



# AGENDA

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## OVERVIEW AND SCRUTINY BUSINESS PANEL

**Date: TUESDAY, 1 NOVEMBER 2016 at 7.05 pm**

Committee Rooms 1 & 2  
Civic Suite  
Lewisham Town Hall  
London SE6 4RU

Enquiries to: **Olga Cole**  
Telephone: **0208 314 8577 (direct line)**  
Email: **olga.cole@lewisham.gov.uk**

**MEMBERS**

Councillor Alan Hall	Chair of the Overview and Scrutiny Committee	L
Councillor Gareth Siddorn	Vice Chair of the Overview and Scrutiny Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	L
Councillor Brenda Dacres	Labour Group Representative	L
Councillor Carl Handley	Chair of Housing Select Committee	L
Councillor Jim Mallory	Labour Group Representative	L
Councillor David Michael	Chair of Safer Stronger Communities Select Committee	L
Councillor Jamie Milne	Chair of Public Accounts Committee	L
Councillor Hilary Moore	Chair of Children and Young People Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	L

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

**Members are summoned to attend this meeting**

**Barry Quirk**  
Chief Executive  
Lewisham Town Hall  
Catford  
London SE6 4RU  
Date: Monday, 24 October 2016



INVESTOR IN PEOPLE

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

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**Lewisham**



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# Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL		
<b>Report Title</b>	Minutes	
<b>Key Decision</b>		Item No. 1
<b>Ward</b>	All	
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 1 November 2016

## Recommendation

It is recommended that the minutes of that part of the meeting of the Overview and Scrutiny Business Panel which was open to the press and public, held on 4 October 2016 be confirmed and signed.

# MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 4 October 2016 at 7.05 pm

PRESENT: Councillors Alan Hall (Chair), Brenda Dacres, Carl Handley, Jim Mallory, Jamie Milne and John Muldoon.

ALSO PRESENT: Councillor James Walsh.

Apologies for absence were received from Councillor Gareth Siddorn, Councillor Liam Curran and Councillor Hilary Moore.

## 14. Minutes

### Minutes 5 – New Bermondsey (Formerly Surrey Canal Triangle – Compulsory Purchase Order

The Chair stated that he had noted the presumed conduct of the Deputy Mayor had been commented on extensively and he expected the Monitoring Officer, and the Independent Person to carry out any investigation as they saw fit. He asked that any representation from the public be dealt with by the Standards Committee.

The Head of Business and Committee informed Panel Members that an initial letter was received by the Deputy Monitoring Officer before the last Mayor and Cabinet meeting, and complaints relating to February had been investigated and found to be without foundation. He added that fresh allegations had been made about actions of the Deputy Mayor in September and these were being investigated by the Monitoring Officer.

The Chair said Panel Members were aware that Business Panel had agreed a Call-In to this proposal which was to be presented to the last Mayor and Cabinet meeting. Prior to the meeting officers issued a statement saying further investigation would need to be made following receipt of a document relating to the New Bermondsey Site and the Call-In would be postponed pending the investigations.

The Chair said he wrote to the Chief Executive and the Executive Director for Resources and Regeneration asking how the Council's Section 151 Officer would be dealing with the CPO going forward. In his letter the Chair requested that if there was new information that led to the process being halted, Business Panel Members should be able to see this information and scrutinise its implications, prior to a cabinet decision.

In response to a question from Councillor Mallory, it was confirmed that Business Panel Members should have sight of any new documentation that would form part of the decision making process on the New Bermondsey CPO Proposal.

## **Action >>>>> ED Resources & Regeneration, Head of Law**

RESOLVED that:

- i. the minutes of the meeting held on 20 September 2016, which was open to the press and public, be confirmed as a true record of the proceedings.
- ii. officers be requested to send Business Panel Members any new documentation that would form part of the decision making process on the New Bermondsey CPO proposal.
- iii. officers be requested to reassure Business Panel Members that the Monitoring Officer would investigate the allegations made at the previous Business Panel meeting concerning the Deputy Mayor.

### **15. Declarations of Interests**

Councillor Mallory declared a personal non pecuniary interest on the Bermondsey CPO item, as a season ticket holder of Millwall FC, discussed as part of the minutes.

### **16. Outstanding Scrutiny Items**

Noted.

### **17. Notification of Late and Urgent Items**

Noted.

### **18. Decisions Made by Mayor and Cabinet on 28 September 2016**

#### Public Health Savings

The Head of Targeted Services & Joint Commissioning, and the Service Manager Prevention and Public Health introduced the report.

The Chair asked officers to circulate the letter they received in response to Lewisham's CCG, and the CCG's response to Healthier Community Select Committee members, and the CCG's response to Children and Young People Select Committee members.

#### **Action >>>>> ED Community Services**

The Chair asked whether the contract would be put to Tender, and when, and was told that the tender processes for Teenage Health, and Wellbeing services, and Health Visiting and School Nursing services would start in mid October 2016, and a report would go to Mayor and Cabinet end of January/ beginning of February 2017.

The Chair said the relevant Scrutiny Committee might decide to look at the update, and requested officers to inform him and the relevant Select Committee Chair when the report had been completed. The Chair thanked officers for the report.

