



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 22 NOVEMBER 2016 at 7.05 pm

**Committee Room 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

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 14 November 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.

ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
1.	Minutes	1 - 5
2.	Declarations of Interests	6 - 9
3.	Outstanding Scrutiny Matters	10
4.	Notification of Late and Urgent Items	11 - 12
5.	Decisions Made at Mayor and Cabinet on 9 November 2016	13 - 16
6.	Overview and Scrutiny Select Committees Work Programmes verbal update	
7.	Exclusion of the Press and Public	17
8.	Decision Made By Mayor and Cabinet on 9 November 2016	18 - 19
9.	Decision Made by Mayor and Cabinet (Contracts) on 9 November 2016	20 - 21
10.	Decision Made by an Executive Director Under Delegated Authority - Approval of Award of Contract for Deptford High Street North	22 - 37

FIELD_TITLE



Lewisham



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.

Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item No. 1
Ward	All	
Contributors	Chief Executive	
Class	Part 1	Date: 22 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 1 November 2016 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 1 November 2016 at 7.05 pm

PRESENT: Councillors Alan Hall (Chair), Gareth Siddorn (Vice-Chair), Liam Curran, Brenda Dacres, Carl Handley, David Michael, Jamie Milne, Hilary Moore and John Muldoon.

Apologies for absence were received from Councillor Jim Mallory.

25. Minutes

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

The Chair asked to be updated about complaints received regarding the conduct of Councillor Smith made by Solicitors acting for Millwall Football Club. The Head of Business and Committee reported the Monitoring Officer had carried out an investigation in conjunction with external Counsel and would be formally reporting the outcome to the Standards Committee on 9 November 2016.

The Chair said the Millwall Football Club had written formally to all Lewisham Councillors, and he would send this correspondence to the Chief Executive, for his response, and for the Chief Executive's response to be circulated to Business Panel Members.

Councillor Dacres asked if there had been any update following their call-in to the last Mayor and Cabinet meeting. The Chair said there had been no update, and this was the second Business Panel meeting since the call-in. The Chair suggested Business Panel Members request to see the document mentioned in the 'Guardian' that had resulted in the delay to their call-in being considered at the Mayor and Cabinet meeting.

Councillor Curran asked what happens now following the call-in been suspended. He asked whether any new decision made would be brought to Business Panel at the initial stage. The Principal Lawyer said she could not give an update now but would confirm that the call-in would be dealt with based on the previous information from the September meeting.

Councillor Handley asked whether Cabinet had received additional information that led to the call-in being postponed, and was told by the Head of Business and Committee that the call-in remained live until it had been considered formally by Cabinet. The Head of Business and Committee confirmed the adjourned consideration would allow external investigation of the document mentioned by Councillor Smith at the Cabinet meeting on 28 September 2016.

The Chair requested that the report on the Housing Action Zone bids be circulated to Business Panel Members. Business Panel also requested an update on what the Joint Committee agreed and how it would progress the work.

Action>>>>> ED Resources & Regeneration

RESOLVED that:

- i. the recent correspondence from Millwall Football Club be forwarded to the Chief Executive, for his response, to be circulated to all Business Panel Members.
- ii. the minutes of the meeting held on 4 October 2016, which was open to the press and public, be confirmed as a true record of the proceedings.

26. Declarations of Interests

None received.

27. Outstanding Scrutiny Matters

Report noted.

28. Notification of Late and Urgent Items

Report noted.

29. Decisions Made at Mayor and Cabinet on 19 October 2016

Financial Forecasts

The Head of Financial Services introduced the report.

The Chair asked how much the Council had spent on external counsel fees lately, and was told that the figures were not currently available but could be produced. Councillor Muldoon asked why Adult Services was £2m overspent in August, and in October it was overspent by £3m. The Head of Financial Services said he did not know the answer to that but would find out and report back.

Action >>>>> ED Resources & Regeneration

The Chair said he had noted that there was a big shortfall in the amount of savings made and the forecasted savings. He asked whether there were additional savings to be made by April. The Head of Financial Services said the shortfall was currently £9m and he was aware that the Mayor would be meeting with Heads of Service to review budgets to address the shortfall.

