

# MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 19 June 2018 at 7.05 pm

PRESENT: Councillors Bill Brown, Liam Curran, Alex Feis-Bryce, Jim Mallory, Joan Millbank, John Muldoon, Luke Sorba and Susan Wise

Apologies for absence were received from Councillor Juliet Campbell and Councillor Pauline Morrison

## 105. Minutes

RESOLVED that the minutes of the meeting held on 10 April 2018 be confirmed and signed as a correct record.

## 106. Declarations of Interests

None were made.

## 107. Outstanding Scrutiny Matters

RESOLVED that the report be noted.

## 108. Late and Urgent Matters

RESOLVED that the report be noted.

## 109. Decisions made by Mayor and Cabinet on 6 June 2018

### Community Infrastructure Levy Preliminary Draft Charging Schedule

The Chair stated that Panel Members would like some clarity on who makes the decision on how much money could be spent in the project and if there was any members involvement in the process. The Chair said a diagram showing the decision process in relation to CIL, and elected members role within the process would be useful for Panel Members. The Interim Head of Planning said this information would be provided for Members.

### **Action >>>>> ED Resources and Regeneration (Interim Head of Planning)**

The interim Head of Planning explained the connection between Section 106 and CIL, and Section 106 relevance to other Council projects in response to Councillor Mallory's question. Councillor Millbank asked about community involvement with the project. Panel Members noted that the Sustainable Development Select Committee had identified Ward Assemblies as the vehicle for community involvement.

Councillor Curran said it would be sensible to use this vehicle to determine how funds should be distributed. The Chair said this information should be included in the diagram he had requested.

**Action >>>>> ED Resources and Regeneration (Interim Head of Planning)**

Business Panel agreed to request that the Mayor and Cabinet ask officers to do a simple report that includes a diagram showing how CIL is delivered. They also agreed to ask the Mayor and Cabinet that officers show how Council Members and the community are involved in this process. Panel Members were curious to know what was currently being done in other boroughs to involve elected members and the general community.

RESOLVED that:

- i. the decision of the Mayor and Cabinet be noted.
- ii. Mayor and Cabinet be requested to ask officers to show how Council Members, and the community are involved in this process.
- iii. Mayor and Cabinet be requested to ask officers to produce an easy to read diagram to illustrate the process.
- iv. Mayor and Cabinet be requested to ask officers for information on how the decision making process on the allocation of CIL operates in other boroughs.

Memorandum of Understanding with Veolia to Develop a Lewisham Heat Network

The Climate Resilience Manager, Regeneration and Place, introduced the report. The Chair referred to the Community Heating System Review which was done by the Sustainable Development Select Committee. He said the review was very useful and important, and it did state that the tenants should be put first and the aim was to provide good heating systems which would ensure bills do not go up. Councillor Wise said the point of a review was to help the community. She said this work was done because of the bad workmanship done on the new Heathbridge Estate, officers were looking at ways to address heat loss in the building. Councillor Wise said it was unfortunate the Council did not get funding for this, but Southwark did and it had worked very well for them.

The Climate Resilience Manager, Regeneration and Place, said officers had been in discussions with Veolia for a while, looking at the benefits from Celchip. He said the Council was not tied to any contract as yet, but was looking at developing the idea further. The Climate Resilience Manager, Regeneration and Place, said the Council was lucky to get some funding to do the feasibility study. He said the Convoys Wharf development was key to this project, as it would generate the most demand for heat.

Councillor Curran raised concerns over the cost of liability to the Council and asked for an example of a situation when the Council could be liable. Panel members were told that it was highly unlikely for any liability to the Council as there was no binding obligation on the Council. Councillor

Curran asked if the Terms of Reference were legally binding. Panel Members were told that a legal contract had to be made to ensure confidentiality, and was also a demonstration of good faith, forming part of ongoing discussions.

Councillor Curran said because this would be a cheaper alternative it would be popular, and asked how officers would ensure the people who need it get it. Panel Members were told that the Council wants to be part of this to influence the way the heat is provided and distributed, and at the same time get additional funding for the project.

The Climate Resilience Manager, Regeneration and Place said officers were looking to draft governance arrangements. He said the next step would be for officers to go to consultation, look at options available, costs and risk involved. He added that arrangements were being made to commission an expert to do the design work. Councillor Curran said he hoped Council would ensure officers have sufficient resources to get a very good expert to do the investigation.

Panel Members asked about the timeframe and were told it would be by the end of the calendar year when the next round of funding from central government opens. Panel members asked when they would get an update and were told the proposal would be going to Sustainable Development Select Committee, then a report to Mayor and Cabinet. The Chair thanked officers for the report.

RESOLVED that:

- i. the decision of the Mayor and Cabinet be noted.
- ii. Mayor and Cabinet be requested to ensure that sufficient resources be provided to officers to appoint an efficient and effective consultant for the investigation, to ensure the Council gets the best possible deal.

#### **110. Overview & Scrutiny Select Committees Work Programmes 2018-2019 - verbal update**

The Chair informed Panel Members that going forward the Scrutiny Manager would send out an update to Panel Members a week before the meeting, and they would decide whether they want her to attend Business Panel to provide further information on the report, this was agreed.

The Scrutiny Manager informed Panel Members that the first round of Select Committee meetings would start on 27 June and end on 19 July. She said the Committees would agree their work programmes for the year at this round of meetings and these would be formally submitted to Business Panel on 24 July.

Panel Members noted that in advance of these meetings, most select committees were having informal meet and greet sessions where new councillors (and co-opted members where applicable) could be welcomed and members could discuss

priorities for the coming year, before formally agreeing their work programme at their first meeting.

RESOLVED that the report be noted.

**111. Exclusion of the Press and Public**

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

The following is a summary of the items considered in the closed part of the meeting:

**112. Decisions made by Mayor and Cabinet on 6 June 2018**

This item was not identified for further discussion.

**113. Decision made by an Executive Director Under Delegated Authority - Sydenham Park Footbridge - Approval to enter into an Asset Protection Agreement with Network Rail to allow the replacement of railway span of the footbridge**

RESOLVED that:

- i. the decision of the Executive Director be noted.
- ii. officers consult with the LGA to determine whether the Council should accept the revised TPOA that was reissued by Network Rail.
- iii. officers to investigate options open to the Council if one of their contractors go into receivership.

**Action >>>>> ED Resources and Regeneration (Service Group Manager Highways & Transport)**

Meeting ended: 8.35pm

Chair.....