

MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE

Thursday, 22 October 2015 at 7.00 pm

PRESENT: Councillors Liam Curran (Chair), James-J Walsh (Vice-Chair), Bill Brown, Suzannah Clarke, Amanda De Ryk, Carl Handley, Olurotimi Ogunbadewa and Paul Upex

Apologies: Mark Ingleby and Eva Stamirowski.

Also present: Rob Holmans (Director of Regeneration and Asset Management), John Miller (Head of Planning), Robyn Fairman (Head of Strategy), Fenella Beckman (Manager, Strategy, Partnerships & Programmes), Joe Dunton (Principal Projects and Policy Officer), Lesley Brooks (Service Group Manager, Travel Demand Management), Gavin Plaskitt (Regeneration Programme Manager) and Roger Raymond (Scrutiny Manager).

1. Minutes of the meeting held on 15 September 2015

- 1.1 **RESOLVED:** That the minutes of the meeting held on 15 September 2015 be signed as an accurate record of the meeting.

2. Declarations of interest

- 2.1 There were no declarations of interest

3. Work and Skills Strategy

- 3.1 Robyn Fairman, Head of Strategy, presented the report to the Committee. The key points to note were:

- The key objectives of the 2013 – 2015 Work and Skills Strategy were:
 - To enable more excluded residents to access and benefit from services;
 - To enable more excluded residents into sustained employment;
 - To increase opportunities for progression in employment;
 - To derive greater value from existing employment-related expenditure and services.
- The number of residents on Job Seekers Allowance (JSA) has dropped steadily from 5% of the working age population (10,047 residents) to 2.9% (5,762 residents) over the period of the 2013-2015 Work and Skills Strategy. However this is still above the London and national averages of 2.1 and 2% respectively. Lewisham is outperforming comparable boroughs in South London.
- Lewisham has worked in close partnership with London Borough (LB) of Lambeth and LB Southwark. For example the three boroughs and Job Centre Plus (JCP) have worked together to develop and test a model for

supporting residents in the transition to Universal Credit. This model has now been recommended for national adoption by the House of Commons' Work and Pensions Committee.

- Lewisham, Lambeth and Southwark's intention was always to explore, through the pilot, the possibilities for greater integration and joint commissioning in order to achieve savings to the public purse, better outcomes for priority residents and demonstrate to central government that devolving responsibility to local areas can achieve better results. To this end officers are in the process of setting up a Section 101 Committee for the three boroughs which will soon be presented to Mayor and Cabinet.
- Lewisham has secured in the region of £10m to support its projects in respect of the Work and Skills Strategy, bidding for resources from bodies such as the European Social Fund and (ESF) and central government.
- Some of the lessons learnt from the 2013-2015 Strategy consist of:
 - The need to flexible support service to all residents who have complex needs.
 - Universal Credit will be a 'game-changer' in the work and skills area.
 - Got to increase the skills of those looking for work as the labour market has continued to hollow out with a drop off in intermediate skilled jobs and a growth in high and low skilled roles.
 - This presents a challenge to across the partnership and especially to local training providers who currently provide a large quantity of level 1 and level 2 training courses.
 - Continue to integrate services and work closely with other boroughs and the JCP.
- The draft Work and Skills Strategy for 2015 – 2017 includes an update of the evidence provided in the 2013 – 15 strategy and a number of actions under the following 6 headings:
 - Develop strong partnerships across all sectors
 - Develop improved labour market intelligence
 - Maximise social value opportunities with employers and enterprise
 - Improving local skills training to equip adults for work opportunities
 - Deliver employment support for those with the most complex needs
 - Encourage residents in employment to progress
- These actions will help build on the progress achieved through the 2013 – 15 Strategy while seeking to build on the opportunities provided by local growth and development. This strategy seeks to ensure that all our residents are equipped to take advantage of these opportunities.

3.2 In response to questions from the Committee, the following was noted:

- Officers should consider including a summary sheet in the Work and Skills Strategy.

