it relates.
- 9.2 The NNDR1 contains details of the rateable values shown for the Authority's local rating list as at 30 September. It enables the Council to calculate the expected income in respect of business rates for the year, a proportion of which the Council retains.
- 9.3 Under the 2020/21 system, the London Borough of Lewisham will retain 30% of all business rates collected within the borough, 37% is attributed to the Greater London Authority and the remaining 33%, known as the Central Share, is passed to the Government. This is a change from the 75% London pilot scheme in 2019/20 where the central share was 25%, rates collected were shared 48% and 27% between Lewisham and the GLA respectively.
- 9.4 The change in the share of the rates collected is due to the Government ending the London pilot scheme and changing the retention from 75% retention in 2019/20 to 67% retention, i.e. the 2017/18 position.
- 9.5 Even though the Government will end the pilot scheme, London Government, covering the GLA and the 33 London billing authorities, through decisions made collectively by the London Councils Leaders Committee and the Mayor, has agreed, in principle, to extend its business rates retention pool in 2020-21.

- 9.6 The Council is in the process of completing the 2020/21 NNDR1 form which is due for submission on the 31st January 2020. The information used to calculate the net yield in this report is therefore based on the new rateable value and is an estimate. There is an expectation that data requirements for the NNDR1 and NNDR3 returns will change in the future years.
- 9.7 In summary, the Council estimates that it will collect £68m in 2020/21. Under the extended pilot pooling system, the distribution rates have now changed as detailed above. The full distribution is as shown below:

	2019/20		2020/21	
Business Rates*	Percentage Share	Amount £m	Percentage Share	Amount £m
Central Share	25%	16.85	33%	22.44
Lewisham	48%	32.35	30%	20.40
GLA	27%	18.20	37%	25.16
Total	100%	67.40	100%	68.00

*After allowing for transitional arrangements, small business rate uplift/relief, exemptions, allowances, business rates supplements and BRS relief, collection rate and appeals allowance.

- 9.8 The Council will keep its entire share, but will also be in receipt of a top-up, the calculation of which is based on the MHCLG calculation of the Council's baseline funding level. This provisional 2020/21 funding level will be provided in the Local Government Finance Settlement announcement expected in January 2020.
- 9.9 As the figures included on the NNDR1 return (due for submission by the 31 January 2020) may vary from the estimated level disclosed in this report, delegation is sought from Council to allow the opportunity to revise the Tax Base and approve a revised and more accurate position.
- 9.10 Council is asked to endorse this estimate and agree to delegate the approval of the final 2020/21 NNDR 1 return to the Acting Chief Finance Officer.

10. Council Tax Reduction Scheme (CTRS)

- 10.1 On 1 April 2013 the Council implemented a local CTRS which passed on the government cut in grant of £3.28m in full to 24,648 working age households previously in receipt of Council Tax Benefit. Pensioners are protected from the changes under legislation maintaining their support at least in line with Council Tax Benefit levels.
- 10.2 On the 12th December 2018, the Mayor decided that no changes should be made to the CTRS for 2019/20 and that the Council should continue to pass on the government cut in funding to working age claimants. It is recommended that this should continue in 2020/21. This will mean eligible claimants will need to contribute a minimum of 25% towards their Council Tax.

11. Financial implications

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- 11.1 This report proposes that a Council Tax Base of 90,099.3 be set for 2020/21. This represents an increase of 1,694 chargeable dwellings from the Council Tax Base of 2019/20.
- 11.2 Officers believe that retaining the collection rate at 97% for 2020/21 is challenging but realistic, based on the actual debt that has been collected during the course of the current financial year and over the lifetime of the collection fund. In line with current policy, the collection rate target is subject to review annually.
- 11.3 In respect of the Care Leavers exemption the annual cost to date is £288k. In respect of CTRS, the annual cost is approximately £18m. This represents General Fund revenue forgone which has been met through reductions in expenditure in other areas of activity. In the short term at least, it cannot be met by increasing the Council Tax of others paying as the Council's Medium Term Financial Strategy already assumes the maximum levels of increase (1.99% annually) without triggering the need for a referendum.
- 11.4 In relation to the Long Term Empty Property premium, increasing the premium from 50% to 100% will generate an estimated £230k additional revenue during 2020/21 based on the number of properties charged the premium rate for 2019/20.
- 11.5 Consideration has also been given to the current economic uncertainty and impact of wider government policy changes. Whilst it is difficult to predict the scale of the ongoing impact, it is inevitable that councils and residents across the country will be affected in some way. People will continue to be concerned about their household finances and many people will still be experiencing financial difficulties. The Council Tax section will continue to apply a firm but fair approach when dealing with customers in arrears.