**Action >>>>> ED Community Services**

RESOLVED that the decision of the Mayor be noted.

Local Implementation Plan Annual Spending Submission 2017-18

The Transport Policy and Development Manager introduced the report.

The Chair asked if there was capacity to deliver the savings within the timeframe and was told that this was the challenge faced by officers, but they were concentrating on delivering the high priority projects first, and the others would follow. The Transport Policy and Development Manager added that the Council had been allocated a base budget of £2.6m. He said that officers were also looking at adding value to the schemes that were already on site.

Councillor Muldoon asked whether it was possible to provide a taxi rank for Thomas Lane. The Transport Policy and Development Manager said there were a lot of taxi ranks in that area, and TFL would rather support ranks nearer to train stations, and Thomas Lane was a long distance away from the station. He said officers were looking at areas outside Catford Station and were trying to improve the current provision. Although Thomas Lane would not be ruled out, it would not be a priority. The Chair thanked officers for the report.

RESOLVED that the Decision of the Mayor be noted.

Health and Social Care Devolution Pilot

The Chair was informed that the Executive Director sent her apologies as she was on Jury Service, and would not be at the meeting to present this report, but officers could take questions from Panel Members, to be responded to as soon as possible.

It was noted that this item had been to the appropriate scrutiny meeting, and Business Panel would like the transformation plan to be published in full. Panel members would like to know whether there would be further implications for the health devolution pilot, and what the timeframe would be. Councillor Muldoon highlighted that the Council should retain the freehold of any property that would be used in this project.

**Action >>>>> ED Community Services**

RESOLVED that the decision of the Mayor be noted.

**19. Overview and Scrutiny Select Committees Work Programmes - 2016/17 - verbal update**

The Chair welcomed the Head of Scrutiny back. The Head of Scrutiny updated Panel Members about current cover arrangements in the scrutiny section, and said she would keep them informed about further changes. The Chair emphasised that officers should get the chance to work with different select committees.

The Chair said select committees had concluded some budget considerations, and members would need to get early notice of budget items where possible, as having a lot at the same time would be challenging. The Chair said Members had noted there was some shortfall in the savings proposals, and an Autumn statement was expected therefore a lot of work would need to be done. The Chair said Chairs of Select Committees would have to look at their work capacity again.

Councillor Muldoon said he was grateful to scrutiny officers for their support with the work on the London Strategy Network and the Joint Health Overview & Scrutiny Committee.

## **20. 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:

## **21. Delivery of Lewisham Futures Programme Savings L7 - Leisure Services**

Following a confidential discussion, the Chair said it would be good if residents were able to access the bowls centre at all times. He said officers should make it very clear in the report that goes to Mayor and Cabinet, that the changes would only affect staffing arrangements and not access to the bowls centre.

### **Action >>>>> ED Customer Services**

RESOLVED that the report be noted.

## **22. Highway Maintenance Contract Variation**

Following a confidential discussion, Panel Members said they had concerns about the quality of the service provided, and if the price was low but the quality sub-standard then officers might have to make another judgement.

RESOLVED that

- i. the report be noted.
- ii. officers ensure that between now and 2019 the contract specification is tight enough to prevent the Council from paying more than what had been specified in the contract.
- iii. because Panel members have concerns about this contract they expect any increase to the cost of this contract to be reported to Executive

Members.

**Action >>>>> ED Resources & Regeneration**

Meeting ended: 8.20pm

Chair .....



# Agenda Item 2

OVERVIEW AND SCRUTINY BUSINESS PANEL		
Report Title	DECLARATIONS OF INTEREST	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 1 November 2016

Members are asked to declare any personal interest they have in any item on the agenda.

## 1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

## 2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person\* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person\* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person\* is a

partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.

- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member's knowledge has a place of business or land in the borough; and
  - (b) either
    - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
    - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person\* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

\*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

### **(3) Other registerable interests**

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

### **(4) Non registerable interests**

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

### **(5) Declaration and Impact of interest on members' participation**

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any

event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**

- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

## **(6) Sensitive information**

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

## **(7) Exempt categories**

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

# Agenda Item 3

OVERVIEW AND SCRUTINY BUSINESS PANEL		
<b>Report Title</b>	Outstanding Scrutiny Items	
<b>Key Decision</b>	No	Item No. 3
<b>Ward</b>	n/a	
<b>Contributors</b>	Head of Business and Committee	
<b>Class</b>	Part 1	Date: 1 November 2016

**1. Purpose of Report**

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

**2. No outstanding item to be reported.**

# Agenda Item 4

Overview & Scrutiny Business Panel		
<b>Report Title</b>	Notification of Late and Urgent Items	
<b>Key Decision</b>	No	Item No. 4
<b>Ward</b>		
<b>Contributors</b>	Head of Business and Committee	
<b>Class</b>	Part 1	Date: 1 November 2016