- Job Centre Plus are working to move claimants of Employment and Support Allowance (ESA) onto Jobseeker's Allowance (JSA).
- One of the objectives in the new Work and Skills Strategy will be 'up skilling' Lewisham residents to ensure they have the right skills for the changing jobs market.
- The Traineeships have struggled to reach all of their objectives as some of those on this scheme have challenging behaviour that needs to be managed quite closely, for example with pre-employability support. Also, as it involves taking on young people between 18-24 years old who have some challenging needs, many employers are more willing to take young people from the Apprenticeship Scheme instead.
- Those on the Traineeship Scheme receive travel expenses on top of their JSA.
- Lewisham is working closely with a variety of providers to create a Construction Skills training course.
- Approximately 85% of those on Lewisham's in-house Apprentice Scheme are from the Black and Minority Ethnic (BME) community.
- The work-specific English for Speakers of Other Languages (ESOL) courses that focus on the type of English that is actually needed for work have been very successful and very well received. 50% of those on the courses have managed to get jobs. The course was originally funded by the ESF and the Department of Work and Pensions, but as it has been so successful, in the interim, it's been funded by local Job Centre Plus.
- The work of the Section 101 Committee consisting of Lewisham, Southwark and Lambeth will be scrutinised by this Committee.
- The new Work and Skills Strategy covers the ages 16-64 rather than specifically targeted groups, to take into account the change nature of the types of people who are looking for work and may need assistance, for example women with children and over-50s who have been made redundant.
- Officers should look to create a 'one-stop shop' of job opportunities that would aid people looking for employment.
- Lewisham's 'European Social Fund Families with Multiple Disadvantage' initiative was part of a national scheme, and there were a number of problems with the Reed contract and subcontracts that resulted in this provision not getting started in this area despite the efforts of officers.

3.3 **RESOLVED:** That the Committee note the report.

4. Publishing Viability Assessments

4.1 John Miller, Head of Planning, presented the report to the Committee. The key points to note were:

- The report in the agenda papers sets out the example approach of two other London boroughs, LB Islington and the Royal Borough (RB) of Greenwich on publishing viability assessments in relation to planning applications
- Islington Council has been concerned about the quality of the viability appraisals it has received with planning applications for some time.

Between 22 September and 20 October 2014 they consulted on a 'Development Viability Discussion paper'. The responses from this consultation informed the production of a draft Development Viability Supplementary Planning Document (SPD), that was consulted upon from 10 July to 4 September 2015. The Council is currently undertaking the analysis of the response to the SPD, and if necessary they will make changes to the document that will then be taken to the Councils Executive for adoption. LB Islington therefore does not currently implement the policies set out in the SPD.

- The question of confidentiality and the public interest has been tested in a number of recent Information Commissioner's Office (ICO) and First Tier Tribunal (FTT) decisions following requests to release the information under the Environmental Information Regulations (EIR) 2004. The EIR set out a presumption in favour of disclosure and the ICO and FTT concluded in the case of the Greenwich Peninsula site that there was insufficient information to show that disclosure would cause harm to a commercial interest.
- In light of this, In the light of this decision, RB Greenwich have decided to consult on a revised policy to publish viability assessments. The Royal Greenwich approach is different to that of Islington in that they have consulted on changes to the 'local list' requirements for planning applications. The local list is the information that a Council requires to be submitted with a planning application in order for it to be validated and considered.
- RB Greenwich consulted on a new 'local list' from 11 May to 22 June 2015. Currently their officers are considering the responses received and will decide if any changes should be made prior to adoption. Similar to LB Islington, the final local list has not been adopted and the policy on publication has not yet come into effect.
- Lewisham's approach to this matter has been slightly different to both LB Islington and RB Greenwich. Previously, The Lewisham approach had previously been similar to many other local planning authorities. That is, the officer report to planning committee set out the viability information and conclusions of the independent review but avoided using any confidential figures. However, in recent years, members had requested more detailed information and officers have responded by providing a confidential independent consultant report. This confidential report is available only to members of the committee determining the application.
- Recently members have expressed concern about this process as they receive information which is confidential that is not available to the public. In view of these concerns the Head of Planning intends, as an immediate interim approach, that Lewisham continues to require the developer to submit confidential viability information to our independent consultants. In the light of that submitted information, the consultants then produce a report which is in a form which is publicly available. It is intended that the Council move to this approach with effect from the next Strategic Planning Committee which is likely to be held on 29th October.