12. Legal implications

- 12.1 Members are referred to the legal requirements set out in the body of the report and particularly the changes brought in by the Local Authorities (Calculation of Council Tax Base) Regulations 2012 (section five) and the changes introduced by the Local Government Finance Act 2012, which set out a number of changes for Council tax payers discounts removal of some exemptions relating to empty homes (section six) and the current NNDR system (section ten).
- 12.2 Section 33 of the Welfare Reform Act 2012 abolished Council Tax Benefit. The Local Government Finance Act 2012 amends the Local Government Finance Act 1992 to make provision for council tax support through locally adopted CTRSs. A report setting out the CTRS for 2018/19 was presented to Mayor & Cabinet on 12 December 2018. That Report contained the outcome of the consultation and determined that a local CTRS be retained from 1 April 2019 that passes on any shortfall in government funding, as set out in section 11 and additional support 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.

- 12.3 Section 13A(1)(c) of the Local Government Finance Act 1992 provides that the Council may reduce the amount of council tax which a person is liable to pay in respect of any chargeable dwelling and any day (as determined in accordance with sections 10 to 13) to such extent as the billing authority for the area in which the dwelling is situated thinks fit (i.e. discretionary discounts).
- 12.4 Discretionary discounts recognise that an Authority's Local Council Tax Reduction Scheme does not always meet the household's full Council Tax liability. The Council has the right to choose whether to use its powers on a case- by-case basis or it also has the right to specify a class of use. A class of use is where several people who pay Council Tax fall into a group because their circumstances are similar.
- 12.5 In accordance with the Local Government Finance Act 1992 and related Statutory Instruments, the Authority is required to decide its Council Tax Base for 2019/20 by no later than 31 January 2019.

Equalities Legislation

- 12.6 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.
- 12.7 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 12.8 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 13.5 above.
- 12.9 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those

with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 12.10 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

- 12.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty: The essential guide to the public sector equality duty Meeting the equality duty in policy and decision-making.
- 12.12 Engagement and the equality duty: A guide for public authorities Objectives and the equality duty. A guide for public authorities
- 12.13 Equality Information and the Equality Duty: A Guide for Public Authorities
- 12.14 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>

13. Equalities implications

- 13.1 Every effort will be made to ensure that Council Tax payers, particularly those who are from disadvantaged groups, receive prompt and accurate Council Tax bills, and that those who are eligible for exemptions and discounts - such as the disabled people, single people and those on low incomes, are encouraged to claim them. Consistent with the Legal Implications noted above.

14. Climate change and environmental implications

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

15. Crime and disorder implications

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

16. Health and wellbeing implications

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

17. Background papers

17.1 There are no further background papers relevant to this report.

18. Glossary

Term	Definition
Council Tax	Council tax is a system of local taxation collected by local authorities. It is a tax on domestic properties. Each dwelling falls into one of eight 'Bands' based on property value, and there are 8 council tax bands in total ranging from A to H.
Council Tax Base	A " tax base " is the number of Band D equivalent dwellings in a local authority area.
NNDR	NNDR stands for National Non Domestic Rates, more commonly known as Business Rates. Business rates in England is a tax on the occupation of non-domestic property.
Council Tax Reduction Scheme (CTRS)	The Council Tax Reduction Scheme provides financial assistance with Council Tax bills for residents who are on a low income. The government abolished the national Council Tax Benefit scheme for working-age people from April 2013, and it was replaced with local schemes decided upon by each individual Local Authority.
Greater London Authority (GLA)	The Greater London Authority (GLA) is a top-tier administrative body responsible for the strategic administration of Greater London.

19. Report author and contact

19.1 For further information on this report, please contact:
David Austin Acting Chief Finance Officer on 020 8314 9114 or
Ralph Wilkinson Director of Public Services on 020 8314 6040

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APPENDIX A

Is this report easy to understand?