Councillor Dacres stated that Business Panel Members were hoping they would have sufficient time to consider budget proposals, but because of the lull between reports they were now concerned this might not be the case. The Chair concurred, and Members were told that it was unlikely that they would receive lots of reports

before the Christmas period. The Head of Financial Services assured Members that they would have sufficient time to scrutinise the reports.

The Head of Financial Services informed Panel Members that some money had been set aside to cover risks, and potential pressures, and things would become clearer towards the New Year. Councillor Dacres said the Council might be setting itself up for heavy budget pressures and cuts, and Business Panel Members were concerned. The Chair thanked officers for the report.

RESOLVED that the decision of the Mayor be noted.

Private Rented Sector Discharge Policy

The Private Sector Housing Agency Manager introduced the report.

The Chair said the Housing Select Committee had made recommendations for this report, and asked whether they were considered at Mayor and Cabinet. The Private Sector Housing Agency Manager replied that the report to Mayor and Cabinet was to seek approval for consultation, and the recommendations from the Housing Select Committee would be included in the consultation process. She said a report would go back to the Housing Select Committee in January 2017.

Action >>>>> ED Customer Services

Panel Members stated that they would expect a thorough equalities impact assessment to be done as part of the process. It was noted that this would be done after the consultation process. The Chair said officers should ensure the Housing Select Committee get an update before the report is agreed at Mayor and Cabinet. The Chair said there seemed to be a lot of people in temporary accommodation and this is of great concern to Business Panel Members.

Action >>>>> ED Customer Services

The Private Sector Housing Agency Manager said officers were aware of Members' concerns, hence they have been looking at creative ways to address the problem. She stated that currently a 4 bedroom house would cost £1,800 a month in Lewisham and around £600 in Birmingham. The Private Sector Housing Agency Manager said officers were looking at encouraging people to relocate where there were affordable rented properties, as part of the solution.

The Chair asked if officers thought there was a crisis in the private rented sector, and was told Lewisham was facing a crisis. Panel Members were also advised that this problem would become worse as local housing allowance had been frozen. Councillor Dacres asked if the tenants were required to put down a deposit, and was told that the Council would fund the deposit for a lot of the prevention work. Councillor Dacres asked what type of checks were made on prospective properties and was told those that were needed to meet the statutory requirements, but the tenants were also being trained to be aware of safety, and minimum standards that should be met by Landlords.

Councillor Muldoon said according to the Autumn statement Pensions Funds were being utilised through investments to meet the demands of affordable housing. He said there were a variety of funds that could be tapped into, and officers would

need to do proper research and look at various possibilities. The Private Sector Housing Agency Manager said officers would be looking at all available options. The Chair requested an update on the implementation of ownership proposals from the Housing Act to be sent to Business Panel Members.

Action >>>>> ED Customer Services

RESOLVED that the decision of the Mayor be noted.

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

The Head of Scrutiny said some savings meeting were expected which could affect the work programmes. She asked Chairs of Select Committees to tell Scrutiny Managers what changes they would require.

Report Noted.

31. Exclusion of the Press and Public

32. Decision Made by Mayor and Cabinet on 19 October 2016

No confidential decision was requested for further scrutiny.

33. Decisions Made by Mayor and Cabinet (Contract) on 19 October 2016

No confidential decision was requested for further scrutiny.

34. Decision made by an Executive Director Under Delegated Authority - Managed Service for all Interpretation, Translation and Transcription Services - Contract Award

This decision was not requested for further scrutiny.

Meeting ended : 8.50pm

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: 22 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		
Report Title	Outstanding Scrutiny Items	
Key Decision	No	Item No. 3
Ward	n/a	
Contributors	Head of Business and Committee	
Class	Part 1	Date: 22 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. Recommendation

That the reporting date of the items shown in the table below be noted.

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Children and Young People Select Committee- Response to Review into Careers Information, Advice and Guidance	ED Children & Young People	9 November 2016	15 February 2017	No
Housing Select Committee and Sustainable Development Select Committee- Housing Zones	ED Resources & Regeneration	9 November 2016	15 February 2017	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 9 November 2016 available from Kevin Flaherty 0208 3149327.

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

Overview & Scrutiny Business Panel		
Report Title	Notification of Late and Urgent Items	
Key Decision	No	Item No. 4
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 22 November 2016

1. Purpose of Report

Report Title	Author	Reasons Stated for Urgency	Responsible Committee and Date
Allocations Policy Review – results of consultatuion	Executive Director Customer Services	This report is late due to a problem relating to reporting accurate equalities data from the Allocations database to inform the Equalities Analysis Assessment, which had to be rectified by the supplier. It is urgent as there is no other opportunity for Committee to consider this report prior to it being presented to Mayor and Cabinet at its meeting on 7 December.	HSC – 16 November 2016
Key Housing issues	Executive Director Customer Services	This report is late to ensure that Housing Select Committee have the most up to date information regarding the Handypersons service consultation, which concluded at the end of October. It is urgent as there is no other opportunity for Committee to consider the Handypersons saving proposals before final proposals are presented to Mayor and Cabinet.	HSC – 16 November 2016

--	--	--	--

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet on 9 November 2016	
Key Decision		Item No. 5
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 22 November 2016

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 9 November 2016 which will come in to force on 23 November 2016.

2. Background

2.1 The Mayor and Cabinet considered the following key decisions on 9 November 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 23 November 2016.

- (i) London Living Wage Accreditation Discount Review
- (ii) Catford Regeneration Programme Update
- (iii) Deptford Reach Development
- (iv) Annual Complaints Report
- (v) Lewisham Homes Business Plan
- (vi) Copperas Street Disposal Part 1



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 9 November 2016. These Decisions will become effective on 23 November 2016 unless called in by the Overview & Scrutiny Business Panel on 22 November 2016.

1. Review of the National Non Domestic Rates – discretionary discount scheme for businesses accredited to Living Wage Foundation

Having considered an officer report, and a presentation by the Cabinet Member for Policy & Performance, Councillor Joe Dromey, the Mayor agreed that

(1) a one off discount in NNDR based on the cost of accreditation be offered again in 2017/18 to businesses that become accredited by the Living Wage Foundation during 2017/18 and who meet the criteria set out in appendix 1

(2) the discount be offered on a first come first served basis until the Council's overall contribution equals £20,000 within the 2016 -2018 financial years and once the Council's £20,000 contribution has been reached to offer no further discounts; and

(3) the scheme be reviewed in 2017/18 to determine whether it should be offered in future years.

2. Catford Regeneration Programme – Update

Having considered an amended officer report and a presentation by the Deputy Mayor, Councillor Alan Smith, the Mayor agreed that:

(i) the recommended masterplanning approach for progressing the Catford Regeneration Programme be approved; and

(ii) the programme for delivering the proposed approach be approved.

3. Deptford Reach Development

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

(1) Having considered the relevant benefits and risks associated with the funding of the Deptford Reach development project, the Council increases the grant funding for the development, from £924,000 to £1,500,000 using S106 funding; and

(2) authority be delegated to the Executive Director for Resources and Regeneration, in consultation with the Executive Director for Customer Services and Head of Law, to finalise the terms of the grant agreement with Deptford Reach for the S106 funding

4. Annual Complaints Report 2015 -16

Having considered an officer report, and a presentation by the Cabinet Member for Policy & Performance, Councillor Joe Dromey, the Mayor agreed that the report be noted.

5. Lewisham Homes Business and Delivery Plan 2016 - 19

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

(1) the performance of Lewisham Homes against its targets, as set out in Be noted along with the Action Plan outlining how Lewisham Homes plans to continue to improve performance and resident satisfaction; and

(2) the Business and Delivery Plan for 2016-19 be approved.

6. Creekside Copperas Street Depot – Disposal

Having considered an open and a confidential officer report and a presentation by the Deputy Mayor, Councillor Alan Smith, the Mayor agreed that:

(1) authority be granted to dispose of the Copperas St site to Kitewood Creekside Limited on the terms set out; and

(2) authority be delegated to the Executive Director for Resources & Regeneration, in consultation with the Head of Law, to finalise the terms of the legal documentation for the disposal with Kitewood Creekside Limited (or any of their group companies)

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford SE6 4RU
10 November 2016**

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 7
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 22 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 9 November 2016
9. Decisions made by Mayor and Cabinet (Contracts) on 9 November 2016
10. Decision made by an Executive Director Under Delegated Authority – Approval of Award of Contract for Deptford High Street North

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

Agenda Item 10

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

Document is Restricted