4.2 In response to questions from the Committee, the following was noted:

- Lewisham has an approved list of consultants that provide independent advice on viability assessments. Though some consultants work with both councils and developers, the information they provide in their reports is robust.
- Lewisham sometimes uses sub-contractors to verify information in the consultant reports.
- LB Islington stated in their 'Development Viability Discussion Paper and Questionnaire', that they had issues with viability assessments due to the council receiving a significant number of viability appraisals which contained inputs and assumptions unsupported by robust evidence. They also felt that the viability process was being used with the intention of limiting planning obligations in order to generate excess profits for a developer and/ or landowner over and above a reasonable level of return that is required for the development to proceed (super-profit).
- Officers will have considerable difficulties in securing all relevant information on completed developments, notably in respect of actual build costs incurred by developers which are not publicly documented. Members felt that this is something that should be pursued, to compare information produced in viability assessments to the final development. Officers could talk to colleagues in LB Islington about how they obtained similar information.

4.3 **RESOLVED:** That the Committee refer the following to Mayor and Cabinet:

- a) Note that the Committee welcomed the change in approach and advised that it would keep the matter under review.
- b) Ask that a representative analysis be made of previous viability reports for completed developments in the borough in order to find out whether the system is working as Members understand it.
- c) Ask that the outcomes of viability assessments on completed schemes be compiled into an annual report upon completion.

5. Planning obligations/regulations - Update

5.1 John Miller, Head of Planning, presented the report to the Committee. The key points to note were:

- Planning obligations (often referred to as Section 106 obligations after the section 106 of the Town and Country Planning Act), are secured through Legal Agreements between local planning authorities and developers in the context of the grant of planning permission. They can be both financial and non-financial and are used when there is a need to mitigate the impact of a development and the impact itself cannot be dealt with through a planning condition on the permission.
- The Community Infrastructure Levy Regulations (Regulation 122) set out that from 6 April 2010 it will be unlawful for a planning obligation to be taken into account when determining a planning application for a development if the obligation does not meet the following tests:
 - necessary to make the development acceptable in planning terms;
 - directly related to the development; and

- fairly and reasonably related in scale and kind to the development.
- CIL is intended to provide developers with more certainty up front about how much money they will be expected to contribute towards borough infrastructure needs. The Council adopted the CIL Charging Schedule with effect from 1 April 2015. Over time, the CIL will largely replace planning obligations as a way in which developments contribute towards providing the new infrastructure necessary to support new development. However, as a number of large schemes were approved prior to the introduction of CIL and will be built out in phases, it is anticipated that phased Section 106 payments will continue to be made for these schemes for at least the next 5 years. In addition, Section 106 payments will continue to be applied alongside CIL, albeit in relation to a more restricted range of issues.
- The balance of Section 106 monies held by the Council at the end of the 2014/15 financial year was approximately £23.1 million. The Section 106 income during this financial year, £7.6 million, has practically doubled since the previous financial year. This reflects the continuing increase in regeneration activity and, in particular, the commencement and progression of a significant number of large scale developments within the borough.
- Some of the projects that Section 106/CIL payments are being spent on are:
 - A 60 unit extra care scheme that Phoenix Community Housing is developing on behalf of the Council at Hazelhurst Court.
 - A 22 home hostel and support unit that the Council is supporting Deptford Reach – a local and longstanding homelessness charity – to develop at its current day centre.
 - Funding to support the Council’s Local Labour and Business Manager (LLBM) who manages and develops the Local Labour and Business Scheme (LLBS), which has led to 19 new apprenticeships and the continuation of 10, 92 jobs secured, 258 training places offered, a job fair which attracted over 1300 attendees and 25 recruiting employers from a variety of sectors along with employment and training partners and over £4m worth of contracts secured by Lewisham businesses.
 - £2m 30 metre wide linear park being delivered as part of the North Lewisham Links Programme, to encourage walking and cycling, along the route of the former Surrey Canal between Plough Way and Oxestalls Road.

5.2 In response to questions from the Committee, the following was noted:

- Officers will report back to the Committee about more identified projects for Section 106/CIL payments.
- The money accrues interest as the Council plans how it will spend the payments.
- The money that is available will be spent on the appropriate projects.
- Health Section 10/CIL payments need to be spent on health infrastructure.
- There was already a pilot scheme that was used to liaise with local assemblies to set priorities for spending Section 106/CIL money.
- The Council is looking at ‘match funding’ projects, such as the Bell Green improvements, which would be with Transport for London (TfL).

- Officers are happy to look into the feasibility of creating a Community Trust for Section 106/CIL payments.
- Section 106/CIL payments are about mitigating the local effects of a development, so must be spent in the area of the development.