## 1. Purpose of Report

<b>Report Title</b>	<b>Author</b>	<b>Reasons Stated for Urgency</b>	<b>Responsible Committee and Date</b>
Housing zones	ED Resources and Regen	An officer error in noting the deadline for submitting the report for normal dispatch meant the deadline was missed hence the report only being available for late circulation.	Sustainable Development Select Committee, 25/10/16
Housing Zones	Kplom Lotsu	was requested by the Committee	HSC 25/10/16
Additional Licensing Scheme for HMOs	Antoinette Stasaitis	no other occasion for Committee to consider the report before M&C on 9/11/16	HSC 25/10/16

# Agenda Item 5

OVERVIEW & SCRUTINY BUSINESS PANEL		
<b>Report Title</b>	Decisions made by Mayor and Cabinet on 19 October 2016	
<b>Key Decision</b>		Item No. 5
<b>Ward</b>	All	
<b>Contributors</b>	Chief Executive/Head of Business and Committee	
<b>Class</b>	Part 1	Date: 1 November 2016

## 1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 19 October 2016 which will come in to force on 2 November 2016.

## 2. Background

2.1 The Mayor and Cabinet considered the following key decisions on 19 October 2016.-

2.2 The notice of decisions made in respect of the reports are attached as an Appendix. Under the provisions of Standing Orders Part IV E 14, members may call in an executive decision within 7 days. If these reports are not called in they will come into force on 2 November 2016.

- (i) Financial Forecasts
- (ii) Heathside and Lethbridge Phase 5 CPO
- (iii) Heathside and Lethbridge Phase 6 part 1 report
- (iv) Private Rented Sector Discharge Policy



## NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 19 October 2016. These Decisions will become effective on 1 November 2016 unless called in by the Overview & Scrutiny Business Panel on 2 October 2016.

### **1. Financial Forecasts 2016/17**

Having considered an officer report and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor agreed that:

- (i) the current financial forecasts for the year ending 31 March 2016 and the actions being taken by the Executive Directors to manage down the forecasted year-end overspend be noted;
- (ii) the revised capital programme budget, as summarised and then set out in detail be noted.

### **2. Proposed London Borough of Lewisham (Heathside and Lethbridge Estate, Lewisham – Phase 5) Compulsory Purchase Order 2016**

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor agreed that

- (1) a Compulsory Purchase Order be made in accordance with Section 17 of Part II of the Housing Act 1985 and the Acquisition of Land Act 1981, for the compulsory acquisition of all interests in the land and buildings known as Blocks 57-106 (inclusive), 107-134 (inclusive), 135-162 (inclusive) and 163-190 (inclusive) Lethbridge Close, Lewisham, SE13 the site of which is shown verged in thick black edging on the plan attached as Appendix A, other than those interests already in the ownership of the Council;
- (2) authority be delegated to the Executive Director for Resources and Regeneration, in consultation with the Head of Law, to determine the final extent of the land to be included within the Compulsory Purchase



Order provided that the Compulsory Purchase Order shall not include any additional land outside the area shown verged in thick black edging on the plan attached as Appendix A;

(3) the appropriate Officers be authorised to take such other action as may be necessary to make, obtain confirmation and effect the Compulsory Purchase Order and to acquire all interests under it; and

(4) authority be delegated to the Executive Director for Resources and Regeneration (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Compulsory Purchase Order) to confirm the Compulsory Purchase Order if the Executive Director is satisfied that it is appropriate to do so.

### **3. Heathside and Lethbridge Phase 6**

Having considered both an open and a confidential officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor agreed that

(1) the progress of the Heathside and Lethbridge regeneration scheme be noted ;

(2) having noted the outcome of the statutory Section 105 consultation, the Council brings forward the programme for gaining vacant possession of Phase 6 of the Heathside and Lethbridge regeneration scheme by two years to the summer of 2018; and

(3) the proposed budget requirements as set out in a confidential report be approved.

### **4. Private Rented Sector Discharge Policy**

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor agreed that

(1) the ongoing challenging housing supply and demand context, and the steps being taken by the Council to manage demand and increase the supply of housing in the borough, including social housing and temporary accommodation be noted

(2) the revised policy at Appendix 1 be noted;

(3) officers should proceed to consult with residents and partners based on the revised policy; and

(4) a full equality assessment analysis be undertaken;

(5) the comments of the Housing Select Committee as summarised be noted; and

(6) a report will be brought back to Mayor and Cabinet later this year seeking approval for an amended Private Sector Offers Policy in light of the outcome of the consultation and equality assessment analysis.

**Barry Quirk  
Chief Executive  
Lewisham Town Hall  
Catford SE6 4RU  
20 October 2016**

<b>OVERVIEW &amp; SCRUTINY BUSINESS PANEL</b>		
<b>Report Title</b>	Exclusion of the Press and Public	
<b>Key Decision</b>		Item No. 7
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 1 November 2016

### **Recommendation**

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

8. Decisions made by Mayor and Cabinet on 19 October 2016
9. Decisions made by Mayor and Cabinet (Contracts) on 19 October 2016
10. Decision made by an Executive Director Under Delegated Authority –  
Managed Services for all Interpretation, Translation and Transcription Services  
Contract Award.

# Agenda Item 8

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

Document is Restricted

# Agenda Item 9

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

Document is Restricted

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Document is Restricted