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CTB(October 2019)

Calculation of Council Tax Base

Please e-mail to: ctb-act@lewisham.gov.uk

Ver 1.2

Please select your local authority's name from this list

Check that this is your authority:

Lewisham
 E-code : 25018
 Local authority contact name : Caroline Richards
 Local authority contact telephone number : 0203 314 6027
 Local authority contact e-mail address : caroline.richards@lewisham.gov.uk

CTB(October 2019) form for Lewisham

Completed forms should be received by MHCLG by Friday 11 October 2019

Dwellings shown on the Valuation List for the authority on Monday 9 September 2019	Band A entitled to disabled relief reduction COLUMN 1	Band A COLUMN 2	Band B COLUMN 3	Band C COLUMN 4	Band D COLUMN 5	Band E COLUMN 6	Band F COLUMN 7	Band G COLUMN 8	Band H COLUMN 9	TOTAL COLUMN 10
Part 1										
1. Total number of dwellings on the Valuation List		8,681	35,218	46,485	26,910	7,781	2,778	1,320	179	129,361.0
2. Number of dwellings on valuation list exempt on 7 October 2019 (Class B & D to W exemptions)		813	1,101	993	399	99	24	16	1	3,446.0
3. Number of demolished dwellings and dwellings outside area of authority on 7 October 2019 (please see notes)		0	0	2	0	0	0	0	0	2.0
4. Number of chargeable dwellings on 7 October 2019 (treating demolished dwellings etc as exempt) (lines 1-3)		7,868	34,117	45,490	26,511	7,682	2,754	1,313	178	125,913.0
5. Number of chargeable dwellings in line 4 subject to disabled reduction on 7 October 2019		8	63	121	128	43	30	15	7	415.0
6. Number of dwellings affectedly subject to council tax for this band by virtue of disabled relief (line 5 after reduction)	8	63	121	128	43	30	15	7		415.0
7. Number of chargeable dwellings adjusted in accordance with lines 5 and 6 (lines 4-5+6 or in the case of column 1, line 6)	8	7,923	34,175	45,497	26,426	7,669	2,739	1,305	171	125,913.0
8. Number of dwellings in line 7 entitled to a single adult household 25% discount on 7 October 2019	6	4,956	16,809	15,500	5,954	1,324	340	120	10	45,028.0
9. Number of dwellings in line 7 entitled to a 25% discount on 7 October 2019 due to all but one resident being disregarded for council tax purposes	0	79	542	767	406	94	19	9	1	1,917.0
10. Number of dwellings in line 7 entitled to a 50% discount on 7 October 2019 due to all residents being disregarded for council tax purposes	0	5	6	24	33	40	46	38	14	206.0
11. Number of dwellings in line 7 classed as second homes on 7 October 2019 (bifid from Flex Empty tab)		20	93	115	59	14	1	2	0	304.0
12. Number of dwellings in line 7 classed as empty and receiving a zero% discount on 7 October 2019 (bifid from Flex Empty tab)		141	400	476	199	57	21	16	3	1,313.0
13. Number of dwellings in line 7 classed as empty and receiving a discount on 7 October 2019 and not shown in line 12 (bifid from Flex Empty tab)		9	43	61	20	3	1	1	0	138.0
14. Number of dwellings in line 7 classed as empty and being charged the Empty Homes Premium on 7 October 2019 (bifid from Flex Empty tab)		110	65	67	25	4	3	3	0	277.0
15. Total number of dwellings in line 7 classed as empty on 7 October 2019 (lines 12, 13 & 14)		260	598	694	344	64	20	20	3	1,728.0
16. Number of dwellings that are classed as empty on 7 October 2019 and have been for more than 6 months. NB These properties should have already been included in line 15 above.		209	270	313	132	39	14	11	2	999.0
16a. The number of dwellings included in line 16 above which are empty on 7 October 2019 because of the flooding that occurred between 1 December 2013 and 31 March 2015 and are only empty because of the flooding.		0	0	0	0	0	0	0	0	0.0
16b. The number of dwellings included in line 16 above which are empty on 7 October 2019 because of the flooding that occurred between 1 December 2015 and 31 March 2016 and are only empty because of the flooding.		0	0	0	0	0	0	0	0	0.0
17. Number of dwellings that are classed as empty on 7 October 2019 and have been for more than 6 months and fall to be treated under empty homes discount class D (Remote Class A exception). NB These properties should have already been included in line 15 above. Do NOT include any dwellings included in line 16a and 16b above.		0	0	0	1	0	0	0	0	1.0
18. Line 16 - line 16a - line 16b - line 17. This is the equivalent of line 18 on the CTB(October 2019) and will be used in the calculation of the New Homes Bonus.		209	270	313	131	39	14	11	2	989.0
19. Number of dwellings in line 7 where there is liability to pay 100% council tax before Family Annuity discount	2	2,763	16,708	29,077	19,987	6,204	2,530	1,125	146	78,342.0
20. Number of dwellings in line 7 that are assumed to be subject to a discount or a premium before Family Annuity discount	6	5,160	17,467	16,420	6,439	1,465	409	180	25	47,571.0
21. Reduction in taxbase as a result of the Family Annuity discount (bifid from Family Annuity tab)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
22. Number of dwellings equivalents after applying discounts and premiums to calculate taxbase	6.5	6,762.3	29,854.8	41,423.8	24,824.0	7,295.5	2,628.3	1,253.5	161.3	114,209.8
23. Ratio to band D	59	69	79	89	99	119	139	159	189	
24. Total number of band D equivalents (to 1 decimal place)(line 22 x line 23)	3.6	4,508.2	23,220.4	36,821.1	24,824.0	8,916.7	3,796.4	2,089.2	322.5	104,502.1
25. Number of band D equivalents of contributions in lieu (in respect of Class D exempt dwellings) in 2019-20 (to 1 decimal place)										0.0
26. Tax base (to 1 decimal place) (line 24 col 10 + line 25)										104,502.1
Part 2										
27. Number of dwellings equivalents after applying discounts and premiums to calculate tax base (Line 22)	6.50	6,762.25	29,854.75	41,423.75	24,824.00	7,295.50	2,628.25	1,253.50	161.25	114,209.8
28. Reduction in taxbase as a result of local council tax support (bifid from CT Support tab)	2.16	1,578.24	4,887.77	4,671.27	1,970.74	446.61	62.70	10.44	0.00	13,609.9
29. Number of dwellings equivalents after applying discounts, premiums and local tax support to calculate taxbase	4.3	5,184.0	24,967.0	36,752.5	22,853.3	6,848.9	2,565.6	1,243.1	161.3	100,599.8
30. Ratio to band D	59	69	79	89	99	119	139	159	189	
31. Total number of band D equivalents after allowance for council tax support (to 1 decimal place) (line 29 x line 30)	2.4	3,456.0	19,434.3	32,668.9	22,853.3	8,370.9	3,705.8	2,071.8	322.5	92,885.9
32. Number of band D equivalents of contributions in lieu (in respect of Class D exempt dwellings) in 2019-20 (to 1 decimal place)(line 25)										0.0
33. Tax base after allowance for council tax support (to 1 decimal place) (line 31 col 10 + line 32)										92,885.9

Certificate of Chief Financial Officer

I certify that the information provided on this form is based on the dwellings shown in the Valuation List for my authority on 9 September 2019 and that it accurately reflects information available to me about exemptions, demolished dwellings, disabled relief, discounts and premiums applicable on 7 October 2019 and, where appropriate, has been completed in a manner consistent with the form for 2016.

Chief Financial Officer : Date :



Full Council

Agreement to management arrangements to support participation in Borough Based Board

Date: 22 January 2020

Key decision: Yes.

Class: Part 1.

Ward(s) affected: All

Contributors: Executive Director, Community Services

Director of Organisational Development and Human Resources

Outline and recommendations

Outline

The purpose of this report is to approve management arrangements in order to allow the Council to effectively engage with Lewisham Borough Based Board of the NHS South East London Clinical Commissioning Group when it is established.

Recommendations

Council is asked, subject to Mayor and Cabinet agreeing to participate in the Borough Based Board:

- To agree to the establishment of a new Council post of Director of Integrated Care and Commissioning at a level of remuneration on the JNC 2 salary scale (currently up to £114,132 per annum).

Timeline of engagement and decision-making

On 12th December 2019 Mayor and Cabinet agreed in principle to participate in the Lewisham Borough Based Board of the proposed NHS South East London Clinical Commissioning Group.

1. Summary

- 1.1. On 12 December 2019 Mayor and Cabinet agreed in principle to participate in the Lewisham Borough Based Board, which is to be a committee of the proposed NHS South East London Clinical Commissioning Group (SELCCG). It is expected that SELCCG will be established on 1st April 2020. SELCCG intends to establish a Lewisham Borough Based Board and arrangements in which the Council has a role.
- 1.2. This paper seeks the approval of Council to the management arrangements which will allow the Council to effectively engage with Lewisham Borough Based Board of the NHS South East London Clinical Commissioning Group by the establishment of a new Council post of Director of Integrated Care and Commissioning at a level of remuneration on the JNC 2 salary scale (currently up to £114,132 per annum).

2. Recommendation

- 2.1. Council is asked, subject to Mayor and Cabinet agreeing to participate in the Borough Based Board:
 - To agree to the establishment of a new post of Director of Integrated Care and Commissioning at a level of remuneration on the JNC 2 salary scale (currently up to £114,132 per annum).

3. Policy Context

- 3.1. A detailed breakdown of the policy context was provided in the previous Mayor and Cabinet paper on this issues considered on 12 December 2019. This paper is attached as Appendix 1 and the policy context is not repeated here.

4. Background

- 4.1. Government issued the NHS Long Term Plan in 2019. As part of the delivery of the NHS Long Term Plan, local NHS bodies are expected to work at a sub-regional level within the local 'Sustainability and Transformation Partnership' (STP) – and therefore with local authority partners - to develop and implement strategies for the next five years, to take local action to improve services and the health and wellbeing of local communities. The name given to the South East London STP was Our Healthier South East London (OHSEL). This is a collaborative working arrangement between the partners; there is no contract or formal arrangement between the parties and it is not a separate legal entity.
- 4.2. In part in response the NHS Long Term Plan, Our Healthier South East London (OHSEL) was designated as an aspirant Integrated Care System (ICS) on 19 June 2019, in which the participants in OHSEL work in collaboration. The partners in OHSEL are local health and care organisations and local councils with the joint aim being to re-design care and improve population health, through shared leadership and collective action. The aims of the ICS are to build on existing collaboration, to integrate local services, and to help

people stay well for longer by supporting them to lead healthier lives, manage their own health conditions and provide good access to care when they need it, often closer to where they live.

- 4.3 Lewisham Council and Lewisham CCG have, over the years, sought to strengthen integration, including through their existing local commissioning arrangements. It is intended that these will be further strengthened as part of the development of the place based system which is referred to below. The partnership for Lewisham is currently called Lewisham Health and Care Partners (LHCP)¹. This is not a formal contractual arrangement; it is a working arrangement between the partners. LHCP's vision is to achieve a sustainable and accessible health and care system to support people to maintain and improve their physical and mental wellbeing, to live independently and have access to high quality care when they need it, through local and collective south east London action. A key focus of the partnership's work is on the integrated delivery of proactive, co-ordinated and accessible community based care, and establishing effective working across that and secondary provision. Four priorities have been identified as areas where improvements in delivery and outcomes are required: Frailty, Mental Health, Respiratory and Diabetes. Various particular steps have been taken or are intended, as set out below.
- 4.4 On 1st July 2019 OHSEL agreed the development of 6 Primary Care Networks (PCNs) in Lewisham, involving 35 GP practices. These are groups of GP practices coming together locally in partnership with community services, social care and other providers of health and care services around the needs of local patients. Again, OHSEL's involvement is not a formal contractual arrangement involving the Council.
- 4.5 Lewisham Council and Lewisham Clinical Commissioning Group have worked together to prepare a joint health and wellbeing strategy. This strategy explains what priorities the local Health and Wellbeing Board has set in order to tackle the needs identified in the joint strategic needs assessment (JSNA). The 2019 JSNA programme was agreed by the Health and Wellbeing Board in March 2019.
- 4.6 The NHS Long Term Plan envisages the creation of a number of area-based Clinical Commissioning Groups which will absorb the current more localised Clinical Commissioning Groups. In south east London there are currently six CCGs (Bexley, Bromley, Greenwich, Lambeth, Lewisham and Southwark). The six borough approach has been in existence since 2017 when commissioning for acute hospital services (e.g. for Lewisham and Greenwich NHS Trust) began being undertaken at a sub-regional level. The NHS intends to establish a single CCG to operate across the six boroughs from 1 April 2020. This will be the 'NHS South East London Clinical Commissioning Group' (South East London CCG). In considering the establishment of that new CCG, the NHS has engaged with a wide range of stakeholders, including the Local Authority and residents. The proposal seeks the restructure of NHS commissioning organisations and will not make any changes to services that residents receive.
- 4.7 An application to create South East London CCG was made to the CCG regulator, NHS England and Improvement, at the end of September 2019 following endorsement by NHS Lewisham CCG's Governing Body at their Public Meeting on 12 September 2019 and subsequently agreement by the CCG Membership on 17 September 2019.
- 4.8 The creation of South East London CCG means that local arrangements need to be established for the on-going strategic management and commissioning of those

¹ Lewisham Health and Care Partners (LHCP) consists of:
London Borough of Lewisham (LBL), Lewisham Clinical Commissioning Group (LCCG), Lewisham and Greenwich NHS Trust (L&G), Lewisham Local Medical Committee (LLMC), One Health Lewisham Ltd (OHL), Primary Care Networks (PCN) and South London and Maudsley NHS Foundation Trust (SLAM)

functions and services best determined at a local level. It is intended to achieve this through the establishment of a formal 'Borough Based Board' for Lewisham (full details in Mayor and Cabinet paper submitted on 12 December 2019 – attached as appendix 1).

5. Creation of Council post of Director of Integrated Care and Commissioning

- 5.1 Mayor & Cabinet have agreed in principle to participate in the Lewisham Borough Based Board being a committee of South East London CCG and management arrangements to support this are being jointly developed.
- 5.2 As part of these arrangements, it is proposed to create a Council post of Director of Integrated Care and Commissioning with joint accountability to the Council's Chief Executive and the South East London CCG Accountable Officer for the relevant outcomes for the Council and South East London CCG and with responsibility for management of both Council and South East London CCG employees within the proposed arrangements.
- 5.3 This is a key role leading on the strategic interface between the Council, South East London CCG and providers in driving forward integrated commissioning across health and social care in Lewisham, and ensuring that the necessary provider infrastructure is in place for the effective service delivery of the Council and South East London CCG's Corporate Strategy. The Director will be accountable for the strategic delivery of the NHS Long Term Plan and Place aspects of the South East London (SEL) Integrated Care System (ICS).
- 5.4 The post has been independently evaluated in accordance with the Council's usual procedures by HAY at JNC Band 2. The top point of the salary band for JNC 2 is £114,132 per annum.
- 5.5 The Council's Pay Policy Statement requires Council agreement to the remuneration of all new posts where that remuneration is more than £100,000 per annum. Council agreement is therefore required in order to establish the new Council post of Director of Borough Based Commissioning.

6. Financial implications

- 6.1 The creation of this post would be at a current maximum salary of £114,132 plus on-costs. The post would be funded out of existing resources. The overall reorganisation will be cost neutral for the Council as our contribution to the overall structure is funded from existing base and BCF budgets. The post would be jointly funded with the South East London CCG.
- 6.2 The new arrangements are expected to secure improvements to commissioning for both health and social care although it is too early to quantify these.

7. Legal implications

- 7.1 The Localism Act 2011 requires the Council to prepare a 'pay policy statement' for each financial year, and to have regard to Secretary of State's guidance (Localism Act 2011, Pt 1, Chapter 8). Decisions in relation to matters covered by those provisions are not the responsibility of the executive of the authority and so may only be taken by full Council. The purpose of this report is to request full Council to take such a decision.
- 7.2 On 3rd April 2019 Council approved the Pay Policy Statement for 2019/20. That Statement complies with the requirements of Section 38 Localism Act 2011 which requires all local authorities to prepare an annual Pay Policy Statement. The Pay

Policy Statement contains the required information and takes account of relevant guidance.

- 7.3 The Pay Policy Statement requires approval of Council to remuneration for new posts where pay exceeds £100,000 per annum. The proposed new Director post is one which was not in existence at the time of the publication of the Pay Policy Statement for 2019/20, and the proposed remuneration is more than £100,000 per annum. In those circumstances, the Pay Policy Statement for 2019/20 states that 'Where it is proposed to appoint to [such] a post ... the appointment may not be made unless the Council has agreed to the level of remuneration attaching to the position.' It also states that 'This provision does not apply to any roles which transfer to the Council through either TUPE or any other equivalent or similar statutory transfer process. This requirement does not apply to roles arising out of restructures to which the Council is obliged to match existing employees to or conduct a ring fenced recruitment exercise'.
- 7.4 Accordingly, this report seeks approval from Council to the level of remuneration proposed for a new post of Director of Integrated Care and Commissioning, being above £100,000 (stated by the report to be on the JNC 2 salary scale currently up to £114,132 per annum).
- 7.5 The Council has a public sector equality duty (the equality duty or the duty - The Equality Act 2010, or the Act). 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. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.5 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. 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 decision maker, bearing in mind the issues of relevance and proportionality. The decision maker must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 7.6 The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the 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 on the EHRC website.
- 7.7 The EHRC has issued five guides for public authorities in England giving advice on the equality duty. 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.

8. Equalities implications

- 8.1 There are no equalities implications arising from this report as no services will be changed as a result of the changes outlined. However, it is expected that the creation of the Borough Based Board will bring decision making between the Council and NHS closer together and therefore allow for more focused work taking into account inequalities, particularly health inequalities, in the borough.

9. Climate change and environmental implication

- 9.1 There are no direct crime and disorder implications arising from this report.

10. Crime and disorder implications

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

11. Health and wellbeing implications

- 11.1 As highlighted above it is expected that the creation of the Borough Based Board will bring decision making between the Council and NHS closer together and therefore allow for more focused work taking into account inequalities, particularly health inequalities, in the borough.

12. Social Value implications [to be completed only when awarding a contract]

N/A

13. Background papers

Mayor and Cabinet paper - Update on Integration with NHS and the creation of a Borough Based Board – 12 December 2019

14. Glossary

Term	Definition
CCG	Clinical Commissioning Group. NHS body with responsibility for the organisation and purchase of medical services within a particular area.
South East London CCG	South East London Clinical Commissioning Group

15. Report author and contact

- 15.1 Adam Bowles - Director of Organisational Development and Human Resources, Adam.bowles@lewisham.gov.uk

COUNCIL		
Report Title	Motion 1 Unaccompanied Migrant Children Motion 1 in the name of Councillor Bonavia to be seconded by Councillor Gallagher	
Key Decision		Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: January 22 2020

Protecting the rights of unaccompanied children seeking family reunion

This Council notes with great concern the Government’s decision to abandon its commitment to ensure that unaccompanied children continue to have the right to family reunion with relatives already resident in the United Kingdom following the withdrawal from the European Union. No child should be surviving alone in camps and carparks in Europe when they have family here who can care for them, or local authorities like Lewisham who are ready to offer them a home.

This Council believes in creating a Borough of Sanctuary which welcomes and supports refugees, asylum seekers and other migrants fleeing conflict and persecution. In June 2019 the Council committed to welcoming an additional 100 unaccompanied child refugees under the charity Safe Passage International’s “Our Turn” pledge. In addition, many Lewisham residents have welcomed children through current family reunion rules under the European Union Dublin III Regulation and there will be local families affected by this Government’s decision.

We are dismayed at the prospect that any child who has a parent, sibling, uncle, aunt or grandparent in our borough may be prevented from joining them. Legal family reunion is one of the few safe and legal routes for children who would otherwise remain on their own thereby exposing themselves to danger and exploitation, or risk their lives in order to reach a place of safety with their family.

This Council resolves to:

- (1) Urge the Government to guarantee in law its existing obligation to ensure children have the same or improved rights to family reunification in the UK following Brexit
- (2) Invite the Government to work with the Council to deliver its commitment to welcome an additional 100 unaccompanied child refugees and so give more children a chance to rebuild their lives in a place of safety.