5.3 **RESOLVED:** That the Committee refer the following to Mayor and Cabinet:

- a) Ask officers to investigate the possibility of setting up a Community Trust or similar body for CIL and Section 106 payments.
- b) Ask officers to develop a framework of consultation so communities can set their priorities for development, if CIL or Section 106 payments become available.
- c) Ask officers for further information on how the process of gathering priorities in communities for CIL and Section 106 payments will operate with both Neighbourhood Forums and Local Assemblies in operation

6. Annual Parking Report

6.1 Lesley Brooks (Service Group Manager, Travel Demand Management) and Ralph Wilkinson (Head of Public Services) introduced the report to the Committee. The key points to note were:

- The report in the agenda papers describes the rationale for managing parking demand across the borough.
- The report also gives the Committee an update on the Controlled Parking Zones (CPZ) programme, to give an overview of the parking contract performance and to provide details of the overall parking income and expenditure.

6.2 In response to questions from the Committee, the following was noted:

- Residents are able to manage their own accounts, which allow them to update their own personal details, including e-mail addresses. The Council will now send out text reminders for permit renewals, as well as e-mail reminders. They will look favourably on any appeals based on administrative/technical issues.
- There has been a £200,000 saving on closing administrative offices that used to issue paper reminders and other administrative work related to parking.
- There already are '30min free parking bays' across the borough, and the Council will continue to look at more of these bays for all new developments.
- Blue Badge holders receive a number of parking permits. They also can apply a parking permit for their designated carer.
- Mayor and Cabinet have made a decision that there must be resident consultation before any CPZs are removed.
- The Grove Park CPZs will be reviewed next year.
- Officers will send Committee members the timetable for the reviewing of CPZs across the borough.

- Any consultations on CPZs would involve all residents, businesses, health services etc.

6.3 **RESOLVED:** That the Committee note the report.

7. Catford Regeneration Programme Review - Scoping Paper

7.1 Roger Raymond (Scrutiny Manager) introduced the report to the Committee. The key points to note were:

- Members were to consider the Scoping Paper, and decide:
 - if they are happy with the key lines of enquiry/terms of reference or would like to amend them
 - on the witnesses for the 1st Evidence Session.

7.2 In response to questions from the Committee, the following was noted:

- The information from the Allies and Morrison report reviewing the Catford Regeneration plans should be made available to the Committee for the review. However this would be under Part 2 business, for reasons of commercial confidentiality.
- Some discussion and information on the future of the Broadway Theatre should be provided to the Committee as part of the review.
- Information for the review should include the following areas:
 - Civic Suite
 - Town Hall Chambers
 - Lewisham Town Hall building
 - Laurence House
 - Broadway Theatre
 - Milford Towers
 - Catford and Catford Bridge Station
 - Catford Shopping Centre.
- Milford Towers Residents Association should be asked for a written submission to present their views to the review.
- Also if there are any relevant community groups, they should be asked for any written submissions.
- The Rushey Green and Catford South Councillors should be invited to the evidence sessions for the Review.

7.3 **RESOLVED:** That the Committee agree the terms of reference and the witnesses/information for the 1st Evidence Session for the review.

8. High Streets Review - Report and Recommendations

8.1 The Chair informed the Committee that this item will be deferred to the next meeting.

9. Progress on Pubs and register of assets of community value (Information Item)

9.1 The Chair noted that this report was an information item, and any questions should be referred to the report author.

10. Borough-wide 20mph zone implementation (Information Item)

10.1 The Chair noted that this report was an information item, and any questions should be referred to the report author.

11. Select Committee work programme

11.1 Roger Raymond (Scrutiny Manager) introduced the report. The key points to note were:

- The items scheduled for the November meeting were as follows:
 - Planning Catford Regeneration Programme Review –Evidence Session 1
 - Waste Strategy (with enforcement)
 - Asset Register – Update
 - Planning service annual monitoring report.

11.2 In response to questions from the Committee, the following was noted:

- The Scrutiny Manager will discuss with the Chair if any items need to be moved if more space is needed for the Catford Regeneration Review 1st Evidence Session and the Waste Strategy item.

11.3 The Committee agreed to have the following items at the November meeting:

- Planning Catford Regeneration Programme Review –Evidence Session 1
- Waste Strategy (with enforcement)
- Asset Register – Update
- Planning service annual monitoring report.

12. Items to be referred to Mayor and Cabinet

12.1 The Committee agreed to refer the following items:

- Publishing Viability Assessments at 4.3
- Planning obligations/regulations – Update at 5.3

The meeting ended at 9.25pm

Chair:

Date:
